



An  
Bord  
Pleanála

## Inspector's Report

### ABP-311289-21

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<b>Development</b>	Demolition of existing single storey garage and construction of two storey, two-bedroom dwelling and all associated site works.
<b>Location</b>	Rear of 5 Montpelier Place, (Within an Architectural Conservation Area), Monkstown Road, Monkstown, Co. Dublin.
<b>Planning Authority</b>	Dun Laoghaire Rathdown County Council
<b>Planning Authority Reg. Ref.</b>	D21A/0567
<b>Applicant(s)</b>	Simon Redden
<b>Type of Application</b>	Permission
<b>Planning Authority Decision</b>	Refuse Permission
<b>Type of Appeal</b>	First Party
<b>Appellant(s)</b>	Simon Redden
<b>Observer(s)</b>	David Allman

**Date of Site Inspection**

14<sup>th</sup> January 2021

**Inspector**

Emer Doyle

## **1.0 Site Location and Description**

- 1.1. The subject site with a stated area of 0.18 hectares is located to the south of Monkstown Road and to the south of Blackrock, Co. Dublin. The appeal site is part of the curtilage of No. 5 Montpelier Place. There is a garage/shed on this section of the site together with an area of rough ground used for composting and storage. There is an existing vehicular access from the Monkstown Road which was constructed as part of the accommodation works for the Blackrock Bypass but it would appear to be minimally used.
- 1.2. Sites on both sides of the site have been recently developed. The adjacent site at No. 4 Montpelier Place has been developed with a detached two storey dwelling which finished construction last Summer, whilst the adjacent site at Mount Temple was developed with two semi-detached dwellings c. 2011.
- 1.3. No. 5 Montpelier Place is located within the Monkstown Architectural Conservation Area. It is an attractive historic dwelling which has been extended a number of times to the rear but is not a protected structure. The garden is attractively landscaped and well maintained with mature trees and shrubs.

## **2.0 Proposed Development**

- 2.1. Permission is sought to demolish an existing garage and construct a two storey dwelling to the rear of No. 5 Montpelier place. The proposed dwelling is of a contemporary design and the area is 135.6m<sup>2</sup>.
- 2.2. The site is located in an Architectural Conservation Area and the application is accompanied by an Architectural Heritage Impact Assessment.

## **3.0 Planning Authority Decision**

### **3.1. Decision**

- 3.1.1. Permission refused for 2 No. reasons relating to overscaling of proposed development and impact on visual and residential amenities and inadequate car parking provision as it was considered that the 'parking turntable' was not acceptable

and in the event of a breakdown would force vehicles to reverse onto the footpath onto Monkstown Road.

### 3.2. **Planning Authority Reports**

#### 3.2.1. Planning Reports

- The planner's report considered that whilst the principle of infill development was acceptable, the development as currently proposed was unacceptable due to the scale of the development and the inadequate car parking arrangements.

#### 3.2.2. Other Technical Reports

**Drainage:** No objection subject to conditions.

**Roads:** Refusal recommended.

**Conservation Officer:** No objection subject to conditions.

### 3.3. **Prescribed Bodies**

#### 3.3.1. **Irish Water:** No objection subject to conditions.

### 3.4. **Third Party Observations**

#### 3.4.1. Two No. third party observations were submitted to the Planning Authority. The main concerns raised are overdevelopment of site, loss of existing trees, inadequate car parking, and impact on residential and visual amenities.

## 4.0 Planning History

### **PA D07B/0977**

Permission granted by Planning Authority for ground and first floor extensions together with single storey conservatory.

### **PA D98B/0528**

Permission granted for single storey extension to the rear.

### **Adjacent sites:**

### **PA D21A/0431**

Retention permission refused by the Planning Authority at 4 Montpelier Place for a two storey shading structure to the rear of a dwelling granted under D17A/0436.

### **PA D17A/0436/ PL06D.248975**

Permission granted by Planning Authority and by ABP on appeal for demolition of workshop at rear of 4 Montpelier Place for construction of a two storey, three bedroom mews type dwelling, widen vehicular entrance and set back of replacement wall to Monkstown Road.

## 5.0 Policy Context

### 5.1. Development Plan- Dun Laoghaire Rathdown Development Plan 2016-2022

The site is zoned 'Objective A' – 'To protect and/or improve residential amenity.

The site is located within the Monkstown Architectural Conservation Area.

Section 6.1.4 Policy AR12 Architectural Conservation Areas.

## 5.2. Natural Heritage Designations

5.2.1. The following Natura 2000 sites are located in the general vicinity of the proposed development site:

- The South Dublin Bay Special Area of Conservation (Site Code 000210)
- The South Dublin Bay and River Tolka Estuary Special Protection Area (Site Code 004024).

## 5.3. EIA Screening

5.3.1. Having regard to the nature and scale of the proposed development and the nature of the receiving environment, there is no real likelihood of significant effects on the environment arising from the proposed development. The need for environmental impact assessment can, therefore, be excluded at preliminary examination and a screening determination is not required.

## 6.0 The Appeal

### 6.1. Grounds of Appeal

The grounds of appeal can be summarised as follows:

- The site layout and orientation to the streetscape are appropriate and positive and would re-instate the historic grain of the Montpelier ACA.
- The concerns regarding separation distances are unfounded.
- The concerns regarding natural light to the living room/ kitchen are unfounded as this room provides for a large skylight.
- The total open space provision is above that required for mews development of 48m<sup>2</sup>. The applicant's parents are willing to extend the depth of the site by 2m if the Board should consider this necessary and a letter of consent is attached to the appeal in this regard. This would provide an additional 21.4m<sup>2</sup>.

- The Planning Authority has already granted permission for a turntable car parking area for 2 No. cars at Seapoint Avenue under D18A/0372.
- In the unlikely event of a breakdown in the turntable, there is ample on street car parking at Montpelier Place to avoid any difficulty for day to day maintenance.

## 6.2. **Planning Authority Response**

- The Planning Authority considered that the grounds of appeal did not raise any new matter which would justify a change of attitude to the proposed development.

## 6.3. **Observations**

6.3.1. The observation submitted can be summarised as follows:

- We endorse and support the reasons for reason set out by the Planning Authority.

## 7.0 **Assessment**

7.1. The main issues that arise for consideration in relation to this appeal can be summarised as follows:

- Principle of Development
- Design and Scale
- Traffic Safety and Car Parking
- Appropriate Assessment

## **7.2. Principle of Development**

- 7.2.1. The site is an infill site located within Montpelier Place Architectural Conservation Area. I note that both sites either side of the site have been developed in recent years and I have no objection to the principle of development at this location.
- 7.2.2. I would consider that the design of the dwelling has adequate regard to the character of the ACA and conforms to the existing pattern of development and is subordinate in scale to the existing dwellings fronting Montpelier Place. I note that an Architectural Heritage Impact Assessment was submitted with the application which concludes that the development is similar in scale and character to adjacent development and the proposed development will not conflict with the character of the Architectural Conservation Area. The report from the Conservation Division of the Council concludes that they have no built heritage objections with the principle of development and accept the conclusions of the Architectural Heritage Impact Assessment.

## **7.3. Design and Scale**

- 7.3.1. I am of the view that the primary issue in this case relates to the size of the proposed dwelling in relation to the size of the site. The site has been disproportionately subdivided with the parent dwelling retaining a very large proportion of the site, perhaps due to a large single storey extension to the rear of No. 5. I also note that the site size would appear to be considerably smaller than either of the adjacent sites which have been developed in recent years.
- 7.4. The main impacts of this subdivision arrangement relate to private open space provision, scale of development, and car parking.
- 7.5. The requirement set out in Section 8.2.8.4 of the Development Plan is for an area of 48m<sup>2</sup> for a one or two bedroom house where it can be demonstrated that good quality usable open space can be provided on site. In this case, I consider that the private open space provision is 28.5m<sup>2</sup> to the rear together with 4.7m<sup>2</sup> on the terrace. I do not consider it to be appropriate to include the car turntable and the adjacent courtyard area to the front in the private open space as suggested by the appellant in the appeal as in my view this would be unsuitable in terms of location and

inadequate in quality. The appeal notes that the appellant's parents own the property to the rear and are willing to extend the site by 2m if the Board consider this to be necessary. A letter of consent is attached from the landowner in this regard and this would add another 21.4m<sup>2</sup> to the rear courtyard. Should the Board be minded to grant permission for the proposed development, I am satisfied that the extension of the site by 2m would address the concern regarding the adequacy of quality private open space provision. The total provision would be 54.6m<sup>2</sup> and thus would exceed the minimum standard of 48m<sup>2</sup> set out in Section 8.2.8.4 of the Development Plan.

- 7.6. In terms of the scale of development, the Planning Authority raised concerns that the development was overscaled for the site and the proposal would adversely impact on the residential amenities of future occupants. I note that the floor area of 135.6m<sup>2</sup> is exceptionally large for an infill two bedroom dwelling in an urban area. I note that in addition to 2 bedrooms at first floor level a small playroom and office are also proposed. Nonetheless, I consider that the design is appropriate and in-keeping with existing development in the area. I note that the Planning Authority report raised concerns regarding the quality of natural light in the kitchen/ living area at ground floor level. The living area provides for a very large skylight which would give very good levels of natural light in my view when taken together with proposed fenestration to the kitchen and living area. As such, I do not share the concerns raised by the Planning Authority regarding the impacts on the residential amenities of future occupiers.
- 7.7. In conclusion, I am satisfied that the design and scale of the development proposed is acceptable and would not detract from the residential or visual amenities of the area. I am satisfied that the concern regarding open space provision can be addressed by the proposal to extend the site by 2m to the rear in line with the appeal response submitted on behalf of the applicant. Whilst a letter of consent from the landowner has been submitted in the appeal response, no drawing has been provided of same, however I am satisfied that this matter can be addressed by condition should the Board be minded to grant permission.

## **7.8. Traffic Safety and Car Parking**

- 7.8.1. In terms of the car parking arrangements, it is proposed to provide a parking turntable within the courtyard area to the front of the site to enable a car to turn so as to facilitate driving in and reversing out. There is provision for one car parking space in line with Development Plan standards, but there is insufficient space for the car to turn around on the site so as to drive forward out of the site without the proposed parking turntable. There is an existing vehicular access at this location, but I noted on the site inspection that it appears to be used very infrequently at present and would appear to be used for maintenance purposes rather than daily parking.
- 7.8.2. The Roads Section of the Council have recommended refusal as the proposed parking turn table is not acceptable and would create an unwanted/ undesirable precedent in the event of a breakdown which would force vehicles to reverse onto the footpath and onto Monkstown Road and would result in a traffic hazard.
- 7.8.3. The appeal advises that a precedent has already been set by the Council for a parking turntable for 2 No. cars at Seapoint Avenue under PA D18A/0372. It advises that in the event of a breakdown in the turntable there is ample on street parking at Montpelier Place to avoid any untoward difficulty for a day to allow for maintenance.
- 7.8.4. Whilst there may be scope for a parking turntable of the type proposed in limited circumstances reviewed on a case by case basis, I would have concerns that the site proposed is unsuitable for such an arrangement having regard to the location on the heavily trafficked Monkstown Road, the proximity to a junction, the need to avoid additional traffic hazards for pedestrians, cyclists, and passing traffic in the event of an unexpected breakdown and the need to reverse out onto the Monkstown Road in such circumstances. As such, I consider that the location proposed would be unforgiving to be dependent on a car parking turntable.
- 7.8.5. I note that the site to the east provides for a much greater set back from the road and a generous car parking area to the front whilst the site to the west provides for pedestrian only access from the Monkstown Road. I consider that both of these arrangements are preferable to the proposed parking turntable in this case.
- 7.8.6. As such, I share the concerns of the DLRCC Transportation Planning Section and consider that the parking turntable would endanger public safety by reason of traffic hazard.

## 8.0 Recommendation

8.1. I recommend refusal for the following reason:

## 9.0 Reasons and Considerations

It is considered that the provision of a parking turntable is not acceptable at this location and would lead to an undesirable precedent and in the event of a breakdown this principle would result in cars reversing out onto the footpath and onto Monkstown Road. It is considered that the proposed development would endanger pedestrian and traffic safety by reason of creating a traffic hazard and would, therefore, not be consistent with the proper planning and sustainable development of the area.

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Emer Doyle  
Planning Inspector

28<sup>th</sup> January 2022