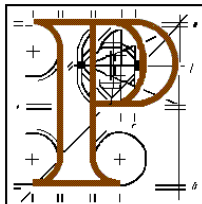


## An Bord Pleanála



## Inspector's Report

Pedestrian Access to Grove Road, relocation and a new vehicular access to Cypress Lawn House, 2No. parking spaces and associated site works at 2 Cypress Lawn, Dublin 6W.

### Planning Application

Planning Authority:	South Dublin County Council
Planning Authority Reg.	SD16A/0023
Applicant:	Thomas and Margaret Nugent
Type of Application:	Permission
Planning Authority Decision:	Refuse Permission

### Planning Appeal

Appellant(s):	Thomas and Margaret Nugent
Type of Appeal:	1 <sup>st</sup> Party Vs Decision
Observers:	Brain and Muiriosa Carroll
<b>Date of Site Inspection:</b>	<b>13<sup>th</sup> of July 2016</b>

## **1.0 SITE LOCATION AND DESCRIPTION**

- 1.1 The subject site is 2 Cypress Road, which is a two storey semi-detached dwelling and its curtilage. The site, 0.0323Ha, is flat and orientated northwards facing a large green area of Cypress Lawn. The property has two road frontages, one is the busy Cypress Grove Lawn Road and the other is a residential cul-de-sac Cypress Lawn. There is a mature hedgerow along the western (Cypress Grove Road). Access to the site is from Cypress Lawn.

## **2.0 PROPOSED DEVELOPMENT**

- 2.1 The public notices describe the development proposal as:

*A new pedestrian access onto grove Road, the relocation and a new vehicular access to Cypress Lawn, and detached two storey dwelling plus attic with dormer to the rear and bay windows to front porch, with 3No. velux windows to rear, two parking spaces and associated works to side of 2 Cypress Lawn.*

## **3.0 SUBMISSIONS RECIEVED**

There was one objection to the proposed development from a local residents citing:

- Traffic congestion and on street carparking
- Visual Impact
- Out of character with neighbouring development
- Overdevelopment
- Precedent

## **4.0 TECHNICAL REPORTS**

### **Planning Report:**

A summary of the key issues is as follows:

- To protect and improve residential amenity.
- The insertion of a two/ three storey dwelling on the corner site would not comply with development plan policy, the proposed dwelling would be a visually incongruous feature along the streetscape.
- Roads Department recommended conditions.
- Water Services Department requested further information.
- Refusal is recommended.

## 5.0 PLANNING AUTHORITY'S DECISION

South Dublin Co. Co. refused permission for the proposed development for two reasons:

Having regard to the pattern of development in the area and the 'A' zoning objective for the site which seeks to protect or improve residential amenity, the proposed additional dwelling at a prominent corner site would infringe an existing building line by significantly breaching the established building line of Cypress Grove Road and would detract from the attractive open space of the corner site.

The design and scale of dwelling does not reflect the design and character of development in the vicinity. The proposal would seriously injure the amenities and depreciate the value of property in the vicinity due to its variance with the established pattern of development in the area.

## 6.0 APPEAL GROUNDS

6.1 The applicants are a retired couple that have lived in the area for over twenty years and they wish to sell their house and build their retirement house. The house has been designed to cater for their needs. There were two reasons for refusal and the validity of the two reasons cited must be questioned because there are similar development granted and constructed throughout South County Dublin whereby building line shave been broken and infill housing does not match exactly the existing dwellings.

6.2 The applicant have indicated an openness to revise the proposal to move the proposed dwelling closer to the building line of the existing dwelling and reduce the height of the dwelling and harmonise the design and finishes with the existing houses in the area.

6.3 In terms of policy H17 Corner Site Development, the design complies with the policy as follows:

- The design of the house is derived from the clients requirements for space and comfort in the 21<sup>st</sup> century. The house does not mimic existing houses and it is not avant garde in form or materials.
- The gable wall is not blank
- The scale of the dwelling is respectful of the existing houses
- The front building line of Cypress Lawn is maintained apart from the bay window feature, there is a precedence for side building lines to be broken throughout Dublin. The Board may wish to set the building back by condition.

6.4 There were no neighbouring third party objections to the proposed development. To answer the concerns expressed in the one objections, the roads Section had

no objection to the proposal. The proposed dwelling is the same bulk and scale, and massing as other houses. There is ample open space to serve the existing and proposed houses.

6.5 There is a list of similar developments with corner site developments within the locality cited, this precedent exists.

## **7.0 RESPONSES**

7.1 The planning authority confirms it's decision.

## **8.0 OBSERVATIONS**

### **8.1 BRAIN AND Muiriosa Carroll, 3 Cypress Lawn, Templeogue**

- The proposal would seriously injure amenities of property in the vicinity and depreciate the value of such property.
- An additional dwelling at this location would significantly infringe the existing building line
- The proposed development would detract from the attractiveness of the corner and its openness, adversely impacting on the visual amenities of the area.
- A 2/3 storey dwelling would be out of character in size, height and scale with neighbouring properties.

## **9.0 PLANNING HISTORY**

### **9.1 SD16B/0003**

Construction of a two storey extension to side of dwelling at a neighbouring property. There is no relevant planning history associated with subject site. .

## **10.0 PLANNING POLICY**

### **1.2.29 Corner Site Development**

Corner site development refers to the sub-division of an existing house curtilage to provide an additional dwelling in existing built up areas.

### **1.2.30 POLICY**

#### **1.2.30.i Policy H17: Corner Site Development**

**It is the policy of the Council to favourably consider proposals for the development of corner sites or wide side garden locations within established areas, subject to the following:**

- Contemporary design is promoted with a building language that is varied and forward-looking rather than repetitive and retrospective;
- Scale that respects adjoining development;
- Gable walls should not be blank. Buildings should be designed to turn the corner and provide interest and variety to the streetscape;
- Compliance with standards set out in the Plan for both the existing and proposed dwelling;
- Maintenance of existing front building lines and roof lines where appropriate and
- Proximity to piped public services.

## **11.0 ASSESSMENT**

11.1 The subject site is located within a mature residential area. The site is the side garden of a two storey semi-detached dwelling, which is located at the junction of the estate road (Cypress Lawn) with the main road (Cypress Grove Road). The existing dwelling has a northern orientation with a south facing garden, and a large side garden to the west, where the applicants propose to construct a two storey dormer dwelling. The proposed dwelling is a detached unit with 4No. bedrooms on the first floor and a large study and office area on the second floor within the attic space. The elevation design is simple and it resembles a gable fronted dwelling with three large windows centrally placed across the front elevation. There are two carparking spaces to the front of the dwelling and a garden area (116sq.m.) to the rear of the proposed dwelling. The existing dwelling, No. 2 Cypress Lawn, will also have two carparking spaces and a private open space area to the rear of the dwelling of 139sq.m. There is a large square public open space area to the front of the house. No. 2 Cypress Lawn forms a regular formation of six dwellings addressing a large green area with six dwellings mirrored on the opposite side of the green area and a large dwelling to the east. It is a very spacious neighbourhood setting as viewed from within cypress Lawn and along Cypress Grove Road. The applicants who reside in the existing dwelling wish to construct the proposed dwelling for their retirement, and according to the appeal it is suitable for their needs.

11.2 South Dublin Co. Co. refused the development proposal on two grounds stating the subject site is a prominent corner site and the proposal would infringe on existing building line by significantly breaching the established building line of Cypress Grove Road and would detract from the attractive open space aspect of the corner site. Also the planning authority considered the design and scale of the proposed dwelling did not reflect the design and character of dwellings in the vicinity.

11.3 The zoning for the area under the provisions of the current development plan is objective A – *To protect and/or Improve Residential Amenity*'. Also relevant to this current proposal is the corner site policy, **1.2.30.i Policy H17**, which states the planning authority is favourably disposed towards corner site developments providing certain criteria is adhered to, as outlined above. The internal departments of the planning authority had no objection to the proposal, the

water services department had requested additional information and the Roads Section recommended permission with conditions.

- 11.4 The applicants have submitted on appeal that they are a retired couple living in the area for over twenty years and the proposed dwelling is their retirement home. It is stated the proposal complies with policy H17 of the development plan, in that it is a contemporary house, and reflects the applicants need for space and comfort in 21<sup>st</sup> century and the house design does not mimic the existing houses along the streetscape. It is also submitted the scale of the dwelling is respectful to the existing houses and streetscape, in terms of its overall size, volumes and bulk. The front building line of Cypress Lawn is maintained apart from the bay window. There are similar precedents of similar developments in side and corner gardens throughout the locality.
- 11.5 Having regard to the setting, streetscape and neighbourhood character, I consider the overall scale and design of the proposed development to be inappropriate at this location. The subject site is the side garden area of a semi-detached dwelling which is a two storey unit. I have referred to the open nature of the neighbourhood character, which is created by the large green area to the front of the dwellings, and the significant setback which exists between the gable end of 2 Cypress Lawn and the footpath/ road of Cypress Grove Road. The policy in the development plan relating to corner site developments it to encourage innovative contemporary designs which make a positive contribution to the character of the neighbourhood. The proposed development is a box like structure over three storeys within a two storey streetscape. Although the overall height is similar to the existing ridge heights along the streetscape, the roof design is alien to the area, and the window design has a central horizontal emphasis, which is not a façade detail that should be copied from the existing houses. The window proportions are totally unbalanced within the façade, and add to the bulkiness of the proposed dwelling when viewed from the adjoining streetscape. I consider the scale of the proposed dwelling to be inappropriate within the existing setting and it does not respect the existing building designs. I do not believe any structure on the narrow site configuration should detract or overawe the existing dwelling at No. 2 Cypress Lawn. In my opinion, if there were to be a dwelling considered at this corner site location, it should be a subsidiary structure to existing dwelling and should not dominate the streetscape.
- 11.6 Having regard to the northern orientation of the proposed dwelling and its relationship to the neighbouring houses and proposed separation distances, I do not consider the proposal would impact negatively on the abutting properties in terms of overshadowing or overlooking. The proposal when viewed from Cypress Grove will appear overbearing, as it is a considerable height and bulk within 2.5metres of the footpath. The proposal would be overbearing when viewed form the adjoining Cypress Grove Road particularly having regard to the open setting of Cypress Lawn. The visual bulk of the proposed dwelling will be significant when viewed form the abutting streetscapes, and I consider the planning authority's decision to refuse on this issue was correct and should be upheld by the Board.

## **12.0 RECOMMENDATION**

I recommend the planning authority's decision to refuse planning permission for the proposed development be upheld.

## **REASONS AND CONSIDERATIONS**

The proposed development is located in an area zoned A in the current South Dublin County Development Plan for which the objective is to protect and improve residential amenity. This objective is considered reasonable. Due to the scale of the proposed house, its location adjacent to the public footpath along Cypress Grove Road, the three storey front and side façades, it is considered the proposed house would be visually oppressive and out of character with the surrounding area, and the general neighbourhood pattern of development, and it would adversely impact on visual amenities of the area and be contrary to the provisions of section 1.2.30.i Policy H17 relating to Corner Site Developments as the scale does not respect the adjoining developments and surrounding area, and would therefore be contrary to the proper planning and sustainable development of the area.

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**Caryn Coogan**

**Planning inspector**

**13/07/2016**