



An
Bord
Pleanála

Inspector's Report ABP-301256-18

Development	Demolition of single-storey side extension to dwellinghouse and construction of a two-storey three-bedroom dwellinghouse
Location	12 Grange Park View, Kilbarrack, Dublin 5
Planning Authority	Dublin City Council
Planning Authority Reg. Ref.	4615/17
Applicant(s)	Anthony Kelly
Type of Application	Permission
Planning Authority Decision	Refuse
Type of Appeal	First-Party
Appellant(s)	Anthony Kelly
Observer(s)	None
Date of Site Inspection	6 th November 2018
Inspector	Colm McLoughlin

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1.0 Site Location and Description

- 1.1. The appeal site is located on the corner of Grange Park View and Grange Park Walk, which is accessed off Raheny Road (R809) or Kilbarrack Road (R104) and is approximately 450m to the west of Kilbarrack DART station and 7.6km northeast of Dublin city centre.
- 1.2. It contains a two-storey semi-detached dwelling with a single-storey flat-roof side extension. The external finishes to the dwelling on site include stone cladding to the ground level walls, render to the upper walls and a roof finished with concrete profile tiles. To the front of the house there is a small garden and a hardstanding area for off-street parking. The street side boundaries comprise low walls backed by hedgerows. The site backs onto the side and front garden of an infill detached property at No. 37 Grange Park Walk. The finished-floor level of the dwelling on site is approximately 1.2m above street surface level.
- 1.3. The surrounding area is characterised by pairs of semi-detached dwellings, many of which have been extended, fronting onto tree-lined residential streets, interspersed with schools, local services and green spaces. Kilbarrack Shopping Centre and associated surface-level car park is located directly to the north of the site. Ground levels in the vicinity are relatively level with only a slight drop moving east.

2.0 Proposed Development

- 2.1.1. The proposed development comprises the following:
 - demolition and removal of a single-storey flat-roof side extension with a gross floor area (GFA) of approximately 20sq.m;
 - construction of a two-storey detached three-bedroom dwellinghouse with GFA of approximately 126sq.m and with rear-facing dormer window projection at roof level serving a home office and storage space;
 - sub-division of the site, provision of an additional c.2.5m-wide gated vehicular entrance and a separate pedestrian entrance gate both off Grange Park Walk, as well as landscaping works, including a 2m to 2.6m-high boundary wall along Grange Park Walk, and all associated site works.

3.0 Planning Authority Decision

3.1. Decision

3.1.1. The Planning Authority decided to refuse permission for the following reason only:

- Reason No 1: proposed development would substantially break the building line, would provide inadequate provision of useable private amenity space for the proposed dwelling and would form an incongruous addition to the streetscape.

3.2. Planning Authority Reports

3.2.1. Planning Reports

The report of the Planning Officer (February 2018) reflects the decision of the Planning Authority. The Planning Officer notes the following:

- the prominent visual position of the proposed house, forward of the principal building line along Grange Park Walk, would result in a visually incongruous form of development that would also diminish the legibility of this streetscape, as originally designed and laid out;
- boundary treatments along Grange Park Walk, including 2.5m-high solid gates and wall up to 2.6m in height would be visually incongruous with the pattern of development in this area;
- in considering an appeal for a new house at No.24 Grange Park Drive (under DCC Reg. Ref. 2950/15 / ABP Ref. PL29N.245407) the Board's Inspector cited local examples of corner site development that they considered do not provide a positive planning precedent for corner site houses in the area;
- the dwelling would not be consistent with the existing character of the parent dwelling and the predominant character of dwellings nearby;
- the minimum standards, as set out in Departmental guidelines, for a three-bedroom, five-person, two-storey dwellinghouse, as well as minimum area of glazing to rooms required under the Development Plan, would be achieved in the proposals;

- quantitative and qualitative open space standards cannot be achieved for proposed private amenity space, as the rear area would also accommodate parking and would be overshadowed by the boundary walls.

3.2.2. Other Technical Reports

- Engineering Department (Drainage Division) - no objection subject to conditions.

3.3. Prescribed Bodies

- Irish Rail – no response.

3.4. Third-Party Observations

3.4.1. None received.

4.0 Planning History

4.1. Appeal Site

- 4.1.1. I am not aware of any recent planning applications relating to the appeal site. A Social Housing Exemption Certificate for the site was granted in January 2018 under DCC Reg. Ref. 0018/18.

4.2. Surrounding Sites

- 4.2.1. There have been numerous applications and appeals for residential infill and domestic extensions in the Grange Park estate, including applications for houses on similar size corner sites to the appeal site, such as the following:

- No.24 Grange Park Drive – ABP Ref. PL29N.245407 (DCC Ref. 2950/15) – split decision issued by An Bord Pleanála (November 2015) granting permission for alterations to the existing house, located c.90m to the east of the appeal site and refusing permission for a two-storey house to the side, as it would substantially break the building line along Grange Park View and would be provided with substandard amenity space;
- No.1 Grange Park Road – ABP Ref. PL29N.236288 (DCC Ref. 4495/09) – Permission refused by An Bord Pleanála (July 2010) for a two-storey dwellinghouse in the side garden of a corner house located c.350m to the

west of the appeal site, due to the impact of the proposals on a prominent site, breaking the building line;

- No.12 Grange Park Grove – ABP Ref. PL29N.222793 (DCC Ref. 1284/07) – Permission refused by An Bord Pleanála (August 2007) for a two-storey dwellinghouse in the side garden of a corner house located c.250m to the southwest of the appeal site, due to the impact of the proposals breaking the building line;
- No.2 Grange Park Drive – DCC Ref. 4396/07 – Permission granted by the Planning Authority (October 2007) for demolition of a side extension and construction of a two-storey dwellinghouse in the side garden of a corner house located c.135m to the southeast of the appeal site;
- No.14 Grange Park Drive – DCC Ref. 3464/06 – Permission granted by the Planning Authority (September 2006) for a two-storey dwellinghouse in the side garden of a corner house located c.90m to the east of the appeal site;
- No.23 Grange Park Crescent –DCC Ref. 2775/06 – Permission granted by the Planning Authority (July 2006) for a two-storey dwellinghouse in the side garden of a corner house located c.170m to the south of the appeal site;
- No.11 Grange Park Crescent – DCC Ref. 4799/04 – Permission granted by the Planning Authority (January 2005) for a two-storey dwellinghouse in the side garden of a corner house located c.170m to the southwest of the appeal site;
- No.2 Grange Park View – DCC Ref. 1108/02 – Permission granted by the Planning Authority (September 2002) for a two-storey dwellinghouse in the side garden of a corner house located c.40m to the northwest of the appeal site.

5.0 Policy Context

5.1. Development Plan

- 5.1.1. The appeal site has a zoning objective 'Z1 - Sustainable Residential Neighbourhoods' within the Dublin City Development Plan 2016-2022, with a stated objective 'to protect, provide and improve residential amenities'.

- 5.1.2. Relevant planning policies for the proposed development are set out under Section 5 (Quality Housing) and Section 16 (Development Standards) within Volume 1 of the Development Plan. Amongst other National Guidelines, policy QH1 of the Plan seeks to build upon and enhance standards outlined in 'Quality Housing for Sustainable Communities – Best Practice Guidelines for Delivering Homes Sustaining Communities' (2007). Policy QH21 of the Plan is relevant, and this seeks 'to ensure that new houses provide for the needs of family accommodation with a satisfactory level of residential amenity, in accordance with the standards for residential accommodation'.
- 5.1.3. Design principles for infill development are set out in Section 16.2.2.2 of the Development Plan. Design standards for houses are set out in Section 16.10.2 of the Plan, and matters to be considered in assessing proposals for corner/side garden sites and infill housing are outlined under Sections 16.10.9 and 16.10.10 of the Plan, respectively. Section 16.10.9, inter alia, requires corner/side garden housing to be compatible with the design and scale of adjoining dwellings and to adhere to minimum open space standards. Generally, up to 60-70 sq.m of rear garden area is considered sufficient for houses in the city and a minimum of 10sq.m amenity space per bedspace is required. In this part of the city (zone 2), a maximum of one car parking space per dwellinghouse is required based on Section 16.38 of the Plan.

6.0 The Appeal

6.1. Grounds of Appeal

- 6.1.1. A first-party appeal has been lodged against the Planning Authority's decision to refuse to grant permission. The following grounds of appeal are raised:
- the Planning Authority chose to ignore planning policy QH8 when assessing the proposals, which refers to the favourable consideration of higher density proposals;
 - following preplanning correspondence, the applicant was of the belief that a house would be acceptable on this site;

- the planning assessment fails to consider the precedent set by other corner site developments within the same residential block, including No.11 Grange Park Crescent (DCC Reg. Ref. 4799/04), No.1 Grange Park Crescent (DCC Reg. Ref. 3799/01) and No.2 Grange Park View (DCC Reg. Ref. 1108/02);
- there are other developments in the wider area that provide precedent for the subject development, including No.45 Maywood Avenue and No.55 Roseglen Road both in Raheny. Photographs of precedent cases are included in support of the grounds of appeal;
- relaxed development standards were provided for under the Dublin City Development Plan 2005-2011. This may have provided scope for the precedent cases in the vicinity and a similar approach should be adopted in considering the subject proposed development;
- there are additional personal and financial reasons for allowing the development.

6.2. Planning Authority Response

6.2.1. The Planning Authority did not respond specifically to the grounds of appeal.

6.3. Observations

6.3.1. None received.

7.0 Assessment

7.1. Introduction

7.1.1. The principle of developing the proposed house on an infill / side garden site on lands zoned 'Z1 - Sustainable Residential Neighbourhoods' is acceptable, subject to planning and environmental considerations addressed below. I consider the substantive issues arising from the grounds of appeal and in the assessment of the application and appeal, relate to the following:

- Design & Layout;
- Impact on Visual Amenities.

7.2. Design & Layout

- 7.2.1. The Planning Authority's decision to refuse permission for the proposed development was partially based on the inadequate and substandard provision of private amenity space for the proposed dwelling. In appealing the decision, the grounds of appeal assert that a more relaxed approach to development standards should be used in assessing the proposals, without specifically addressing the amenity space shortfall. Policy QH21 of the Dublin City Development Plan 2016-2022 seeks 'to ensure that new houses provide for the needs of family accommodation with a satisfactory level of residential amenity, in accordance with the standards for residential accommodation'.
- 7.2.2. Based on Development Plan standards requiring 10sq.m of private amenity space per bedspace in new houses outside the inner city, the minimum amount of private open space required for the proposed three-bedroom five-bedspace house would be 50sq.m. The Development Plan states that 60-70 sq.m of rear garden area is usually sufficient for new houses in the city. A similar quantum of rear garden space would be required for the existing house. It is stated by the applicant that 59sq.m of garden space would be provided for the proposed house and 61sq.m would be provided for the host house. The garden space proposed for the host house would meet the Plan standards, while the garden space proposed to serve the new house would also comprise c. 30sq.m to facilitate parking of at least two cars. This would significantly reduce the amenity space available for residents. The attractiveness and usability of the remainder of the space as private amenity space would be compromised further by the fact that this space would be set c.1.2m below floor level to the existing house and c.1m below street level, which would feature a 2m to 2.6m-high boundary wall, which would be 3m to 3.6m high from the proposed garden. The Development Plan does allow for relaxed parking in areas such as this, given the proximity to the DART station, and I note that pressure for on-street car parking in the area was not significant during my site visit. Consequently, while I accept that there is some scope to review the extent of off-street parking occupying the rear of the proposed house, I recommend that the proposed development is refused permission in relation to the proposed provision of private amenity space for the proposed house, as it would not comply with the provisions of the Development Plan

and as the arrangement of the space relative to boundary treatments would provide a substandard level of amenity for future occupants of the proposed house.

7.2.3. The target gross floor area for a three-bedroom two-storey five-person house, as set out within Departmental Guidance 'Quality Housing for Sustaining Communities' and referenced in the Development Plan, is 92sq.m. Exclusive of the c.26sq.m space at roof level, the subject proposed house would provide a gross floor area of 99sq.m. Minimum living room, aggregate living area and aggregate bedroom area are each achieved and although no storage space is assigned, there would be sufficient scope for same within the roofspace. Proposals would fall marginally short of the Development Plan '20%' standard regarding glazing to the bedrooms in the proposed house, but such shortfalls would not be significant and could be addressed via condition, if necessary. Consequently, I am satisfied that the internal space for the proposed house would provide an appropriate level of amenity for future occupants and that this aspect of the proposed development would not warrant refusal of permission.

7.2.4. In conclusion, the proposed development would not provide for a suitable level of amenity for future residents of the proposed house, by virtue of the substandard amenity space proposed to serve it and, therefore, the proposed development would not be compliant with Policy QH21 of the Development Plan, which seeks 'to ensure that new houses provide for the needs of family accommodation with a satisfactory level of residential amenity, in accordance with the standards for residential accommodation'.

7.3. Impact on Visual Amenities

7.3.1. It is noted that this area is not provided with any conservation status. Section 16.10.9 of the Development Plan lists a range of criteria to be assessed in relation to proposals on corner/side garden sites, including the character of the area, compatibility with adjoining dwellings and building lines. To facilitate the development and address ground levels, the finished-floor level for the proposed house would be approximately 1.2m below that of the existing host house, while the depth of the proposed house would be c.10.4m, compared with the 7.8m depth to the host house, which is typical of the estate. As a result of the difference in floor levels, depth and height of the existing and proposed buildings, and the provision of

additional living space at roof level in the proposed house, the proposed roof slope would also have to differ from the existing roof slopes along the street. While I note that No.37 Grange Park Walk directly to the south contains a detached infill house, the scale, mass and height of this house generally follows that of the neighbouring housing. Accordingly, the height, scale, mass and design of the proposed house cannot be reasonably viewed to be in keeping with neighbouring dwellings and the proposed development should be refused permission for this reason.

- 7.3.2. The grounds of appeal refer to permissions for housing on corner sites in the vicinity, including No.11 Grange Park Crescent (DCC Reg. Ref. 4799/04), No.1 Grange Park Crescent (DCC Reg. Ref. 3799/01) and No.2 Grange Park View (DCC Reg. Ref. 1108/02). The most recent of these permissions dates from January 2005 and I note more recent cases decided by the Board for similar style infill housing on corner sites in the area, were refused permission. For example, in issuing a split decision in November 2015 under Ref. PL29N.245407 for development at No.24 Grange Park Drive located c.90m to the east of the appeal site, the Board refused permission for a two-storey house in the side garden, as the house would substantially break the building line along Grange Park View and as it would be provided with substandard amenity space.
- 7.3.3. There are numerous examples of infill corner developments in the area, many of which break building lines and there are also examples of planning permissions where infill corner developments have been refused planning permission as they would break an established building line. Grange Park View is one of the primary streets in the estate and features an infill corner house at No.2a, approximately 40m to the east of the appeal site. In my opinion a break in the building line along Grange Park View would be quite noticeable. The proposed house would not project forward of the established building line along Grange Park View, but it would project up to c.6.5m forward of the established building line along Grange Park Walk. Grange Park Walk serves as a secondary street to Grange Park View and I would consider the immediate streetscape less sensitive to a break in the established building line. Trees along the street and within the front gardens along Grange Park Walk would offer some screening of views towards the rear of the proposed house.
- 7.3.4. The layout and building lines along Grange Park Walk and in particular along Grange Park View are design features that provide a visual amenity that is worth protecting.

I do not consider that the provision of a new house on the appeal site would significantly interfere with the building line to Grange Park Walk, which is primarily set by the odd number housing from Nos.1 to 37 and closed in a similar manner to the subject proposals by No.11a Grange Park Crescent at the southern end.

However, as mentioned above I do have concerns regarding the scale, height, mass and design of the proposed house relative to neighbouring dwellings, which would result in the proposed development detracting from the visual amenities of the area, particularly given the corner site location.

- 7.3.5. In conclusion, the proposed development would detract from the character of Grange Park Walk and Grange Park View, as well as the visual amenities of the area, and would not comply with the provisions of Section 16.10.9 of the Development Plan which requires infill housing to be compatible with the design and scale of adjoining dwellings. The proposed development should be refused for this reason.

8.0 Appropriate Assessment

- 8.1. Having regard to the minor nature of the proposed development and the location of the site in a serviced urban area and the separation distance to the nearest European site, no Appropriate Assessment issues arise, and it is not considered that the development would be likely to have a significant effect individually or in combination with other plans or projects on a European site.

9.0 Environmental Impact Assessment - Preliminary Examination

- 9.1. Having regard to the nature and scale of the proposed development and the location of the site, there is no real likelihood of significant effects on the environment arising from the proposed development. The need for environmental impact assessment can, therefore, be excluded at preliminary examination and a screening determination is not required.

10.0 Recommendation

- 10.1. I recommend that planning permission for the proposed development should be refused for the reasons and considerations, as set out below.

11.0 Reasons and Considerations

1. Having regard to the established character and pattern of development in the vicinity, the provisions of the Dublin City Development Plan 2016-2022 and the design, scale, massing and height of the proposed house on a corner site, with scale and massing substantially different to surrounding housing, it is considered that the proposed development would be visually obtrusive within the streetscape, would detract from the visual amenities of the area and would be contrary to the provisions set out under Section 16.10.9 of the Dublin City Development Plan 2016-2022, which require developments on corner/side garden sites to have regard to the character of the area and to be compatible with the design and scale of adjoining houses. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.
2. Having regard to the provisions of the Dublin City Development Plan 2016-2022 and to the layout and design of the proposed development, including the shortfall and substandard provision of private amenity space for the proposed house, it is considered that the proposed development would constitute a substandard form of development, would be seriously injurious to the residential amenities of future occupants of the proposed house and would be contrary to Policy QH21 of the Dublin City Development Plan 2016-2022, which seeks to ensure that developments provide a satisfactory level of residential amenity. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

Colm McLoughlin
Planning Inspector

7th November 2018