



Development	To convert a two storey extension to a self-containing one-bedroom dwelling, ancillary works and the provision of additional car parking.
Location	15 Glenbeigh Road, Dublin 7.
Planning Authority	Dublin City Council
Planning Authority Reg. Ref.	4372/16
Applicant(s)	Eileen Mulqueen
Type of Application	Permission
Planning Authority Decision	Refusal
Type of Appeal	First Party
Appellant(s)	Eileen Mulqueen
Observer(s)	None
Date of Site Inspection	12 th June 2017
Inspector	Suzanne Kehely

1.0 Site Location and Description

- 1.1. The property at No.15 Glenbeigh Road is two storey end of terrace house dating from the 1930s. It is on a corner site also fronting Glencar road which is short cul-de-sac consisting of 10 terraces bungalows. A rear lane provides access to the houses on the west side of Glenbeigh Road and also houses along Glencar Road and Glenmore Road. Glencar Road and Glenmore Road rises in a northerly direction and no.15 is elevated above footpath level on both of its frontages. The property has some decorative features of this era – notably the use of angular stepping in both the simple frieze extending in a horizontal band across the bay window and door way and also in the columns in the curved boundary wall which supports a double horizontal metal rail.
- 1.2. The houses on Glenbeigh Road are typically in terraces of 6 house and corners houses are setback broadly in line with the front building line of the adjacent terraced houses built at right angles. The plots are arranged for a geometrical alignment of houses but plots are typically narrow and deep e.g., approx.. 5.5m wide mid-terraced plots and corner plots of more generous proportions reflecting the aligned setback. The plots on the west side of Glenbeigh Road are slightly shorter (23m) than east side(28m). In the subject site a two storey extension was constructed to the side in matching style and detailing and marginally breaches the building line along Glancar Road.
- 1.3. No 15 has an off street car-park space. Many of the houses along the road only have pedestrian gates. At time of inspection around 1pm there was a steady flow of light through traffic along Glenbeigh Road. Cars were parked intermittently along the road whereas in the adjacent cul-de-sac there was less on-street parking.

2.0 Proposed Development

- 2.1. It is proposed to subdivide the extended dwelling into two dwelling units – one reverting to the original dwelling and the 2nd in the later extension in which it is

proposed to provide a one bed independent unit with and an overall floor area of 65 sq.m. (net area stated at 54.2 sq.m.) over two floors in the following form:

- The ground level as scaled from dimensions is about 38.4 sq.m (internal gross floor area - including internal walls), first floor level area is smaller at 26.6sq.m. The accommodation at ground level provides a living room of 16 sq.m and an 11 sq.m kitchen with an intervening 3 sq.m. hallway. The entrance in the side gable of the house. At first floor level a bedroom at 8 sq.m. and study at 5 sq.m. and bathroom at 3sq.m. are proposed. (This has been revised in grounds of appeal to one bedroom at 11 sq.m. and study (no window) at 2 sq.m and the bathroom is 4 sq.m.
- Open space is proposed at 27 sq.m. to the rear (residual of 46 sq.m. for original house)
- A second adjacent vehicular entrance is proposed adjacent to the existing at a point where the boundary wall curve towards the corner. (Revised to a shared widened single access of 4.72m in appeal grounds)
- No external alterations to the house

3.0 Planning Authority Decision

3.1. Decision

Refusal on grounds of

- Contrary to the established character and pattern of development would set a precedent for development of minimal sized dwellings on small sites which would be contrary to section 16.10.9
- Fails to meet residential quality standards for houses set out in section 16.10.2 and as set out in section 5.3 and Table 5. Of the DELG Guidelines Quality Housing for Sustainable Communities Best Practice Guidelines for Delivering Homes sustaining Communities.

3.2. Planning Authority Reports

3.2.1. Planning Report:

- Assessed against standards in section 16.10.9.
- Character: very narrow house not in keeping with house design or character of street
- substandard by reference to DEHLG Guidance for Quality Housing for Sustainable Communities E.g. Bedroom less than 11sqm. Living room is too narrow.
- Minimum open space standards can be met
- Building line, boundary treatment, overlooking or overshadowing not at issue.
- Parking/traffic concerns noted.

3.2.2. Other Technical Reports

Traffic: no report but verbal consultation raised concerns about proximity of proposed entrance to junction. Single shared entrance preferable.

Drainage: No objection

4.0 Planning History

- 207/03 refers to a grant of permission for a two storey extension to the side of no.15. single storey to rear and new vehicular access at the subject site. This was completed.
- PL29N247361 refers to a recent decision by the Board in respect of sub-division of dwelling house to provide for 2 bed storey unit in an end of terrace development. There are comparable issues with respect to dwelling layout and standards. The site in that case had no side passage and was more confined. The internal layout is accordingly different.

5.0 Policy Context

5.1. Development Plan 2016-2022

The site is in an area governed by the objective to protect and/or improve the residential amenity (Z1) under the current 2016-2022 development plan.

Section 16.10 refers generally to residential development standards. Section 16.10.1 refers to minimum floor areas for apartments. Section 16.10.2, 'Residential Quality

Standards – Houses’ requires all proposals for houses to comply with the requirements of other relevant development standards including the public open space, play space, safety and security, and acoustic privacy standards. Houses shall comply with the principles and standards outlined in section 5.3 ‘Internal Layout and Space provision’ contained in the then DEHLG ‘Quality Housing for Sustainable Communities – Best Practice Guidelines for Delivering Homes Sustaining Communities’ (2007).

Private open space: Privacy is an important element of residential amenity, and contributes towards the sense of security. Private open space for houses is usually provided by way of private gardens to the rear or side of a house. A minimum standard of 10sq.m of private open space per bed space will normally be applied. A single bedroom represents one bed space and a double bedroom represents two bed spaces. Generally, up to 60-70m² of rear garden area is considered sufficient for houses in the city. In relation to proposals for house(s) within the inner city, a standard of 5-8sq.m of private open space per bed space will normally be applied,

5.2. **Quality Housing for Sustainable Communities 2007**

The minimum floor area for a 2 person one bed house (one storey) is 44 sq.m. with a minimum guide of 23 sq.m. for living accommodation (total aggregate) and total bedroom at 11.m.

The minimum floor area for a two bed two storey is 70 sq.m. This is for 3 persons.

6.0 **The Appeal**

6.1. **Grounds of Appeal**

- It is submitted that the development is in keeping with the character of the area given that the dwelling is within the existing approved previously extended building envelope which entirely compatible with the intrinsic character of the streetscape.
- The layout has been modified in revised drawings to increase the bedroom size and also to provide a shared vehicular access. This addresses issues of minimum bedroom size and concerns raised by the Traffic Division.

- The planning authority is applying an overly narrow interpretation of what is essentially guidance documentation.

6.2. Planning Authority Response

- Nothing further to add.

7.0 Assessment

7.1. Issues

7.1.1. The subject appeal relates to the subdivision of an extended dwelling house into two units – one being a reversion to the former original house with a modest kitchen extension as compared to the original layout and the second dwelling of 54.5 sq.m. with provision for one bed roomed (2 person) accommodation. The original house would be fairly much consistent with the mid terraced units however the proposed end of terrace one-bedroom unit would be a departure from the prevailing character in terms of housing type, density and pattern of development. The principal of a one bed unit is accordingly at issue both in terms of the overall character and also in terms of detailed development standards.

7.1.2. Incongruity with character

7.1.3. The appellant makes the case that the development is in character insofar as the proposal relates to an existing approved property which will remain substantially unaltered as viewed externally. I note that the proposed new front door entrance is in the gable wall on Glencar Road frontage and not for example beside the existing front door. As the footprint width in the Glenbeigh Road elevation is only 3.6m a front door would be incongruous with the grain of the terrace and have the effect of being squeezed. This would be visually out of character. In this case the new front door in the wide gable is provided with a relatively generous frontage and would not jar with terrace or street. Furthermore, it is discreetly set behind the tall boundary wall and would also be afforded good privacy. I do not therefore consider the subdivision to be visually incongruous with the surrounding development.

7.1.4. Standard of Development

- 7.1.5. The planning authority assess the development by reference to the DOEHLG standards and raises concerns about the bedroom and the living room. There are also concerns about the vehicular entrance.
- 7.1.6. The applicant has revised the first floor layout by providing an 11 sq.m. bedroom and small study of 2 sq.m. and a slightly larger bathroom than initially proposed. It is submitted that the living room of 16sq.m.exceeds the 11 sq.m. recommended limit and is therefore in compliance with the recommended standards. The objection to the narrowness (breach of 150mm) is an overly rigid interpretation of the guidance. I note the context of the guidelines and the atypical configuration of a one bed house in this context. However, I consider the layout with a centrally located front door in the long elevation afforded by the 1.5m pathway to the door allows for an efficient layout within the building by avoiding a corridor. There is also a possibility of introducing an additional window in the gable elevation which would open up the aspect of the living room. In this context the area for a one-bedroom unit in excess of 44 sq.m. over two floors would be acceptable. The internal layout would perhaps benefit from double and/or sliding doors to facilitate opening up the ground floor to provide flexibility such as catering for family gatherings.
- 7.1.7. The proximity of the proposed vehicular entrance is raised as a traffic issue by the planning authority. The applicant has modified the proposal to provide off street parking through a widened shared access at 4.7m which is much wider than the recommended upper limits set out in the Development Plan. I am inclined to be of the opinion that the widening would be a significant alteration given the style and design of the original wall and the gap in the streetscape that is originally substantially enclosed. I am therefore inclined to hold the view that the on-street parking would be a preferable arrangement and that the vehicular access should remain unchanged. Another consideration is the minimisation of hard surfacing. The omission of additional off street parking would also allow for retention of the lawn/soft landscaping in the mature front garden
- 7.1.8. I note that the garden area will be small but is proportionally in keeping with minimum standards of 10sq.m per bed space and that the planning authority has no issue with this. The open aspect afforded by both the corner site location, setback to the side and from the rear laneway coupled with the low rise development to the rear will allow for good access to sunlight and daylight and will on balance provide for a

pleasant courtyard. I note the shed will be removed and this should be clarified in condition. Finally, the original house will have open space consistent with the neighbouring terraced units.

7.1.9. As there is no alteration to the building form externally there is no issue with building line compatibility.

7.2. Appropriate Assessment

7.2.1. Having regard to the nature and scale of the development proposed which relates to a variation to an approved and substantially built structure and to the nature of the receiving environment, namely a suburban and fully serviced location, no appropriate assessment issues arise.

8.0 Recommendation

8.1. I recommend a grant of permission based on the following reasons and considerations.

9.0 Reasons and Considerations

9.1. Having regard to the zoning, nature and scale of the proposed development, and to the existing pattern of development in the vicinity, it is considered that, subject to compliance with the conditions set out below, the proposed development would not be out of character with existing development within the area, would be acceptable in terms of visual impact and traffic safety, and would not seriously injure the residential amenities of the area or of property in the vicinity. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

- 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 to An Bord Pleanála on the 20th March 2017, 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. This permission is for an independent one-bedroom property and the internal layout shall not be altered to provide additional bedroom accommodation without a grant of planning permission.

Reason: In the interest of clarity.

3. The shed structure shall be removed from the garden prior to occupancy of the new independent dwelling and the area shall be incorporated into the private open space.

Reason: To ensure an adequate provision of private open space.

4. The vehicular access shall remain unaltered. A pedestrian gate may be provided in the boundary fronting the proposed dwelling. Details of the boundary treatment for the existing and proposed dwelling shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of visual amenity and orderly development

5. Site development and building works shall be carried out only between the hours of 0800 to 1900 Mondays to Fridays inclusive, between 0800 to 1400 hours 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

6. Water supply and drainage arrangements, including the 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.

7. 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 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. 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

Suzanne Kehely

Senior Planning Inspector

12th June 2017