



An
Bord
Pleanála

Inspector's Report

PL06D.247084

Development

Partial demolition of existing house, construction of ground and first floor extension with covered terrace and balcony and other works at Sarrett, Violet Hill, Church Road, Killiney, Co. Dublin

Planning Authority

Dun Laoghaire Rathdown County Council

Planning Authority Reg. Ref.

D16B/0227

Applicant

Annette Lambert

Type of Application

Permission

Planning Authority Decision

Grant Permission

Appellants

1. Paul T. Murphy
2. Killiney Golf Club

Observers

David Allman

Date of Site Inspection

7th November 2016

Inspector

Mairead Kenny

1.0 Site Location and Description

The site is located at Violet Hill, a narrow private laneway off Church Road in Killiney. The site is elevated and commands excellent views in a southerly and westerly direction towards the Dublin mountains. In the near view there is residential and other urban development and in the middle distance are views to playing fields including at Kilbogget Park.

The site is bounded by Killiney Golf Course to the north-east and by residential properties to the north and south. The house to the north is recently constructed and is a two-storey over basement in a contemporary design idiom with large amounts of glazing and a flat roof. The site is occupied by a house now to be called 'Sarrett'. The previous name 'Cruachan' now attaches to the recently constructed house within the original plot. 'Sarrett' is a single storey over basement level house. This pattern is common to many of the plots on the upper level of the private cul de sac road.

The site slopes from the north-east to the south-west. The design of houses responds to this steep slope and to the views and many are single storey over basement / ground and containing large amounts of glazing. The information available indicates that the houses were originally all served by septic tanks and the size of the plots was thus reasonably large. The private cul de sac road over which the applicant has indicated a right of way is steep and narrow and in places is poorly surfaced.

Photographs of the site and surrounding area which were taken by me at the time of my inspection are attached.

2.0 Proposed Development

Permission is sought for development comprising :

- partial demolition consisting of cutting back of roof to allow for a new first floor extension
- extension to side of ground floor
- extension to front of existing basement
- internal alterations and amendments to all elevations

- external covered terrace area, balcony, parapet wall to front
- all associated site works.

The stated floor area of the proposed new works is 100.72 square metres and of the area to be retained is 404.84 square metres. The application letter describes the rationale for the design, the reasons why overlooking would not arise and refers to the precedent on the adjoining site and the high quality design and materials.

3.0 Planning History

Under PL06D.244922 the Board upheld the decision of the planning authority under reg. ref. D15A/0181 to grant outline permission for construction of a detached two-storey house and vehicular entrance to the site of an existing two-storey house at 'Fairways', Violet Hill. Under condition 1 the house design was limited to 'a single storey house with dormer elements or a split level house

Under PL06D.203685 the Board upheld the decision of the planning authority under reg. ref. D02A/1081 to grant permission for construction of a split level detached house with vehicular entrance from roadway on site adjacent to 'Aspen', Violet Hill. That site is to the south-east of the subject site, across the laneway.

4.0 Planning Authority Decision

4.1 Planning and Technical Reports

Planner's report – There are no issues with the contravention of the existing basement level to living accommodation and the elevation changes to the southwest is considered to be visually appealing. There would be no overlooking or overshadowing from the ground floor amendments where a small extension, an enlarged terrace and significant glazing is proposed. The proposed first floor level changes include a new flat roof which would be 0.8m above the existing roof, lower than that at Cruachan and at Carrigmore House. The first floor extension would be 7m from Carrigmore House and privacy ensured by mature

boundary planting. Would not cause any undue overlooking of the golf course.
Construction phase hours and traffic measures need to be addressed by condition.

Municipal Services – Drainage Planning – no objection subject to conditions.

Transportation Section – no objection subject to conditions.

Parks and Landscape Services – no objection subject to conditions.

4.2 Other Reports

Irish Water – no objections.

4.3 Decision

The planning authority decided to grant permission subject to conditions including:

- Construction phase hours and other measures
- Surface water drainage measures
- Erection of protective fencing around hedgerows and other mature vegetation on the eastern and southern boundaries
- Contributions
- Retain existing walls which are shown to be retained on the submitted plans.

5.0 Grounds of Appeal / Observations

5.1 Grounds of Appeal

Paul T. Murphy

The main points of the third party appeal are:

- Overdevelopment of house
- West side of Killiney Hill for decades has been limited to single storey houses to avoid a cluttered landscape on the hill which is widely visible

- The norm specifically at the top of Violet Hill and Balure Lane off Church Road is dormer bungalows with a basement
- The Board is requested not to compound the original 'office block' style permitted at 'Cruachan' which is visible and intrusive when viewed from below as seen in attached photos
- A second white 'office block' style house would set a precedent whereby the Killiney Hill view would become cluttered with far larger houses
- The contrast between the house constructed six years ago and the existing is evident
- The consistent and effective planning standard that has been in place should be retained
- The enclosed letter to the planning authority refers – this notes concerns relating to the height of 1m above the existing roof line and the scale and dominance as well as the construction disruption.

Killiney Golf Club

The main points of the third party appeal are:

- The site has a boundary with the club, which is incorrectly shown on the site layout plan
- It is requested that this be addressed by condition – unauthorised gates have been erected on the boundary with access to the golf course and is a breach of our boundaries and illegal
- The proposed building should not be brought closer to our boundary than the existing 18.534m dimension and the height limited to 861m above the existing building as shown on the drawings
- Permission has already been granted for a house on the original site – we consider that continuing development on this site is an over intensification of development which is out of character with the surrounding area.

5.2 Observation

The observer objects as a member of the golf course and the loss of amenity due to the clear view from the development to the golf course. Roof levels have been always required to be below the level of the boundary with the golf course – concerned about the increase in height and precedent. Introduction of ‘office’ type buildings in a rural residential setting is not good planning practice. Construction phase duration and road damage.

5.3 Responses

The **appellant Killiney Golf Club** supports the other third party appeal comments relating to the visual amenity of Killiney Hill. The appellant re-iterates comments relating to overdevelopment.

Planning Authority response indicates that there are no issues raised in appeal which would warrant a change of attitude.

The **first party response** includes the following comments :

- There is strong precedence on Killiney Hill for two and three storey dwellings of various styles
- The proposal is not a white ‘office block style’ house but rather is a modernisation of a dwellinghouse of little or no architectural merit with conversion and minor height increase at attic level
- Do not accept that the neighbouring house is the only one visible on the hill or see the relevance of this unrelated application – the proposed parapet height is lower than both adjacent buildings
- The existing boundary with the golf course is existing and will not be altered – the gates are welded shut and are intended only to prevent intruders accessing from the golf course
- No works are proposed to the rear and the height will be as shown

- There is a very small increase in site coverage and it is not overintensification
- There is a precedent in this area for a more contemporary design solution and the design will not look out of place or have any negative or overbearing impact.

6.0 Policy Context

Under the provisions of the **Dun Laoghaire County Development Plan 2016-2022** the site is zoned objective 'A' (residential). Section 8.2.3.4(i) sets out policy relating to extensions to dwellinghouses.

7.0 Assessment

I consider that the main issue in this appeal relates to the visual impact of the proposed development. Other issues mentioned are also subject to brief response.

Design and visual impact

I consider that there is no development plan or other requirement arising in relation to the principle of re-development of the existing house as proposed. Contemporary design approaches and upgrading of energy efficiency are promoted in the planning policy context and in the current application. I agree with the first party comments that the existing house is of no particular architectural merit.

Having regard to the location of the site within a row of modern dwellinghouses, some of which have extensive areas of glazing including the house to the north-east and at 'Fairways' and indeed at the existing house on site I consider that the fenestration changes are acceptable.

The scale of the development would be increased as a result of the proposed development. There is an alteration of the roof level to provide an additional floor and an overall increase in floor area of 100 square metres and a minor increase in roof ridge height. I consider that the test of whether this constitutes over-development should be measured based on the impacts on the residential and visual amenities of the area.

Visual Amenities In relation to the design and resulting visual impact of the proposed development I note that the application letter refers to the use of stone but that the elevations indicate a smooth render / stone cladding finish. The planning authority decision does not address this matter. I consider that the standard planning condition relating to external finishes and allowing for agreement between the applicant and the planning authority is appropriate in this instance. In the event of a stone finish it would be appropriate that samples be erected on site for the purpose of inspection by the planning authority.

Subject to the selection of appropriate materials and colours I consider that the development would not be widely visible and would not constitute a form of development which is out of character with the overall landscape or the immediate vicinity. The development is acceptable in this regard. Relating to the overlooking of the golf course and similar matters raised by third parties I do not consider that a material alteration of the design or a refusal of permission would be warranted for this reason.

Residential amenities The screening between the existing and proposed house (Carrig Mor) does not adequately separate the two properties at a location where the proposed external terrace is to be positioned. The existing screen planting referenced on the site layout plan should be supplemented. In addition matters have been raised in relation to the boundary fencing at the adjacent house (Cruachan) where it adjoins the golf course and similar issues may arise in this case also. I therefore recommend that a landscaping condition to include agreement on boundary treatment be attached. I consider that the recommended measures set out in the report of the Parks and Landscape Services Department relating to tree protection are reasonable and can be agreed with the planning authority. There are no trees of merit but there are areas of vegetation which provide for screening and privacy. Subject to the above there is no adverse impact on the residential amenities of the area.

In conclusion in relation to the level of development I submit that it is reasonable to conclude that as there is no material adverse impact on the visual or residential amenities of the area the level of development is acceptable.

Other issues

The damage to roads in the area including as a result of other recent development is also subject of the objections. The Council's Transport Planning Section has not identified any requirement for road strengthening or other works. This is a private lane and any issues arising are best resolved between the owners in my opinion.

Standard measures including in relation to avoidance of soiling of public road and to avoid conflict between construction activities are appropriate in view of the topography and the residential nature of the area. Therefore, notwithstanding the small scale of this project I recommend in the context of the nature of the road network that a standard condition be attached relating to construction management.

I note the condition drafted by the planning authority in its decision (condition 12) regarding the retention of existing walls as shown. I consider that this is superfluous particularly in the context of a modern building.

Appropriate Assessment

Having regard to the nature of the proposed development, which comprises only modifications to an existing house in a suburban location on serviced lands I am satisfied that no Appropriate Assessment issues arise and it is not considered that the proposed development would be likely to have a significant effect individually or in combination with other plans or projects on a European site.

8.0 Recommendation

I recommend that permission be granted for the reasons and considerations and subject to the conditions below.

Reasons and Considerations

Having regard to the nature, extent and design of the development proposed, to the general character and pattern of development in the area and to the provisions of the Dún Laoghaire-Rathdown County Development Plan 2016-2022, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the amenities of property in the vicinity and would not be out of character with the area. 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 in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. The materials and colour of the render / stone finish to be used on the external walls shall be subject of agreement with the planning authority. Samples shall be submitted or erected on site prior to commencement of development.

Reason: In the interest of visual amenity.

3. The site shall be landscaped in accordance with a scheme of landscaping, details of which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This scheme shall include the following:

- (a) A proposal for a screen wall or fence or hedgerow to be located along the full length of the eastern boundary of the terrace
- (b) Details of any boundary fencing at the north-eastern boundary
- (c) Measures to ensure protection of existing screen planting for the duration of the construction period.

Reason: In the interest of residential and visual amenity.

4. 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 and traffic management measures.

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

5. 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 and the environment.

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.

Mairead Kenny
Senior Planning Inspector
8th November 2016