



An
Bord
Pleanála

Inspector's Report ABP-313463-22

Development	Permission for new pitch roofed two storey extension to side and all ancillary site works, and retention permission of single storey extension to rear.
Location	34 Griffeen Glen Boulevard, Griffeen Glen, Lucan, Co. Dublin, K78 E271.
Planning Authority	South Dublin County Council
Planning Authority Reg. Ref.	SD22B/0050
Applicant(s)	Janusz Stepniewski
Type of Application	Permission & Permission for Retention
Planning Authority Decision	Split Decision
Type of Appeal	First Party v. Decision
Appellant(s)	Janusz Stepniewski
Observer(s)	None.
Date of Site Inspection	14 th September, 2022
Inspector	Robert Speer

1.0 Site Location and Description

1.1. The proposed development site is located at No. 34 Griffeen Glen Boulevard, Griffeen Glen, Lucan, Co. Dublin, approximately 150m west-southwest of Griffeen Shopping Centre and c. 680m north-northwest of Kishogue Rail Station (unopened), in an established residential area characterised by a combination of conventional two-storey, semi-detached housing (with front & rear garden areas and off-street car parking) and perimeter blocks (of which the subject site forms part) predominantly composed of terraced, two-storey housing provided with communal / shared car parking. It has a stated site area of 0.017 hectares, is broadly rectangular in shape, and is occupied by a two-storey, semi-detached dwelling house with a single-storey extension to the rear. It includes a side access / yard alongside the northern gable of the dwelling although a gateway limits the use of this area as car parking (given that any cars parked forward of the gateway will protrude into the public footpath). The property is bounded by the public road to the east and by existing housing to the north, south and west.

2.0 Proposed Development

2.1. The subject proposal consists of the following:

- Permission for the construction of a two-storey extension (floor area: 19.5m²) with a conventional pitched roof detail to the gable end of the existing dwelling house and all associated site development works.
- Permission to retain a single storey extension erected to the rear of the existing dwelling house which forms part of a utility area (floor area: 6.2m²).

3.0 Planning Authority Decision

3.1. Decision

3.1.1. On 6th April, 2022 the Planning Authority issued a notification of a split decision as follows:

- To **GRANT** permission for the retention of the rear extension, subject to 3 No. conditions; and

- To **REFUSE** permission for the two-storey side extension for the following single reason:
 - Having regard to the permanent removal of all on-site car parking provision, the proposed development of the side extension would result in the removal of all on site car parking and create pressure on existing shared car parking spaces, would contribute to haphazard parking, the endangerment of public safety by reason of a traffic hazard and adversely impact on the quality of the street environment. The proposed development would be contrary to the terms and conditions of the parent permission. The development would set an undesirable pattern of development for the removal of existing on-site car parking spaces on similar sites. The proposed development would adversely impact on the residential amenity of the area and would be contrary to the South Dublin County Development Plan, 2016-2022 and the proper planning and sustainable development of the area.

3.2. **Planning Authority Reports**

3.2.1. *Planning Reports:*

Details the site context, planning history and the applicable policy considerations before stating that the principle of the proposed development is acceptable by reference to the applicable land use zoning objective. It proceeds to consider the broader design of the proposed extension and raises concerns as regards the loss of off-street car parking and the potentially detrimental visual impact arising from the inclusion of a first floor bathroom window to the front of the dwelling. In elaborating on the issue of off-street car parking, the report notes that the parent grant of permission for the wider housing scheme included for 2 No. parking spaces to the side of the subject dwelling. It then states that the construction of the utility room proposed for retention has resulted in the loss of one of these spaces while access to the remaining space (which has been partially absorbed by the rear garden area) is restricted by a gate. The report subsequently asserts that there is inadequate on-street car parking available in the area and that this has given rise to haphazard parking practices.

Within the planning assessment it is stated that while the remaining car parking space on site is not presently useable for such purposes, it would be physically possible to make this space available, although construction of the side extension would have the effect of removing any such option thereby creating a situation whereby the property would be reliant on 'on-street' car parking. Such a scenario is considered to be unacceptable and the report recommends that permission be refused. This is supported by reference to a previous report prepared by the Roads Dept. in respect of PA Ref. No. SD21B/0478 which highlighted the haphazard parking practices in the area attributable to the lack of on-street / shared car parking.

The report concludes by recommending that a split decision should issue granting permission for the retention of the rear extension and refusing permission for the two-storey side extension.

3.2.2. *Other Technical Reports:*

Water Services: No objection, subject to conditions.

3.3. **Prescribed Bodies**

Irish Water: No objection, subject to conditions.

3.4. **Third Party Observations**

None.

4.0 **Planning History**

4.1. **On Site:**

- 4.1.1. PA Ref. No. S00A/0682. Was granted on 22nd January, 2001 permitting Castlethorn Construction permission for 100 No. dwellings; 21 dwellings will have direct vehicular access off Griffeen Glen Drive; 17 dwellings will have direct vehicular access off Griffeen Glen Road; 12 dwellings are served via a new vehicular access off Griffeen Glen Road; a new vehicular access is proposed off Griffeen Avenue to serve the remainder of the development (50 dwellings). The new vehicular access off Griffeen Avenue will serve as an access to the future Primary School and Local Centre situated adjoining the subject lands; site development and landscape works. All on lands at Griffeen Glen, Lucan, Co. Dublin.

4.1.2. PA Ref. No. S00A/0779. Was granted on 26th April, 2001 permitting Castlethorn Construction permission for a local centre consisting of a single storey creche, a two-storey community facility attached at ground floor only to 3 No. self-contained offices in a separate two storey block, a separate two storey block (Use Class to be interchangeable with Use Class 3); 2 No. shop units at ground floor with 3 No. 2-bedroom apartments over in a separate two storey block; site development and landscape works; and a new vehicular access off Griffeen Avenue to serve the proposed local centre. The vehicular access off Griffeen Avenue will ultimately also serve as an access to a future primary school and some 50 dwellings situated adjoining the subject lands (The design and scale of the proposed community building as originally proposed under Planning Reg. Ref. S00A/0779 is to be revised). All on lands at Griffeen Glen, Lucan, Co. Dublin.

4.2. On Adjacent Sites:

4.2.1. PA Ref. No. SD05B/0774. Was granted on 5th July, 2006 permitting Dr. Hilal Siddiqui permission for a new single storey extension for playroom/utility to side of existing dwelling at No. 36 Griffeen Glen Boulevard, Lucan, Co. Dublin.

4.3. Other Relevant Files:

4.3.1. PA Ref. No. SD21B/0478. Was refused on 14th December, 2021 refusing Valentin & Anna Ulici permission for a two-storey extension to the front / side / rear elevations to the south of existing dwelling; comprises of home office at ground floor level; bedroom with ensuite bathroom at first floor level and all associated site works. All at 12 Griffeen Glen Road, Lucan, Co. Dublin, K78H2K6.

- Having regard to the removal of all on-site car parking provision and in the absence of a strategic look at the car parking available and the house types in the wider area, the proposed development will create pressure on existing shared car parking spaces and would contribute to haphazard parking and the endangerment of public safety by reason of a traffic hazard. The proposed development would be contrary to the terms and conditions of the parent permission. The development would set an undesirable precedent for the removal of existing on-site car parking spaces on similar sites. The proposed development would adversely impact on the residential amenity of the area

and would be contrary to the South Dublin County Development Plan 2016-2022 and the proper planning and sustainable development of the area.

- 4.3.2. PA Ref. No. SD11B/0336. Was granted on 24th January, 2012 permitting J. & T. Connolly permission for a two-storey, pitched roof extension to side and rear incorporating new bay/box window to front, ridge rooflight to the side and frosted first floor ensuite window to rear together with 2 No. revised window sizes to front elevation. All at 28 Griffeen Glen Boulevard, Lucan, Co. Dublin.

5.0 Policy and Context

5.1. South Dublin County Development Plan, 2022-2028:

5.1.1. Land Use Zoning:

The proposed development site is located in an area zoned as '*RES: Existing Residential*' with the stated land use zoning objective '*To protect and / or improve residential amenity*'.

5.1.2. Other Relevant Policies / Objectives:

Chapter 5: Quality Design and Healthy Placemaking:

Section 5.2: Successful and Sustainable Neighbourhoods

Policy QDP1: Successful and Sustainable Neighbourhoods

Support the development of successful and sustainable neighbourhoods that are connected to and provide for a range of local services and facilities.

QDP1 Objective 1: To ensure that residential development contributes to the creation of sustainable communities in accordance with the requirements of the Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas, DEHLG (2009) (or any superseding document) including the urban design criteria as illustrated under the companion Urban Design Manual – A Best Practice Guide, DEHLG (2009).

Chapter 6: Housing:

Section 6.7: Quality of Residential Development

Section 6.7.1: Residential Design and Layout

Section 6.8.2: Residential Extensions

Policy H14: Residential Extensions:

Support the extension of existing dwellings subject to the protection of residential and visual amenities.

H14 Objective 1: To favourably consider proposals to extend existing dwellings subject to the protection of residential and visual amenities and compliance with the standards set out in Chapter 12: Implementation and Monitoring and the guidance set out in the South Dublin County Council House Extension Design Guide, 2010 (or any superseding guidelines).

H14 Objective 2: To review and update the South Dublin County Council House Extension Design Guide, 2010 during the lifetime of this Development Plan, to include a review of design options for mid terrace type extensions with a view to facilitating these extensions in Local Authority housing where appropriate.

Chapter 7: Sustainable Movement:

Section 7.10: Car Parking

Policy SM7: Car Parking and EV Charging

Implement a balanced approach to the provision of car parking with the aim of using parking as a demand management measure to promote a transition towards more sustainable forms of transportation, while meeting the needs of businesses and communities.

SM7 Objective 1: To implement maximum car parking standards for a range of land-use types, where provision is based on the level of public transport accessibility.

Chapter 12: Implementation and Monitoring:

Section 12.5: *Quality Design and Healthy Placemaking*

Section 12.6: *Housing - Residential Development:*

Section 12.6.7: *Residential Standards*

Section 12.6.8: *Residential Consolidation: Extensions:*

The design of residential extensions should have regard to the permitted pattern of development in the immediate area alongside the South Dublin County Council House Extension Guide (2010) or any superseding standards.

Section 12.7: *Sustainable Movement*

Section 12.7.4: *Car Parking Standards*

Tables 12.25 and 12.26 set out the maximum parking rates for non-residential and residential development. Parking rates are divided into two main categories:

- Zone 1: General rate applicable throughout the County;
- Zone 2 (Non Residential): More restrictive rates for application within town and village centres, lands zoned REGEN, and brownfield / infill sites within Dublin City and Suburbs settlement boundary within 800 metres of a train or Luas station and within 400-500 metres of a high quality bus service (including proposed services that have proceeded to construction).

The provision of parking spaces for car sharing / pooling will be encouraged and will not impact on the maximum rates in Table 12.25.

- Zone 2 (Residential): More restrictive rates for application within town and village centres, lands zoned REGEN, and brownfield / infill sites within Dublin City and Suburbs settlement boundary within 400-500 metres of a high quality public transport service (includes a train station, Luas station or bus stop with a high quality service).

Table 12.26: Maximum Parking Rates (Residential Development):

Dwelling Type	No. of Bedrooms	Zone 1	Zone 2
House	2 Bed	1.5 spaces	1.25 spaces

The number of spaces provided for any particular development should not exceed the maximum provision. The maximum provision should not be viewed as a target and a lower rate of parking may be acceptable subject to:

- The proximity of the site to public transport and the quality of the transport service it provides. This should be clearly outlined in a Design Statement submitted with a planning application,
- The proximity of the development to services that fulfil occasional and day to day needs,
- The existence of a robust and achievable Workforce Management or Mobility Management Plan for the development,
- The ability of people to fulfil multiple needs in a single journey,
- The levels of car dependency generated by particular uses within the development,
- The ability of residents to live in close proximity to the workplace,
- Peak hours of demand and the ability to share spaces between different uses,
- Uses for which parking rates can be accumulated, and
- The ability of the surrounding road network to cater for an increase in traffic.

5.2. Natural Heritage Designations

5.2.1. The following natural heritage designations are located in the general vicinity of the proposed development site:

- The Grand Canal Proposed Natural Heritage Area (Site Code: 002104), approximately 1.0km south of the site.
- The Liffey Valley Proposed Natural Area (Site Code: 000128), approximately 2.3km north of the site.
- The Royal Canal Proposed Natural Heritage Area (Site Code: 002103), approximately 3.8km northwest of the site.
- The Rye Water Valley / Carton Special Area of Conservation (Site Code: 001398), approximately 4.5km northwest of the site.

- The Rye Water Valley / Carton Proposed Natural Heritage Area (Site Code: 001398), approximately 4.5km northwest of the site.

5.3. EIA Screening

- 5.3.1. Having regard to the minor nature and scale of the proposed development, the site location outside of any protected site and the nature of the receiving environment, the limited ecological value of the lands in question, the availability of public services, and the separation distance from the nearest sensitive location, 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 original housing estate wherein the subject site is located was granted permission under PA Ref. No. S00A/0682 with the approved layout providing for a mixture of off-street (on-curtilage) and communal car parking. The permitted car parking provision was at a rate of 2 No. spaces per dwelling i.e. 200 No. spaces serving 100 No. dwellings (of which 75 No. were intended for communal use), however, since that grant of permission, the emphasis in town planning has shifted with current policy aimed at reducing reliance on the private car and placing a focus on public transport, walking and cycling. This policy change is evident in the South Dublin County Development Plan, 2022-2028 wherein maximum, as opposed to minimum, car parking standards are proposed for various development types (the maximum car parking standard for a 2-bedroom house in Zone 2 is 1.25 No spaces). Therefore, it is disingenuous of the Planning Authority to suggest that the proposed development will conflict with the parent permission that was approved under outdated planning policy.
- Parking Zone 2 (Residential) of the South Dublin County Development Plan, 2022-2028 applies a more restrictive standard within town and village centres

as well as within 400m of high-quality public transport services. The subject site is less than a 5-minute walk from Bus Stop No. 4623 on Griffeen Avenue which is served by the following routes:

- C1: Adamstown Station to Sandymount (via the city centre): service once every 15 minutes during peak times.
- C2: Adamstown Station to Sandymount (via the city centre): service once every 6-10 minutes during peak times.
- L53: Adamstown Station to Liffey Valley shopping centre: service once every 30 minutes during peak times.

Given the access to high quality and frequent public transport services, combined with the high level of car parking available in the estate (including communal spaces), it is unreasonable to refuse permission for the extension proposed due to a lack of parking.

- The assertion that the proposal will result in a traffic hazard is rejected. The Roads Dept. has not commented on the application and it would appear that the case planner alone determined that a traffic hazard would arise despite the statement that '*it is noted the car parking provided for the dwelling is not currently utilised for car parking*' i.e. as there has been no car parking on site, there has been no issue with traffic hazard.
- There is ample parking within the estate (incl. 75 No. communal spaces) while there are multiple examples of other estates in Dublin where only communal car parking is available (with no on-curtilage spaces) with no resulting traffic hazard. Given the amount of communal car parking in close proximity of the subject dwelling, it is submitted that there will be no need to park on the street or the footpath.
- The proposed development will not impact on the residential amenity of the area through the generation of additional on-street car parking. There is more than sufficient car parking both off-street and in communal areas to serve the entire estate. The amount of car parking, particularly communal car parking, will not result in on-street car parking as a result of the proposed development.

- It is not accepted that a grant of permission for the subject proposal will set an undesirable precedent for similar development in the area. A central tenet of the planning system is that every application must be assessed on its own merits. The subject development is permissible under the applicable zoning objective; accords with the relevant development plan standards; and does not impact on the residential amenity of adjoining properties by reason of overlooking, overshadowing, noise or disturbance etc.

6.2. **Planning Authority Response**

- States that the Planning Authority wishes to confirm its decision and that the issues raised in the appeal have already been addressed in the report of the case planner.

6.3. **Observations**

None.

6.4. **Further Responses**

None.

7.0 **Assessment**

7.1. From my reading of the file, inspection of the site and assessment of the relevant policy provisions, I conclude that the key issues relevant to the appeal are:

- The loss of off-street car parking
- Appropriate assessment

These are assessed as follows:

7.2. **The Loss of Off-Street Car Parking:**

7.2.1. From a review of the available information, it is apparent that the critical issue in the assessment of the subject appeal pertains to the loss of on-curtilage car parking serving the existing dwelling house consequent on the proposed development and the associated increase in demand placed on the shared communal car parking

facilities within the wider housing scheme. In this regard, and by way of background, I would advise the Board at the outset that the proposed development site is located in an established residential area characterised by a combination of conventional two-storey, semi-detached housing and several perimeter blocks (of which the subject site forms part) predominantly comprising higher density, terraced, two-storey dwellings. The distinction between the two formats of housing is that the former has been provided with front & rear garden areas and at least 2 No. off-street car parking spaces within the curtilage of each unit whereas the latter is overwhelmingly reliant on communal / shared car parking areas located along the roadside (although there are at least 8 No. dwellings, including the subject site, which would appear to have been provided with 2 No. off-street car parking spaces to the side of the property).

- 7.2.2. On the assumption that the conventional housing is already adequately provided for in terms of car parking, by my estimation there are c. 51 No. dwellings within the perimeter blocks (including the series of houses at Nos. 2, 4 & 6 Griffeen Glen Boulevard) which could be expected to rely on the communal parking provision. Notably, this figure could be interpreted as somewhat conservative in that it includes those dwellings which were originally approved under PA Ref. Nos. S00A/0682 & S00A/0779 with 2 No. off-street car parking spaces i.e. Nos. 28, 29, 30, 31, 32 & 34 Griffeen Glen Boulevard and Nos. 10 & 12 Griffeen Glen Road. In turn, there are 78 No. communal parking spaces available to serve the aforementioned housing which would equate to a parking provision of approximately 1.5 No. spaces per dwelling. However, if those dwellings which would were originally provided with on-curtilage parking are excluded from the calculation (although I note that the extension granted under PA Ref. No. SD11B/0336 has resulted in the loss of off-street parking at No. 28 Griffeen Glen Boulevard) then the available communal provision rises to a rate of 1.8 No. spaces per unit.
- 7.2.3. While I would acknowledge that the foregoing calculations are only a crude estimation of the rate of parking provision serving this section of the wider Griffeen Glen housing scheme (noting that it takes no account of the number of bedrooms within each house and assumes a generic weighting), it would seem to suggest that the availability of parking is within reasonable limits. This is of particular note in the broader context of current planning policy which aims to reduce reliance on the

private car with the South Dublin County Development Plan, 2022-2028 setting maximum (as opposed to minimum) parking rates for residential development. Within that Plan the parking rates are divided into two main categories:

- Zone 1: General rate applicable throughout the County; and
- Zone 2 (Residential): More restrictive rates for application within town and village centres, lands zoned REGEN, and brownfield / infill sites within Dublin City and Suburbs settlement boundary within 400-500 metres of a high quality public transport service (includes a train station, Luas station or bus stop with a high quality service).

7.2.4. Table 12.26 of the Plan subsequently sets out the maximum parking rates for housing development as follows:

Dwelling Type	No. of Bedrooms	Zone 1	Zone 2
House	1 Bed	1 space	1 space
	2 Bed	1.5 spaces	1.25 spaces
	3 Bed+	2 spaces	1.5 spaces

7.2.5. The retrospective application of current parking standards to existing / historical development is not without its problems, particularly in the absence of more detailed information on the numbers of 1, 2 & 3-bedroom units, however, a communal parking rate of 1.8 No. spaces per unit would seem likely to tally with the requirements for Parking Zone 1. The application site also lies within an approximate 300m walking distance of Bus Stop 4623 (Balgaddy Road) which is served by the following bus routes:

- C1 From Adamstown Station Towards Sandymount
- C2 From Adamstown Station Towards Sandymount
- L53 (Adamstown Station towards Liffey Valley Shopping Centre

7.2.6. In this regard, I note that Zone 2 is defined as including areas within 400-500 metres of a high quality public transport service (i.e. a train station, Luas station or bus stop with a high quality service). While the aforementioned bus routes would not appear to entirely satisfy the definition of a 'high frequency' urban bus service (i.e. a

minimum of 10 minute peak hour frequency), they could reasonably be construed as amounting to a 'high quality' public transport service and thus the proposed development site would seem to fall within the confines of Parking Zone 2.

Therefore, the case could be made that there is potentially an 'excess' of communal car parking provision serving the 51 No. (or 43 No. exclusive of the units intended to have on-curtilage parking) dwellings within the perimeter blocks.

N.B. With respect to the Kishogue Rail Station located approximately 670m south-southeast of the site, I would advise the Board that this is yet to come into operation although it has been suggested that the station will open in the third quarter of 2023 following refurbishment works (in support of the development of the Clonburriss Strategic Development Zone).

- 7.2.7. A more detailed analysis of the house types originally permitted under PA Ref. Nos. S00A/0682 & S00A/0779 would indicate that the 51 No. units identified as being potentially reliant on the communal parking provision would comprise 5 No. two-bedroom units (including the subject site) and 46 No. three-bedroom units. The applicable maximum parking requirements as per current Development Plan policy can thus be calculated:

House Type	Parking Zone 1	Parking Zone 2
5 No. two-bedroom	@ 1.5 No. spaces per house = 7.5	@1.25 No. spaces per house = 6.25
46 No. Three-bedroom	@ 2 No. spaces per house = 92	@ 1.5 No. spaces per house = 69
Total (Max.) Parking Required	99.5 No. spaces	75.25 No. spaces

- 7.2.8. With the exclusion of the 8 No. dwellings, including the subject site, which would appear to have originally been provided with 2 No. off-street car parking spaces (i.e. 4 No. two-bedroom and 4 No. three-bedroom units) the equivalent calculation is as follows:

House Type	Parking Zone 1	Parking Zone 2
1 No. two-bedroom	@ 1.5 No. spaces per house = 1.5	@ 1.25 No. spaces per house = 1.25
42 No. three-bedroom	@ 2 No. spaces per house = 82	@ 1.5 No. spaces per house = 63
Total (Max.) Parking Required	83.5 No. spaces	64.5 No. spaces

7.2.9. On the basis of the foregoing, it would appear that even if those dwelling houses with the benefit of off-street parking were to be considered as reliant on the shared parking areas (totalling 78 No spaces), there would seem to be a moderate excess of parking availability. It is of further relevance to note that this is based on a maximum parking requirement.

7.2.10. Therefore, in the event the subject development was to proceed thereby resulting in the loss of the 2 No. parking spaces on site, the associated increased demand on shared parking facilities in the area could be accommodated by the existing provision in light of current Development Plan policy provided it is accepted that the site is deemed to fall within Parking Zone 2.

7.2.11. However, notwithstanding the foregoing, having conducted a site inspection, and in light of the assessment by the Planning Authority, it is evident that the reality of the situation 'on the ground' is that there is considerable pressure already being on the available communal parking facilities. This is evidenced by the fact that local residents are choosing to park their cars perpendicular to the alignment of some of the parallel parking in an effort to maximise the number of cars that can be parked in those areas despite the associated consequence of vehicles protruding into the public road / carriageway. Multiple examples of such parking practices were observed during the course of my site inspection while aerial photography of the area from on-line sources such as the OSi, 'Google Earth' & 'Bing' lends further weight to the regular occurrence of such haphazard parking. Furthermore, although a considerable number of vacant parking spaces were observed during my inspection, I am inclined to suggest that this is probably attributable to the time of

day and the likelihood of a significant level for car-borne commuting from within the estate.

- 7.2.12. Given the pressures already apparent on the shared parking in the estate, presumably as a result of a considerable number of the affected households having at least 2 No. cars, it is reasonable to anticipate that any loss of off-street parking from within the curtilage of houses such as the subject site would increase the demand on said parking and serve to further exacerbate incidences of haphazard parking practices and the obstruction of the carriageway.
- 7.2.13. Although only 8 No. properties within the perimeter blocks (including the series of houses at Nos. 2, 4 & 6 Griffeen Glen Boulevard) were originally approved with 2 No. off-street parking spaces, and while some of those properties have opted to reduce that parking provision either in part or as a whole through the construction of extensions (e.g. PA Ref. No. SD11B/0336 at No. 28 Griffeen Glen Boulevard) or the erection of gateways / fences etc., given the demands already placed on the limited communal parking available, I would suggest that any additional loss of on-curtilage parking would be undesirable and could set a precedent for further such development to the detriment of the wider area (as was considered to be the case in the recent determination of PA Ref. No. SD21B/0478 at 12 Griffeen Glen Road).
- 7.2.14. With respect to the specifics of the subject proposal, it would appear that a single storey kitchen / dining room extension was constructed to the rear of the property as exempted development, however, the inclusion of a utility space that extends beyond the gable wall of the main house were deemed to require planning permission (hence the application for retention). This utility room has been constructed over an area that was originally approved under the parent permission for use as car parking and thus results in the loss of 1 No. on-site parking space. The proposed side extension will occupy the remainder of the area to the side of the property that was originally envisaged as car parking thereby resulting in the loss of all on-site parking.
- 7.2.15. Considering the property presently encompasses a two-bedroom dwelling house (as will continue to be the case should the development proceed in its entirety), it would be expected to generate a maximum demand for 1.25 - 1.5 No. parking spaces in accordance with Table 12.26 of the current Development Plan. Indeed, notwithstanding the erection of a fence / gateway obstructing access to the side of

the property, the remaining space between that gate and the front of the property is being actively used as a parking space (as was observed on the day of the site inspection). Accordingly, the existing property would appear to be generating a requirement for at least one car parking space which would be offloaded to the communal parking areas should the proposed side extension proceed.

- 7.2.16. On balance, it is my opinion that the loss of off-street parking consequent on the construction of the proposed side extension would exacerbate the pressures on the existing shared car parking and would likely contribute to further incidences of haphazard parking in the area thereby endangering public safety by reason of traffic hazard and the obstruction of road users. Therefore, I would concur with the decision of the Planning Authority to refuse permission for the two-storey side extension.

7.3. **Appropriate Assessment:**

- 7.3.1. Having regard to the minor nature and scale of the development under consideration, the site location within an existing built-up area outside of any protected site, the nature of the receiving environment, the availability of public services, and the proximity of the lands in question to the nearest European site, it is my opinion that no appropriate assessment issues arise and that the development would not be likely to have a significant effect, either individually or in combination with other plans or projects, on any Natura 2000 site.

8.0 **Recommendation**

- 8.1. Having regard to the foregoing I recommend that a split decision be issued in respect of the proposed development as follows:
- **GRANT** permission for the retention of the single storey extension to rear in accordance with the said plans and particulars based on the reasons and considerations marked (1) under and subject to the conditions set out below.

Reasons and Considerations (1):

Having regard to the provisions of the South Dublin County Development Plan, 2022-2028, and to the scale, form and design of the development proposed for retention, it is considered that, subject to compliance with the conditions set out below, the development to be retained would not seriously

injure the visual amenities of the area or the residential amenities of property in the vicinity. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

CONDITIONS

1. The development shall be retained and completed in accordance with the plans and particulars lodged with the application, 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 within three months of the date of this order and the development shall be carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

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

Reason: In the interest of public health.

3. The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefiting development in the area of the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the Development Contribution Scheme made under section 48 of the Planning and Development Act 2000, as amended. The contribution shall be paid within three months of the date of this order or in such phased payments as the planning authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. Details of the application of the terms of the Scheme shall be agreed between the planning authority and the developer or, in default of such agreement, the matter shall be referred to An Bord Pleanála to determine the proper application of the terms of the Scheme.

Reason: It is a requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance with the

Development Contribution Scheme made under section 48 of the Act be applied to the permission.

- **REFUSE** permission for a new pitch roofed two storey extension to side and all ancillary site works based on the reasons and considerations marked (2) under.

Reasons and Considerations (2):

1. Having regard to the removal of all on-site car parking provision, it is considered that the proposed development would increase the pressure on existing shared car parking facilities in the locality thereby exacerbating haphazard parking practices and endangering public safety by reason of traffic hazard and the obstruction of road users. The proposed development would be contrary to the South Dublin County Development Plan, 2022-2028, would adversely impact on the residential amenity of the area, and would set an undesirable precedent for the removal of off-street car parking spaces on similar sites. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

Robert Speer
Planning Inspector

4th October, 2022