



An
Bord
Pleanála

Inspector's Report PL.06D.247830.

Development	Amendments to previously approved Planning Reference D08A/0053 (PL.06D.232171) to include: alterations to roof profile, dormer windows and attic accommodation.
Location	4A St. Catherine's Road, Glenageary, Co. Dublin.
Planning Authority	Dun Laoghaire-Rathdown County Council.
Planning Authority Reg. Ref.	D16A/0740.
Applicant	Michael Donnelly.
Type of Application	Permission.
Planning Authority Decision	Refuse Permission.
Type of Appeal	First Party v. Decision.
Appellants	Michael Donnelly.
Observers	1. David C. O'Brien. 2. Frank Walsh. 3. Eithne and Rupert Bowen.
Date of Site Inspection	15 th March 2017.
Inspector	Dáire McDevitt.

1.0 Site Location and Description

- 1.1. The application site is located along the southern side of St. Catherine's Road, a mature suburban area built c. 1940s in Glenageary, Co. Dublin. The area is characterised by 2 storey semi-detached houses with hipped roofs. The site fronts onto and is accessed off St. Catherine's Road.
- 1.2 The site, with a stated area of 0.0344 hectares, is the former side garden of No. 4 St. Catherine's Road, a corner site also owned by the applicant and currently for sale. The site includes a section of the rear amenity space of No. 4 resulting in an irregular shape site.
- 1.3 Hoarding is erected around the site and the original garage associated with No. 4 has been demolished. No construction activity was taking place at the time of inspection.
- 1.4 Maps, photographs and aerial images in file pouch.

2.0 Proposed Development

Permission was granted under An Bord Pleanala Reference. PL.06D. 232171 for a 2 bedroom 2 storey house with a g.f.a of 139.7sq.m and a height of 8.73m.

The applicant is seeking to amend the original proposal to a 3 bedroom 2 storey + attic area with a g.f.a of c.191 sq,m and a ridge height of c.8.73m. The amendments would facilitate a bedroom, study and en-suite at attic level. Changes are proposed to the roof profile to provide a gable ended roof with dormer windows/projections consisting of 2 no. dormers to the front (2.6m wide x 2m high and 5.1m wide x 2m high respectively) and 2 no. blank dormer projections to the rear (3.3m wide and 2m high and 4.7m wide x 2m high respectively) with skylights.

Revised site boundaries are shown on the plans submitted, these changes increase the area of the application site from c.0.0246 hectares to 0.0344 hectares. There is no reference to these amendments in the public notices.

3.0 Planning Authority Decision

3.1. Decision

Refuse permission for the following 2 reasons:

- 1. The proposed modification to the hipped roof profile of the permitted dwelling on site to provide new gable end roof, by virtue of its design, height, bulk and scale would create a visually dominant element in the streetscape, would be out of character with the neighbouring dwellings and would thereby appear visually incongruous in the streetscape. The proposed development would seriously injure the visual and residential amenities of properties in the vicinity, would set a poor precedent and would, thereby, be contrary to the proper planning and sustainable development of the area.*
- 2. Having regard to the design, scale and number of proposed dormer structures to the front and rear slope of the proposed new roof, it is considered that the proposed dormers, would be out of character with the neighbouring dwellings and would appear over dominant and visually obtrusive in the front and rear slopes. The proposed development would seriously injure the visual and residential amenities of the properties in the vicinity, would set a poor precedent and would, thereby, be contrary to the proper planning and sustainable development of the area.*

3.2 Planning Authority Reports

3.2.1 Planning Reports (2nd December 2016)

This Report formed the basis for the Planning Authority's decision and the main points referred to relate to design, visual impact and residential amenity.

3.2.2 Other Technical Reports

Drainage Section (9th November 2016). No objection subject to conditions.

Transportation Planning (11th November 2016). No objection subject to conditions.

3.3 Third Party Observations

Two Observations were received by the Planning Authority from Frank & Wendy Walsh and Eithne & Rupert Bowen, who have also submitted third party observations on the current appeal. The issues raised are largely in line with the observations on the appeal and shall be dealt with in the relevant section of this Report.

4.0 Planning History

There are numerous applications pertaining to the application site.

Planning Authority Ref. No. D08A/0053 (An Bord Pleanála Ref. No. PL.06D.232171). Permission granted in June 2009 for a 2 storey 2 bed house on the site. An Extension of Time has been granted to June 2019. This permission is the subject of amendments under the current application.

Planning Authority Ref. No. D07A/0804. Permission refused in August 2007 for a 2 storey 3 bed roomed house with attic level dormers on the grounds of overdevelopment of the site and the scale and bulk of the house would detract from the amenities of adjoining properties.

Planning Authority Ref. No. D10A/0277. Permission for retention granted in August 2010 for the entrance to No. 4 and changes to front boundaries between No. 4 and No. 4A St. Catherine's Road.

5.0 Policy Context

5.1 Dun Laoghaire-Rathdown County Development Plan 2016-2022.

Land Use Zoning Objective 'A' *To protect or improve residential amenity.*

Section 8.2.3.4 (v) refers to Corner/Side Garden Sites. Such proposals shall be considered in relation to a range of criteria including having regard to the

size, design, layout and relationship with existing dwelling and immediately adjacent dwellings.

Section 8.2.8.4 (i) sets out the private open space requirements for private houses. A figure of 48 sq.m is required for a 2 bed house and 60sq.m for a 3 bed house.

Section 8.2.8.4 (ii) refers to standards for minimum separation distances between first floor opposing windows and garden depths.

5.2 Natural Heritage Designations

None of relevance.

6.0 The Appeal

6.1 Grounds of Appeal

The first party appeal seeks to address the reasons for refusal of permission and is summarised as follows:

- The application was assessed by the Planning Authority using Section 8.2.3.4 (i) Extensions to dwellings as reference and not Section 8.2.3.4 (v) Corner/Side Garden sites.
- The side gables proposed would not face the corners of an estate road and should therefore be seen as acceptable (sketches submitted to illustrate the street perspective).
- Adequate private amenity space proposed to meet the Development Plan requirements for a 3 bedroom house.
- The overall height is in keeping with that of adjoining properties and the use of materials, such as matt zinc cladding, enhances the design and will fit in with surrounding buildings and context.
- Overlooking is not an issue, the house is designed to respect the residential amenities of adjoining properties.
- Precedent in the area for alternative roof profiles.

6.2 Planning Authority Response

The Board is directed to the original Planner's Report as it is considered that the grounds of appeal do not raise any new matters which would justify a change in attitude to the proposed development.

6.3 Observations

Three Observations have been received:

- David C. O'Brien, No. 3 St. Catherine's Road, Glenageary.
- Frank Walsh, No. 2 St. Catherine's Park, Glenageary.
- Eithne & Rupert Bowen, No. 4 St. Catherine's Park, Genageary.

Two of the Observers (F&W Walsh and E&R Bowen) submitted observations to the Planning Authority. The main issues raised are largely in line with the original submissions and are summarised as follows:

- The proposal is not in keeping with the appearance, pattern and design of the existing houses and would detract from the character of St. Catherine's which is regarded as a fine example of a Garden City Housing estate built in the 1940s which is characterised by pairs of semi-detached 2 storey houses with hipped roofs.
- The number and scale of the dormers proposed and the use of zinc cladding would be out of character with the neighbouring houses. The proposal would be dominant, visually obtrusive creating an incongruous and visually dominant element in the streetscape and would set an undesirable precedent for similar developments.
- Proposal would result in the overdevelopment of the site and have an overbearing negative impact on the amenities of adjoining properties through loss of light and overlooking of adjoining rear gardens. In addition, concerns have been raised regarding the ability to enforce blank dormers to the rear.
- Concerns raised in relation to possible structural damage to the adjoining property during excavation and construction phases.

- Depreciation of property values.

7.0 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:

- Design.
- Residential Amenity.
- Appropriate Assessment.

7.1 Design

- 7.1.1 The principle of a house on this site has been assessed and considered acceptable under PL.06D.232171, an extant permission for a 2 storey 2-bedroom house. The purpose of this Report is to assess the suitability of the proposed amendments and compliance with Section 8.2.3.4 (v) which refers to the development of Corner/Side Garden Sites and sets out a range of criteria to be complied with including having regard to the size, design, layout and relationship with existing dwelling and immediately adjacent dwellings.
- 7.1.2. St. Catherine's Road is a mature suburban area in Glenageary built c.1940s. The area is characterised by 2 storey semi-detached houses with hipped roof profiles. A number of the houses have been altered and extended over the years but have retained the hipped roof profiles. The alterations proposed would provide attic accommodation containing 1 bedroom, en-suite and study with a revised roof profile consisting of a gabled roof with dormers to the front and rear roof slopes. And while no changes are proposed to the ridge height from that previously permitted under PL.06D.232171, in my view, the proposed gabled roof profile and flat dormer elements would jar with the existing pattern

of development and result in a discordant feature on the streetscape and set an undesirable precedent for further similar developments.

7.1.3 The applicant has referred to a house at No. 12 St. Catherine's Road as precedent for different roof profiles in the area, while I note that this infill development, built in the mid-1990s, bears no resemblance in style and form to the predominant built pattern in the area. The issue of precedent does not arise as the context differs from the current site which is at an angle to adjoining houses on a prominent exposed site where the scale and bulk of the proposed development would be visually incongruous.

7.2 Residential Amenity

7.2.1 No changes are proposed to the ridge height and while the proposed alterations significantly increase the overall bulk of the roof it does not appear that the amendments are likely to have any major impact on neighbouring properties by way of overlooking or overshadowing. No windows are proposed to the rear dormers and overlooking of adjoining rear gardens is not considered an issue. I note that the permitted house complies with minimum separation distance and garden depths standards as set out in the Development Plan and no changes are proposed to the orientation of the house on site.

7.2.2 The amendments proposed result in a c.191 sq.m 3 bedroom house on a site with an overall area of 0.0344 hectares. No reference is made in the public notices to the amendments to the site area and associated changes to the site boundaries.

7.2.3 The applicant, in an attempt to comply with the private open space requirements as set out in Section 8.2.8.4 (i) of the Development Plan for a 3 bedroom house, has changed the site area and layout from that permitted under PL. 06D.232171. This has resulted in an increase in the private open space available for No. 4A but reduced that for No. 4 to c.52 sq. m, as measured off the submitted plans, which is below the minimum area required for a 3 bedroom house. It has also resulted in a rear garden depth of c. 6.5m which is below the minimum requirements as set out in the Development Plan. The revised site configuration would result in direct overlooking of the proposed

private amenity space for No. 4A due to its location to the rear of No. 4 and would detract from the amenities of the proposed development. It is my considered opinion that the overall quality, quantity and location of private open space for the existing and proposed house is substandard and would constitute overdevelopment of this confined site which would be detrimental to the residential amenities of future occupiers and set an undesirable precedent.

7.3 Appropriate Assessment

7.3.1 Having regard to the nature of the proposed development and the location of the site in a fully serviced built up suburban area, 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 planning permission should be refused for the reasons and considerations as set out below.

9.0 Reasons and Considerations

1. It is considered that the proposed modifications to the roof profile by virtue of its design, bulk and scale would be overly dominant and visually incongruous and would be at variance with the predominant pattern of development in the area. The proposed development would, therefore, detract from the existing pattern of development in the area and be contrary to section 8.2.3.4 (v) of the Dun Laoghaire- Rathdown County Development Plan 2016-2022 and would set an undesirable precedent for further such developments in the area. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.
2. It is the Policy of the Planning Authority as set out in the Dun Laoghaire- Rathdown County Development Plan 2016-2022 that residential

development is provided with adequate private open space in the interest of residential amenity. The proposal will result in a deficiency in the quantum, quality and location of private open space for the proposed development and the adjoining house, No. 4 St. Catherine's Road. The proposed development would, therefore, not be in accordance with the Development Plan Section 8.2.8.4 (i) Private Open Space Quality, and would seriously injure the residential amenity of future residents and the amenities of adjoining properties and would be contrary to the proper planning and sustainable development of the area.

Dáire McDevitt
Planning Inspector

29th March 2017