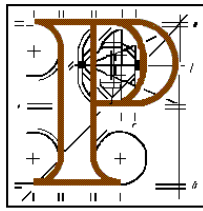


An Bord Pleanála



Inspector's Report

Appeal Reference No: 06D.245781

Development: Permission sought for demolition of the existing single storey side extension to the side, a new two storey three bedroom detached dwelling house, and a new vehicular entrance at No. 72 Hillcourt Road, Glenageary, Co. Dublin.

Planning Application

Planning Authority: Dun Laoghaire- Rathdown County Council
Planning Authority Reg. Ref.: D15A/0566
Applicant: Paddy and Anne Monaghan
Planning Authority Decision: Refuse permission

Planning Appeal

Appellant(s): Paddy and Anne Monaghan
Type of Appeal: First Party
Observers: None
Date of Site Inspection: 28th January 2016

Inspector: Emer Doyle

1.0 SITE LOCATION AND DESCRIPTION

The appeal site is located at No. 72 Hillcourt Road, Glenageary, Co. Dublin. The site is within an established residential area and has a stated area of 0.062 hectares.

The site is a corner site and currently comprises of a semi-detached two storey dwelling with a single storey porch extension to the front and a side extension which provides for a home office and toilet. The adjoining semi-detached building is No. 32 Arnold Grove. Development to the north east of the site comprises of No. 70 Hillcourt Road which appears to have been recently renovated and there is an infill site between the site and No. 70 Hillcourt Road. There is a current permission for a two storey dwelling with an attic floor and overall ridge height of c. 8.6m on this site which is in the very early stages of construction. Part of the current site has been fenced off to facilitate construction of same.

A set of photographs of the site and its environs taken during the course of the site inspection is attached.

2.0 PROPOSED DEVELOPMENT

The proposed development comprises of the following:

- Demolition of existing single storey extension to side of dwelling.
- Two storey dwelling house with ridge height of c. 7.2m and stated floor area of c. 117m².
- New vehicular entrance.

3.0 PLANNING HISTORY

V/109/15

Certificate of exemption under Part 5 granted.

PA D15A/0259

Permission granted for demolition of the existing garage, a new two storey four bedroom dwelling house, a new vehicular entrance on adjacent site at No. 70 Hillcourt Road, Glenageary.

4.0 PLANNING AUTHORITY DECISION

4.1 TECHNICAL REPORTS

Planning Report

The planner's report noted that no submissions were received. It considered that the site could accommodate a dwelling but considered that the scale, width, roof profile and limited separation distances were unacceptable.

Drainage planning

This report required Further Information in relation to SuDS measures.

Transportation Section

No objection subject to conditions.

Irish Water

No objection subject to conditions.

4.2 Planning Authority Decision

Dun Laoghaire Rathdown County Council issued a notification of decision to refuse permission for one reason as follows:

1. The proposed development, by reason of its scale, layout and proximity to the directly adjoining site boundaries would result in overdevelopment of the subject site and would, therefore, unduly impact on the residential amenities of the adjoining dwellings. Furthermore, it is considered that the overall width, limited separation distances and roof profile of the proposed dwelling; when taken in conjunction with the existing dwelling, No. 72 and the dwelling permitted to the side of No. 70, to the northeast, would appear bulky and visually obtrusive in the streetscape. The proposed development would, therefore, be seriously injurious to the visual and residential amenities of the area and depreciate the value of adjoining properties in the area and if permitted, would set an undesirable precedent for similar development in the vicinity. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

5.0 GROUNDS OF APPEAL

A first party appeal against the Council's decision was submitted by Paddy and Anne Monaghan. The grounds of appeal and main points raised in the submission can be summarised as follows:

- The planner used the wrong figure in her assessment of the application.
- Permission was granted on an adjacent site with a separation distance of only 0.1m from the boundary.
- Positive aspects of the planners report are repeated, however it is considered that the wrong assessment of the size of the building adversely affected her reasons for declining the application.
- It is stated that the applicants want to downsize to provide accommodation for one of their adult children, three of whom live in rented accommodation in Dublin.

6.0 RESPONSES/OBSERVATIONS TO GROUNDS OF APPEAL

6.1 Planning Authority Response

The Planning Authority response acknowledges the typing error however it considers that the proposed development would appear 'squeezed' into the site and would set a poor precedent for similarly scaled developments in the immediate vicinity.

6.2 Observations

None.

7.0 POLICY CONTEXT

The Dun Laoghaire Rathdown Development Plan 2010 - 2016 is the operative County Development Plan for the area.

Zoning

The site is located within an area zoned as Objective A 'To protect or improve residential amenity.'

Section 16.3.4 (v) of the Development Plan refers to development on corner/side gardens.

Policy RES4: Existing Housing Stock and Densification – 'It is Council policy to improve and conserve housing stock levels of the County, to densify existing built-up areas and to maintain and improve residential amenities in existing residential developments.'

ASSESSMENT

Having examined the file and having visited the site I consider that the main issues in this case relate to:

1. Principle of Proposed Development
2. Design and Scale of Proposed Development
3. Other Matters

Principle of Proposed Development

The subject site is located within lands zoned 'Objective A' of the operative County Development Plan, which seeks to protect and/or improve residential amenity and where residential development is permitted in principle subject to compliance with the relevant policies, standards and requirements set out in the plan. Accordingly the principle of a dwelling in a side garden is acceptable at this location.

Design and Scale of Proposed Development

Concerns are raised in the planning assessment and the reason for refusal that the proposed development would result in overdevelopment of the site and when taken in conjunction with existing and permitted development, would appear bulky and visually intrusive in the streetscape.

The site is a corner site in a mature residential area and there are other examples of infill development within the existing estate. I note that due to the shape and configuration of the site, the proposed dwelling has a wider footprint than adjoining development. The overall ridge height (c. 7.2m) is very low for a two storey development and the roof pitch is shallow. The design provides for distances of approximately 0.9 and 0.96 of a metre from the existing and proposed houses adjoining the site. I note that the dwelling currently under construction to the north east is located c. 0.1 of a metre from the boundary. I note that the requirements set out in the Development Plan in relation to private open space for both the existing and proposed dwelling are complied with.

I am of the view that the scale of the house is compatible with existing dwellings in the vicinity. It is accepted in the appeal response that a figure of 199m² was stated in error in the planner's report. The correct figure for the three bedroom house proposed is 117m². The appeal response notes the error, however, it expresses concerns in relation to the proposed house being 'squeezed' into the site, the overall width of the design, the limited separation distance from adjoining houses and the low roof profile.

Whilst I accept that the proposed house is wider than existing houses and has a very shallow roof pitch which in my view is somewhat disproportionate, on balance, I do not consider that the design will detract from the streetscape. I am of the view that the separation distances from existing houses are reasonable and appropriate in this suburban location. In my view, the design proposed respects the existing streetscape and is in accordance with the policy set out in Section 16.3.4 of the current development plan. As such, I consider that the design is appropriate for the area and I do not consider that the proposed development would cause any detriment in terms of visual amenity.

Appropriate Assessment

Having regard to the nature and scale of the development and proximity to the nearest Natura 2000 site, I am satisfied that the proposed development either individually or in combination with other plans and projects would not be likely to have a significant effect on any designated Natura 2000 site and should not be subject to appropriate assessment.

RECOMMENDATION

Based on the above assessment, I recommend that permission be granted for the proposed development for the reasons and considerations set out below:

REASONS AND CONSIDERATIONS

Having regard to the provisions of the Dun Laoghaire-Rathdown County Development Plan 2010-2016, to the pattern of existing development in the area, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the residential or visual amenities of the area or of property in the vicinity, would respect the existing character of the area and would be acceptable in terms of traffic safety and convenience. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

CONDITIONS

1. The development shall be carried out 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 prior to commencement of development and the development shall be carried out and completed out in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. Site development and building works shall be carried out only between the hours of 0800 to 1900 Mondays to Fridays inclusive, between 0800 to 1400 hours on Saturdays and not at all on Sundays or public holidays. Deviation from these times shall only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.

Reason: In order to safeguard the residential amenities of property in the vicinity.

3. 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 and to ensure a proper standard of development.

4. Details of the materials, colours and textures of all the external finishes to the proposed dwelling shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of visual amenity.

5. All service cables associated with the proposed development (such as electrical, telecommunications and communal television) shall be located underground. Ducting shall be provided by the developer to facilitate the provision of broadband infrastructure within the proposed development.

Reason: In the interests of visual and residential amenity.

6. 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 prior to commencement of development 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.

Emer Doyle
Inspector
23rd February 2016