



An
Bord
Pleanála

Inspector's Report PL29S.247339

Development	Omission of condition 3 attached to permitted application 2533/16
Location	16 Richview Park, Dartry, Dublin 6
Planning Authority	Dublin City Council
Planning Authority Reg. Ref.	3311/16
Applicant(s)	Rhona Breslin
Type of Application	Permission
Planning Authority Decision	Refusal
Type of Appeal	First Party -v- Decision
Appellant(s)	Rhona Breslin
Observer(s)	None
Date of Site Inspection	2 nd December 2016
Inspector	Hugh D. Morrison

1.0 Site Location and Description

- 1.1. The site is located to the east of Palmerston Park and to the north north west of Milltown Luas stop. This site lies towards the entrance of Richview Park, a residential cul-de-sac of detached and semi-detached single storey and two storey dwelling houses. It occupies a position on the north western side of this cul-de-sac.
- 1.2. The site itself is of rectangular shape and it extends over an area of 350 sqm. This site accommodates a two storey semi-detached dwelling house with an attached garage to one side and front and rear gardens. It is accessed via a drive-in from the said cul-de-sac.

2.0 Proposed Development

- 2.1. The proposal is simply to omit condition 3, which was attached to the permission granted to application 2533/16. Details of this application and the said condition are set out below under planning history.

3.0 Planning Authority Decision

3.1. Decision

Permission was refused for the following reason:

The proposed development would contravene materially a condition attached to an existing permission for development namely, condition no. 3 attached to the permission granted by Dublin City Council under planning reg. ref. no. 2533/16, which is still considered to be relevant. The proposed development would, therefore, seriously injure the visual amenities of the area and would fail to comply with Development Plan guidelines for residential extensions as set out in Appendix 25 Part 8 and would be contrary to the proper planning and sustainable development of the area.

3.2. Planning Authority Reports

3.2.1. Planning Reports

The case planner acknowledges that, while there is a great variety of house type/style on the street, the subject dwelling house and the adjoining one and the pair of semi-detached dwelling houses opposite display a commonality of design. The projection of the proposed first floor extension beyond the front building line would be incongruous and inconsistent with the streetscape, it would detract from visual amenity, and it would be contrary to CDP advice on domestic extensions.

3.2.2. Other Technical Reports

None

3.3. Prescribed Bodies

None

3.4. Third Party Observations

None

4.0 Planning History

- 1512/06: Construction of a single storey rear extension, a first floor side extension, a porch, and widening of existing vehicular entrance: Permitted at appeal (PL29S.217406), subject to 6 conditions, one of which requires that the development be kept a minimum of 1m from the boundary with 15 Richview Park for its entire length in the interest of amenity.
- 2007/08: Modifications to the aforementioned permission: Permitted at appeal (PL29S.229554) and duration of ensuing permission subsequently extended until 12th April 2017.
- 2533/16: First floor extension to side of house, following outline of existing garage, consisting of two bedrooms. Ground floor extension to rear of house to contain a utility room and new kitchen dining area. Hipped roof to be extended to match existing over proposed first floor extension on existing

ground floor garage and attic to be converted to storage area with three new velux skylights to rear of house and internal stairs. Replacement windows to rear and front of house in existing openings, new garage doors, front entrance gates to house to be widened and existing holly tree in front garden to be removed to accommodate vehicular access, with existing gateposts retained and associated dishing of the public footpath at this location: Permitted subject to 10 conditions, including the following one:

3. The development hereby approved shall incorporate the following amendment:

(a) The front (south eastern) elevation of the first floor side extension shall not project beyond the existing main first floor building line. The area of the single storey garage roof forward of this line shall be finished in either a flat roof or a pitched lean-to-roof to match the existing main roof.

Reason: In the interest of the visual amenities of the streetscape and to comply with relevant Dublin City Development requirements, including the subordinate approach set out in Appendix 25 Part 8 and the established pattern of development on this street.

5.0 Policy Context

5.1. Development Plan

Under the Dublin City Development Plan 2016 – 2022, the site is shown as lying within an area that is zoned Z1, wherein the objective is “To protect, provide and improve residential amenities.” Section 16.2.2.3 and Appendix 17 of this Plan address alterations and extensions.

5.2. Natural Heritage Designations

None

6.0 The Appeal

6.1. Grounds of Appeal

No undue negative effect on either streetscape or neighbours

- The case planner draws attention to the comparable pair of semi-detached dwelling houses opposite the site. However, due to the presence of roadside trees, these dwelling houses are not seen in conjunction with the site.
- The dwelling house at No. 15 to the south west of the site is detached and its design differs from that of the applicant's dwelling house. It has been altered and extended to include a bay window to the converted garage, which projects further forward than the proposal would do.
- The adjoining dwelling house at No. 17 has a converted garage under a roof that wraps around the eastern corner of this dwelling house to encompass the porch. This roofscape is considered to be architecturally unsatisfactory and it would be avoided under the current proposal insofar as the roof edge to the first floor would be denoted by a parapet coping, behind which would lie the fully hipped roof end, and the original arched front doorway would be retained.
- An architectural reading of the original design of the dwelling houses on Richview Park indicates that lean-to roofs are/would be out of character with this design, whereas flat roofs with projecting parapet copings would not be. Thus, condition 3 would give rise to a visually inappropriate outcome.

The "subordinate" approach

- The original proposal would be subordinate to the existing dwelling house and so the intervention required by condition 3 would not be necessary to secure a subordinate approach.

Precedent for the applicant's proposal

- The extant permission granted to application 2007/08 for the extension of the dwelling house is not relevant as this application was for a different design of extension.

- The original proposal would provide a bedroom of more adequate dimensions than that which would result under condition 3. As there are no overriding planning considerations to justify the said condition, this proposal should be allowed to proceed.
- Precedent does exist for the design approach adopted in the original proposal. Thus, such an approach is evident at No. 4 Richview Park, where under permitted application 2637/13 a two storey side extension with a parapet coping has been constructed to the side of a semi-detached dwelling house.

6.2. Planning Authority Response

Awaited

6.3. Observations

None

7.0 Assessment

I have reviewed the proposal in the light of the CDP, relevant planning history, and the submissions of the parties. Accordingly, I consider that this application/appeal should be assessed under the heading of streetscape and visual amenity.

Streetscape and visual amenity

7.1.1 The proposal at issue is whether that aspect of the original proposal that would entail the construction of a first floor extension over the entirety of the existing garage would be visually appropriate or not. Specifically, the planning authority attached condition 3(a) to the parent permission, which requires that the front portion of this extension be set back to align with the front elevation of the dwelling house, i.e. by 1m. This extension could then be incorporated under the fully hipped end to the extended main double pitched roof, thereby obviating the need for a flat roof with a parapet coping. (The projecting garage, at ground floor level, would be covered over by means of either a flat roof or a lean-to roof).

- 7.1.2 The planning authority in refusing to omit condition 3(a) contends that this condition remains relevant on the grounds of visual amenity and Section 16.2.2.3 of Appendix 17 of the CDP, i.e. the requirement that extensions be subordinate to their host dwelling houses.
- 7.1.3 The applicant has responded by undertaking a visual assessment of neighbouring dwelling houses to the subject one. She draws attention to the fact that, whereas Nos. 16 & 17 and Nos. 9 & 10 are pairs of two storey semi-detached dwelling houses that are of similar design, the presence of roadside trees between these pairs, which lie opposite one another, obscures their correspondence across the cul-de-sac. She also draws attention to the alterations and extensions that have been undertaken to both the two storey detached dwelling house at No. 15, which is adjacent to the subject dwelling house, and to the two storey semi-detached dwelling house at No. 17, which adjoins this dwelling house. A variety of forms and styles are evident in the works that have thus been undertaken.
- 7.1.4 The applicant further contends that the original character of the cul-de-sac would have been influenced by the presence of flat roofs with projecting parapet copings and so to take exception to the same now would risk unsympathetic roof treatments.
- 7.1.5 The applicant insists that the original proposal would be subordinate to the host dwelling house and that precedent for this proposal exists at No. 4, where, under permitted application 2637/13, a two storey side extension with a parapet coping has been constructed to the side of a semi-detached dwelling house.
- 7.1.6 During my site visit, I observed that Richview Park is composed of a considerable variety of dwelling houses, in terms of their type, size, design, and finishing materials. I observed, too, that as the cul-de-sac is of meandering alignment the dwelling houses on either side do not have especially strong front building lines. Accordingly, I am of the view that the cul-de-sac has the capacity to successfully absorb a degree of continuing variety in the extensions and alterations that are undertaken to existing dwelling houses.
- 7.1.7 I note that the footprint of the first floor side extension would simply replicate that of the projecting portion of the existing garage below and that the depth of

projection at issue is a modest 1m. I note, too, that the specification of a parapet coping to a flat roof over a first floor side extension has previously been permitted and implemented at No. 4 and that the host dwelling house is of similar type and design to the applicant's. The outcome, which I observed during my site visit, is attractive and commends the approach that the applicant is seeking to pursue.

7.1.8 I, therefore, conclude that condition 3(a) should be omitted from the permission granted to application 2433/16.

8.0 Recommendation

In the light of my assessment, I recommend that the proposal be granted unconditional permission.

9.0 Reasons and Considerations

It is considered that the proposal to omit condition 3(a) attached to the permission granted to application 2533/16 would be compatible with the existing streetscape and consistent with the visual amenities of the area. It would also comply with Section 16.2.2.3 of Appendix 17 of the Dublin City Development Plan 2016 – 2022. This proposal would thus accord with the proper planning and sustainable development of the area.

Hugh D. Morrison
Planning Inspector

20th December 2016