



An
Bord
Pleanála

Inspector's Report

Development	Two three-bed semi-detached dwelling houses, attendant site works and landscaping at Side garden to 25 Cypress Grove South, Templeogue, Dublin 6W.
Planning Authority	South Dublin County Council
Planning Authority Reg. Ref.	SD15A/0374
Applicant(s)	Finchcrest Ltd
Type of Application	Permission
Planning Authority Decision	Grant, subject to 10 conditions
Appellant(s)	John Canniffe & Others
Observer(s)	None
Date of Site Inspection	12 th October 2016
Inspector	Hugh D. Morrison

1.0 Site Location and Description

- 1.1. The site is located within an established suburban housing estate to the west of Templeogue Village. This estate is accessed off Cypress Grove Road to the east and this site lies beside a bend in the cul-de-sac known as Cypress Grove South. The site was originally part of the curtilage to the detached two storey dwelling house at No. 25. This dwelling house lies at the north western end of a row of 8 detached two storey dwelling houses. These dwelling houses form a single sided line of development to the south western side of the last portion of the cul-de-sac. They are of similar design, although some alterations have been introduced over the years, e.g. No. 23 has a projecting front gabled two storey element.
- 1.2. To the north east of the site, the cul-de-sac is composed of two storey semi-detached dwelling houses. New development has been added, e.g. a detached one and a half storey gable fronted dwelling house at No. 23A, and is being added, e.g. a pair of substantial two storey semi-detached dwelling houses are nearing completion on the triangular site on the inside of the aforementioned bend.
- 1.3. To the south west of the site is Templeogue Wood, another established suburban housing estate of two storey detached and semi-detached dwelling houses, which are accompanied by mature landscaping. Cypress Grove South is linked to this estate by means of a footpath that runs alongside the north western boundary to the site.
- 1.4 The site itself is of regular shape. It would be rectangular but for the dogleg alignment of the north western boundary, which introduces an additional triangular area to the western extremity. At present the site is vacant and overgrown. It is bound by a wall and mature hedge along its north western and north eastern boundaries. Its south western boundary is denoted by a wall, too, and a garden shed is sited beside this wall. A further hedge separates the front and rear portions of the site and it aligns with the rear elevation of the adjacent dwelling house at No. 25. The site extends over an area of 0.03233 hectares.

2.0 Proposed Development

- 2.1. The proposal would entail the construction of a pair of two storey semi-detached dwelling houses on the site. These dwelling houses would be sited in a position whereby they would align with the front and rear building lines of the adjacent dwelling house to the south east. They would be distinguished by their contemporary design that would incorporate projecting flat roofed two storey elements to the front and gables to the front and rear elevations. Fenestration would display a vertical emphasis and the north western elevation would directly abut the adjoining footpath between Cypress Grove South and Templeogue Wood. Finishing materials to the ground and first floor levels would be brick and white plaster and external window and door joinery would be composed of alu-clad composite units. The eaves line would coincide with that of the adjacent two storey dwelling house and the ridge lines would be slightly lower.
- 2.2. Under further information, the applicant submitted a floor schedule for each of the proposed dwelling houses. Thus, they would both be designed to be three-bed/four person dwelling units with similar floor areas, i.e. dwelling house No. 1 to the north west would have 101.5 sq m and dwelling house No. 2 to the south east would have 98.8 sq m.
- 2.3. The dwelling houses would be served by a joint drive-in forward of dwelling house No. 2, which would provide two off-street car parking spaces, i.e. one for each dwelling house. An area of soft and hard landscaping would lie forward of dwelling house No. 1. Both dwelling houses would be served by separate rear gardens with that to No. 1 exceeding that to No. 2, due to the additional triangular area, referred to above.

3.0 Planning Authority Decision

3.1. Decision

Following receipt of further information, permission was granted subject to 10 conditions.

3.2. Planning Authority Reports

The report of the area planner can be summarised as follows:

- The contemporary design of the gable fronted dwelling houses is welcomed.
- The siting of the north western side elevation of the dwelling house no. 2 in a position abutting a pedestrian walkway is justified.
- Internal floor areas would accord with Best Practice.
- The need for two off-street car parking spaces is set aside.
- The street tree adjacent to the site should be retained.

3.3. Other Technical Reports

- Roads: Requested that each dwelling house be served by two off-street car parking spaces.
- Water Services: Following receipt of further information, no objection, subject to conditions.
- Irish Water: Following receipt of further information, no objection, subject to conditions.

3.4. Third Party Observations

See grounds of appeal.

4.0 **Planning History**

None

5.0 **Development Plan**

Under the South Dublin County Development Plan 2016 – 2022 (CDP), the site is shown as lying within an area that is subject to zoning objective A: “To protect and/or improve residential amenity.” Policy H17 Objective 3 and Section 11.3.2(ii) of this Plan addresses corner site development.

6.0 **National planning guidelines and advice**

- Sustainable Residential Development in Urban Areas
- Quality Housing for Sustainable Communities: Best Practice

7.0 **The Appeal**

7.1. **Grounds of Appeal**

The appellants reside at Nos. 27 – 37 Cyprus Grove South (odd, inclusive). Their grounds of appeal can be summarised as follows:

- While a single dwelling house on the site of the side garden would be supported, the proposal for two dwelling houses would represent over development and the resulting narrow dwelling houses would be out of character with existing dwelling houses.
- Section 11.3.2 of the CDP cites criteria for the assessment of the proposal.
Thus,
 - The required analysis of the site within its context was not submitted.

- The proposal would fail to integrate, due to conflicting density, roofscape, fenestration, and materials.
- Significant features would be lost such as the existing hedgerow.
- Two off-street car parking spaces would not be provided and so overspill on-street car parking would arise.
- No contribution would be made to the preservation of the character of the area.
- The corner site development policy of the CDP cites criteria for the assessment of the proposal. Thus,
 - The site is of insufficient size to accommodate two dwelling houses.
 - The proposal would align with existing dwelling houses, but its roofspace would be at variance.
 - The design of the proposal would not be in harmony with existing dwelling houses.
 - While the upper floor windows in the north western side elevation would provide passive surveillance of the walkway, they would also overlook the rear garden to the dwelling house at No. 20 Templeogue Wood.
- Under the Sustainable Residential Development in Urban Areas Guidelines, the aim is not for minimum standards to become maximum provision as would be the case under the proposal.
 - Circulation would be through the kitchen, a potentially hazardous arrangement.
 - Kitchen and bathroom facilities would be sub-standard due to their location and, in the case of the wc, its door design.
 - The proposed internal layout would be unduly restrictive.

- Public safety would be jeopardised due to the impact of the proposal on the adjoining walkway and the generation of overspill on-street car parking.
- Given the proximity of the proposal to the public sewer, insufficient detail of how this would be handled has been submitted.

7.2. **Planning Authority Response**

The planning authority confirms its draft permission.

7.3. **Applicant Response**

- Attention is drawn to extracts from the CDP cited in the case planner's report as being supportive of the proposal. Attention is also drawn to the current housing crisis and the need to realise the maximum potential of urban infill sites.
- The critique under Section 11.3.2 contradicts the planning authority's assessment.
- The proposal would accord with good design principles and comply with the Building Regulations. Furthermore, the proposal would contribute positively to the informal surveillance of the walkway.
- The applicant's engineer has consulted with South Dublin County Council's Water Services engineer on the details of the foundations of the proposed dwelling house and their relationship with the public sewer.

7.4. **Observations**

None

8.0 **Assessment**

The main issues in this appeal are those raised in the grounds of appeal and I am satisfied that no other substantive issues arise. The issue of appropriate

assessment also needs to be addressed. The issues can be dealt with under the following headings:

- Streetscape
- Residential Amenity
- Development Standards
- Drainage
- Appropriate Assessment

8.1 Streetscape

8.1.1 Policy H17 of the CDP expresses general support for the residential consolidation and sustainable intensification, while Objective 3 of this Policy states that favourable consideration will be given to the development of corner or wide garden sites within the curtilages of existing dwelling houses, subject to the provisions of Section 11.3.2(ii). The parties to this appeal have interacted with these provisions.

8.1.2 During my site visit, I observed that both Cypress Grove South and Templeogue Wood are well-established suburban housing estates that are composed of two storey detached and semi-detached dwelling houses set within gardens and mature street side landscaping. Examples exist of conventional extensions and alterations to these dwelling houses and new development exists within the vicinity of the site, at No.23A, where a one and a half storey gable fronted detached dwelling house has been built in a recessed position in relation to the original dwelling house at No. 23 Cypress Grove South, and on a triangular plot beside No. 40, where a substantial pair of two storey semi-detached dwelling houses is nearing completion. Of these two examples of new development, the design of the former contrasts with adjacent dwelling houses. However, its modest scale and relatively discrete siting ensure

that its impact upon the streetscape is limited. The design of the latter incorporates a considerable number of commonalities with surrounding dwelling houses. However, its rear elevation, which is visible from the cul-de-sac that serves the appeal site includes triangular shaped returns and a cascade of fully hipped roof elements. Thus, within the vicinity of the site there is some precedent for new development that differs in design from the dwelling houses in the host estate.

8.1.3 The appellant states that, whereas they would support the construction of a single dwelling house on the site, the proposed pair of semi-detached dwelling houses is objectionable as they would be out of character with existing dwelling houses. In this respect, attention is drawn to a lack of integration that would arise from their narrow frontages, contrasting roofscape, different fenestration and materials, and the loss of landscaping that would ensue, particularly the hedgerow to the adjoining footpath link between the estates.

8.1.4 The applicant has responded by drawing attention to both the imperative borne of the present housing crisis to realise the full potential of urban land for new housing and the case planner's assessment of their proposal, which concludes that it would, under the provisions of Section 11.3.2(ii), be acceptable in streetscape terms.

8.1.5 Section 11.3.2(ii) sets out five provisions.

- The first refers to the adequacy of the size of the site and the need to maintain a set back from existing dwelling houses. The proposed pair of semi-detached dwelling houses would span the full width of the site. Nevertheless, a 900mm wide passageway would be maintained with the existing dwelling house to the south east at No. 25. The north western boundary of the site abuts the aforementioned footpath and so the nearest dwelling house in this direction would lie beyond this footpath at No. 20A Templeogue Wood.

- The second refers to building lines and, in the case of adjoining dwelling houses, the roof profile. The front and rear building lines of the proposed pair of semi-detached dwelling houses would align with the row of existing dwelling houses to the south east.
- The third refers to the architectural language of the proposal and the need to create a sense of harmony with the character of existing dwelling houses, although this need not exclude contemporary and innovative approaches. The design of the proposed pair of semi-detached dwelling houses would be both similar and dissimilar to that exhibited in existing dwelling houses in the vicinity. Thus,
 - With respect to the former, the rectangular form of the two storey projecting front features would reflect the rectangular form of the projecting porches/garages to the dwelling houses to the south east, the large windows in these features would reflect the picture windows in these dwelling houses, and the brick finish to the ground floors and the plaster finish to the upper floors would reflect the same differentiation between floors that exists in the said dwelling houses.
 - With respect to the latter, the semi-detached form of the dwelling houses would contrast with the detached form of the dwelling houses to the south east, although there are existing semi-detached dwelling houses to the north east on the same cul-de-sac, the front elevations would be narrower, at c. 5m, compared with 7m at No. 25, and the front and rear gabled elevations would contrast markedly with the double pitched roofs with side gables that exist on the dwelling houses to the south east.
- The third also refers to boundary treatments. The proposal would entail the replacement of a wall and hedgerow along the two public boundaries of the site with a brick wall, which across the north western side elevation of the dwelling house denoted as No. 2 would be continuous with this elevation.

While the northern corner of the site would be the subject of some landscaping, there would be a loss of greenery to the said boundaries and a heightened sense of enclosure to the footpath link between the two adjoining estates.

- The fourth refers to dwelling houses that would project forward of the front building line and so it is not relevant to this proposal, while the fifth refers to corner sites, which, as the appeal site is a wide side garden site, is not relevant either.

8.1.6 In the light of the above provisions, I consider that the proposal would be a contemporary and innovative response to the opportunity presented by the site set within its immediate context to construct a pair of semi-detached dwelling houses instead of a single detached dwelling house. While I accept that this response entails a design, which, with respect to its roofscape in particular, would represent a departure from the pattern that exists at present within the estate, I consider that the overall design would reflect established features of dwelling houses in the vicinity and so I conclude that its impact upon the streetscape, while striking, would be consistent with the visual amenities of the area.

8.2 Residential amenity

8.2.1 As discussed under the first heading, the proposed pair of two storey semi-detached dwelling houses would be sited in a position whereby they would align to the front and rear with existing dwelling houses to the south east. Consequently, the standard separation distance with existing dwelling houses to the south west in Templeogue Wood would be maintained and thus overlooking distances and associated neighbour privacy would be safeguarded.

8.2.2 The appellant draws attention to the first floor windows in the north western elevation of the dwelling house, which is denoted as No. 2. They express the concern that views from these windows would overlook the rear garden to the

dwelling house at No. 20A Templeogue Wood. I note that the siting of these two dwelling houses would be off set in their relationship to one another with the proposed one being further to the south west and the existing one being further to the north east. Accordingly, I do not consider that the proposed first floor windows would lead to appreciable overlooking of the said rear garden. They would however assist with the informal surveillance of the footpath link. The appellant has suggested that they should be accompanied by ground floor windows in the same elevation to further assist with such surveillance. However, such windows would, by virtue of the proximity of the footpath, afford a lack of privacy to future occupiers of dwelling house No. 2.

8.2.3 I conclude that the proposal would be compatible with the residential amenities of the area.

8.3 Development Standards

8.3.1 The proposed two storey dwelling houses have been designed to be three bedroom/four person ones. The Best Practice Guidelines, entitled Quality Housing for Sustainable Communities, set out in Table 5.1 recommended space provision and room sizes for the type of dwelling house thus proposed. Under further information, the applicant submitted a floor area schedule for each of the proposed dwelling houses. A comparison of the said Table and this Schedule indicates that these dwelling houses would be largely compliant. They would, however, be just shy of the recommended areas of 13 sq m for master bedrooms and 4 sq m for dedicated storage space at 12.5 sq m and variously 3.19 and 3.22 sq m. I consider these to be nominal breaches.

8.3.2 The appellant has drawn attention to the unusual ground floor layout of each of the proposed dwelling houses, which would entail a hallway that accesses the kitchen from which access to the remainder of this floor is gained. They express the concern that this layout would be potentially hazardous, given the greater fire risk that is typically posed by kitchens. The applicant has responded by

expressing confidence that their design would accord with the Building Regulations, i.e. the code that would need to be satisfied with respect to fire safety.

8.3.4 Under Table 11.20 of the CDP, three-bed dwelling houses should have a minimum of 60 sq m of private open space. Under the proposal, dwelling house No. 1 would have 60.1 sq m and dwelling house No. 2 would have 78.2 sq m.

8.3.5 Under Table 11.23 of the CDP, dwelling houses in Zone 2 (within 400m of a QBC) should be served by 1.5 off street car parking spaces. Under the proposal, each dwelling house would be served by a single car parking space and so there would be a shortfall of 1 space. The site would be accessed off the outside of a bend in Cyprus Grove South, which continues to the south east to a turning head 90m away. Between the site and this turning head, frontage development is on the south western side of the street only and so there is scope for on street car parking on the north eastern side. Accordingly, in these circumstances, I consider that the said shortfall can be countenanced.

8.3.6 The proposed car parking spaces would be sited side by side in front of dwelling house No. 1. The shared access point would lie in a position whereby vehicles turning right into the same would have a line of sight along the remainder of the cul-de-sac. If this access point only served No. 1 and a separate access to the north west were to be provided to serve No. 2, then an equivalent sight line would not be available. I, therefore, consider that this unusual arrangement should be acceded to.

8.3.7 I conclude that the proposal would by enlarge comply with relevant development standards and where breaches would occur these would be justifiable in the particular circumstances applicable to the site.

8.4 Drainage

8.4.1 The proposal would entail the diversion of a public surface water sewer that passes under the footpath link that runs to the north west of the site. Under further information, the principle of this diversion and a methodology for the same was agreed with the County Council's Water Services Section.

8.4.2 The appellant has expressed concern that insufficient details of the proposed diversion have been submitted. In the light of the aforementioned agreement, I consider that such details could reasonably be conditioned.

8.4.3 I conclude that drainage arrangements consequential to the proposal would be capable of being handled satisfactorily.

8.5 Appropriate Assessment

8.5.1 The site is not located within or near to a Natura 2000 site. It is a fully serviced suburban site. The current proposal is for a pair of semi-detached dwelling houses only and so it poses no appropriate assessment issues.

8.5.2 Having regard to the nature and scale of the proposal, no appropriate assessment issues arise and it is not considered that the proposal would be likely to have a significant effect individually or in combination with other plans or projects on a European site.

9.0 Recommendation

9.1. I recommend that planning permission should be granted, subject to conditions, as set out below.

10.0 REASONS AND CONSIDERATIONS/ REASONS

Having regard to the South Dublin County Development Plan 2016 – 2022 and the Best Practice Guidelines, entitled Quality Housing for Sustainable Communities, the

proposal would comply with the Zoning Objective A for the site and with Policy H17 Objective 3 and the provisions of Section 11.3.2(ii) of the County Development Plan. This proposal would be compatible with the visual and residential amenities of the area and it would afford a satisfactory standard of amenity to future occupiers. No Appropriate Assessment issues would arise. The proposal would thus accord with the proper planning and sustainable development of the area.

11.0 CONDITIONS

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, as amended by the further plans and particulars submitted on the 16th day of May 2016, 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 in accordance with the agreed particulars.

Reason: In the interest of clarity.

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

Reason: In the interest of visual amenity.

3. The site shall be landscaped, using only indigenous deciduous trees and hedging species, in accordance with details which shall be submitted to, and agreed in writing with, the planning authority prior to

commencement of development.

Any plants which die, are removed or become seriously damaged or diseased, within a period of 5 years from the completion of the development, shall be replaced within the next planting season with others of similar size and species, unless otherwise agreed in writing with the planning authority.

Reason: In order to screen the development and assimilate it into the surrounding rural landscape, in the interest of visual amenity.

4. (a) Prior to the commencement of development, a detailed scheme for the diversion of the public surface water sewer to the north west of the site shall be submitted to and agreed in writing with the planning authority.

(b) Water supply and drainage arrangements, including the attenuation and 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.

5. The dishing of the public footpath in conjunction with the provision of the proposed vehicular access shall comply with the detailed standards of the planning authority for such road works.

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

6. Except for the brick wall to the north western site boundary, all rear gardens shall be bounded with 1.8 metre high concrete block walls,

suitably capped and rendered, on both sides, or by 1.8 metre high timber fences with concrete posts.

Reason: In the interests of residential and visual amenity.

7. Proposals for a house numbering scheme and associated signage shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interests of urban legibility.

8. Site development and building works shall be carried only out between the hours of 08.00 to 19.00 Mondays to Fridays inclusive, between 08.00 to 14.00 on Saturdays and not at all on Sundays and public holidays. Deviation from these times will 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.

9. The construction of the development shall be managed in accordance with a Construction Management Plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall provide details of intended construction practice for the development, including hours of working, noise management measures and off-site disposal of construction/demolition waste.

Reason: In the interests of public safety and residential amenity.

10. The developer shall pay to the planning authority a financial contribution of €17,037 (seventeen thousand and thirty-seven euro) 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 – 2015. The contribution shall be paid prior to the 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. The application of any indexation required by this condition shall be agreed between the planning authority and the developer or, in default of such agreement, the matter shall be referred to the Board to determine.

Reason: It is a requirement of the Planning and Development Act 2000 – 2015 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.

Hugh D. Morrison
Planning Inspector

14th October 2016