



An  
Bord  
Pleanála

## Inspector's Report PL29S.247071

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<b>Development</b>	Demolition of existing garages, construction of a pair of semi-detached houses, four parking spaces including one within a garage at rear of site with access via a rear driveway.
<b>Location</b>	Lands adjacent to 17 Cranfield Place, Sandymount, Dublin 4.
<b>Planning Authority</b>	Dublin City Council
<b>P. A. Reg. Ref.</b>	2935/16
<b>Applicant</b>	Mary Coyle.
<b>Type of Application</b>	Permission
<b>Decision</b>	Refuse Permission
<b>Appellant</b>	Mary Coyle
<b>Observer</b>	None
<b>Date of Site Inspection</b>	4 <sup>th</sup> November, 2016.
<b>Inspector</b>	Jane Dennehy.

## 1.0 Site Location and Description

The site has a stated area of 435 square metres, is rectangular in shape, to the north of Leahy's Terrace and has frontage on the south side of Cranfield Place and the west side of residential properties on Tritonville Avenue. It formerly would have been within the historic curtilage of No 19 Leahy's Terrace adjacent to and with access from Cranfield Terrace, formerly a rear access lane. Disused garages are located at the frontage of the site which is otherwise clear of structures under hardstanding and overgrown vegetation. To the east side are the rear gardens of houses facing onto Tritonville Avenue and Two storey houses with front and rear gardens are located to the west side along the boundary of which there is some intact stone walling. No 19 and No 19A Leahy's Terrace and private open space for those properties are to the south side of the appeal site.

## 2.0 The Planning Application

2.1. The application is a repeat application further to a prior application for which permission was refused under P.A. Reg. Ref 4252/15. (Details of which are in section 3 below.) It indicates proposals for the removal of the existing garages and for construction of two, three storey houses the total stated floor area of which is 350 square metres inclusive of onsite parking for four cars. Two spaces are allocated to the houses, a third space is designated as a visitor space and the fourth is within a detached garage to be constructed at the rear of the site with an access along the inner side of the east boundary site. The garage roof space is to be fitted out for use as incorporating a side access to a rear garage space with a roof over for use as semi private open space. The west dwelling (No 21) has a half hip gable end and both dwellings have projections above the eaves at front and rear elevations allowing fenestration to light the second floor accommodation. The top floor accommodation is at attic level. According to the application it is intended that the dwellings be occupied by older persons.

### **Internal Technical Reports:**

- 2.2. The report of the Roads and Traffic Planning Division indicates a recommendation for provision for one car space per dwelling. It notes that the proposed garage spaces are deficient in size and recommends that they be omitted. Drainage Department and City Archaeologist indicate no objection subject to conditions.
- 2.3. The report of the planning officer notes the prior planning history and indicates concerns about the heights and the front elevation treatment for the houses, proposed use of roller shutter and sliding door. It is also stated that while breach of a building line may be acceptable, the proposal fails to provide an appropriate architectural positive response to the streetscape.

### **Decision of the Planning Authority:**

- 2.4. By order dated, 14<sup>th</sup> July, 2016, the planning authority decided to refuse permission on the basis of two reasons:

Reason: 1

*The proposed development by virtue of its scale, ass and roof profile/height would be visually obtrusive and unduly overbearing. As such it would materially and negatively impact on the residential amenity and setting of adjoining residential properties and the future residents and set an undesirable precedent for similar development. The proposed development would materially contravene the zoning objective Z2: to protect and / or improves the residential amenities of residential conservation areas.*

Reason 2

*"The proposed development by reason of its elevational design at ground floor level would result in a negative visual impact along the streetscape creating a blank frontage and would set an undesirable precedent for similar such development It would be contrary to both the provisions of the Dublin City Development Plan 2011-2017 and the proper planning and sustainable development of the area".*

### 3.0 Planning History

- 3.1. P.A. Reg. Ref 4252/15: Permission was refused for two houses and associated development on the appeal site for the following reason:

*“The proposed development of two dwellings in a residential conservation area by virtue of its layout and design, would fail to provide a satisfactory standard of residential amenity for future residents and would have negative visual impact on the streetscape. As such it would materially and negatively impact on the amenity of adjoining residential properties, thus depreciating the value of such properties, would set an undesirable precedent for similar such development and would be contrary to the proper planning and sustainable development of the area.”*

- 3.2. P. A. Reg. Ref 6402/06: Permission was granted, in 2007 for two ‘mews’ houses on the site. The duration of the grant of permission was extended for a further period after it lapsed.

### 4.0 Dublin City Development Plan, 2016-2022

- 4.1. The development plan was adopted in September 2016 and brought into effect in October, 2016 after the determination of the decision on the application by the planning authority.
- 4.2. The site location is within an area subject to the zoning objective Z2: Residential Conservation Area. Some surrounding areas are subject to the zoning objective Z1: To protect, provide and improve residential amenities.
- 4.3. The site location is adjacent to the Zone of archaeological constraint for recorded monument DU018-0-54 (Irishtown settlement.)
- 4.4. Development Management standards are set out in Chapter 16.2.2.2. In brief, the policy objectives and standards set out in this section for infill development on “gap sites” in areas of significant quality include requirements that development proposed respect and complements prevailing scale architectural quality and uniformity, have a positive response to context and the character of the area.
- 4.5. Standards for residential accommodation are set out in section 16.10.

## 5.0 The Appeal.

- 5.1. An Appeal was received from Gaia Architecture on behalf of the applicant on 10<sup>th</sup> August, 2016.
- 5.2. The submission contains a very detailed account with comments and observations of the planning history, current application and proposed design and development plan criteria. The reasons for the rejection of the reason for refusal attached to the decision of the planning authority and case for favourable consideration are outlined in summary form below:
- 5.3. The site is at the historical transition between Cranfield Place and Tritonville Road. The current proposal references the eaves and ridge lines of NO17 Cranfield Place the adjoining property and maintains screen from Tritonville Road. There is no coherent building line, some properties being built up to the pavement line and others being stepped and is clearly visible in views of the facades, eaves and ridgelines along Cranfield Place. Exposed granite walling at Cranfield Place denotes the historic building line.
- 5.4. The planning authority has previously accepted the principle of two houses on the site and the current proposal is comparable to the previously permitted proposal under P. A. Reg. Ref.6402/06.
- 5.5. The site is not an infill site in that it was the area of the coach house for 19 Leahy's Terrace and it remained empty following demolition of flats in the back return. The garages were not demolished at the time.
- 5.6. The current proposal complies with all development plan standards, has regard to the existing character in the area: building line proportions, heights, parapet levels and materials and policy for promotion of under-utilised sites, (2011-2016 CDPQH6)
- 5.7. The design for the roller shutters opens the street frontage to light and air and has appropriate texture, colour and finishes. The back returns of Nos.2-6 Tritonville Road would be exposed if the established building line was setback.
- 5.8. The internal layout for car parking was redesigned on the advice of the Roads and Traffic Planning Division of the City Council. The two enclosed car spaces can be omitted if required but they provide for a terrace overhead which is defensible semi-private open space. There is no loss of on street parking spaces; the three garages

are accessed off Cranfield Place. Car parking and multiple refuse bin storage in front garden areas is detrimental to residential amenity. A north facing front garden at grade at the appeal site would be shaded, unappealing for sitting out purposes and bathroom fenestration would form the street façade if the enclosed car spaces were removed. Reorientation would militate against well light and well-proportioned internal layouts.

- 5.9. Relevant precedent can be taken from the grant of permission under P. A. Reg. Ref. PL 29S 426280 which was an application for two three storey houses in a residential conservation area in substitution for one two storey house and from the grant of permission under P.A. Reg.Ref.4502/05 where permission was granted for a three storey mews to replace a building.
- 5.10. The current proposal complies with policies: QH 5 (Underutilised sites) QH6 (variety of house types), QH7, (alternatives to on street parking) QH 8, (sustainable urban density) QH 9 Sustainable development of vacant sites), QH 14 (Adaptable and flexible houses), QH 15 (purpose built accommodation for independent living and age friendly living of the Dublin City Development Plan, 2016-2022).

## **6.0 Planning Authority Response:**

- 6.1. In a submission received on 1<sup>st</sup> September, 2016 the planning officer re-affirms the decision to refuse permission and requests that the decision be upheld.

## **7.0 Assessment.**

- 7.1. The claim in the appeal that the site should not be regarded as an infill site is noted, it being part of the original site of a historic house on Leahy's Terrace. Nevertheless, the site which was partly redeveloped was subdivided and at present the rear section historically was that of the rear gardens and coach house and rear entrance is a vacant unoccupied site having been cleared of structures with the exception of the three detached garages. It is appropriate to regard it as an infill site as proposed in the written submission accompanying the application to the planning authority and to apply the relevant criteria and standards set out in section 16.2.2.2.

of the development plan for “infill development” on “gap sites” in considering the proposed development. However, it is acknowledged that the application and determination of the decision took place prior adoption and bringing the 2016-2022 development plan in October, 2016.

7.2. Bearing the foregoing in mind, the issues considered central to the determination of the proposed development and considered below are that of:

- Footprint/building line,
- Design, scale, mass and height.
- Amenities for the future occupants.
- Parking.
- Appropriate Assessment.

**Footprint/building line.**

7.3. While a single distinct building line along Cranford Place in entirety is lacking, there is a building line at the site frontage to the west side from which the building line for the appeal site should be taken. This location is at the eastern end adjacent to the rear gardens of historic terraced houses on Tritonville Avenue, the footprints of which are perpendicular to that of the houses on Cranford Place. There is potential scope for some infill forward of the building line to the west, as far as the site frontage which is low in profile and not in excess of one storey for this site location within the streetscape. The acceptability at the location with regard to visual impact and impact on residential amenities of adjoining properties would be more dependent on design and form. In principle, there is no objection to the forward projecting element at the front of the dwellings at ground floor only. However, it is agreed with the planning officer that the garage roller shutter frontage in the front curtilage is an unsatisfactory in that it is negative in visual impact within the streetscape and does not contribute to active street frontage. To this end, the expectation on the part of the planning officer that the opportunity to improve the presentation on the streetscape should be encouraged, particularly given the residential conservation area zoning objective and adjoining historic terrace on Tritonville Avenue is supported. The location at the bend is a prominent as it partially terminates the vista along the streetscape on approach from either end.

### **Scale, mass and height.**

- 7.4. The adjoining two storey houses to the west along Cranfield Place have horizontal emphasis in form and massing and in the openings on the front facades. The contrasts strongly and fails to have any visual connectivity with the proposed form and design of the proposed development. The two proposed dwellings which are considerably higher in eaves and ridge height, are narrow in width a very strong vertical emphasis in the front facades, openings and projection above the eaves. In addition to the front projecting elements below and over the front garages. The half hipped roof profile ('Gambrel' hip) due to the height and vertical emphasis of the structures exacerbates the visual dominance and incompatibility with the established form and height. This is considered to be incompatible with the existing established form and character within the streetscape along Cranford Place, to be an unsatisfactory infill and seriously injurious to the visual amenities of the streetscape, especially given the prominent position at the bend in the streetscape, notwithstanding the more vertical emphasis in the form and design, including the projections above the eaves at the houses on Tritonville Avenue. There is no doubt that the streetscape on Cranfield Place is the reference point for the proposed development in terms of integration of an infill development into an established built environment.
- 7.5. In view of the foregoing, reason for refusal of permission on grounds that the proposal is unsatisfactory and incompatible for the residential conservation area and could give rise to precedent for similar development is supported.

### **Amenities of the future occupants.**

- 7.6. It is noted from the submissions made on behalf of the applicant that it is intended that the dwelling design be suited to the accommodation needs of older people and necessitates installation of a platform lift in individual dwelling units for transport between the floors. The internal layout with habitable accommodation over three floors would appear to militate against this in terms of ease of unobstructed circulation within the interior. On the other hand, it is considered, having regard to the design statement, the potential to provide for access to light for the dwellings has been maximised. Private open space, where by ten square metres per bed space at



four bed spaces per dwelling is somewhat restrictive at circa 4 m x 8 metres per each dwelling exclusive of terrace space. It is desirable that the recommended standard of sixty to seventy square metres should be applied to ensure compatible standard with the existing low density development of houses with front and rear gardens in that the location is in a suburban rather than inner city area. It is further considered that the internal layout whereby bathroom and utility space is located to the front limits the amenity potential of the internal accommodation and lacks of connectivity with the street. It is considered that the potential standard of residential amenity and utility of the proposed dwellings for the future occupants, owing to the confined site configuration, footprint and restricted internal layout would be limited. To this end the view of the planning officer as reflected in the reason to refuse permission is supported.

### **Parking**

- 7.7. As has already been indicated, the proposed arrangements for parking to the front of the dwellings is considered unsatisfactory due to negative visual impact on the streetscape. The observations as to deficiencies in size of the parking spaces and garage in the Roads and Transportation Department's report are noted. The statement that this issue can be overcome because small cars only would be parked at the properties, this allowing for the deficiencies in standards cannot be accepted. However, a reduction in onsite parking to one space per dwelling as indicated in the Roads and Transportation Report is considered acceptable. Furthermore, such a modification would provide scope for enhancement of the amenities of the dwellings with regard to attainable standards of residential amenity and potential more positive impact on the streetscape and surrounding area.

### **Appropriate Assessment.**

- 7.8. Having regard to the scale and nature of the proposed development which was carried out several years ago, the retention of which is proposed no Appropriate Assessment issues arise and it is not considered that the proposed development has a significant effect individually or in combination with other plans or projects on a European site.

## **8.0 Conclusion and Recommendation.**

- 8.1. In view of the foregoing, it is recommended that the planning authority decision to refuse permission be upheld and that the appeal be rejected. Draft Reasons and Considerations are set out below:

### **Reasons and Considerations.**

It is considered that the proposed development by reason of the narrow width, roof profile, ridge and eaves height which incorporates a projecting element, and vertical emphasis of openings of the units and blank street frontage at ground floor level would be visually overbearing, out of character and would fail to relate to integrate with the established character of two storey houses with a horizontal emphasis in form and openings and with front and rear gardens on Cranford Place. As a result, the proposed development would fail to satisfy the policy standards set out in the Dublin City Development Plan, 2011-2016 for infill development on 'gap sites' within existing areas of established urban form set out in section 16.2.2.2 and would contravene the zoning objective: to protect/and or improve the amenities of residential conservation areas.

**Jane Dennehy**  
Senior Planning Inspector  
14<sup>th</sup> November, 2016.