



An
Bord
Pleanála

Inspector's Report

ABP-310922-21

Development	Two storey extension to the side and rear of dwelling. The extension, together with internal alterations will allow for residential occupation by students and their carers and will include a 'granny flat' at ground floor level
Location	36 Grace Park Road, Drumcondra, Dublin 9
Planning Authority	Dublin City Council
Planning Authority Reg. Ref.	2337/21
Applicant(s)	Childvision
Type of Application	Permission
Planning Authority Decision	Grant
Type of Appeal	Third Party vs. Grant
Appellant(s)	Gary Cregan, Maria McGeever & Family Peter & Meadhbh Connolly Patrick & Carol Kendellen
Observer(s)	None
Date of Site Inspection	28 th January 2022
Inspector	Stephen Ward

1.0 Site Location and Description

- 1.1. The site is located within a large residential area to the northeast of Drumcondra along the eastern side of Grace Park Road, which generally runs in a north-south direction and links Griffith Avenue (c.150m to the north) with Richmond Road (c. 750m to the southwest). The surrounding area is largely dominated by mature 2-storey semi-detached and terraced housing, while there is also a modern residential development on the opposite side of the road. There are also several educational facilities to the southwest of the site, including the Childvision National Education Centre for Blind Children and the All Hallows DCU Campus.
- 1.2. The site contains an existing two-storey semi-detached dwelling with single storey garage to the side. There is a vehicular access and parking area to the front of the site onto Grace Park Road to the west. The site is bounded by similar residential properties to the north and east. To the south of the site is a large playing field attached to Rosmini Community School, which is within the same ownership as the appeal site (i.e. Order of Charity of Rosminian Fathers). There is mature vegetation (recently trimmed) between the appeal site and the playing fields.

2.0 Proposed Development

- 2.1. It is proposed to provide residential accommodation for some of the visually impaired and disabled students of the Childvision campus located c. 300m southwest of the appeal site. The ground floor of the facility would include 4 bedrooms (2 of which are wheelchair accessible), 2 bathrooms, and laundry facilities, as well as a 1-bedroom 'granny flat' extension on the southern side. At first floor level, it is proposed to provide 2 bedrooms, a staff office, guest WC, bathroom, laundry, quiet/visitor room, kitchen/dining area, and lounge/sitting room. Balconies are also proposed at first floor level adjoining the kitchen/dining/lounge area and the quiet/visitor room.
- 2.2. The proposed works involve various internal and external alterations to the existing dwelling, as well as 2-storey extensions to the side and rear. It is stated that 148m² of the existing building will be retained and the proposed extensions would be 112m², resulting in a gross floor area of 260m². The external finishes would include a significant extent of brick and roof tiles to match the existing dwelling, while more contemporary glazing and fibre cement cladding would also be introduced.

3.0 Planning Authority Decision

3.1. Decision

By order dated 28th June 2021, Dublin City Council (DCC) issued notification of the decision to grant permission. Condition no. 6 states as follows:

The proposed carer's/staff accommodation shall not be separated from the principal dwelling by lease or sale.

Reason: In the interests of the proper planning and development of the area

3.2. Planning Authority Reports

Further Information

3.2.1. Following initial DCC reports, a request for further information was issued on 30th April 2021. The issues raised can be summarised as follows:

1. In order to address concerns regarding access to daylight and sunlight for adjoining properties, the applicant is requested to submit an assessment using the guidance outlined in BRE's 2011 Site Layout Planning for Daylight & Sunlight. The assessment is to include a revised shadow study and details of rear contiguous elevations. In the event of adverse impacts to neighbouring properties, the applicant may consider repositioning the development further south.
2. In order to address overlooking of adjoining properties, the applicant is requested to submit revised drawings ensuring that balconies and external stairwells are fully screened, and to consider reducing the level of glazing to the north elevation and ensure that it consists entirely of opaque glazing.

3.2.2. Planner's Report

3.2.3. The final planner's report (25th June 2021) can be summarised as follows:

- The proposed care facility comes under a 'community facility' which is permissible in the 'Z1' zoning area.

- The proposal is generally in compliance with section 16.14 of the development plan which sets out guidance for community facilities in residential areas.
- The adjoining dwelling (No. 38) has a similar side extension. Given the absence of development to the south, the proposal will not result in terracing and the proposed 2-storey element with hipped roof set down from the primary ridge is acceptable. The contemporary flat-roof element has been setback from the front building line and will not have a harmful impact on the streetscape. Due to the scale of the site to the south in particular, the site can facilitate a substantial extension.
- The applicant's response to the further information request has clearly demonstrated that the proposal will not reduce daylight levels to No.'s 38A Grace Park Road or 61 Grace Park Terrace. Further detailed assessment also indicates that it is not likely that there would be excessive reductions of daylight to No. 38 Grace Park Road. The updated shadow analysis clearly shows that there would be no excessive overshadowing to the rear of No's 38 and 38A, and it is not considered that the level of overshadowing to No. 61 would reduce sunlight levels below BRE recommendations. The revised drawings and documents show that the proposed development will not result in insufficient levels of daylight/sunlight to adjoining properties and is acceptable in this regard.
- The applicant's response to the further information request has included glazing and screening proposals which fully address overlooking concerns.
- There is no objection to car parking proposals (2 staff spaces).
- There is no objection to drainage proposals subject to compliance with conditions.
- It is not considered that the number of occupants would be excessive or would result in unacceptable noise impacts.
- The report concludes that the proposal would not seriously injure the residential amenities of neighbouring properties or amenities of the area. It

recommends a grant of permission subject to conditions, which forms the basis of the DCC decision.

Technical Reports

3.2.4. The Engineering Department (Drainage Division) outlines that there are no objections subject to standard conditions.

3.3. **Prescribed Bodies**

None.

3.4. **Third Party Observations**

Five 3rd Party submissions were received. The issues raised were largely similar and can be summarised as follows:

- Support for the principle of the development
- Impact on privacy by overlooking
- Loss of light to adjoining properties
- Inaccuracy of drawings and images
- Excessive scale and inappropriate design
- Inadequate car parking proposals
- Impacts on the sewer and drainage system
- Increased noise impacts
- Non-compliance with development plan standards
- Inappropriate access and security arrangements.

4.0 **Planning History**

There would not appear to be any relevant planning history pertaining to this site.

5.0 Policy Context

5.1. Development Plan

5.1.1 The operative Development Plan for the area is the Dublin City Development Plan 2016-2022. The site is zoned as 'Z1', the objective for which is '*To protect, provide and improve residential amenities*'. The properties to the east and north of the site are also zoned Z1. The land to the south and west of the site is zoned Z15, the objective for which is '*To protect and provide for Institutional and community uses*'.

5.1.2 Section 16.2.2.3 of the Plan is part of the general design standards and principles. It deals with 'Alterations and Extensions', which should be designed to respect the existing building, its context and the amenity of adjoining occupiers. Of relevance to the current application, it is stated that development should:

- Respect street uniformity, patterns and rhythms
- Retain a significant portion of garden / yard / enclosure
- Not detract from the architectural quality of the existing building
- Be confined to the rear in most cases
- Be clearly subordinate to the existing building in scale and design

5.1.3 Section 16.10.12 deals more specifically with 'Alterations and Extensions to Dwellings'. In summary, it is recommended that proposals should respect the visual amenity / character of the area and should protect the residential amenity of adjoining properties. Appendix 17 'Guidelines for Residential Extensions' sets out more detailed advice and principles in this regard.

5.1.4 The following provisions are relevant in relation to community facilities:

QH6: Encourages sustainable neighbourhoods with a variety of house types/tenure and supporting community facilities.

SN7: Supports a wide range of community facilities which are suitable for all ages and abilities.

SN8: Supports other groups in the provision of key services.

SN13: Facilitates multi-campus-style school arrangements in close proximity to residential neighbourhoods.

SN14: Facilitates continuing educational and lifelong learning facilities for all.

SN15: Ensures the optimum use of facilities and accessibility to all.

SN18: Facilities a range of facilities to cater for all.

SN21: Facilitates community-based healthcare facilities, respite homes and day care facilities in residential areas.

5.2. **Natural Heritage Designations**

The site is located c. 1.5km north of the Royal Canal proposed Natural Heritage Area. The nearest Natura 2000 site is the South Dublin Bay and River Tolka Estuary SPA, c. 1.75km to the southeast.

6.0 **The Appeal**

6.1. **Grounds of Appeal**

6.1.1. The decision of DCC to grant permission has been the subject of three separate 3rd Party appeals. The grounds of appeal for each case can be summarised as follows:

Patrick and Carol Kendellen (61 Grace Park Terrace)

- The shared boundary has not been accurately shown and does not allay concerns that the proposed building is far too close to the boundary wall.
- The impact of the development on the level of privacy currently enjoyed.
- The design appears clinical and industrial and will stick out like a sore thumb. It will detract from the land to the front and back and will detract from neighbouring properties.
- Increased occupancy and use, including staff and visitors, will result in increased noise and disturbance.
- Implications for the ongoing use of the property if it is sold.

Peter & Meadhbh Connolly (65 Grace Park Terrace)

- Balconies are not appropriate in residential areas and would intrude on private spaces, which is supported by Section 16.10.1 of the development plan. At the very least screening should be solid and opaque.
- The flat roof extension on their property is not an accessible space and should not be used as a precedent.
- The right to privacy is guaranteed in Irish and European legislation.
- There are concerns about noise levels from the balconies and solid screening should be prescribed if permission is granted.
- There is not adequate, safe parking for staff and visitors, and this is likely to result in overspill onto Grace Park Terrace.
- The extension is overbearing and needs a more balanced approach.

Gary Cregan, Maria McGeever & family

- The first floor living area and balconies will greatly impinge on privacy and development plan policy needs to be considered regarding the protection of the amenities of adjoining properties, including light and privacy.
- Increased occupancy will put huge pressure on the existing sewerage system, which is already under severe pressure and experiencing blockages.
- Parking is already an issue in the area, and it is questionable whether the Childvision campus would satisfactorily accommodate parking demands associated with the development.
- The proposal is welcome in the area. However, the amenity of their property must also be protected.

6.2. Applicant Response

The applicant's response to the grounds of appeal can be summarised as follows:

- The proposal is intrinsically linked to the Childvision campus. There is no intention to sell or lease the property and the applicant would not be imposed to conditions in this regard.

- The development is consistent with development plan policies for community facilities (SN14, SN21, SN28, and SN30).
- The residents have more demanding spatial requirements, and the levels of daylight/sunlight will make a huge difference to those suffering from visual impairment, as will the elevated living spaces overlooking the playing fields.
- The outdoor spaces will not overlook adjoining properties and the original upper floor windows would have a much clearer view of neighbouring properties.
- The outdoor living spaces are largely screened by solid walls and there is no reason to believe that the residents would produce excessive noise.
- The development will provide passive surveillance of the adjoining playing fields and will reduce noise and unwanted activity.
- The proposed design is not out of keeping with the local area.
- The revised drawings submitted as further information now represent the boundary wall accurately. The original inaccuracy occurred outside the development site and did not affect distances to site boundaries.
- Overloading of the sewerage system is not a valid objection as a completely separate system is required for foul drainage.
- Car parking will not be needed for residents due to their visual and physical impairments. Parking for staff will be available at the Childvision campus and a space and drop-off point have been provided within the site.
- The proposal is different to a standard dwelling and would not set a precedent for balconies. The balconies incorporate appropriate screening solutions are not in themselves a reason for refusal.

6.3. Planning Authority Response

None.

6.4. Observations

None.

7.0 Assessment

7.1 Introduction

7.1.1 Having inspected the site and examined the application details and all other documentation on file, including all the submissions received in relation to the appeal, and having regard to relevant local/national policies and guidance, I consider that the main issues for assessment in this appeal case are as follows

- The principle of the development
- Visual amenity
- Daylight/Sunlight
- Residential amenity
- Traffic & Parking
- Drainage

7.2 The principle of the development

7.2.1. The appeal relates to an existing residential property on a site within the 'Z1' zone, where the objective is to protect, provide and improve residential amenities. The proposed facility would primarily retain the existing residential use but would also introduce the important element of on-site care for the residents who would have physical disabilities. In this regard the proposal could be considered a 'building for the health, safety and welfare of the public' and a 'community facility', both of which are 'permissible uses' in the Z1 zone as per section 14.8.1 of the development plan.

7.2.2. In section 5 of this report, I have also outlined the relevant development plan provisions relating to community, educational, and healthcare facilities. The plan generally supports the provision of such facilities within residential areas as is currently proposed.

7.2.3 Having regard to the above, I consider that there is no objection in principle to the proposal to alter and extend the existing dwelling to accommodate this type of residential care accommodation. In accordance with Development Plan policy and standards, the suitability of the proposal shall be assessed further in terms to its impact on the visual and residential amenity of the area.

7.3 Visual amenity

- 7.3.1 I acknowledge that the proposed development involves a significant increase in gross floor area compared to the existing dwelling. This additional floorspace is distributed through two largely separate elements, the extension to the side and the extension to the rear. In this regard, I am conscious of development plan guidance which outlines that such proposals should respect the character of existing and surrounding development and should be clearly subordinate to the existing building in scale and design.
- 7.3.2 The massing of the proposed additional space in two separate extensions helps to break down the overall scale of the development. The front elevation also incorporates several design features to integrate with the existing building. The proposed ridge levels fall in several steps from the main existing ridgeline, thereby emphasising the primacy of the host building. A similar approach applies to building lines, whereby, apart from a relatively minor single storey protrusion to the front, the building lines for the main 2-storey extensions gradually step back from the established building line. The proposed materials also play an important role in integration. There is a mixture of brick and roof tiles to match the existing dwelling, while more contemporary glazing and cladding is also introduced to appropriately distinguish the new development and to avoid a cumulative terraced appearance when viewed in conjunction with the adjoining development to the north.
- 7.3.3 The extension to the rear would not be visible in the context of any established streetscape character and would have little impact on the public realm. It may be visible on the southern approach to the site but would be largely screened by the proposed side extension and mature vegetation.
- 7.3.4 This is a prominent site adjoining a large open space to the south, which I consider to be an important factor in the site's suitability to successfully absorb the significant additional development proposed in this case. Furthermore, I consider that the proposed design would provide an appropriate dual aspect at this prominent position, which would improve legibility and successfully integrate with the existing building and adjoining development. Accordingly, I do not consider that the proposed development would adversely impact on the visual amenity or character of the area.

7.4 Daylight & Sunlight

- 7.4.1 Section 16.10.12 of the development plan outlines that applications to extend dwellings will only be granted where the proposal will not adversely affect the amenities enjoyed by adjacent building occupiers, including impacts on access to daylight and sunlight. Section 16.10.2 also states that development shall be guided by the principles of Site Layout Planning for Daylight and Sunlight, A guide to good practice (Building Research Establishment (BRE) Report, 2011). In this regard, the applicant's response to the further information request included a 'Sunlight and Daylight Analysis' and concluded that the development adheres to the requirements as prescribed by the BRE Guide.
- 7.4.2 At the outset I would highlight that the BRE guidelines allow for flexibility in their application, stating in paragraph 1.6 that '*Although it gives numerical guidelines, these should be interpreted flexibly since natural lighting is only one of many factors in site layout design*'. The BRE Guide notes that other factors that influence layout include considerations of privacy, security, access, enclosure, microclimate etc., and states that industry professionals would need to consider various factors in determining an acceptable layout, including orientation, efficient use of land and arrangement of open space, and these factors will vary from urban locations to more suburban ones.
- 7.4.3 I have considered the report submitted by the applicant and have had regard to BRE 2009 – Site Layout Planning for Daylight and Sunlight – A guide to good practice (2011) and BS 8206-2:2008 (British Standard Light for Buildings - Code of practice for daylighting). I have carried out a site inspection and had regard to the interface between the proposed development and its surroundings, as well as the third-party appeals/observations which have raised concerns in relation to daylight and sunlight.
- 7.4.4 The impact of the proposed development on the daylight/sunlight available to surrounding properties is one of the issues raised in this appeal case. The BRE guide acknowledges that, in designing new development, it is important to safeguard the daylight to nearby buildings and I note that the Development Plan also outlines the need to avoid excessive impacts on existing properties.
- 7.4.5 With regard to '*light from the sky*', Section 2.2.4 of the BRE guide outlines that loss of light to existing windows need not be analysed if the distance of each part of the

new development is three or more times the height above the centre of the existing window. In this case, No. 38A and No. 61 are the only dwellings that face the proposed development and require preliminary examination in this respect.

- 7.4.6 The proposed rear extension has a maximum height of c. 6.1m (i.e. the glazed stair core) and is not on higher ground than No. 38A. It can therefore be taken that the window centre in No. 38A (c. 1.5m above ground level) is a maximum of 4.6m below the highest point of the proposed extension. I am satisfied that the proposed extension is distanced a length of more than 3 times the relevant height difference (i.e. 3 x 4.6m) and that, accordingly, no further assessment is required in this case.
- 7.4.7 Regarding No. 61, I estimate that the maximum height of the proposed rear extension (i.e. the glazed stair core) would be c. 11m from the closest window i.e. the south-facing bay window in the ground floor extension. Again, the appeal site levels are not higher than No. 61 and it can be taken that the window centre in No. 61 (c. 1.5m above ground level) is a maximum of 4.6m below the highest point of the proposed extension. The 11m separation distance would not be more than 3 times the relevant height difference (3 x 4.6m). However, it should be noted that this represents a worst-case scenario whereby the maximum height difference of 4.6m is applied. Due to the apparent higher ground levels in No. 61, the actual difference is likely to be lower but detailed levels are not available for comparison.
- 7.4.8 In cases where the above test cannot be satisfied, the BRE Guide recommends a modified assessment as to whether the angle to the horizontal subtended by the new development at the centre of the existing window is less than 25°. If so, then it is unlikely to have a substantial effect on the diffuse skylight enjoyed by the existing building. I have calculated that the proposed rear extension would subtend to an angle of 22° and accordingly is considered acceptable. Again, I would highlight that this is a worst-case scenario based on equal ground levels and the apparent higher levels in No. 61 are likely to further reduce this angle. Furthermore, the rear extension to No. 61 is served by a generous extent of glazing and it is not directly opposed by the proposed development for its full length. Accordingly, I am satisfied that the proposed development would not result in any unacceptable daylight impacts on No. 61.

7.4.9 Regarding house No. 38 next door, I consider that the modified '45° approach' is appropriate in accordance with section 2.2.14 of the BRE Guide. Under this approach, the BRE Guide recommends measuring the 45° angle from both the top of the new extension (in elevation) and the end of the new extension (in plan). If the centre of the existing window lies on the extension side of both these 45° lines, then the extension may well cause a significant reduction in the skylight received by the window. In this case I have measured the distance and height difference from the nearest ground floor window in No. 38 to the two elements of the rear extension i.e. the glazed stair core and the lower 'east wing'. I calculate that the glazed stair core would be at least 5.4m from the existing window centre and a maximum of 4m above that level, and that the 'east wing' would be at least 3.7m from the existing window centre and a maximum of 3.1m above that level. On this basis, I calculate that the angles would be 53° and 51° respectively, which comfortably lie outside the 45° line. In plan form, I calculate that the end of the extension is 5.7m from the rear building line and that the angle to the window centre would be 33°. However, while this falls within the 45° line, the BRE Guide outlines that a significant amount of light is likely to be blocked if the centre of the window lies within the 45° angle on both (my emphasis) plan and elevation. In this case, the window centre lies outside the 45° on elevation, so the impact of the extension is likely to be small and I have no objection in this regard.

7.4.10 In relation to the impact of sunlight on adjoining windows, section 3.2 of the BRE Guide outlines that obstruction to sunlight may become an issue if a living room of an existing dwelling has a main window facing within 90° of due south, and any part of a new development subtends an angle of more than 25° to the horizontal measured from the centre of the window in a vertical section perpendicular to the window. I have previously outlined that the angle between the extension and the nearest window in No. 61 would be 22°, and it is clear that the angle would be lower again for No. 38A due to the greater separation distance involved. The relationship with No. 38 is again different due to the perpendicular layout of the extension relative to the rear windows. In this regard the proposed extension would not directly oppose these windows and is less likely to significantly affect sunlight. However, I have measured the distance between the end of the extension and the centre point of the nearest ground floor window in No. 38, which is 6.8m. And given that the top level of

the end of the extension would be 3.1m above the centre of the window, I calculate that the proposed extension would subtend to an angle of 24.5°. Therefore, given that the proposed development does not subtend greater than 25° above the relevant closest windows in adjoining properties, I am satisfied that there will be no unacceptable impacts in terms of obstruction to sunlight to windows.

7.4.11 In relation to sunlight to adjoining gardens, the BRE guide recommends that for it to appear adequately sunlit throughout the year, at least half of the space should receive at least 2 hours of sunshine on 21st March. If as a result of new development this cannot be met, and the area which can comply is less than 0.8 times its former value, then loss of sunlight is likely to be noticeable.

7.4.12 In this regard, the applicant has submitted a shadow study showing the impact of the development at 9am, 12pm, 3pm and 5pm on the 21st March. It demonstrates that the proposal will not have any impact on No. 38A. It also demonstrates that No. 61 will meet BRE recommendations by retaining 2 hours of sunshine for at least half of the garden space. The proposed extension would appear to have additional impacts on No. 38, which are difficult to accurately quantify on the basis of the information submitted. However, the impacts would appear to only marginally increase the extent of existing overshadowing in No. 38 and, accordingly, I have no objections in this regard.

7.4.13 In conclusion, I again highlight the advisory, non-mandatory nature of the BRE Guide in this instance. I have assessed the potential daylight/sunlight impacts to adjoining windows and the sunlight impacts on adjoining open spaces. I have limited the assessment to No.'s, 38, 38A and 61, which represent a worst-case scenario given that they are the closest properties to the proposed development, and I have considered the application documents and the 3rd party concerns in this regard. Having regard to the details outlined in my assessment, I am satisfied that the proposed development will not result in any unacceptable daylight/sunlight impacts for neighbouring properties.

7.5 Residential Amenity

7.5.1 Apart from daylight and sunlight impacts, the appeals raise various other concerns regarding impacts on residential amenity.

- 7.5.2 Dealing firstly with the question of overlooking and privacy, I note that the applicant submitted further information proposals to address this matter. There is effectively no east-facing glazing at first floor level. There is some north-facing glazing at first floor level serving less commonly used circulation space and the quiet/visitor room. However, frosted glazing will be used in these cases and I am satisfied that no significant overlooking of adjoining properties will occur from any proposed windows.
- 7.5.3 The appeals raise significant concerns about overlooking from the first-floor balcony areas. However, I consider that the applicant has included comprehensive louvred fins as screening along the balcony perimeters and external staircase and I am satisfied that these adequately mitigate any significant overlooking of adjoining properties.
- 7.5.4 The overbearing appearance of a development is largely influenced by the relationship of its height and scale to the receiving environment. In this regard I consider the rear extension to be most relevant given its proximity to surrounding properties. The side extension would be largely consistent with the relationship between the existing house and surrounding properties. The proposed rear extension would be c. 1.8m from the adjoining property to the east and would range from c.1.9m to 2.9m from the property to the north. However, it would maintain a relatively low profile with a height of c. 5.1m. Furthermore, the rear of the adjoining dwelling to the north (No. 38) faces east, away from the proposed extension, while the remaining properties to the north and northeast (i.e. No. 38A and those along Grace Park Terrace) are significantly setback. Having regard to the limited height and scale of the proposed development, together with the separation distance and orientation of surrounding properties, I do not consider that the proposal would have any significant overbearing impacts.
- 7.5.5 In terms of the concerns raised about noise and general disturbance, I would concur with the applicant's view that the proposed development would be generally consistent with the existing residential use of the site. There is no basis to presume that the residents and staff would result in increased noise levels, notwithstanding the inclusion of the proposed balcony areas which are unlikely to be subject to noise-intensive use. In particular, the closest balcony (i.e. off the visitor/quiet room) is unlikely to be in regular use and is of a limited size which would not accommodate large groups.

- 7.5.6 I do not consider that the inclusion of a side entrance to the 'granny flat' would lead to security concerns and I would accept the applicant's assertion that the south-facing nature of the design would lead to increased surveillance of the adjoining open space.
- 7.5.7 One of the appeals raises concerns that the drawings and details submitted with the application are inaccurate and do not facilitate a proper assessment of impacts on residential amenity. However, I note that the drawings and images associated with the application were revised via the further information response in an attempt to address any inaccuracies. Having reviewed the details and inspected the site, I am satisfied that the drawings and images provide an accurate representation of existing and proposed development and are sufficient to assess this appeal case.
- 7.5.8 In terms of the residential amenity of the proposed facility, I consider that it would provide high-quality spacious accommodation for the specific needs of the residents. It is also proposed to provide 78.5m² of open space in the rear garden, together with 24.4m² in the form of private balconies at first floor level (total of 103.7m²). Section 16.10.2 outlines that 10m² per bedspace normally applies and that up to 60-70m² of rear garden area is generally sufficient for houses in the city. With a maximum of 8 bedspaces in the proposed facility I am satisfied that the proposed 103.7m² would provide adequate open space for the residential amenity of the proposed property.
- 7.5.9 Having regard to the above, I do not consider that the proposed development would result in significant adverse impacts on residential amenity in terms of privacy, security, disturbance, overbearing impacts, or otherwise.

7.6 Traffic & Parking

- 7.6.1 Although not specifically stated in the description of the development, the drawings and plans submitted indicate that it is proposed to widen the existing entrance to a width of 6 metres. This does not appear to have been assessed by the planning authority and I note that the development plan guidance indicates that driveways should be a maximum of 3.6m in width. I consider that the 6m width that is apparently proposed is excessive. And while the Board may wish to attach a condition specifying an appropriately reduced width, I consider that any alterations to the entrance should be omitted altogether given that it has not been included in the

description of the development and has not been assessed by the planning authority. It would be open to the applicant to make a separate application relating to the entrance.

7.6.2 Otherwise, I consider that the nature of this facility is such that it is unlikely to generate traffic volumes or parking demands that would significantly exceed that of the existing residential use. Furthermore, I consider that the Childvision campus is in a reasonable proximity to facilitate any additional parking demands that may arise on occasion. Two parking spaces are proposed within the site and there would be scope to achieve additional spaces if the Board deems it to be appropriate.

7.6.3 Having regard to the above, I do not consider that the traffic and parking arrangements associated with the proposed development would interfere with the safety or free flow of vehicular and pedestrian/cyclist movements at this location.

7.7 **Drainage**

7.7.1 In response to concerns about the drainage infrastructure capacity in the area, I consider that the proposed development is unlikely to result in a significantly increased loading. The proposed occupancy is comparable to that of a standard dwelling, which currently exists on site. Furthermore, any perceived increase in loading would be further diluted when considered in the context of cumulative loading in the area.

7.7.2 Accordingly, I have no objection in relation to impacts on drainage infrastructure and I am satisfied that details can be agreed by condition with DCC and Irish Water.

8.0 **Appropriate Assessment**

Having regard to the minor scale of the proposed development, and to the location of the site in a serviced urban area and the separation distance to the nearest European site, no Appropriate Assessment issues arise, and it is not considered that the development would be likely to have a significant effect individually or in combination with other plans or projects on a European site.

9.0 Environmental Impact Assessment - Screening

Having regard to the nature and scale of the proposed development and its location in a serviced urban area, I have concluded that the proposed development would not be likely to have significant effects on the environment and that, on preliminary examination, an Environmental Impact Assessment Report (EIAR) or a determination in relation to the requirement for an EIAR was not necessary in this case (See Preliminary Examination EIAR Screening Form).

10.0 Recommendation

I recommend that permission should be **granted**, subject to conditions, for the reasons and considerations as set out below.

11.0 Reasons and Considerations

Having regard to the pattern and character of development in the area, the design and scale of the proposed development, and the provisions of the Dublin City Council Development Plan 2016-2022, it is considered that, subject to compliance with the conditions set out below, the proposed development would be acceptable in accordance with the Z1 zoning for the site, would not seriously injure the visual amenities of the area or the residential amenity of surrounding properties and would not endanger public safety and convenience by reason of a traffic generation. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

12.0 Conditions

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application as amended by the further plans and particulars submitted to the planning authority on the 1st day of June 2021, except as may otherwise be required in order to comply with the

following conditions. Where such conditions require details to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority prior to commencement of development and the development shall be carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity

2. Permission is not hereby granted for an increase in width to the vehicular entrance as indicated on the plans and drawings submitted with the application.

Reason: In the interests of clarity and to protect pedestrian and vehicular safety and convenience.

3. Water supply and drainage requirements, including surface water collection and disposal, shall comply with the requirements of the planning authority for such works and services.

Reason: In the interest of public health and to ensure a proper standard of development.

4. Details of the materials, colours and textures of all the external finishes to the proposed development shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of visual amenity

5. Site development and building works shall be carried out only between the hours of 0800 to 1900 Mondays to Fridays inclusive, between 0800 to 1400 hours on Saturdays and not at all on Sundays or public holidays. Deviation

from these times shall only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.

Reason: In order to safeguard the residential amenities of property in the vicinity.

6. The proposed granny flat shall be used solely for purposes connected to the proposed facility, and shall revert to use as part of the main building on the cessation of such use.

Reason: To protect the amenities of property in the vicinity.

7. The construction of the development shall be managed in accordance with a Construction Management Plan which shall be submitted to, and agreed in writing with, the planning authority prior to the commencement of development. This plan shall provide details of intended construction practice for the development, including noise management measures and off-site disposal of construction/demolition waste.

Reason: In the interests of public safety and residential amenity.

Stephen Ward
Senior Planning Inspector

28th January 2022