

DEPUTY PLANNING OFFICER

APPLICATION NO.	WEB1513/19
PROPOSAL	Planning Permission is sought for amendments to previously granted permission, Reg Ref WEB144918. Amendments to previous design to comprise, reduced floor area to proposed two-storey detached house, alterations to building position, form and fenestration, associated alterations to internal layouts, and provision of car-parking space to rear of the site. All along with associated landscaping and site works.
LOCATION	15, Kincora Court, Clontarf, Dublin 3
APPLICANT	Kerry Thompson & Suzanne Bollard
DATE LODGED	26-Aug-2019
ZONING	
APPLICATION TYPE	Permission

CS/GMG
16/10/19

Site Notice:

Site notice(s) in order on the 26th September 2019

Pre Planning Meeting(s):

No pre-planning meetings took place in relation to this application.

Zoning & Policy:

The subject site has the Land Use Zoning Objective Z1 'To protect, provide and improve residential amenities'.

Relevant Policy from Development Plan 2016-2022

Chapter 5 Quality Housing, Section 5.5.2 Sustainable Residential Areas

The Department of Housing, Planning Community and Local Government Statement 2015 encourages Planning Authorities to engage in active land management by leading and managing the development process and ensuring that land zoned for development come into use in accordance with Development Plan Policy and in tandem with supporting infrastructure. In particular the following policy is relevant to the proposed development:

QH5: To promote residential development addressing any shortfall in housing provision through active land management and a co-ordinated planned approach to developing appropriately zoned lands at key locations including regeneration area, vacant sites and under-utilised sites.

QH8: To promote the sustainable development of vacant or under-utilised infill sites and to favourably consider higher density proposals which respect the design of the surrounding development and the character of the area.

QH13: To ensure that all new housing is designed in a way that is adaptable and flexible to the changing needs of the homeowner as set out in The Residential Quality Standards and with regard to the Lifetime Homes guidance contained in Section 5.2 of the Department of Environment, Heritage and Local Government 'Quality Housing for Sustainable Communities – Best Practice Guidelines for Delivering Homes Sustaining Communities' (2007).

QH21: To ensure that new houses provide for the needs of family accommodation with a satisfactory level of residential amenity, in accordance with the standards for residential accommodation.

Chapter 16 Development Standards, Section 16.2.1 Design Principles

This section of the Development Plan states that development will respond creatively to and respect and enhance its context, and have regard to *inter alia* :

- The character of adjacent buildings, the spaces around and between them and the character and appearance of the local area and the need to provide appropriate enclosure to streets.
- The character, scale and pattern of historic streets, squares, lanes, mews and passageways.
- Existing materials, detailing, building lines, scale, orientation, height and massing, plot width.

Development Standard 16.10.2 Residential Quality Standards – Houses

This section contains standards under the following headings that shall apply to the proposed development:

- Floor area.
- Aspect, Natural Lighting and Ventilation
- Private Open Space
- Safety and Security
- Acoustic privacy

Development Standard 16.10.9 Corner/Side Garden Sites

The section notes that some corner/side gardens are restricted to the extent that they would be more suitable for extending an existing home into a larger family home rather than to create a poor quality independent dwelling, which may also compromise the quality of the original house. The planning authority will have regard to the specific criteria contained in the section when assessing proposals for the development of corner/side garden sites such as:

- The character of the street
- Compatibility of design and scale with adjoining dwellings, paying attention to the established building line, proportion, heights, parapet levels and materials of adjoining buildings
- Impact on the residential amenities of adjoining sites
- Open space standards and refuse standards for both existing and proposed dwellings
- The provision of appropriate car parking facilities, and a safe means of access to and egress from the site
- The provision of landscaping and boundary treatments which are in keeping with other properties in the area
- The maintenance of the front and side building lines, where appropriate.

Site Description:

The subject site is located on the corner of Kincora Court. The site which is located on the east side of Kincora Court hosts a two storey end of terrace dwelling with a pitched roof. The dwelling has a brick finish with vehicular access onto Kincora Court. The subject site has a corner and front garden which are open in nature with no visible boundaries to the public footpath. The rear garden is screened from the public realm with a dashed block wall with an approximate height of 1.8 metres.

Proposed Development:

Planning Permission is sought for amendments to previously granted permission, Reg Ref WEB1449/18. Amendments to previous design to comprise, reduced floor area to proposed two-storey detached house, alterations to building position, form and fenestration, associated alterations to internal layouts, and provision of car-parking space to rear of the site. All along with associated landscaping and site works.

Planning History:

The following planning history is relevant to the subject site:

- WEB1449/18** Permission **granted** for the construction of a detached two-storey 3-bedroomed dwelling with attic storage space, to side of existing dwelling at 15 Kincora Court, Clontarf, Dublin 3, for Kerry Thompson and Suzanne Bollard. Works also to include formation of driveway to serve new dwelling and widening of existing driveway, along with all associated landscaping and site works.
- 1992/05** Permission **granted** for the for construction of detached two storey house to side of existing house with single storey extension to rear and use of attic space as storage area with 3 no. velux rooflights to rear and 2 no. windows to gable end of house also 1 no parking space to rear with double gate and 1 no to front to service new house at 15 Kincora Court, Clontarf, Dublin 3

Relevant planning history on adjoining sites:

- 3487/04** Permission **granted** for a two-storey detached house with attic used as storage space, associated site works and new vehicular access beside 11 Kincora Court, Clontarf, Dublin 3.
- 1847/04** Permission **granted** for a two storey two bed detached town house, to side of existing dwelling at No. 45 Kincora Court.

Observations/Submissions:

Final date for observations was the 30th September 2019. No submissions were received in relation to this application.

Interdepartmental Report(s):

Drainage Division: Report dated 1st October 2019. No objection subject to conditions.

Transportation Planning Division: No report to date

Consultee's /Interested Parties:

Irish Water: No report to date.

Planning Assessment:

The applicant proposes amendments to previously granted permission, Reg. Ref WEB1449/18. Amendments include a reduced floor area to proposed two-storey detached house and alterations to building position, form and fenestration and provision of car-parking space to rear of the site.

The floor area of the dwelling has been reduced from 110.5 sqm to a total area of 103.4sqm. As per the previous application the proposed dwelling comprises a 3 bedroom house providing 5 no. bedspaces. The amended design meets with the minimum recommended space requirements as set out in the Dublin City Development Plan 2016-2022 and 'Quality Housing for Sustainable Communities – Best Practice Guidelines for delivering Homes Sustaining Communities', DoEHLG, 2007.

As per the previous development, private open space is provided to the rear of the proposed dwelling. Under Reg. Ref. WEB1449/18, Condition No. 3 required the vehicular access and parking area should be relocated to the rear boundary of the site as follows:

3. The development shall incorporate the following amendments:

(a) The proposed vehicular entrance shall be relocated onto the side boundary towards the end of the rear garden of the permitted house adjacent to no.16 Kincora Court and have a maximum width of 3.6 metres.

(b) Notwithstanding the provisions of the Planning & Development Regulations 2001 (as amended), no boundary treatment shall be erected forward of the front building line of the dwelling to subdivide the dwellings without the prior grant of planning permission.

Reason: In the interests of traffic safety and visual amenity.

The Applicant proposes to provide vehicular access and a car parking area to rear of the proposed dwelling in accordance with Condition No.3 as outlined above. The area of private open space has been reduced to 50sqm with an additional 12.5sqm for car parking. Given the planning history on the site it is considered that the provision of private open space and car parking is acceptable. There are however concerns regarding the front boundary wall. Condition 3 (b) of the previous permission as outlined above explicitly states that boundary treatment forward of the building line is not acceptable.

As per the previous application, rear elevation of the proposed development at first floor level is located between 13.6 and 12.3 metres from the shared side boundary with No. 16 Kincora Court to the east. Given the aspect and location of the proposed development in relation to the adjoining properties, it is not considered that the proposed development will overshadow or have an overbearing impact on neighbouring property.

The Dublin City Development Plan contains specific criteria for proposals for the development of corner/side garden sites which includes the maintenance of the front and side building lines, where appropriate. The proposed dwelling matches the front building line of the parent property (No. 15 Kincora Court) and the rear building line at first floor level. Amendments to the previous application include alterations to the form of the proposed dwelling which is now stepped along the

side elevation. Overall it is considered that the proposal complements the parent dwelling in terms of proportion and finishes.

It is noted that the proposal has a slightly higher ridge than the parent property, however given the detached nature of the dwelling and its corner location it is not considered that the ridgeline would have a negative impact of the street.

The location of the dwelling on the site has also been altered with the side access passage to the side of the parent property increased from 1 metre to 1.3 metres. This results in the dwelling being located in close proximity to the edge of the footpath which is likely to have a negative impact on the character of the area. It is therefore considered that the dwelling should be repositioned 300mm to the south with the side access passage between the two dwellings reduced to an overall width of 1 metre.

Flood Risk Assessment

The subject site is located in Flood Zone C. It is noted that the Drainage Division has no objection to the development subject to conditions.

Appropriate Assessment:

The development has been screened for AA. It has been found that significant effects are not likely to arise, either alone or in combination with other plans and projects that will result in significant effects to any Natura 2000 area. A full Appropriate Assessment of this project is therefore not required.

Conclusion:

Subject to compliance to conditions the proposal is deemed acceptable and accords with the development standards of the Dublin City Development Plan 2016-2022 and thus the proper planning and sustainable development of the area.

Recommendation:

I recommend that permission be granted subject to the following conditions:

1. Insofar as the Planning & Development Act 2000 (as amended) and the Regulations made thereunder are concerned, the development shall be carried out in accordance with the plans, particulars and specifications lodged with the application, save as may be required by the conditions attached hereto. For the avoidance of doubt, this permission shall not be construed as approving any development shown on the plans, particulars and specifications, the nature and extent of which has not been adequately stated in the statutory public notices.

Reason: To comply with permission regulations.

2. The developer shall pay the sum of €8,933.76 to the Planning Authority as a contribution towards expenditure that was and/ or is proposed to be incurred by the Planning Authority in respect of public infrastructure and facilities benefitting development in the administrative area of the Authority as provided for in the approved Section 48 (Planning and Development Act 2000 as amended) Contribution scheme for Dublin City Council.

The amount due is payable on commencement of development. Phased payment of the contribution will be considered only with the agreement of Dublin City Council Planning Department. Applicants are advised that any phasing agreement must be finalised and signed prior to the commencement of development.

Reason: It is considered reasonable that the payment of a development contribution should be made in respect of the public infrastructure and facilities benefitting development in the administrative area of the Local Authority.

3. The development shall be revised as follows:

a) The front boundary wall shall be omitted.

b) The dwelling should be repositioned 300mm to the south so that the side access passage between the proposed dwelling and the parent property No.15 Kincora Court is reduced to an overall width of 1 metre.

Development shall not commence until revised plans, drawings and particulars showing the above amendments have been submitted to, and agreed in writing by the Planning Authority, and such works shall be fully implemented prior to the occupation of the buildings:

Reason: In the interests of visual amenity

4. The terms and conditions of the permission for the original development, which was issued under Reg. Ref. WEB1449/18 shall be fully complied with, except where modified by this permission.

Reason: To provide for an acceptable standard of development.

5. Notwithstanding the provisions of the Planning & Development Regulations 2001 (as amended), no boundary treatment shall be erected forward of the front building line of the dwelling to subdivide the dwellings without the prior grant of planning permission.

Reason: In the interests of visual amenity

6. The developer shall comply with the requirements set out in the Codes of Practice from the Drainage Division, the Transportation Planning Division and the Noise & Air Pollution Section.

Reason: To ensure a satisfactory standard of development.