



An  
Bord  
Pleanála

## Inspector's Report

**ABP-320241-24**

<b>Development</b>	Alterations to the bungalow, including conversion of the garage to form a new dwelling, with all associated site works.
<b>Location</b>	Sycamore Lodge, Barrenhill, Sutton, Dublin 13
<b>Planning Authority</b>	Fingal County Council
<b>Planning Authority Reg. Ref.</b>	F24A/0011
<b>Applicant(s)</b>	Paul and Barbara Keatley.
<b>Type of Application</b>	Permission
<b>Planning Authority Decision</b>	Refusal
<b>Type of Appeal</b>	First Party v Decision
<b>Appellant(s)</b>	Paul and Barbara Keatley
<b>Observer(s)</b>	None.
<b>Date of Site Inspection</b>	10/10/2024
<b>Inspector</b>	Catherine Hanly

## Contents

1.0 Site Location and Description .....	3
2.0 Proposed Development .....	3
3.0 Planning Authority Decision .....	4
3.1. Decision .....	4
3.2. Planning Authority Reports .....	4
3.3. Prescribed Bodies .....	5
3.4. Third Party Observations .....	5
4.0 Planning History .....	6
5.0 Policy Context .....	7
5.1. Fingal County Development Plan 2023 – 2029 .....	7
5.2. Guidelines .....	10
5.3. Natural Heritage Designations .....	10
5.4. EIA Screening .....	10
6.0 The Appeal .....	11
6.1. Grounds of Appeal .....	11
6.2. Planning Authority Response .....	12
6.3. Observations .....	13
7.0 Assessment .....	13
8.0 AA Screening .....	19
9.0 Recommendation .....	19
10.0 Reasons and Considerations .....	19
11.0 Appendix 1 - Form 1 .....	21
12.0 Appendix 2 - Form 2 .....	23

## **1.0 Site Location and Description**

- 1.1. The subject site is located in the established residential area in Sutton, to the south of St. Fintan's Road and to the east of Shielmartin Road. The site is accessed via a long narrow roadway off St. Fintan's Road which also serves two other dwellings known as Crimthann and the Corner House. Recent kerbing works have been completed on the right-hand side of the access road upon exit onto St. Fintan's Road. The site is served by a parking area to the front of the dwelling along the western boundary of the site. The western boundary of the access roadway is formed by a wall which abuts the rear gardens of dwellings fronting onto Shielmartin Road. The residential dwellings known as Crimthann, Sutton Creek View and Mayfield respectively abuts the north-eastern and eastern boundaries of the site.
- 1.2. The landholding contains a dormer bungalow with a pitched roof. The area of the subject site contains a double garage and games room which currently forms part of the existing house. The site slopes downwards from south-east to north-west. The location of the existing house and the subject site are on a lower level than the remainder of the rear garden area. There are hedgerow boundaries on all sides of the rear garden, with mature trees on the northern boundary and raised platform levels of lawn in the south-eastern section of the site.

## **2.0 Proposed Development**

- 2.1. The proposed development comprises the following:
- Alterations to the existing dwelling to reduce the size of the existing dormer bungalow.
  - The construction of a new detached dormer bungalow to the side of the existing dwelling by converting the existing dormer garage and games room into two bedrooms, a bathroom and study and to form an additional dormer extension to the side for a lounge, kitchen and two bedrooms with car parking to the front.

- The application is similar to that approved under a previously granted planning permission, ABP Ref. 301364-18, register reference number F17A/0605, which was approved on 26/07/2018. ABP Ref. 301364-18 also sought permission for alterations to reduce the size of the existing bungalow and to construct a new dwelling.

### 3.0 Planning Authority Decision

#### 3.1. Decision

- 3.1.1. Notification of the Decision to Refuse Permission issued on the 1<sup>st</sup> July 2024 for 1no. reason, as follows:
- 3.1.2. *“The access lane from the site to St. Fintan’s Road suffers from inadequate sightlines. The proposed development would represent an intensification of the use of this substandard access/ egress. The applicant has not demonstrated that sufficient amendment could be carried on land within their ownership such that adequate sightlines could be achieved. The proposed development would intensify the use of a substandard entrance and would therefore endanger public safety by reason of a traffic hazard. As such, the proposed development would contravene Objective DMSO32 of the Fingal County Development Plan 2023-2029, would set a seriously detrimental precedent for development in the immediate vicinity, and is therefore not in accordance with the proper planning and sustainable development of the area.”*

#### 3.2. Planning Authority Reports

##### 3.2.1. Planning Reports

- The applicant did not submit drawings identifying the existing site layout as requested at Further Information stage.
- At Further Information stage, the applicant was requested to submit a sightline drawing. The applicant was advised that a speed survey may be of benefit to the applicant. The applicant was also requested to outline if any works were

required on third party lands. In response to the Further Information request, the applicant submitted entrance details which omit existing hedges on adjoining third party lands to the north-west. No speed survey was produced and the applicant outlined that no works are required on third party lands. The Planning Report outlines that the applicant proposes a 2m wide verge to the northwest of the entrance. The verge does not exist and there is an existing large boundary hedge along the neighbour's property that obscures the sightlines. The Planner's Report outlines that the applicant has not included a letter of consent to alter the adjacent property owner's boundary hedge and as such the sightlines cannot be achieved.

- The proposed development would intensify the use of a substandard entrance and as such would contravene Objective DMSO32 of the Development Plan and would constitute a traffic hazard.

#### 3.2.2. Other Technical Reports

- Transportation Planning Section: Recommends that planning permission be refused on the basis that it would create a traffic hazard as the applicant has not identified that the required sightlines can be achieved.
- Parks Section: The Planning Officer's Report states that the information was reviewed by the Parks and Green Infrastructure Division and is acceptable and conditions are recommended in the event of a grant of permission. Fingal County Council have confirmed however that no report was received by the Parks and Green Infrastructure Division following the receipt of Additional Information.
- Water Services Section: No objection subject to condition.

### 3.3. Prescribed Bodies

#### 3.3.1. None.

### 3.4. Third Party Observations

#### 3.4.1. None.

## 4.0 Planning History

### 4.1. Planning History for the Site

- **ABP Ref. 301364-18 and P. A. Ref. F17A/0605**. Detached dormer bungalow. 2018 Grant. First party appeal on Fingal County Council's refusal. The application was refused by Fingal County Council due to inadequate sightlines and given that the proposed development would represent an intensification of the use of a substandard access/ egress. Fingal County Council further considered that the applicant had not demonstrated that sufficient amendment could be carried out to land within their ownership such that revisions to the substandard sightlines could be carried out to ensure the intensified use of the access/ egress point could be carried out safely. As such it was considered that the development would endanger public safety by reason of a traffic hazard.

In this first party appeal, the Inspector recommended a refusal on the basis that the junction of the access road from the site with St. Fintan's Road is substandard and adequate sightlines cannot be obtained. The refusal outlined that the intensification of use of this access would constitute a traffic hazard.

The Board ultimately decided to grant permission. The Board's Direction outlines that *"in deciding not to accept the Inspector's recommendation to refuse permission, the Board had regard to the established nature of the entrance lane in a lightly trafficked and low speed environment and considered that the increased use by an additional two cars will not give rise to traffic hazard and would be acceptable in terms of traffic and pedestrian safety."*

### 4.2. Planning History for Crimthann (located to the north of the site)

- **ABP Ref. PL06F.320757 and P.A. Ref. F24A/0003**. Detached dwelling. Refused by the Planning Authority and under first party appeal. The application was refused by the Planning Authority for 1 no. reason. The reason is set out as follows:

*"The access lane from the site to St. Fintan's Road suffers from inadequate sightlines. The proposed development would represent an intensification of*

*the use of this substandard access/ egress. The applicant has not demonstrated that sufficient amendment could be carried on land within their ownership such that adequate sightlines could be achieved. The proposed development would intensify the use of a substandard entrance and would therefore endanger public safety by reason of a traffic hazard. As such, the proposed development would contravene Objective DMSO32 of the Fingal County Development Plan 2023 – 2029 would set a seriously detrimental precedent for development in the immediate vicinity, and is therefore not in accordance with the proper planning and sustainable development of the area.”*

## **5.0 Policy Context**

### **5.1. Fingal County Development Plan 2023 – 2029**

- 5.1.1. The site is subject to land use zoning “RS” which has the objective to “*provide for residential development and protect and improve residential amenity*”.
- 5.1.2. There is an objective on the site to protect and preserve trees, woodlands and hedgerows.
- 5.1.3. The is located within the Howth Special Amenity Area Buffer Zone.
- 5.1.4. The landscape is identified as highly sensitive and coastal.
- 5.1.5. **Objective SPQHO39** regarding new infill development, seeks to ensure that “*new infill development shall respect the height and massing of existing residential units. Infill development shall retain the physical character of the area including features such as boundary walls, pillars, gates/gateways, trees, landscaping, and fencing or railings.*”
- 5.1.6. **Objective SPQHO40** regarding the development of corner or wide garden sites seeks to “*favourably consider proposals providing for the development of corner or wide garden sites within the curtilage of existing dwellings in established residential areas subject to the achievement of prescribed standards and safeguards set out in Chapter 14 Development Management Standards.*”

- 5.1.7. **Objective SPQHO42** regarding the development of underutilised infill, corner and backland sites, seeks to *“encourage and promote the development of underutilised infill, corner and backland sites in existing residential areas subject to the character of the area and environment being protected.”*
- 5.1.8. Objective DMSO19 regarding new residential development requires *“that applications for residential developments comply with all design and floor area requirements set out in:*
- *Quality Housing for Sustainable Communities – Best Practice Guidelines 2007*
  - *Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas 2009, the companion Urban Design Manual – A Best Practice Guide DEHLG 2009*
  - *Sustainable Urban Housing: Design Standards for New Apartments 2020”*
- 5.1.9. **Objective DMSO26** regarding separation distance between side walls of units seeks to *“ensure that a separation distance of at least 2.3 metres is provided between the side walls of detached, semi-detached and end of terrace units”*. A note is included in this policy which states that the *“separation distance may be reduced on a case-by-case basis in relation to infill and brownfield development which provides for the regeneration of under-utilised lands and subject to the overall quality of the design and the schemes contribution to the streetscape. A statement demonstrating design mitigation and maintenance arrangements shall be submitted in such cases).”*
- 5.1.10. **Objective DMSO31** regarding infill development states that *“new infill development shall respect the height and massing of existing residential units. Infill development shall retain the physical character of the area including features such as boundary walls, pillars, gates/gateways, trees, landscaping, and fencing or railings”*.
- 5.1.11. **Objective DMSO32** regarding infill development on corner/ side garden sites, states that *“applications for residential infill development on corner/side garden sites will be assessed against the following criteria:*
- *Compatibility with adjoining structures in terms of overall design, scale and massing. This includes adherence to established building lines, proportions, heights, parapet levels, roof profile and finishing materials.*



- *Consistency with the character and form of development in the surrounding area.*
- *Provision of satisfactory levels of private open space to serve existing and proposed dwelling units.*
- *Ability to safeguard the amenities of neighbouring residential units.*
- *Ability to maximise surveillance of the public domain, including the use of dual frontage in site specific circumstances.*
- *Provision of side/gable and rear access arrangements, including for maintenance.*
- *Compatibility of boundary treatment to the proposed site and between the existing and proposed dwellings. Existing boundary treatments should be retained/ reinstated where possible.*
- *Impact on street trees in road-side verges and proposals to safeguard these features.*
- *Ability to provide a safe means of access and egress to serve the existing and proposed dwellings.*
- *Provision of secure bin storage areas for both existing and proposed dwellings.”*

5.1.12. **Policy CSP23** regarding Howth SAAO seeks to *“protect the Howth Special Amenity Area Orders (SAAO), including the Buffer zone, from residential and industrial development intended to meet urban generated demand.”*

5.1.13. **Policy GINHP21** regarding the protection of trees and hedgerows, seeks to *“protect existing woodlands, trees and hedgerows which are of amenity or biodiversity value and/ or contribute to landscape character and ensure that proper provision is made for their protection and management in line with the adopted Forest of Fingal-A Tree Strategy for Fingal.”*

5.1.14. **Objective DMSO125** regarding the management of trees and hedgerows, seeks to *“protect, preserve and ensure the effective management of trees and groups of trees and hedgerows”.*

5.1.15. **Objective DMSO126** regarding the protection of trees and hedgerows during development, seeks to “*ensure during the course of development, trees and hedgerows that are conditioned for retention are fully protected in accordance with BS5837 2012 Trees in relation to the Design, Demolition and Construction – Recommendations or as may be updated and are monitored by the appointed arboriculture consultant.*”

## 5.2. Guidelines

5.2.1. Relevant Guidelines are:

- Sustainable Residential Development and Compact Settlements Guidelines for Planning Authorities, 2024.
- Quality Housing for Sustainable Communities – Best Practice Guidelines for Delivering Homes, Sustaining Communities (DEHLG, 2007).
- Urban Development and Building Heights - Guidelines for Planning Authorities, 2018.

## 5.3. Natural Heritage Designations

5.3.1. The site is located approximately 0.1km to the north of Howth Head Proposed Natural Heritage Area (site code 000202) and approximately 0.2km to the north of Howth Head Special Area of Conservation (site code 000202). The site is also located approximately 0.3m to the east of the North Dublin Bay Special Area of Conservation (site code 000206) and North Bull Island Special Protection Areas (site code 004006).

## 5.4. EIA Screening

5.4.1. See completed Forms 1 and 2 in Appendix 1.

5.4.2. Having regard to the limited nature and scale of the proposed development in a serviced urban area and the absence of any connectivity to any sensitive location, I have concluded at preliminary examination stage that there is no real likelihood of significant effects on the environment arising from the proposed development having regard to the criteria set out in Schedule 7 to the Planning and Development

Regulations 2001 (as amended). I conclude that 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**

6.1.1. A first-party appeal has been lodged, the grounds of which can be summarised as follows:

#### Previous Planning History

- The planning application is for the same dormer bungalow that was granted previously by An Bord Pleanála under reference no. 301364-18/ Planning Authority reference no. F17A/0605. The previous application has not been built due to Covid restrictions and financial reasons at the time.
- The Planning Permission under F17A/0605 has lapsed and this application is for the same proposal.
- The first-party has submitted information to Fingal County Council in response to the Additional Information Request, which included a landscaping plan and design of the entrance.
- Roger Cagney has been engaged to design the entrance. Roger was the Engineer who designed the entrance 5 years ago that has previously been approved.
- The application has been refused in relation to the sightlines, which were approved in 2017.
- The drawings identify that the entrance can be upgraded and it should not be a reason for refusal.

#### Main Entrance Design

- The entrance has been in existence for over 40 years.
- The engineer has designed the entrance as per the approved design.
- The entrance caters for three existing houses with a maximum of 6 no. cars.

- There has never been an accident at the entrance.
- The Council have completed the kerbing on the right-hand side of the road and they are waiting for the Council to finish the kerbing on the left hand side of the road.
- They have requested the owners of the green Griselinia hedging to cut it back from the public footpath.
- They have requested the Council to complete the kerbing on the left-hand side of the road.

6.1.2. The appeal is accompanied by a copy of the Notification of Decision to refuse permission for F24A/0011, a copy of the applicant's appeal under reference no. F17A/0605 (ABP Ref. No. 301364-18), a copy of An Bord Pleanála's decision to grant permission under ABP-301364-18 and a copy of the Engineer's Drawing for the entrance to the access road.

6.1.3. I have read and note the contents of the applicant's appeal under reference no. F17A/0605 (ABP Ref. No. 301364-18). I note the grounds of objection in relation to the planning history of the application, the engineer's proposal regarding the sightlines, the points regarding the access road and the inclusion of photographs identifying the junction with St. Fintan's Road and Carrickbrack Road and St. Fintan's Road and Strand Road.

## **6.2. Planning Authority Response**

6.2.1. The Planning Authority's response to the grounds of appeal can be summarised as follows:

- The vehicular access to the site at St. Fintan's Road has seriously substandard sightlines. The sightlines to the north-west are blocked by a large hedge on third party lands.
- The Planning Authority sought additional information to demonstrate that necessary sightlines could be achieved and to clarify the existing site layout. However, the applicant did not satisfactorily address the items sought.

- An Bord Pleanála is requested to uphold the decision of the Planning Authority.

### 6.3. Observations

6.3.1. None.

## 7.0 Assessment

7.1. Having examined the application details and all other documentation on file, including the reports of the planning authority, and inspected the site, and having regard to relevant local/regional/national policies and guidance, I consider that the main issues in this appeal are as follows:

- Principle of Development
- Demolition
- Design
- Access and Sightlines
- Landscaping

### 7.2. Principle of Development

- 7.2.1. The application site is zoned “RS” which has the objective to “*provide for residential development and protect and improve residential amenity*” in the *Fingal County Development Plan 2023 – 2029* (herein referred to as the *Fingal CDP*). Residential development is permitted in principle under this zoning objective. Regard is also had to Objectives SPQHO39, SPQHO40 and SPQHO42 in the *Fingal CDP* in relation to infill development, wide garden sites and backland development. I note these objectives seek to balance the delivery of development on infill sites whilst protecting the character of the area.
- 7.2.2. As such, I am satisfied that the principle of providing an additional house on the site is acceptable, subject to a number of other considerations, which are addressed below.

### **7.3. Demolition**

- 7.3.1. The development proposes to reduce the size of the existing dwelling. It is also proposed to construct a new detached dormer bungalow to the side of the existing dwelling by converting the existing dormer garage and games room to form part of the new dwelling. Notwithstanding that fact that the proposed dwelling is detached, I note that section 12 in the application form states that there is no demolition work proposed. As highlighted in the Fingal Planner's Report, the applicant has not submitted an existing site layout plan, floorplans, landscape plans or elevations. From an examination of the proposed drawings, I note that the proposed site layout identifies a side passage between the existing house and new house. The proposed floor plans also identify the existing location of an internal staircase and doorways which are now proposed to be removed. Notwithstanding the lack of suitable drawings and inaccuracy in the application form in relation to demolition work, following the conduction of a site visit and examination of the drawings, I consider that it can be clearly determined as to what elements of the dwelling are proposed to be demolished.

### **7.4. Design**

- 7.4.1. The appellants state that the subject planning application is for the same dormer bungalow that was granted previously by An Bord Pleanála under reference no. 301364-18/ Planning Authority ref. no. F17A/0605. From analysis of the drawings, I note that whilst the applications are largely the same, there are 2no. differences in relation to the design of the dwelling. The differences between ref.no. F17A/0605 and the subject application include the changes made at Additional Information stage under ref. no. F17A/0605 which included increasing the separation distance between the existing and proposed dwelling to 2.3m and amending the roof profile of the store. I note that both of these changes made at Additional Information stage are not included in the subject application.
- 7.4.2. As outlined above, the applicant proposes to reduce the size of the existing dormer bungalow on the site, through the demolition of a northern section of the dwelling. The development proposes to construct a new 4no. bedroom detached dormer

bungalow in the northern section of the site. As shown on the Block Plan, this will effectively subdivide the site into two separate sites.

- 7.4.3. Having regard to the drawings, it is considered that the existing dwelling will still maintain an appropriate floor area and garden size for a 4no. bedroom dwelling.
- 7.4.4. Having examined the drawings for the new dwelling, it is considered that the dwelling accords with the quantitative standards set out in Quality Housing for Sustainable Communities. Noting the proposed garden area to the rear, I consider that a suitable area of private amenity space will be provided in accordance with SPPR 2 in Sustainable Residential Development and Compact Settlements. The separation distances to surrounding properties are also noted and I consider them to be in accordance with the minimum requirements set out in SPPR 1 in Sustainable Residential Development and Compact Settlements.
- 7.4.5. Having regard to the proposed roof design, materials, massing and height, I consider that the proposed dwelling is in keeping with the existing dwelling on site. I therefore consider that the development accords with Objective SPQHO39, in that the development is respectful of the height and massing of the existing dwelling on the site.
- 7.4.6. Objective DMSO26 requires a separation distance between side walls of units of at least 2.3m. The objective includes a note which states that the separation distance may be reduced on a case-by-case basis in relation to infill development subject to the overall design. A separation distance of 1.6m is proposed between the existing dwelling and the proposed dwelling. Having regard to the infill nature of the site, the proposed Tree Survey Plan and the overall design proposed which is considered to be respectful of the existing dwelling on the site, I have no concerns with regards to the proposed separation distance.
- 7.4.7. The dwelling is noted to be served by a parking area for 2no. cars to the front. I consider this acceptable and do not consider that it will interfere with the parking area for the existing dwelling.
- 7.4.8. I note that no area has been identified for the storage of bins. However, noting the garden area proposed to the front of the dwelling and the proposed storeroom at ground floor, I consider that there are suitable areas for bin storage.

- 7.4.9. Objective DMSO32 states that infill development will be assessed against the compatibility of boundary treatments. I note that no boundary treatment is identified to subdivide the private amenity areas to the rear of the dwellings. Should the Board be minded to grant planning permission, I recommend that this addressed by way of condition.
- 7.4.10. To conclude, I am satisfied that the proposed dwelling is of an acceptable design that is in keeping with the character of the existing dwelling and area and will not impact the residential and visual amenities of adjacent properties.

## **7.5. Access and Sightlines**

- 7.5.1. The Council's reason for refusal in relation to the failure to provide adequate sightlines and the proposed intensification of the use of a substandard access/egress on the access lane from St. Fintan's Road has been noted above under section 3.1. I note that the existing access lane serves 3no. dwellings. If the subject application is permitted, it would increase the number of dwellings on the access lane to 4. As noted above under section 4.2, there is a first party appeal against Fingal County Council's Notification of Decision to refuse permission for an additional dwelling on the site to the north of the subject site at Crimthann, P.A. Ref. F24A/0003. I note that this application was also refused for inadequate sightlines.
- 7.5.2. I note the sightline requirements were set out by Fingal County Council through an Additional Information request. The sightline requirements are as per the requirements of the Design Manual for Urban Roads and Streets, viewed from a 2.4m setback from the edge of the road at the entrance. The visibility requirement is from a driver eye height of 1.05m to an object height of 0.6m, and sightlines are to be measured to the near-side edge of the road. St. Fintan's Road has a speed limit of 50km/h. In accordance with the Design Manual for Urban Roads and Streets, the forward sight distance requirement for a 50km/h road is 45m.
- 7.5.3. In the first party grounds of appeal, the appellant notes that the entrance has been in existence for over 40 years and that there has never been an accident. They further contend that kerbing work has been completed on the right-hand side of the road and that they are awaiting the Council to provide kerbing on the left-hand side of the road.



- 7.5.4. In response to the Additional Information request, the applicant submitted a Proposed Entrance Road Layout drawing which identifies the provision of sightlines from the access road with a setback from the road edge of 2.4m for a distance of 70m in both east and west directions on St. Fintan's Road. Regard is had to the report from the Transportation Planning Section on the Additional Information which states that the applicant proposes to create a circa 2m wide verge to the north-west of the entrance (left on exit). The report notes that this verge does not currently exist and there is an existing large boundary hedge along the neighbour's property that obscures sightlines. From the site inspection, I note that the hedge in question is the Griselinia hedge which is located on the northern side boundary of the residential dwelling known as Kincade. From my site inspection, I observed that there does not appear to be a separate wall behind the hedge. I note that the north-eastern side rear boundary of Kincade consists of a wire mesh fence and a Griselinia hedge. The appellant states that they have requested that the Griselinia hedging is cut back. I note from my site inspection that the Griselinia hedge on the left as you exit from the access lane, has been recently trimmed and has been cut back from the public road. I note that the Griselinia hedge was originally identified on the Proposed Entrance Road Layout drawing submitted to Fingal County Council in January 2024. I further note that the Griselinia hedge is no longer identified in the Proposed Entrance Road Layout drawing, that was submitted at Additional Information stage in June 2024. However, I note that no letter of consent has been submitted which would confirm that this hedging can be removed in order to achieve the required sightlines. The Proposed Entrance Road Layout drawing identifies the location of the required sightline. As no hedging is shown on the left-hand side of the exit from the access lane, there is no evidence to demonstrate that the sightlines can be achieved with the trimming of the hedge and it appears that the sightlines can only be achieved with the removal of the Griselinia hedge. As no letter of consent for removal of the Griselinia hedge has been submitted, I therefore consider that the required sightlines cannot be achieved.
- 7.5.5. The proposed development cannot be achieved without consent from the owner of Kincade. Following my site inspection, I believe that in order to achieve the sightline requirements, the hedging along the northern side boundary of Kincade is required to be removed. Having viewed the inadequate sightlines currently present at the

junction of the access road with St. Fintan's Road and taking into account the proximity of the junction with Shielmartin Road, I concur with the Transportation Planning Section's concerns that *"As the applicant has not satisfactorily demonstrated that the required sightlines can be achieved, the Transportation Planning Section recommends that the proposed development is refused on the grounds of a traffic hazard."*

- 7.5.6. As noted under Objective SPQHO1 – Sustainable Communities, it is an objective of Fingal County Council to ensure that proposed residential development contributes to the creation of sustainable communities and accords with the Urban Design Manual – A Best Practice Guide, DEHLG 2009 and the Design Manual for Urban Roads and Streets. Objective DMSO32 also states that new residential infill development will be assessed against their ability to provide a safe means of access and egress to serve the existing and proposed dwellings. As the proposed development does not provide the sightlines in accordance with the Urban Design Manual, it does not accord with Objectives SPQHO1 and DMSO32 of the *Fingal CDP*.
- 7.5.7. Given that the development cannot provide adequate sightlines and following the examination of the entrance during my site visit, I recommend that the proposal is refused on the basis that it would endanger public safety by the intensification of a substandard access/ egress and as such would create a traffic hazard.
- 7.5.8. I note that this recommendation differs to that determined by An Bord Pleanála under reference 301364-18 for a similar application on the subject site. From examination of the Board Direction, I am aware that the Board had regard to the *"established nature of the entrance lane in a lightly trafficked and low speed environment and considered that the increased use by an additional two cars will not give rise to traffic hazard and would be acceptable in terms of traffic and pedestrian safety."* Whilst I note that the existing environment is lightly trafficked, I consider that the inability to provide the required sightlines in accordance with the Design Manual for Urban Roads and Streets creates a traffic hazard. Furthermore, I consider that the development has the potential to create a negative precedent for future development on the access lane. This is particularly relevant to the application under first-party appeal at Crimthann, ABP Ref. PL06F.320757 and P.A. Ref. F24A/0003, which adjoins the subject site and also proposes to use the access lane.

## **7.6. Landscaping**

- 7.6.1. As noted above under section 5, the site is covered by an objective which seeks to “*protect and preserve trees, woodlands and hedgerows*”. From my site inspection I observed the mature planting along the boundaries of the site. At Additional Information stage, the applicant submitted a Tree Survey, Tree Protection Plan and Tree Survey Plan which identified the trees proposed to be removed and retained on site. I note that the applicant proposes to remove two sections of hedging which consist of *Leylandii* and *Grislinia*. From my analysis of the Tree Protection Plan, I consider that the proposed removal of the hedging would not have a significant impact on the tree cover on the site. Noting the quantum of hedging proposed to be removed and the species of hedging, I consider that the proposed tree removal is acceptable and will not impact the objective on the site which seeks to protect and preserve trees, woodlands and hedgerows. Furthermore, I consider that the proposed tree protection proposals are acceptable and accord with the objective on the site to protect and preserve trees, woodlands and hedgerows.

## **8.0 AA Screening**

- 8.1. Having regard to the development proposed, being the reduction in size of an existing dwelling and the construction of a new detached dormer bungalow in a serviced urban area, I consider that no Appropriate Assessment issues arise, and it is not considered that the proposed development would be likely to have a significant effect, either individually or in combination with other plans or projects on a European site.

## **9.0 Recommendation**

- 9.1. I recommend that planning permission be refused in this instance.

## **10.0 Reasons and Considerations**

- 10.1. The sight visibility lines at the existing access road are currently substandard to the northwest due to the obstruction created by the hedge line. As the hedge line is not within the control of the applicant, the Board is not satisfied that appropriate sight lines can be achieved at this location. As such, the proposed development would

represent an intensification of use of the substandard access/ egress. The proposed development would therefore constitute a traffic hazard and would contravene Objectives DMSO32 and SPQHO1 of the Fingal County Development Plan 2023 – 2029, through the failure to provide a safe means of access and egress on the access road. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

I confirm that this report represents my professional planning assessment, judgement and opinion on the matter assigned to me and that no person has influenced or sought to influence, directly or indirectly, the exercise of my professional judgement in an improper or inappropriate way.

---

Catherine Hanly  
Planning Inspector

22<sup>nd</sup> October 2024

## 11.0 Appendix 1 - Form 1

### EIA Pre-Screening [EIAR not submitted]

<b>An Bord Pleanála</b> <b>Case Reference</b>	<b>ABP-320241-24</b>		
<b>Proposed Development Summary</b>	<ul style="list-style-type: none"> <li>• Alterations to the existing dwelling to reduce the size of the existing dormer bungalow.</li> <li>• The construction of a new detached dormer bungalow to the side of the existing dwelling by converting the existing dormer garage and games room into two bedrooms, a bathroom and study and to form an additional dormer extension to the side for a lounge, kitchen and two bedrooms with car parking to the front.</li> </ul>		
<b>Development Address</b>	Sycamore Lodge, Barrenhill, Sutton, Dublin 13.		
<b>1. Does the proposed development come within the definition of a 'project' for the purposes of EIA?</b> (that is involving construction works, demolition, or interventions in the natural surroundings)		<b>Yes</b>	x
		<b>No</b>	
<b>2. Is the proposed development of a class specified in Part 1 or Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended) and does it equal or exceed any relevant quantity, area or limit where specified for that class?</b>			
<b>Yes</b>	x	Class 10 (b) (i) of Part2: threshold 500 dwelling units Class 14 of Part 2 (demolition)	EIA Mandatory EIAR required
<b>No</b>			Proceed to Q.3

**3. Is the proposed development of a class specified in Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended) but does not equal or exceed a relevant quantity, area or other limit specified [sub-threshold development]?**

		Threshold	Comment (if relevant)	Conclusion
<b>No</b>		N/A		No EIAR or Preliminary Examination required
<b>Yes</b>	x	The development consists of the demolition of a portion of a house and the construction of 1 no. additional dwelling.		Proceed to Q.4

**4. Has Schedule 7A information been submitted?**

<b>No</b>	x	<b>Preliminary Examination required</b>
<b>Yes</b>		<b>Screening Determination required</b>

Inspector:   Catherine Hanly   Date:   22/10/24

## 12.0 Appendix 2 - Form 2

### EIA Preliminary Examination

<b>An Bord Pleanála Case Reference</b>	<b>ABP-320241-24</b>	
<b>Proposed Development Summary</b>	<ul style="list-style-type: none"> <li>• Alterations to the existing dwelling to reduce the size of the existing dormer bungalow.</li> <li>• The construction of a new detached dormer bungalow to the side of the existing dwelling by converting the existing dormer garage and games room into two bedrooms, a bathroom and study and to form an additional dormer extension to the side for a lounge, kitchen and two bedrooms with car parking to the front.</li> </ul>	
<b>Development Address</b>	Sycamore Lodge, Barrenhill, Sutton, Dublin 13.	
<p><b>The Board carried out a preliminary examination [ref. Art. 109(2)(a), Planning and Development regulations 2001, as amended] of at least the nature, size or location of the proposed development, having regard to the criteria set out in Schedule 7 of the Regulations.</b></p> <p><b>This preliminary examination should be read with, and in the light of, the rest of the Inspector's Report attached herewith.</b></p>		
	<b>Examination</b>	<b>Yes/No/ Uncertain</b>
<b>Nature of the Development.</b>	The subject development comprises the demolition of a	No

<p>Is the nature of the proposed development exceptional in the context of the existing environment.</p> <p>Will the development result in the production of any significant waste, emissions or pollutants?</p>	<p>portion of an existing dwelling and the construction of an additional dwelling in the side garden. The site is located in a residential cul-de-sac. The proposed development would not be exceptional in the context of the existing environment.</p> <p>During the demolition and construction phases, the proposed development would generate waste during excavation and construction. However, given the moderate size of the proposed house or the portion of the existing house to be demolished, I do not consider that the level of waste generated would be significant in the local, regional or national context. No significant waste, emissions or pollutants would arise during the demolition, construction or operational phase due to the nature of the proposed use.</p>	
<p><b>Size of the Development</b></p> <p>Is the size of the proposed development exceptional in the context of the existing environment?</p>	<p>The proposed development consists of 1no. additional dwelling and the reduction in size of the parent dwelling and are not considered exceptional in the context of neighbouring houses.</p>	<p>No</p>



Are there significant cumulative considerations having regard to other existing and / or permitted projects?	Owing to the serviced urban nature of the site and the infill character of the scheme, I consider that there is no real likelihood of significant cumulative impacts having regard to other existing and/or permitted projects in the adjoining area.	
<p><b>Location of the Development</b></p> <p>Is the proposed development located on, in, adjoining, or does it have the potential to significantly impact on an ecologically sensitive site or location, or protected species?</p> <p>Does the proposed development have the potential to significantly affect other significant environmental sensitivities in the area, including any protected structure?</p>	<p>The application site is not located in or immediately adjacent to any European site. The closest Natura 2000 site is the Howth Head Special Area of Conservation (site code 000202) which is 0.2km to the south of the site.</p>	No
<b>Conclusion</b>		
<p>There is no real likelihood of significant effects on the environment.</p> <p>EIA is not required.</p>		

**Inspector:** Catherine Hanly

**Date:** 22/10/2024