



An
Bord
Pleanála

Inspector's Report

PL06D.248976

Development

Demolition of existing single storey house, construction of dormer house and associated site works at 4 Roebuck Avenue, Mount Merrion, Co. Dublin

Planning Authority

Dun Laoghaire Rathdown County Council

Planning Authority Reg. Ref.

D17A/0247

Applicant

Mairead Mahon

Type of Application

Permission

Planning Authority Decision

Refuse Permission

Appellants

Mairead Mahon

Observers

None

Date of Site Inspection

17th October 2017

Inspector

Mairead Kenny

1.0 Site Location and Description

The site of the proposed development is located at the eastern side of Mount Merrion at the end of Roebuck Avenue. Roebuck Avenue in common with much of this low rise low density suburb is characterised by detached houses of varying styles. Number 4 together with number 2 to the east are largely in their original form. Other dwellinghouses including number 6 to the west have been substantially modified and extended including at first floor level. At the time of inspection of the site major development was under construction at the opposite side of Roebuck Avenue and to the north-east of the site.

The existing single-storey house is located on a site of stated area of 0.168 ha and the gross floor area of the existing house is stated to be 155 m². It is a flat roof building the roof of which is disguised at the front by a decorative parapet feature.

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:

- Demolition of existing house
- Construction of a replacement dwelling house of stated area of 274 m²
- Other works including plant room and garden store
- New boundary wall and vehicular entrance
- Upgrading perimeter boundary walls
- All associated site works.

3.0 Planning History

There appears to be no relevant planning history related to this site.

The planner's report refers to a permission which was granted at the adjacent house number 2 Roebuck Ave for alterations and extensions including an additional floor. Reg. Ref. D03A/0495.

The planner's report refers also to the permission granted for ongoing development at the site to the north-east. This is described as a four story over basement apartment development with a detached dwelling of 2 ½ storeys. PL 06D.244979 (Reg. Ref D14A/0545).

4.0 Planning Authority Decision

4.1 Planning and Technical Reports

Planner's report – original

The existing house is unique in its design and would make a positive contribution to the character and appearance of the streetscape. The overall area is characterised mostly by single-storey modest dwellings that have been extended to the front and rear, additions in the form of pitched roof extensions to the side and dormers to the front are common. A more modest design approach would allow the applicants to achieve similar space. Further information is required regarding justification of the loss of the existing dwelling, to consider a reduction in the extent of works at first floor level and introduce a fully hipped roof and thirdly to address possible overlooking from Bedroom 3.

Planner's final report The justification for demolition is established. Concerns remain in relation to overlooking. Given that the scale and bulk of the proposed dwelling has not been reduced and in particular the concerns regarding the roof have not been addressed, the proposed development is considered to be visually dominant by virtue of its scale and bulk. The overall height, scale and bulk is the main concern and refusal of permission is recommended.

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

Transportation Section – no objection subject to conditions.

4.2 Third party comments

Two submissions were received by the planning authority.

One submission outlines concerns in relation to the impact on the neighbouring property 2 Roebuck Avenue. This requests that the plant room be relocated or amended. No objection in principle. Observer feels that the proposed development will enhance the road and general area.

The owner/occupier of 11 Greenfield Rd expresses concern about the change in bulk and scale of the proposed development. Preservation of existing trees and planting would maintain privacy and visual amenity to the rear. Alternatively replanting could be addressed by condition without interfering with the project.

4.3 Decision

The planning authority decided to refuse permission for the reason below:

‘The proposed development by reason of its height, scale and bulk would appear visually overbearing and incongruous when viewed from adjoining residential properties and would have an overbearing impact on the neighbouring property at number 2 Roebuck Ave. The proposed development would therefore seriously detract from the visual and amenities and would appreciate the value of property in the vicinity and would, therefore, be contrary to the proper planning and sustainable development of the area’.

The above is an exact quotation. While there is an error in the wording it would appear to me based on the content of the planner’s report that the intention in the second sentence is to refer only to the visual amenities of the area. The planner’s report does indicate a concern in relation to overlooking but does not indicate that permission should be refused for this reason.

5.0 Grounds of Appeal / Observations

5.1 Grounds of Appeal

The main points of the first party appeal are:

- The new dwelling will be similar in scale and height to number 6 and will not have an overbearing impact on the bungalow at number 2
- The low-level roof significantly reduces the bulkiness of the roof profile in marked contrast to number 6 where the hipped roof eaves are significantly higher and the zinc dormers on all sides are more bulky - heights on drawing 1653PL040REV1
- The new dwelling and its two-storey rear projection would not extend beyond the line of the single-storey extension at number 2 Roebuck Ave and it is difficult to understand how it is perceived that the overall depth, bulk and massing associated with the proposed roof profile would have an overbearing impact
- Regarding the potential for overlooking from Bedroom 3 it is a corner window fitted with obscure glazing and only the very rear of the garden to number 6 is overlooked
- In the submission on behalf of the owner of 2 Roebuck Ave no concerns relating to the scale of the proposed development are presented and the only concerns related to potential overshadowing and/or noise from the plant room both of which were addressed to the planner's satisfaction
- The Board is requested to overturn the decision of the planning authority.

5.2 Responses

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

6.0 Policy Context

Under the provisions of the **Dun Laoghaire County Development Plan 2016-2022** the site is zoned objective 'A' (residential). The site is not within an architectural conservation area nor is the building listed on the schedule of protected structures.

Policy AR5 sets out policy relating to buildings of heritage interest which are not protected structures and encourages rehabilitation and reuse of older buildings

which make a positive contribution to the character and appearance of the streetscape.

Section 8.2.3.4(xiv) refers to demolition and replacement dwellings which will be considered on a case-by-case basis and which may be permitted only where the existing dwelling is beyond repair due to structural defects.

7.0 Assessment

I consider that the main issue in this appeal relates to the visual impact of the proposed development. In particular I refer to the decision of the planning authority to refuse permission on the basis that the proposed development due to its height, scale and bulk would appear visually overbearing and incongruous when viewed from residential properties.

In terms of the wider site context I refer the Board to the nearby development site at which a four story over basement apartment development is under construction and to the character of nearby dwellinghouses which is very varied.

Design and visual impact

I consider it reasonable to assess the current proposal on the basis of the immediate context primarily. That includes the dwelling house at the adjacent site number 6 which is completed with a hipped roof profile and zinc clad box dormers at the front and sides. The roof ridge is marginally higher than that proposed at the subject site. The dwelling house to the rear reflects the dormer design and again there are box windows at the rear and a zinc clad single story structure.

The site context includes the adjoining site number 2 Roebuck Ave. This is stated to have been recently purchased. I consider that it may be anticipated that that site will be subject to redevelopment in the not too distant future. I consider it reasonable to take that into account. I note the narrow nature of the subject plot at that site.

In terms of the design modification which the planning authority sought to secure I note that the request for further information and the report indicates a preference for a hipped roof. The proposed development does include a substantial element which

is two-storey and which projects deep into the site. The overall depth of this element is 17860mm. It is set back from the shared boundary with number 2 and does not contain windows at first floor level. As such I consider that it presents a range of development options and does not constrain the future redevelopment of the house to the east.

Regarding the impact on the house to the west, that is number 6, the proposed dwelling house to the extent that it would be visible to adjoining occupants would not in my opinion constitute an obtrusive structure. The layout presented ensures that the new house is well set back from the shared boundary and secondly the development incorporates a reduced ground level.

Regarding the character of the development and its impact on the streetscape I consider that the design reflects the character of the area including through the use of steeply pitched roof profile, a tiled roof finish and the ground floor front veranda. I agree with the submission on behalf of the first party that the proposed development by reason of the selected materials and the roof profile would be very much in keeping with the immediate houses and with the rest of the Mount Merrion vernacular.

In conclusion in terms of the overall impact of the development I disagree with the decision of the planning authority. I consider that this spacious site can readily accommodate the proposed development. I consider that it is acceptable in terms of views from the rear gardens and its streetscape impact.

I recommend that the Board overturn the decision of the planning authority to refuse permission.

Other issues

Regarding the principle of demolition I note that this was accepted by the planning authority following a request for further information. The existing flat roofed structure is relatively small and outdated and I have no objection in principle to its demolition. The architectural character does not warrant retention of the building.

This is a substantial site with ample open space to provide for future occupants amenity needs.

Regarding boundary treatment there is a need to address the treatment of the eastern boundary. It is proposed to replicate the existing concrete post and timber panel fence which is positioned at the western side of the site. I consider that this is acceptable.

The Board may wish to consider whether it is necessary to attach a condition regarding a landscape plan. An outline scheme is provided on the site plan and this includes trees along the western and rear site boundaries. I consider that this is sufficient and do not consider that a landscape plan is required.

Regarding the external finishes of the house the selected roof tile would constitute an important element. I recommend that this be agreed with the planning authority.

A certificate of exemption in relation to requirements under part V of the Act for social and affordable housing is on file.

The application submissions include a BER report which indicates that the proposed building will comprise insulation and airtightness details that exceed the minimum levels required under the Building Regulations and will achieve the Council's long term sustainability performance requirements.

In view of proximity to an existing construction site and to residential properties I recommend that the applicant agree a construction management plan with the planning authority.

The Council's engineering departments have not raised any particular issues. I consider that the reconstruction of the boundary wall at the front and the revised vehicular entrance are acceptable subject to agreement on detail with the Transportation Section of Dun Laoghaire Rathdown.

Appropriate Assessment

Having regard to the nature of the proposed development, which comprises only relatively minor construction works 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 as amended by the further information received by the planning authority on the 16th day of June 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. The materials and colour of the roof tile shall be subject of written agreement with the planning authority. Samples shall be submitted prior to commencement of this phase of the development.

Reason: In the interest of visual amenity and to ensure that the development is in keeping with the character of the area.

3. Details of the front boundary and vehicular entrance shall be in accordance with the requirements of the planning authority.

Reason: In the interest traffic safety and to ensure an appropriate standard of development.

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
18th October 2017