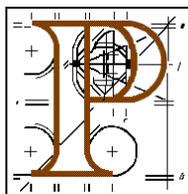


An Bord Pleanála



Inspector's Report

Development: Construction of a two storey, four bedroomed house to side, incorporating the partial demolition of existing house, access to new house from road to front of the site and new driveway to existing house at 178 Sutton Park, Sutton, Dublin 13.

Planning Application

Planning Authority:	Fingal County Council
Planning Authority Reg. Ref.:	F05A/1159
Applicant:	Robbie O'Brien
Type of Application:	Permission
Planning Authority Decision:	Grant permission

Planning Appeal

Appellant(s):	John and Mary Brogan
Type of Appeal:	Third parties-v-Permission
Observers:	None
Date of Site Inspection:	6 February 2006

Inspector: Keith Giddens

1.0 SITE LOCATION

The site lies within the well established estate development of Sutton Park on the western outskirts of Sutton approximately 1km west of Sutton Strand.

2.0 SITE DESCRIPTION

The site occupies a corner plot within an estate development of two storey, predominantly semi-detached, dwellings. In the vicinity of the appeal site all the dwellings are designed as symmetrical pairs. Despite some alterations the overall sense of symmetry remains. The appeal dwelling forms part of one of such pair. The estate development exhibits a unity of context along well established building lines. It has an air of spaciousness.

The plot itself comprises the side garden of No. 178 Sutton Park. It is somewhat overgrown and lies behind a 1m wall to the south and a 2m wall to the east. At the time of my inspection an estate agents "sold" sign was displayed in the front garden.

Photos taken at the time of my inspection are attached.

3.0 THE PROPOSED DEVELOPMENT

Permission is sought to demolish an existing playroom and w.c. together with part of the kitchen with bedroom above and to construct a single detached dwelling on the combined site of that demolition and the side garden. The proposal would follow the front building line but would extend to within 1.4m of the boundary wall to the east. Materials of construction would echo other developments nearby but the roof is proposed as a gable rather than hipped design as exhibited on adjoining development. It is envisaged that new vehicular accesses would be provided to the existing and proposed dwellings from the road to the south.

4.0 DEVELOPMENT PLAN

The Fingal County Development Plan 2005-2011 zones the site as RS wherein the objective is to provide for residential development and to protect and improve residential amenity.

5.0 PLANNING HISTORY

The file records no planning history on the site. The decision of the Board is drawn, however, to two similar developments which were refused on appeal at 64 and 226 Sutton Park in October 2003 and January 2004 respectively, (refs: PL 06F.203650 and PL 06F.203494).

A small number of similar developments have been permitted by the planning authority on other corner plots on the estate. Photographs are attached of such examples at Nos. 46 and 63 Sutton Park.

6.0 THE PLANNING AUTHORITY'S DECISION

On 10 October 2005 it was decided to grant permission subject to 12 conditions. Conditions 5 and 6 required the submission and agreement of revised details of the roof and window designs.

7.0 GROUNDS OF APPEAL

- 1) The proposed demolition of part of the existing dwelling would create a precedent and have a seriously negative impact on the symmetry and visual aspect of the appellants' dwelling.
- 2) The proposed development would be out of character with the area.

8.0 FIRST PARTY RESPONSE TO GROUNDS OF APPEAL

- 1) The application meets national policy objectives to maximise the use of brownfield sites.
- 2) The application meets the objectives and standards of the Development Plan.
- 3) No objections were raised to the proposal by the Council's planner, transportation department or water services department.
- 4) Issues in respect of the proposed style of development have been dealt with by proposed conditions. These are not appealed.

9.0 COUNCIL'S RESPONSE TO GROUNDS OF APPEAL

- 1) There is adequate space to accommodate the proposed dwelling and precedents exist elsewhere in the estate.
- 2) The proposed demolition would not render the existing dwelling out of character with the adjoining dwellings.
- 3) The proposed conditions would ensure compatibility with its surroundings.

- 4) The building line of the existing house is retained, adequate garden space is provided and the vehicular access is acceptable to the Roads Department.

10.0 ASSESSMENT

I consider that the principal issues in respect of this appeal are the relationship of the proposed development to the design context of the area and the established building lines.

The residential estate is characterised principally by semi-detached properties of broadly similar designs which are set back from their respective roads in a regular manner. Although a small number of corner plots have been developed with detached single houses, the dominant theme is overwhelmingly that of semi-detached dwellings. Those detached dwellings which have been constructed in recent years have eroded the character of the area to a detrimental degree. In my view, the proposed development would destroy the symmetry of Nos. 178 and 179 Sutton Park and would appear incongruous in the street scene.

Much of the open and spacious quality of the estate is gained by the regular setback of dwellings along fairly rigid building lines. Long open vistas are available as a result. The eastern flank walls of the dwellings to the north and south of the appeal site (Nos. 226, 176, 136 and 135) are set back approximately 9 metres from the carriageway edge. This set back serves to define an important element in the local scene. The current proposal would materially infringe this building line and result in the provision of a dwelling within almost 4 metres from the carriageway edge and 1.4 metres from the site boundary. In my view such an infringement would impair the planned spacious qualities of the estate and have a negative impact upon the visual amenities of the area. I note that the Board has previously come to a similar view in respect of a similar proposal on a site immediately to the north at No. 226 (Ref. PL 06F.203494).

I have noted the applicant's submissions in respect of the national imperative to encourage the more efficient use of land. In my view, however, housing development should not be viewed in isolation from the wider locality in which it is situated and that support should only be given to the creation of attractive, high quality, living environments which respect and enhance local character. I do not consider that the proposed development would satisfy this aim.

Finally, I draw the Board's attention to the existence of an estate agent's "sold" board which was displayed on the appeal site at the time of my inspection. The board may wish to determine whether the applicant has sufficient interest in the land to enable the appeal to proceed.

11.0 RECOMMENDATION

I have read the submissions on file, visited the site, and had due regard to the provisions of the Development Plan and all other matters arising. I recommend that planning permission be refused for the following reasons and considerations.

REASONS AND CONSIDERATIONS

The proposed development would be out of character with the prevailing pattern of development in the area, would be substantially forward of the eastern building line and would be visually intrusive in the street scene. It would seriously injure the established character and visual amenities of the area and would, therefore, be contrary to the proper planning and sustainable development of the area.

Keith Giddens
Inspector
2 March 2006