



An
Bord
Pleanála

Inspector's Report ABP-311680-21

Development	Construction of extension, raised parapet roof, widening of vehicular entrance, minor alterations to all elevations & all associated works
Location	14, Clare Road, Drumcondra, Dublin 9 D09 F9P1
Planning Authority	Dublin City Council North
Planning Authority Reg. Ref.	3313/21
Applicant(s)	Mairead Fanning & Cal Lynn
Type of Application	Permission
Planning Authority Decision	Grant
Type of Appeal	First Party
Appellant(s)	Mairead Fanning & Cal Lynn
Date of Site Inspection	18 th December 2021
Inspector	Colin McBride

1.0 Site Location and Description

- 1.1. The appeal site, which has a stated area of 0.0354 hectares is located on the eastern side of Clare Road, Drumcondra. Clare Road forms a junction with Griffith Avenue a short distance to the north of the site. The appeal site is occupied by a two-storey dwelling with a single-storey garage attached to the side. To the north is no. 16 and to the south is no. 14, which are similar dwellings. To the east and backing onto the site is 19 Achill Road, which is a two-storey semi-detached dwelling.

2.0 Proposed Development

- 2.1. Permission is sought for (i) a single-storey flat roof extension to the rear and side with roof lights, (ii) new raised parapet roof to existing side extension, (iii) widening of existing vehicular entrance, (iv) minor alterations to all elevations and all associated site works.

3.0 Planning Authority Decision

3.1. Decision

Permission granted subject to 8 conditions. Of note is the following condition.

8(a) Driveway entrance shall be 3m in width and shall not have outward opening gates.

3.2. Planning Authority Reports

3.2.1. Planning Reports

Planning Report (01/10/21): The design and scale of the extension was considered to be satisfactory in terms of visual amenity, adjoining amenity. It was considered that the driveway and access was excessive in width. Permission was granted subject to conditions as outlined above.

3.2.2. Other Technical Reports

Drainage Division (01/09/21): No objection.

Transportation Planning Division (16/09/21): No objection subject to condition including driveway entrance being 3m in width.

3.3. Prescribed Bodies

None.

3.4. Third Party Observations

None.

4.0 Planning History

No planning history.

5.0 Policy Context

5.1. Development Plan

The relevant Development Plan is the Dublin City Development Plan, 2016-2022.

The appeal site is zoned Z1 with a stated objective 'to protect, provide and improved residential amenities'.

16.2.2.3 Extension and Alterations to Dwellings

In particular, alterations and extensions should:

- Respect any existing uniformity of the street, together with significant patterns, rhythms or groupings of buildings.
- Retain a significant proportion of the garden space, yard or other enclosure
Not result in the loss of, obscure, or otherwise detract from, architectural features which contribute to the quality of the existing building.
- Retain characteristic townscape spaces or gaps between buildings Not involve the infilling, enclosure or harmful alteration of front lightwells.

Furthermore, extensions should:

- Be confined to the rear in most cases.
- Be clearly subordinate to the existing building in scale and design.
- Incorporate a high standard of thermal performance and appropriate sustainable design features.

In addition to the above, alterations and extensions at roof level, including roof terraces, are to respect the scale, elevational proportions and architectural form of the building, and will:

- Respect the uniformity of terraces or groups of buildings with a consistent roofline and will not adversely affect the character of terraces with an attractive varied roofline.
- Not result in the loss of roof forms, roof coverings or roof features (such as chimney stacks) where these are of historic interest or contribute to local character and distinctiveness.

16.10.12 Extensions

The design of residential extensions should have regard to the amenities of adjoining properties and in particular the need for light and privacy. In addition, the form of the existing building should be followed as closely as possible, and the development should integrate with the existing building through the use of similar finishes and windows. Extensions should be subordinate in terms of scale to the main unit. Applications for planning permission to extend dwellings will only be granted where the planning authority is satisfied that the proposal will:

- Not have an adverse impact on the scale and character of the dwelling.
- Not adversely affect amenities enjoyed by the occupants of adjacent buildings in terms of privacy, access to daylight and sunlight.

Policy MT14

To minimise loss of on-street car parking, whilst recognizing that some loss of spaces is required for, or in relation to, sustainable transport provision, access to new developments, or public realm improvements.

16.2.2.4 Boundary Walls and Railings

Dublin City Council will seek to ensure that development will not result in the loss or insensitive alteration of characteristic boundary walls or railings.

Appendix 5- 'Road Standards for Various Classes of Development

Where driveways are provided, they shall be at least 2.5 m or, at most, 3.6 m in width, and shall not have outward opening gates. The design standards set out in the planning authority's leaflet 'Parking Cars in Front Gardens' shall also apply. In residential developments, a turning bay/ parking area for all vehicles, including public service vehicles, shall be provided, and such roadway/turning area shall be designed to the standards set down by Dublin City Council.

5.2. Natural Heritage Designations

None within the zone of influence of the project.

6.0 The Appeal

6.1. Grounds of Appeal

6.1.1 A first party appeal has been lodged by Mairead Fanning & Cal Lynn, 14 Clare Road, Drumcondra, Dublin 9. The grounds of appeal are as follows...

- The existing width and configuration of the driveway makes it difficult to use with it proposed to setback the garage increasing the depth of the driveway by 1m (5.22m) and widening the driveway by 1m to 3.6m. The additional width is required to facilitate a parent and child and to allow for the car door to open up sufficient to allow for manoeuvring a child seat/improved loading and unloading.

- Appendix 5 does allow for driveway widths from to 2.5m up to 3.6m. The applicant intends to use the driveway for an electric car and requires additional space for circulation with existing constraints placed by the retaining walls on site. The applicants/appellants consider that exceptional circumstances do exist to allow for a wider entrance.
- The impact of the additional width is not considered material in terms of on street car parking and is in keeping with the character of the existing dwelling and adjoining dwellings. The proposal would not result in a traffic hazard.

6.2. Planning Authority Response

No response.

7.0 Assessment

7.1. At the outset, I wish to point out that following consideration of the documentation on the appeal file and the site location and context, I am satisfied consideration of the proposal on a de novo basis, (that is as if the application had been made to the Board in the first instance), is unwarranted and that it is appropriate to determine the appeal in accordance with the provisions of Section 139 of the Planning and Development Act, 2000 as amended. Having inspected the site and examined the associated documentation, the following are the relevant issues in this appeal.

7.2. Condition 8(a):

7.2.1 Condition 8(a) entails restricting the width of the driveway and vehicular access to 3m. The existing driveway and access is currently 2.6m wide and 4.22m deep with it proposed to increase both dimensions by 1m. The reason for the condition appears to be potential loss of off-street car parking, impact on pedestrian safety and streetscape character.

7.2.2 In relation to streetscape character, the appeal site is located in an attractive residential area with a rigid pattern and continuity of development with the dwellings characterised by two-storey, brick fronted dwellings with single-storey garages to the side and a low parapet wall and railings. The dwellings have driveways and vehicular entrances in front of the garages. The dimensions of the driveways are restrictive in terms of width and depth. I would be sympathetic to the applicant/appellants predicament, but would note that there are constraints at this location due to pattern of development and on-street car parking. The decision to grant permission and condition does allow a degree of widening of the access point to 3m (0.4m increase) as opposed to 3.6m. I would also note that the width of the access does not necessarily curtail the width of the driveway as it is possible that such an area could be wider than the entrance. I would consider that the increase in width permitted would be satisfactory in terms of visual amenity.

7.2.3 There is a level of on-street car parking along Clare Road. The proposal for wider a vehicular entrance would result in the loss of on-street car parking. Objective MT14 is “to minimise loss of on-street car parking, whilst recognising that some loss of spaces is required for, or in relation to, sustainable transport provision, access to new developments, or public realm improvements”. The proposal cannot be viewed in isolation as to permit a wider vehicular access will set a precedent for other vehicular accesses and off-street car parking along the street and this would be likely to impact significantly on existing on-street car parking provision. There are considerable benefits to off-street car parking however the maintenance of a level of existing on-street car parking is also important and permitting significant widening of individual access points would set a precedent. Such a precedent would have a significant impact on the level of on-street car parking available and be contrary to CDP Policy MT14. I would acknowledge that the decision to grant has allowed some degree of widening to the access point despite the CDP policy under MT14. I would be of the view that this is reasonable standard and that any widening at this location taken in conjunction with widening of other access points will have a knock on effect of reducing on-street car parking. I would consider that permitted level of increase is acceptable and would recommend that condition no. 8(a) be retained.

8.0 Recommendation

8.1. I recommend that condition no. 8(a) be retained.

9.0 Reasons and Considerations

Having regard to the nature of the conditions the subject of the appeal, the Board is satisfied that the determination by the Board of the relevant application as if it had been made to it in the first instance would not be warranted and, based on the reasons and considerations set out below, directs the said Council under subsection (1) of section 139 of the Planning and Development Act, 2000 to RETAIN Condition No. 8(a), and the reasons therefor.

1. The proposal by virtue of the widening of an existing access to 3.6m would have an impact on the level of provision of existing on-street car parking. Such would be contrary to Dublin City Council policy and would reduce the supply of on-street car parking and set an undesirable precedent for the further loss of the supply of on-street car parking. The proposed development would be contrary to Policy MT14 of the Dublin City Development Plan 2016-2022 which seeks to retain on-street parking as a resource for the City as far as practicable. It is considered that the reduced level of widening of the access to 3m permitted is sufficient to improve the dimensions of the existing off-street car parking on site and facilitate turning movements without having a significant impact on on-street car parking.

Colin McBride
Senior Planning Inspector

20th December 2021