



An
Bord
Pleanála

Inspector's Report 306493-20

Development	Construction of a detached 2-storey house with habitable attic rooms in the side garden and associated site works.
Location	2 Glendoher Park, Rathfarnham
Planning Authority	South Dublin County Council
Planning Authority Reg. Ref.	SD19A/0338
Applicant(s)	Alan & Joanne Dunne
Type of Application	Planning permission
Planning Authority Decision	Refuse permission
Type of Appeal	First Party
Appellant(s)	Alan & Joanne Dunne
Observer(s)	None
Date of Site Inspection	17 th March 2020
Inspector	Mary Kennelly

1.0 Site Location and Description

- 1.1.** The site is located in Glendoher Estate, Rathfarnham. Glendoher Estate is a low-density suburban estate of primarily 2-storey semi-detached dwellings. Glendoher Park runs N-S with pairs of houses facing E-W. Glendoher Close runs E-W to the north of Glendoher Park. The site of the appeal is situated on the corner of Glendoher Park and Glendoher Close on the north-western corner. The houses are generally set back from the road with front garden walls and individual vehicular entrances and mature gardens.
- 1.2.** The site area of the appeal site is given as 0.0228ha. It consists of a side garden to the north of the dwelling known as No. 2 Glendoher Park. The existing dwelling has been extended to the front, side and to the rear and has accommodation in the attic. The floor area of the existing house is given as 180.25sq.m. It has a pitched and tiled roof and is of masonry construction with rendered walls. There is a gable end to the north elevation facing the public road. The site is rectangular in shape. There is a front garden which is delineated by masonry wall with a mature hedge which continues around the side of the property. There is a tall, dense mature hedge along the rear boundary with Glendoher Close.

2.0 Proposed Development

- 2.1.** It is proposed to construct a new 2-storey dwelling in the side garden of the original dwelling. The proposed dwelling would be detached and would have 3 bedrooms and a habitable attic. The floor area of the proposed dwelling is given as 189sq.m. A new vehicular site entrance would be provided from Glendoher Park, adjacent to the existing entrance to No. 2. The house would be set back a similar distance from the front boundary as the main dwelling and would be separated from the main dwelling by approx. 1 metre. The footprint of the proposed dwelling is wedge shaped as it responds to the wedge shape of the site. The proposed rear garden area is stated as 70sq.m. with a depth of 12.5m
- 2.2.** The proposed dwelling is of a contemporary design with a pitched roof and the gable front facing Glendoher Park. The dwelling presents as a three-storey dwelling and the roof cladding extends to the top floor of the gable front. The ridge height would be c. 9.2 metres. The front elevation includes a ground floor projection with a patio

door and balcony at first floor level. There are two port-hole circular windows at the front, one at FF level and one at SF level. The ground floor projection and balcony area are clad with the same material as the roof cladding. The side elevation incorporates two dormer windows in the roof and there is a further port-hole window on the rear elevation. It is also proposed to incorporate 2 velux windows into the roof slopes, one on each slope. There are two windows proposed on the southern elevation which would be fixed lights with opaque glass.

- 2.3.** The application was accompanied by a covering letter from the agent together with photomontages and a schedule of floor areas. It is noted that the distribution of floor areas is given as GF – 62m², FF – 67m² and Attic floor – 60m². It is stated that in order to achieve the 70sq.m rear garden area, and to have good sized bedroom areas, the rear wall of the bedrooms over sails the rear wall of the kitchen by 1.65m. This will provide a covered area within the garden space.

3.0 Planning Authority Decision

3.1. Decision

The planning authority decided to refuse permission for 3 reasons which may be summarised as follows:

1. Overdevelopment of the site which would be out of proportion with properties in vicinity, would be incongruous in streetscape and out of character with the established residential area.
2. Siting and orientation would significantly alter the prevailing building line, particularly at Glendoher Close, would be visually obtrusive on the prominent corner site, would have an overbearing impact on neighbouring dwellings and would be contrary to section 11.3.2(ii) of the CDP which requires infill dwellings to respect the building line and roof profile of the existing development.
3. The design and scale of the of the proposed dwelling, incorporating a contemporary approach, is out of character with the prevailing design which is characterised by 2-storey semi-detached dwellings with traditional hipped roof

profiles and would have a negative impact on the visual and residential amenity of the area and would be contrary to the CDP.

3.2. Planning Authority Reports

3.2.1. Planning Reports

The Area Planner's report noted that the provision of an infill dwelling was acceptable in principle in terms of the CDP zoning objective.

The main concerns related to the visual impact of the proposed development and the overdevelopment of the site. It was considered that the proposed design failed to comply with Section 11.3.2(i) and (ii) of the CDP which required the building lines and roof profiles to match those on adjoining sites and architectural integration with adjoining development. It was also noted that the policy requires that the site be of a sufficient size to accommodate an additional dwelling and that where the proposed building lines project forward of the prevailing height and setback, that transitional elements be incorporated into the design to promote a sense of integration with adjoining buildings. The design with the gable end fronting onto Glendoher Park was objectionable as it is not in keeping with the orientation of the existing dwellings. This was considered to be likely to result in a visually obtrusive development on a prominent street corner and would have an overbearing impact on neighbouring dwellings. The contemporary design was unacceptable in this location as the design, mass and scale of the dwelling is out of character with the area, notwithstanding the fact that the CDP encourages contemporary design in general. It was noted that such approaches would normally be acceptable on larger sites.

The scale of the dwelling was also considered to be out of character with the area. Although it was acknowledged that many properties had extended into the attic space, but it was considered that the size and scale of the proposed dwelling would result in overdevelopment of this site. As a result, the proposal would have a negative effect on the visual and residential amenities of the area.

It was further considered that the proposed development would be acceptable in terms of the internal floor spaces and the provision of private open space, as it would exceed the relevant standards of 92sq.m for a 3-bed house and 60sq.m amenity space. The proposed vehicular entrance was also considered to be acceptable.

3.2.2. Other Technical Reports

Drainage Planning - No objections subject to conditions.

Transportation – No objections subject to conditions.

3.3. Prescribed Bodies

3.3.1 None.

3.4. Third party observations

None.

4.0 Planning History

4.1. Subject site

SD04B.0327 – Permission granted for a single-storey front extension with canopy over entrance door in 2004.

4.2. Adjacent sites

ABP 302812 (SD18/0184) – Site to rear of Buglers Ballyboden House, Ballyboden Road, Rathfarnham - Permission granted by Board for a 2-storey four-bedroom infill dwelling.

SD05A/0923 – 1 Glendoher Park – permission granted for 2-storey plus dormer (at rear) house (128s.q. 4-bed house) to side of existing house, with access from Glendoher Close.

5.0 Policy Context

5.1. South Dublin County Development Plan 2016-2022

5.1.1 The site is zoned 'RES' for which the objective is to "To protect and/or improve residential amenity". Policy H17 seeks to achieve residential consolidation and Objectives 2 and 3 under this policy are of relevance.

H17 Obj. 2 seeks to maintain and consolidate the County's existing housing stock through the consideration of applications for housing subdivision, backland development and infill development on large sites in established areas, subject to appropriate safeguards and standards identified in Chapter 11.

H17 Obj. 3 seeks to favourably consider proposals for development of corner or wide garden sites within the curtilage of existing houses in established residential areas, subject to appropriate safeguards and standards identified in Chapter 11.

5.1.2 Chapter 11 (Implementation) contains the Development Management guidance, policies and objectives, the most relevant sections of which are 11.3.2 (i) and (ii), which relate to infill development and corner/side garden sites in residential areas. New infill development (including corner/garden sites) is required to

- Be guided by the Sustainable Residential Development in Urban Areas Guidelines for Planning Authorities (DEHLG) 2009 and the accompanying Urban Design Manual.
- Demonstrate architectural integration with adjoining sites. On smaller sites (0.5ha or less) a degree of architectural integration with the surrounding built form will be required through density, features such as roof forms, fenestration patterns and materials and finishes. Larger sites will have more flexibility to define an independent character.
- Significant site features such as boundary treatments, pillars, gateways and vegetation should be retained, in so far as is possible, but not to the detriment of providing an active interface with the street.
- Where the proposed height is greater than that of surrounding area, a transition should be provided. Section 11.2.7 building height states that new residential development that adjoins existing one and two storey housing shall be no more than 2 storeys in height, unless a separation distance of 35 metres is achieved.
- Be located on sites with a sufficient size to accommodate the additional dwelling and an appropriate setback should be maintained from the existing dwelling.

- Be designed and sited to match the building line and respond to the roof profile of adjoining dwellings. Where proposed buildings project forward of the prevailing building line or height, transitional elements should be incorporated into the design to promote a sense of integration with adjoining buildings.
- The architectural language of the development should respond to the character of adjacent dwellings and create a sense of harmony. Contemporary and innovative proposals that respond to the local context are encouraged, particularly on larger sites which can accommodate multiple dwellings.

5.2. Natural Heritage Designations

South Dublin Bay SAC and South Dublin Bay and River Tolka Estuary SPA lie approx. 8km to the northeast and Wicklow Mountains SAC and SPA lie approx. 6km to the south.

6.0 The Appeal

6.1. Grounds of Appeal

This is a first-party appeal against refusal. The main points raised may be summarised as follows:

- **Height of proposed dwelling** - the height over roof ridge of the main dwelling is 8.2m, but had inadvertently used the dimension of 9.2m when drawing up the plans as a basis for matching up the roof ridge levels of the existing and proposed dwellings. It is a common feature in urban estate design to use “stop-end” elements such as that proposed in order to have a distinctive design feature, which provides visual interest. Photographs of similar approaches in the overall South County Dublin area are provided as examples. It is requested that the proposed roof ridge, which is 1 metre higher than the existing, should be granted on this basis.
- **Floor area of proposed dwelling** – The floor area has been reduced from 218sq.m to 189sq.m, which is intended to provide accommodation for the applicants and their two children, including a home office for one of the

applicants. This is just 10sq.m greater than the floor area of the main dwelling. It should be noted that 48% of dwellings in vicinity within the estate have attic conversions and 42% have rear extensions. This clearly demonstrates that the design and scale of the original houses in the estate is not fit for purpose. It is considered that this justifies the proposed floor area of the dwelling.

- **Hipped roofs** - The existing dwelling does not have a traditional “hipped” roof, as stated in the grounds for refusal stated by the P.A. this raises questions about the level of competence of the P.A. in its decision-making. A photograph of a pitched roof house sited amongst hipped roof houses at Marian Road is provided to illustrate that it is possible to successfully incorporate a different roof profile into a streetscape.
- **Siting and orientation** – The CDP provides for the development of suitable and appropriate designs for side gardens. It is submitted that the subject site is an awkward wedge shape and that the proposed dwelling has been designed to fit into the difficult shape and to present itself as matching the scale, proportions and colour palette template of the existing houses in the estate. The orientation of the site, which is located due north of the main dwelling is ideal and will not overshadow the existing house or any other property.
- **Building lines** – The proposed new house is laid out to the same building line as the main dwelling and other houses along the road. Reference is made to the recent construction of two houses adjacent to Bugler’s pub car park, the front building lines of which project significantly forward of the main building line (photos enclosed to demonstrate). Other examples elsewhere in south County Dublin are cited such as 139 Coolamber Park. Knocklyon, D16, where the building lines of infill houses on corner sites do not match up with the established building line.
- **Architectural design** – It is submitted that the architectural design follows the template of the design of existing houses within the estate in respect of architectural layout, geometry, scale and proportions. The design does not mimic the architectural detail of the new building and is not pastiche, which is in line with international architectural convention. The estate dates from the

1960s -70s and the architectural design is of its time, long before current building standards and environmental performance standards were introduced. It is considered that the design of the proposed dwelling integrates with its setting.

6.2. Planning Authority Response

The P.A. responded to the grounds of appeal on 5th February 2020. It was stated that the P.A. wishes to confirm its decision and that the issue raised in the appeal have been covered in the Planner's report.

It was pointed out that in the event that the Board should grant permission, cognisance should be had as to whether the South Dublin County Council Development Contributions Scheme applies and whether a condition should be attached accordingly. Furthermore, the site may be within the area for which the Kildare route Project Supplementary Development Contributions Scheme may apply.

7.0 Assessment

It is considered that the main issues arising from the appeal are as follows:-

- Principle of development
- Visual amenity
- Impact on residential amenity

7.1. Principle of development

The current South Dublin County Development Plan 2016-2022 encourages residential consolidation (H17) and provides comprehensive advice and guidance on the provision of infill development, and in particular development on side gardens and corner sites (11.3.2). It is considered, therefore, that the development of an additional house in the side garden of No. 2 Glendoher Park, which is also a corner site, is acceptable in principle. Policy H17, Objectives 2 and 3, however, make it clear that this is subject to appropriate safeguards and standards set out in Chapter 11. These objectives generally seek to achieve architectural integration and a sense of harmony, particularly on smaller sites.

7.2. Visual amenity

- 7.2.1.** The planning authority considered that the proposed development would be out of character with the architectural style of the existing development in the vicinity. The site is located in the middle of the Glendoher Estate, which has a particularly uniform character. The houses are almost all original to the 1960s estate and the main unifying features are the 2-storey semi-detached form with gable-end roof profiles and a uniform density, layout, scale and height, with well established building lines behind masonry walls with mature landscaping. This setting does not facilitate the introduction of new architectural styles very easily, particularly where the plot size is small and the separation distance from the main dwelling is short.
- 7.2.2.** In the case of the appeal site, it is located at the end of a row of semi-detached houses, which are generally two-storey with pitched roofs facing the street, some of which have been altered and extended. However, the architectural form and style does not change in any significant way along either Glendoher Park or along Glendoher Close and the orientation of the ridge lines is a strongly unifying feature. It is considered that in this context, the introduction of a 3-storey dwelling with a different architectural style and a roof ridge line which is at right angles to the predominant roof profile in the area, would represent an abrupt change, with the gable end facing the street and a steeply sloping roof to accommodate a full floor of accommodation at attic level.
- 7.2.3.** The proposed dwelling would be highly visible as the corner site is particularly prominent on the approach from the East, the West and the South. The building form, shape and height differ from the existing, with the ridge height of the proposed dwelling being 9.2m, compared with the existing height of 8.2m. Although the established setback and boundary treatment will be maintained, it is considered that the taller, steeply sloping gable-end roof, combined with the proposed cladding which extends down to eaves level and the proposed bespoke fenestration pattern, would draw attention to the differences in design and height which would not allow the building to be assimilated into the streetscape.
- 7.2.4.** The design approach does not achieve the architectural integration advocated in the CDP. It is stated that on smaller sites such as this one, integration can be achieved by means of using roof forms and fenestration patterns to create a sense of

harmony. Where the height is greater than that of the existing dwelling, transitional elements are required to be incorporated as well as appropriate setbacks from the original dwelling. The proposed design approach, however, introduces a new, innovative architectural style with a distinctly different roof form, which is accentuated by vertical cladding and fenestration pattern which bears little or no resemblance to the prevailing pattern in the area, together with an additional metre in height, and where the set back is only one metre from the existing dwelling. Although contemporary and innovative approaches are encouraged in the CDP, it is clearly stated that this is intended for larger sites where greater flexibility can be employed.

- 7.2.5.** The design of the proposed development would not comply with the design advice provided in the CDP for infill development as it would not achieve architectural integration. The proposed dwelling would, therefore, be visually incongruous and would be visually obtrusive in the streetscape, which would adversely affect the visual amenities of adjoining properties and of the area. It is considered that it would also create an undesirable precedent for similar such development on infill sites in the area, which would undermine the objectives of the development plan for the area.

7.3. Other matters

- 7.3.1.** The planning authority's decision included references to over development of the site and to alteration of the prevailing building line. It is considered, however, that the proposed development would generally comply with the established building lines and that the siting and layout would not give rise to any significant adverse impact on residential amenity. The floor area of the proposed accommodation and the private open space that would be provided are considered to be appropriate and generally consistent with the Development Plan standards.

7.4. Environmental Impact Assessment

Having regard to the nature, size and location of the proposed development, 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.

7.5. Appropriate Assessment

South Dublin Bay SAC (000210) and South Dublin Bay and River Tolka Estuary SPA (004024) lie approx. 8km to the northeast. Wicklow Mountains SAC (002122) and SPA (004040) lie approx. 6km to the south. Given the scale and nature of the development, the distances involved, that the site is located in an established urban area, on serviced lands, it is considered that no appropriate assessment issues are likely to arise.

8.0 Recommendation

8.1 It is recommended that permission be refused for the reasons and considerations set out below.

9.0 Reasons and Considerations

Having regard to the prominent location of the corner site within a housing estate with a strongly unified architectural style, it is considered that the design, height and scale of the proposed infill dwelling would be visually incongruous and would result in a visually obtrusive feature in the streetscape, which would conflict with the policies and objectives for infill development in the current South Dublin County Development Plan 2016-2022, would seriously injure the visual amenities of the area and would be contrary to the proper planning and sustainable development of the area.

Mary Kennelly
Senior Planning Inspector

17th March 2020