



An
Bord
Pleanála

Inspector's Report ABP-300797-18

Development

Construction of a new entrance port and a new front dormer window in the existing bungalow. Also, the construction of a new two storey house in the front/side garden and for widening of the gateway and provision of parking space for 3 cars.

Location

63 Meadow Grove, Churchtown, Dublin.

Planning Authority

Dun Laoghaire Rathdown County Council

Planning Authority Reg. Ref.

D17A/0994

Applicant(s)

Harry and Sheila Doyle

Type of Application

Permission

Planning Authority Decision

Refuse Permission

Type of Appeal

First Party

Appellant(s)

Harry and Sheila Doyle

Observer(s)

1. Ollie and Niamh Byrne
2. Paraic O' Dowd

Date of Site Inspection

17th April 2018

Inspector

Emer Doyle

1.0 Site Location and Description

- 1.1. The subject site has an area of 0.537 hectares and is located within a mature residential area at No. 63 Meadow Grove, Churchtown, Dublin 18.
- 1.2. Meadowgrove has a strongly suburban feel and largely cohesive pattern of development. At the application site, where the road bends around a central green area, the house style changes from predominantly 1950s semi-detached two storey houses to semi-detached bungalows with dormer windows.
- 1.3. The site itself consists of a dormer bungalow with a garage.

2.0 Proposed Development

- 2.1. The proposed development comprises of the demolition of an existing garage and the construction of a two bedroom detached dwelling with a floor area of c.105 sq. metres in the side garden of an existing dwelling. It is proposed to widen the existing entrance to provide parking for 3 No. cars. Permission is also sought for the blocking up of a first floor window, the construction of a new first floor dormer window and a new entrance porch in the existing dwelling.
- 2.2. The proposed dwelling is two storey in height and extends forward of the proposed entrance porch to No. 63 and has a sloping eaves that rises from the street towards No. 63. External finishes include roof tiles, render, brick, timber and zinc.

3.0 Planning Authority Decision

3.1. Decision

- 3.1.1. To Refuse Permission for one reason only as follows: Having regard to the provisions of the Dun Laoghaire-Rathdown County Development Plan 2016-2022, the proposed new house by reason of its location and position in close proximity to No. 65 Meadow Grove, its incongruous design, and poor layout and quality of space, would be contrary to the zoning objective for the site, objective A 'to protect and/or improve residential amenity. It would seriously detract from the amenity of the adjoining bungalow No. 63 Meadow Grove and street scape in general, and would

set an unwelcome precedent for the area for similar schemes. For these reasons the development would be contrary to the proper planning and development of the area.

3.2. Planning Authority Reports

3.2.1. Planning Reports (9/1/18)

The planner's report notes the following key points:

- The proposed position of the new house forward of the building lines of No. 65 and the existing bungalow would result in an awkward arrangement.
- The gap between No. 65 and No. 63 is an important feature of the houses and layout of the area.
- Significant concern is raised regarding the quality of private open space.
- Concern regarding views from proposed house - downstairs wc would look out onto shared porch/ service area with the bungalow; the kitchen would look onto the boundary wall with No. 65; and the study would have a very narrow window of 0.5m which would look onto the corner façade of No. 63 which is only 3.5m away.

3.2.2. Other Technical Reports

Transportation Planning (13/12/18): No objection subject to conditions.

3.3. Prescribed Bodies

- No reports received.

3.4. Third Party Observations

2 no. observations were received from Ollie and Niamh Byrne and MG Holdings Ltd. Issues raised were largely similar to the observations on this appeal.

- Overlooking and loss of privacy.
- Construction may undermine the existing partial boundary.

- Loss of light.
- Impact of construction on mature trees.
- Visual Impact and position of building.
- Design inappropriate.
- Lack of parking in the area.

4.0 Planning History

4.1. No recent applications on the site. Details of pre-planning consultations attached to file.

5.0 Policy Context

5.1. Development Plan

5.1.1 The operative development plan is the Dun Laoghaire Rathdown County Development Plan 2016-2022. The subject site is zoned Objective A: 'To protect and/or improve residential amenity'.

Section 8.2.3.4 (v) Corner/Side Garden Sites and (vii) Infill: *"New infill development shall respect the height and massing of existing residential units. Infill development shall retain the physical character of the area including features such as boundary walls, pillars, gates/gateways, trees, landscaping, and fencing or railings."*

Section 2.1.3.4 Existing Housing Stock Densification: *"Encourage densification of the existing suburbs in order to help retain population levels - by infill housing. Infill housing in existing suburbs should respect or complement the established dwelling type in terms of materials used, roof type, etc."*

In older residential suburbs, infill will be encouraged while still protecting the character of these areas."

5.2. Natural Heritage Designations

5.2.1. None applicable.

6.0 The Appeal

6.1. Grounds of Appeal

The main grounds of appeal can be summarised as follows:

- The proposed development is in accordance with Development Plan policy.
- The design is appropriate for the site.
- There are examples of similar sites where planning permission was granted in the area.
- Careful consideration has been given to the position and form of the new house to minimize overshadowing.
- There would be some impact on light but it would be minimal.

6.2. Planning Authority Response

- Whilst the development plan allows for more variation in design on larger sites, it requires that more compact sites such as No. 63 Meadow Grove should more closely relate to adjacent dwellings.
- The proposed dwelling fails to meet policy 8.2.3.4.
- The size, design and layout of the proposed house is incompatible with the adjoining properties; the outlook and amenity of the adjoining neighbours would be seriously compromised if the house were erected as proposed; the drawings show the new house sitting forward of the established building line, with the result being that it appears at odds when compared to the rest of the street; the access to and from the house to the rear garden is poor; and the level of visual harmony with the rest of the street, which as before is largely uniformed, is non-existent.
- The agent suggests that the impact on light would be minimal but has not submitted a daylight or sunlight study to support this.

6.3. **Observations**

2 no. observations were received from Ollie and Niamh Byrne and MG Holdings Ltd. Issues raised can be summarised as follows:

- Overlooking and loss of privacy.
- Construction may undermine the existing partial boundary.
- Loss of light.
- Impact of construction on mature trees.
- Visual Impact and position of building.

7.0 **Assessment**

7.1. The main issues in this appeal are those raised in the grounds of appeal and observations. Appropriate Assessment also needs to be addressed. I am satisfied that no other substantive issues arise. The issues can be dealt with under the following headings:

- Visual Impact
- Impact on Residential Amenity
- Appropriate Assessment

7.2. **Visual Impact**

7.2.1. The site is located on the southern side of Meadow Grove housing estate in a prominent location where the road bends. There is a change of house types from semi-detached two storey dwellings to semi-detached bungalow/ dormer bungalows at this location.

7.2.2. I consider that there are three main issues in terms of the visual impact. Firstly the proposed development is forward of the existing building line. The planning assessment states that 'the proposed position of the new house, forward of the

building lines of No. 65 and the existing bungalow would result in an awkward arrangement.'

- 7.2.3. Secondly, the size of the dwelling is excessive and overly dominant and doesn't make an appropriate transition between the existing bungalow and the adjoining two storey dwelling. In this regard the planning assessment states 'the new house by virtue of its size and position would appear overly dominant when viewed from No. 65 and the existing bungalow, contrary to the Development Plan's advice to protect neighbouring amenity.' I note that the materials proposed are very different to the surrounding dwellings. The Development Plan encourages a level of visual harmony for side garden sites including external finishes and colours. I refer the Board to the photomontage submitted with the application entitled 'Street view of the site – Proposal'. In my view this photomontage demonstrates that the proposed dwelling would detract from the streetscape and form an incongruous feature at this location.
- 7.2.4. Thirdly, the development would remove the existing gap between No. 65 and No. 63. This is an important feature of the estate and the removal of same would detract from the visual amenities of the area. The planning assessment notes this and also raises further concerns in relation to the proximity between the proposed development and No. 65.
- 7.2.5. In conclusion, I am of the opinion that the design and scale of the development is not acceptable having regard to the surrounding pattern of development and the prominent location of the site at a corner within an existing long established estate.

7.3. Impact on Residential Amenity

- 7.3.1. The main concerns raised in relation to impact on residential amenity relate to loss of light and impact of construction on mature trees. I also have concerns in relation to the quality of private open space of future occupiers.
- 7.3.2. Whilst there may be some impact on light, I am not unduly concerned in relation to same having regard to the design of the adjoining two storey as the single storey element of this dwelling is closest to the boundary and there is a sufficient gap between the proposed dwelling and the existing dwelling to ensure that there would be no material impact.

- 7.3.3. The proposed dwelling is directly adjoining the boundary and I share the concerns raised regarding the impact of construction on mature trees along the boundary.
- 7.3.4. The existing open space is split in two such that the existing dwelling will have a garden of 83 square metres directly behind the existing dwelling and the new dwelling will have a private patio of 24 square metres directly behind the proposed dwelling and also a new garden of 65 square metres which is accessed by a garden path. The planner's report states that 'such provision is considered substandard and unlikely to be used much, in particular given that it would not be directly visible from the applicable house.' I share the concerns raised by the planner in relation to the quality of private open space and consider that the arrangement is substandard and would negatively impact on the residential amenity of the future occupier.

7.4. Appropriate Assessment

- 7.4.1. Having regard to the nature and scale of the proposed development, a two storey dwelling house within an established urban area, and the distance to the nearest European site, 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 refused for the reasons and considerations below

Reasons and Considerations

1. Having regard to the pattern of development in the area, it is considered that the proposed dwelling by reason of its detailed design, scale, bulk and proximity to site boundaries, would be visually obtrusive, incongruous and overbearing in relation to neighbouring dwellings and would seriously injure the residential amenities of the future occupiers by reason of the poor layout and design of the private open space. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

2. Under the provisions of section 8.2.3.4 (vii) of the Dún Laoghaire- Rathdown County Development Plan 2016-2022, it is the policy to ensure that new infill development shall respect the height and massing of existing residential units. This policy is reasonable. It is considered that the proposed development is by reason of its height and massing would constitute a form of development which would be out of character with existing development. The proposed development would represent an incongruous feature and set an undesirable precedent for similar infill proposals in the area and would contribute to the incremental erosion of the character of the area. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

Emer Doyle
Planning Inspector

11th May 2018.