



An
Bord
Pleanála

inspector's Report ABP-302196-18

Development	Demolition of existing commercial unit and construction of 7 new dwellings and refurbishment and conversion of existing former forge building to provide 2 new townhouses.
Location	Lands at 34 Barnhill Road, Dalkey, Co. Dublin
Planning Authority	Dun Laoghaire Rathdown County Council
Planning Authority Reg. Ref.	D18A/0438
Applicant(s)	Windsor Homes Ltd.
Type of Application	Permission
Planning Authority Decision	To Refuse Permission
Type of Appeal	First Party v. Decision
Appellant(s)	Windsor Homes Ltd.
Observer(s)	Susan Cameron Norman and Joan Kinsella Joe O' Shea Theresa, Jennifer and Anne-Marie

Derham
John and Margaret Leonard and
Others
Ciaran Brady

Date of Site Inspection

20th February 2019

Inspector

Erika Casey

1.0 Site Location and Description

- 1.1. The subject site has an area of 0.17ha and is located on the northern side of Barnhill Road. The site currently accommodates a number of buildings including a single storey building fronting Barnhill Road that was in use as a car service garage (formerly a school) and 2 no. two storey buildings, one of which was formerly a forge. There are also a number of outbuildings to the rear of the site of more recent construction.
- 1.2. Vehicular access to the site is from Barnhill Road and there is a small forecourt/parking area located to the front of the existing buildings. There is an existing gated access located to the west of the single storey garage building that provides access to the rear of the site. The western boundary comprises a block wall and the eastern boundary is a mix of fencing and vegetation. There is a large hard surfaced yard to the rear. There is a level difference across the site with the topography dropping from the front (south boundary) to the rear (north boundary). The DART line abuts the northern boundary.
- 1.3. Development in the vicinity is primarily residential in character. Low density single storey cottages are located to the west and east. Opposite the site is the Rise, a small residential scheme.

2.0 Proposed Development

- 2.1. The proposed development comprises:
 - Demolition of existing single storey commercial unit and ancillary single storey flat roofed outbuildings to the rear with a floor area of c. 319 sq. metres.
 - Refurbishment and conversion of existing forge building to provide 2 no. 2 storey townhouses.
 - Construction of 7 no. dwellings comprising:
 - 2 no. single storey 2 bed apartments.
 - 2 no. 2 storey 3 bed townhouses.
 - 3 no. 3 bed duplex apartment units.

- Upgrade of existing vehicular access from Barnhill Road and the provision of 13 surface car parking spaces and bicycle parking, internal road, footpaths, shared surfaces and street lighting.
- Landscaping works, tree planting and boundary treatments, alterations to site levels, SuDS, refuse store, foul and water connections and all ancillary site works.

3.0 Planning Authority Decision

3.1. Decision

3.1.1 To Refuse Permission for 2 no. reasons:

1. *It is considered that the scale, height and layout of the proposed development of a 2-3 storey terrace block, in close proximity to site boundaries, would seriously injure the amenities of the adjoining residential properties. It is considered that the proposed development would be overbearing, would unduly overshadow and has the potential to overlook adjoining private amenity space. In this regard, the proposed development would be seriously injurious to the residential amenities of the area and fails to comply with the zoning objective of the site, that being 'Objective A' – 'To protect and/or improve residential amenity' as set out within the Dun Laoghaire Rathdown County Development Plan 2016-2022. The proposed development is, therefore, contrary to the proper planning and sustainable development of the area.*
2. *It is considered that the provision of both communal/public open space and private open space associated with proposed Townhouses No. 1 and 2, is substandard in terms of quantum and layout proposed and would fail to provide an adequate level of amenity value for the future residents of the development. It is considered that the proposed development fails to meet both the private and public/communal open space requirements set out within Section 8.2.8 'Open Space and Recreation' of the Dun Laoghaire Rathdown County Development Plan 2016-2022. The proposed development is, therefore, contrary to the proper planning and sustainable development of the area.*

3.2. Planning Authority Reports

3.2.1. Planning Report (03.07.2018)

- Whilst the proposed terrace block has been reduced in height from that previously proposed under reg. ref. D17A/0751, particularly so at the eastern and western ends of the terrace, the proposed 2 storey townhouses are still within very close proximity to site boundaries. Each proposed town house extends by approximately 12.8m along the eastern and western site boundaries and have a stated height of between 7.4m and 7.8m above ground level. It is considered that 2 storey town houses, with 3 storey built form would be overbearing on the existing adjoining residential properties. It is considered that there is potential for overlooking from the proposed roof terraces and that the development would cause overshadowing.
- The proposed public amenity space is located along the edge of the surface car parking and the quality is substandard in terms of layout and usability. There is no provision for play opportunities. It is also considered that the location and layout of the proposed private amenity space to serve the townhouses does not consist of 'good quality useable open space' and fails to meet the minimum requirements for a 2 bed house.
- It is considered that the former garage/former school house when taken together with the former forge contributes to the character of the streetscape, therefore, it is considered that its proposed demolition may be contrary to the provisions of Policy AR5. It is considered that the retention, or at least part of this former schoolhouse, should be considered as part of any future redevelopment of the site.
- It is considered that the proposed 2-3 storey terraces, together with the demolition of the garage to the front of the site would have a significant visual impact within the existing streetscape.
- It is considered the Applicant should explore an alternative layout and regard should be had to the industrial heritage significance of the site and its contribution to the character of the area. It is considered there is potential for

the applicant to consult with the adjoining property to the west to provide for a significant redesign and more appropriate layout.

3.2.2. Other Technical Reports

Drainage Planning (12.06.2018): Further information recommended regarding surface water drainage and attenuation.

Transportation Planning (20.06.2018): Further information recommended in relation to sightlines, car parking quantum which is considered inadequate, bicycle parking, provision of a pedestrian footpath along Barnhill Road, on site manoeuvres and construction management.

Parks and Landscape Services (28.06.2018): Further information recommended regarding open space, tree report, play facilities and landscaping design and detail.

Public Lighting (18.06.2018): Recommends further information regarding public lighting design.

Waste Management (15.06.2018): Recommends Further Information regarding waste management including the submission of a detailed Construction and Demolition Waste Management Plan, Environmental Management Construction Plan and Operational Waste Management Plan.

Conservation Division (15.06.2018): Notes the following:

- Consider that the school house should be retained in conjunction with the forge. Collectively it is the external composition and expression of the two co-joined buildings that strengthen the built heritage interest of this grouping. Whilst the school house has been altered, it remains legible and its historical footprint remains insitu. The buildings contribute positively to the built character and historical narrative of the area and provide a sense of place.
- In order to facilitate access to the site, the removal of the schoolhouse in its entirety is not required. Recommend that the applicant explore the retention in part of the schoolhouse so as the external expression and perceived relationship survives.
- The development does not contextually benefit or enhance the site. The opportunity to provide a high quality, architecturally stimulating development which complements the setting and context has not been taken. The

development is considered contrary to Policy AR5 and AR11 of the County Development Plan 2016-2022.

3.3. Prescribed Bodies

Department of Culture, Heritage and the Gaeltacht (02.10.2019)

- The proposal to demolish the former national school and retain the forge building should be assessed by reference to the architectural heritage character that survives and the extent to which the single storey building retains an architectural heritage connection with the two storey former forge.
- The conservation report submitted with the application does not provide any detail on the elements of the building and overall rate of survival of fabric in determining that the character has been severely compromised by conversion to a garage. No photographic detail submitted. It is not clear if the interior of the forge building has been assessed for architectural heritage interest.
- It is suggested from the available information that the architectural heritage special interest resides largely in the streetscape value of the ensemble of buildings, positioned at the road side on a secondary but ancient route to the historic village of Dalkey. As the single storey building has been gutted, potential layout options for its reuse and conversion back to a dwelling are not constrained by existing internal features of architectural heritage interest.
- The conversion of the two storey building to 2 houses is welcome in principle. Recommends that conditions are attached to ensure that the details of the design are revised to maintain such elements as contribute to the forge building and that construction works adheres to best conservation practice, with the involvement of a competent conservation professional throughout the construction phase.
- The question in architectural heritage terms is whether or not – should the Board consider it acceptable to demolish the former school – the visual impact is sufficiently mitigated to allow the former forge building to retain its character. The location and architectural design of the housing is acceptable, however, the associated car parking is not just prominent on the site but also

results in very little curtilage or soft landscaping remaining to the forge building. A similar height development located behind the retained single storey building would be far less visually prominent.

- The Department agrees that Policy AR5 should influence any development on this site which would require retention, repair and adaptation of the former schoolhouse as well as the forge building and would require the location, layout and design of new structures to take account of the character of this ensemble.

Irish Water (13.06.2018): Recommends further information in relation to connection agreements, pumps and capacity.

An Taisce (06.06.2018): Concur with the comments of the Conservation Division of the Council and request that the development be refused. Note that the existing buildings on the site are of historic, social and heritage significance and that one formerly functioned as a Forge and the other, is one of the earliest established schools in Dalkey.

Iarnrod Eireann Infrastructure (13.06.2017): Details a number of health and safety requirements in relation to works adjoining the railway line and agreements and consents that would be required in relation to certain works. Notes that a 2.4m solid block boundary wall is required on the applicant's land and no building should take place within 4m of this wall and that there must be no undermining of an existing retaining wall along the northern side of the rail line.

3.4. **Third Party Observations**

- 3.4.1 There were a number of third party submissions on the application. Issues raised are similar to those in the observations made with respect to the first party appeal summarised in section 6 below.

4.0 **Planning History**

Planning Authority Reference D17A/0751

- 4.1 Permission refused in October 2017 for the demolition of an existing motor service/sales garage and the provision of an infill residential development comprising of the refurbishment of an existing terrace of 2 townhouses (including the retention of

the old stone arch of a pre-existing forge) and the construction of a 1 bedroom apartment and terrace of 10 duplex residential units, including a new site entrance arrangement, car and bicycle parking, landscaped open spaces and enclosed refuse store.

- 4.2 The reasons for refusal related to the scale, height and layout of the development, that it would be overbearing and would impact negatively on the amenities of adjoining residential properties due to overlooking and overshadowing and that the provision of open space within the proposed development is substandard in terms of the quantum and layout proposed and would fail to provide an adequate level of amenity value for future residents of the development.

Adjacent Site

Planning Authority Reference D18A/0404

- 4.3 Permission refused in June 2018 for the demolition of the existing single storey dwelling and its replacement with 4 new dwellings. The reasons for refusal related to the design and scale of the development which it was considered would be visually obtrusive, incongruous and overly dominant on the streetscape. It was also considered that the development would result in the overdevelopment of the site with consequent negative impacts to the residential and visual amenities of adjacent properties and would set an undesirable precedent. The second reason for refusal related to the substandard layout and area of private open space to serve the dwellings.

Planning Authority Reference D16A/0020

- 4.4 Permission granted in May 2016 for a replacement dormer style dwelling to the front of the site and a 2 storey dwelling to the rear.

Site at the Barn, Atmospheric Road, Dalkey (north of the site)

Planning Authority Reference D16A/0039/ ABP Reference

- 4.5 Permission granted in January 2017 for the construction of 2 new dwellings with vehicular access from Barnhill Lawn.

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 A: “*To protect and/or improve residential amenity.*” The site is identified in the Industrial Heritage Survey set out in Appendix 5 of the Plan as site no. 987 – Former Forge. There is a specific local objective (no. 93) located to the north of the site relating to the development of the S2S Promenade and Cycleway. Relevant policies and objectives include:

Section 8.2.3.4 (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.’*”

Policy RES 3: *It is Council policy to promote higher residential densities provided that proposals ensure a balance between the reasonable protection of existing residential amenities and the established character of areas, with the need to provide for sustainable residential development.*

Where a site is located within 1 kilometre pedestrian catchment of a rail station, Luas line, BRT, Priority 1 Quality Bus Corridor and/or 500 metres of a Bus Priority Route, and/or 1 kilometre of a Town or District Centre, higher densities of 50 units per hectare will be encouraged.

As a general rule the minimum default density for new residential developments in the County (excluding lands on zoning objectives ‘GB’, ‘G’ and ‘B’) shall be 35 units per hectare. This density may not be appropriate in all instances, but will serve as a general guidance rule, particularly in relation to greenfield sites of larger ‘A’ zoned areas.

Section 8.2.3.2 of the Plan set out quantitative standards for residential development. **Section 8.2.8.4** sets out standards for **Private Open Space**.

Policy AR5: Buildings of Heritage Interest

- i. Retain, where appropriate, and encourage the rehabilitation and suitable reuse of existing older buildings/structures/features which make a positive contribution to the character and appearance of a streetscape in preference to their demolition and redevelopment and to preserve surviving shop and pub fronts of special historical or architectural interest including signage and associated features.*

“Many of the older buildings and structures in the County, whilst not strictly meeting the criteria for inclusion in the Record of Protected Structures, are often modest buildings which make a positive contribution to the historic built environment of Dun Laoghaire-Rathdown. The retention and reuse of these buildings adds to the streetscape and sense of place and has a role in the sustainable development of the County.”

Policy AR11: Industrial Heritage

It is Council policy to:

- i. Have regard to those items identified in the Industrial Heritage Survey listed in Appendix 5 when assessing any development proposals.*

5.2 Other Policy

Sustainable Residential Development in Urban Areas – Guidelines for Planning Authorities (2009)

5.2.1 The guidelines note the following key points regarding infill development:

“It is important to recognise the existing character, street patterns, streetscape and building lines of an area, particularly in the case of infill sites or where new dwellings will adjoin existing buildings.

In residential areas whose character is established by their density or architectural form, a balance has to be struck between the reasonable protection of the amenities and privacy of adjoining dwellings, the protection of established character and the need to provide residential infill.....The design approach should be based on a

recognition of the need to protect the amenities of directly adjoining neighbours and the general character of the area and its amenities.”

5.3 Natural Heritage Designations

5.3.1 The nearest Natura 2000 site is the Dalkey Islands SPA located c. 1.2 km to the east.

5.4 EIAR Screening

5.4.1 Having regard to nature of the development comprising a small infill residential scheme and the urban 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.

6.0 The Appeal

6.1. Grounds of Appeal

- Notes that the development is a significantly revised design from that submitted under D17A/0751 and directly addresses the Planning Authority’s previous concerns. Consider the scheme to be a typical residential infill development which provides a high standard of accommodation for future residents.
- Notwithstanding this, revised drawings submitted with the appeal submission in response to the decision of the planning authority¹. These revisions include provision of screening on the roof terrace serving Townhouse no. 3, the removal of the roof terrace serving townhouse no. 4 and the removal of the window on the south façade of Townhouse 4 and its replacement with an angled window facing west.
- States that the density was substantially reduced from that proposed under application Reg. Ref. D17A/0751 from 13 units to 9 units. The density is 52.9 units per hectare which responds to the previous reasons for refusal, provides

¹ Note: The referenced drawings were not submitted with the appeal submission. However, relevant extracts are included in the appeal submission.

for an economically viable development and complies with relevant government guidance. Any further reduction in density would result in the development failing to comply with the density requirements set out in the County Development Plan which requires a minimum of 50 dwellings per hectare within 1km of public transport corridors. Notes challenges in achieving the appropriate density whilst retaining and refurbishing the former forge building.

- The height of the proposed development is in response to comments in the previous planner's report pertaining to Reg. Ref. D17A/0751 that a development of 2-3 storeys would be appropriate. The rear structure of the current proposal is 3 no. storeys in height with the western and eastern most units reduced to 2 no. storeys in height. State that no consideration has been given by the Planning Authority to ground levels and the fact that there is a divergence of over 1.5m in ground level through the site. This change in levels has an impact on the perceived visual impact of the development from Barnhill Road.
- State that considering the lack of fenestration detail on the western and eastern facades and associated reduction on overshadowing and overbearing impacts as facilitated by the reduction in height of the terrace structure, it is not considered necessary to increase separation distances from the adjoining eastern and western site boundaries. The revised drawings submitted with the appeal (which include the removal of the terrace serving townhouse 4) coupled with the lack of fenestration on the western and eastern facades appropriately mitigate against potential overlooking of neighbouring sites.
- With regard the dwelling to the west, note that permission has been granted for a two storey house to the end of the existing rear garden and that the development has been designed to ensure minimal impact on the future residential amenity of this dwelling. State that there are significant separation distances between the development and this proposed dwelling. Furthermore, the revised drawings submitted with the appeal provide for a 1.5m high opaque glass screen along the western gable wall of the terrace to further mitigate overlooking impacts.

- Given the location of the proposed terrace structure, in conjunction with the orientation of the neighbouring sites, it is considered that the proposed development will not give rise to the undue overshadowing of adjoining amenity spaces. Shadow diagrams indicate no adverse impacts in this regard.
- Consider that the development has duly considered the character and architectural interest of the forge building. The scheme is orientated to allow maximum separation distance between this building and the proposed surrounding built form. The design response allows the forge building to sit appropriately on the most elevated position within the site and remain the focal point. It is considered alternatives layout would compromise the prominence and character of the forge building.
- With regard to communal open space, states that the development provides for 325 sq. metres of communal open space over 4 areas and is in excess of the 10% requirement set out in the plan. Further details provided regarding planting, hard landscaping, street furniture etc.
- With regard to private open space and concerns regarding the inadequate provision to serve townhouses 1 and 2, submit that the proposed arrangement is the most efficient with regards to the appropriate use of land. Also consider that some flexibility should be allowed considering these units are accommodated in the refurbished forge building.

6.2. Planning Authority Response

- It is considered that the grounds of appeal do not raise any new matter which, in the opinion of the Planning Authority, would justify a change of attitude to the proposed development.

6.3. Observations

6.3.1 Observations on the appeal were made by Ciaran Brady, John and Margaret Leonard and Others, Theresa, Jennifer and Anne-Marie Derham, Joe O' Shea, Norman and Joan Kinsella and Susan Cameron. Issues raised overlap and can be summarised as follows:

- Concern regarding the scale and height of the two storey dwellings and the inclusion of roof terraces and impacts to the amenities of adjoining properties in terms of overlooking, overshadowing, noise and loss of privacy. Consider the development is out of character with the area and that the architectural style is inappropriate and visually incongruous. Development will have an overbearing impact to adjacent properties and is overdevelopment of the site. Particular concerns raised regarding the impact of townhouse no. 4.
- Consider that vehicular access to the site from Barnhill Road is inadequate due to poor sightlines and the location of the access opposite the 'Rise' and the development will result in a traffic hazard. Note that pedestrian footpaths in the vicinity are poor. State that overspill parking is likely to arise as parking provision proposed is insufficient. Concerns regarding cumulative traffic impacts from a number of new developments along the Barnhill Road.
- Object to the demolition of the former garage/schoolhouse and consider that the buildings are of architectural merit, a local landmark and should be incorporated into any future development of the site. Consider that the development will impact negatively on the streetscape and result in the loss of an important piece of heritage.

7.0 Assessment

7.1. Introduction

7.1.2 The main issues are those raised in the grounds of appeal and observations and it is considered that no other substantive issues arise. Appropriate Assessment also needs to be addressed. The issues can be dealt with under the following headings:

- Design and Layout and Impact on Architectural Heritage.
- Impact on Residential Amenity.
- Public and Private Open Space.
- Access, Parking and Traffic.
- Appropriate Assessment.

7.2 Design and Layout and Impact on Architectural Heritage

- 7.2.1 The subject site currently accommodates 2 no. 19th century two storey houses, one of which was a former forge and a single storey building that was formerly a school but converted to a garage. The school/garage structure is attached to the forge building. The proposed development provides for the retention and adaption of the two existing 2 storey houses to 2 no. townhouses which are currently in very poor condition. This element of the proposal is welcomed. It is proposed to demolish to the single storey garage structure.
- 7.2.2 A conservation report submitted with respect to application reference D17A/0751 (see planning history pouch) provides further detail regarding the historical evolution of these buildings. It notes that historical documentation indicates the presence of a school on the site as early as 1824 and the Ordnance Survey map of 1843 clearly shows a T shaped national school on the site. It appears by 1901, the use of the building as a school had ceased and that it was converted to a motor garage by the 1930's. The report notes that the building has been extended on a number of occasions over the 20th century. Nearly all of the original features of the building have been lost with the interior considerably altered. The original roof has been replaced with corrugated iron and most of the original openings have been blocked or altered. The report concludes that it is difficult to read the building as a school owing to previous interventions and that little of significance remains. The further conservation report submitted with the current application dated the 15th February 2018 notes that *"it is considered that the character of the building has been severely compromised"* and that *"its contribution to the streetscape is minimal owing to the negative impact of previous interventions."*
- 7.2.3 With regard to the Forge buildings, the report notes that the forge was built sometime between 1863 and 1888 and appears to have been in use as such up to the 1950's. It is noted that the forge and house to the north, whilst in poor condition, retain much of their original character and fabric. The forge building is considered to be of Regional Importance due to its architectural, technical and social interest. The house to the north is also considered of Regional Importance due to its architectural and historic interest.

- 7.2.4 Significant concerns have been raised by the Planning Authority, the Conservation Officer, An Taisce, the Department of Culture, Heritage and Gaeltacht and observers to the appeal regarding the demolition of the single storey garage/former schoolhouse building.
- 7.2.5 The Conservation Officer notes that whilst the school house has been significantly altered, it remains legible and its historical footprint remains insitu. It is considered that the two buildings have a spatial relationship and contribute positively to the built character of the area and that the school house is integral to the external expression, form and composition of the existing structure. The submission by the Department also notes that it is unusual to find this juxtaposition of school and forge and that the architectural heritage special interest resides largely in the streetscape value of the ensemble of buildings. The report concludes that the Department agree that Policy AR5 should influence any development on this site which would require retention, repair and adaption of the former schoolhouse as well as the forge building and would require the location, layout and design of new structure to take account of the character of this ensemble.
- 7.2.6 Having regard to the detailed submission by the Department, I have concerns regarding the layout of the development as proposed and its impact on the architectural heritage of the site. I note that neither building is a protected structure nor is the site located within an Architectural Conservation Area. The only designation pertaining to the site is a reference in the Industrial Heritage Survey set out in the County Development Plan 2016-2022. I also would concur with the views expressed in the Conservation Architects Report submitted with the application that the character of the existing garage/former school house has been significantly altered and that the building no longer reads as a schoolhouse due to the extent of interventions and loss of original material. From observations on site and review of the more detailed assessment undertaken with respect to this building in the report submitted under application reference D17A/0751, it is evident that all remains of the original school house is some of the external wall fabric.
- 7.2.7 Notwithstanding this however, I would concur with the views of the Department and Planning Authority that the garage/school building, due its relationship with the existing forge building contributes positively to the streetscape. Whilst, I do not object in principle to the demolition of the old garage/schoolhouse, the design of the

scheme which demolishes this element and replaces it with a large expanse of surface car parking in my view is inappropriate. I note that the conservation report submitted with the application suggests that the removal of the garage will not impact adversely on the character of the forge and house but will reveal it more fully in terms of the streetscape and that the proposed open space will create an appropriate setting for the forge. I would not concur with this view, and the extent of hard landscaping and limited open space around these structures does little to enhance their setting.

7.2.8 The opportunity exists, in my view, to retain the historical footprint of the garage/schoolhouse building and adapt it in a contemporary manner that would create an appropriate interface with the streetscape and preserve the overall character and setting of this unusual ensemble of buildings. In conclusion, I am not satisfied that the development and layout as proposed has had due regard to the historical context of the two buildings, their relationship to each other and the overall contribution they make to the streetscape at this location. A revised layout that provides for either the appropriate adaptation of the schoolhouse building or the development of an innovative contemporary interpretation that reinforces the streetscape would be more appropriate. In this regard, I consider the development as proposed contrary to Policy AR5 of the County Development Plan which seeks to encourage the rehabilitation and suitable reuse of buildings which make a positive contribution to the streetscape

7.3 Impact on Residential Amenity

7.3.1 Concerns are raised by the Planning Authority regarding the impact of the development on the residential amenities of adjacent properties. In response, the applicant has detailed that the proposed development has been designed in direct response to the reasons for refusal pertaining to the previous proposal for the site under D17A/0751 and that the overall density, scale and height of the development as proposed has been reduced.

7.3.2 With regard to density, the scheme as proposed provides for a density of excess of 50 units per hectare. Whilst I note the County Development Plan sets out that sites within 1km of a public transport corridor should achieve densities in excess of 50 units per ha, regard must also be had to the prevailing character and constraints of

the site. This is reinforced in the Sustainable Residential Development in Urban Areas – Guidelines for Planning Authorities (2009) which state:

“In residential areas whose character is established by their density or architectural form, a balance has to be struck between the reasonable protection of the amenities and privacy of adjoining dwellings, the protection of established character and the need to provide residential infill.”

In this context, the subject site has a number of constraints, notably the presence of very low density housing to the east and west and the presence of an historic cluster of buildings.

7.3.3 The development as proposed locates a large terraced block to the rear of the site. Limited pockets of public open space and a large hard landscaped parking area are proposed to the front with a new vehicular access from Barnhill Road. The relationship of this proposed terrace with the existing bungalow dwelling to the east is problematic. The development as proposed provides for a large townhouse flanking the western boundary of the rear garden this dwelling. The proposed townhouse presents a gable wall of c. 7.8 metres in height and 12.7 metres in length set back from the common boundary by 1.2 metres. The elevation is completely blank and in my view, will appear somewhat overbearing and monolithic when viewed from the rear of no. 36 Barnhill Road. The impact of this townhouse is exacerbated by the fact that its front building line is set forward considerably from the remaining terrace so that it is closer to the existing bungalow to the east. I note the applicant’s comments regarding the extant permission for a new dwelling to the west. Whilst this permission has yet to be implemented, I am satisfied, having regard to the planning history of this adjoining site, that the development will not have an adverse impact on the property to the west.

7.3.4 It is further detailed by the applicant that the development will not cause overshadowing. I consider however, the shadow study submitted to demonstrate overshadowing impacts on the property to the east is deficient. I note in particular that no equinox studies for March and September are submitted. Nor is there any quantitative analysis of the potential loss of daylight to internal accommodation of this existing dwelling. I am not satisfied that the development will not have a material

adverse impact on the residential amenities of this dwelling by virtue of overshadowing and overbearing impacts.

7.3.5 I note as part of the appeal submission, it is proposed to omit the roof terrace serving townhouse no. 4 as indicated on Fig. 9 of the appeal submission. It is also proposed to provide a 1.5m high opaque screen to the rooftop terrace of Townhouse 3 to address overlooking concerns towards the private open space of the dwelling to the west proposed under Reg. Reg. D16A/0020 – refer to figure 11 of appeal response. I am satisfied that these measures would reduce potential for overlooking.

7.3.6 In conclusion, I have concerns regarding the overall scale, bulk and design of the development and its potential to impact negatively on adjoining residential properties, most notably no. 36 Barnhill Road to the east. I consider the design fails to consider the sensitive and historical context of this infill site. The extent of hard landscaping is excessive and the juxtaposition of the large bulky terrace with the historic forge buildings to be retained is poorly conceived. I consider the development to be an inadequate design response that fails to create a sense of place and in this context, the demolition of the existing garage/schoolhouse building is not justified.

7.4 Public and Private Open Space

7.4.1 The second reason for refusal by Dun Laoghaire Rathdown relates to concerns regarding the quantum of communal and private open space. With regard to communal open space, it is set out by the applicant in their appeal that over 325 sq. metres of public open space is to be provided. Figure 14 of the appeal document outlines that 4 pockets of public open space are to be provided and that the primary space, located at the centre of the development, is designed for active use and comprises a mix of soft and hard landscaping with the soft areas grassed and planted with both specimen and smaller scale trees.

7.4.2 I consider however, that the overall layout regarding communal open space is poor and provides for a substandard form of amenity for future occupants. The areas delineated as public open space on Fig. 14 of the appeal submission, are in my view, incidental and their usability is questionable. Having regard to the nature of the infill site, some relaxation of public open space may be acceptable particularly where sufficient private open space is provided to serve the individual dwellings. In this

instance however, I note that neither high quality public open space nor high quality private open space is provided.

7.4.3 Of particular concerns is the private open space for the two adapted forge townhouses which are to be served by two private long linear rear gardens with areas of 37 and 39 sq. metres respectively and a width of just 2 to 3 metres. Whilst I acknowledge that the development provides for the conservation and adaption of these buildings of architectural heritage importance and some derogation private open space standards may be appropriate, the general paucity of appropriate communal open space in the overall scheme would make such a derogation inappropriate in this instance. In conclusion, I consider that the provision and layout of both public and private open space within the development is inadequate and will provide a poor level of amenity to future occupants.

7.5 Access, Parking and Traffic

7.5.1 Objections have been raised by a number of the observers regarding potential traffic impacts of the development. With regard to car parking, the development proposes 13 no. car parking spaces. Under the current County Development Plan standards, 15 no. spaces would be required. The report from the Transportation Planning Department raises concerns regarding the proposed deficit in parking noting that the site is not within or near a Major Town Centre where such a reduction may be deemed acceptable.

7.5.2 I note however, that the site is located in close proximity to Dalkey Village and within 1km of the DART station. I also note that the Sustainable Urban Housing: Design Standards for New Apartments Guidelines state that a benchmark guide of one car parking space per apartment unit should generally be required. This is less than the Dun Laoghaire Rathdown County Development Plan standard of 1.5 car spaces per two bed unit and would reduce the overall required quantum of parking.

Notwithstanding my concerns detailed above regarding the layout of the parking arrangement, I am satisfied that the level of parking proposed is sufficient and that there is a case for its reduction having regard to the location of the site. In this regard, a refusal on the ground of insufficient parking is in my view not warranted.

7.5.3 With regard to access and traffic, I note the concerns by third parties regarding the existing condition and character of Barnhill Road and the additional congestion that

may arise as a result of the development. I consider however, that the development is a relatively modest infill development and traffic associated with it is likely to be minimal and have an imperceptible impact on the local road network. The Transportation Planning Department report notes however, that inadequate details of sightlines achievable from the entrance have been provided by the applicant and should the Board be minded to grant permission for the development, this is a matter that may require further consideration.

7.6 Appropriate Assessment

7.6.1 Having regard to the nature and scale of the proposed development, a modest infill residential development on serviced land 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

8.1 It is recommended that permission be refused for the reasons set out below.

9.0 Reasons and Considerations

1. The proposed development due its overall scale, height, siting and limited set back from the eastern boundary would be visually obtrusive when viewed from the rear garden of no. 36 Barnhill Road. It is considered that the proposed development would be overbearing and would unduly overshadow the adjoining private amenity space of this dwelling. The proposed development would, therefore, seriously injure the residential amenities of property in the vicinity and would be contrary to the proper planning and sustainable development of the area.
2. It is considered that the provision of both communal public open space and private open space associated with the proposed Townhouses no. 1 and 2 is substandard in terms of quantum and layout and would fail to provide an

adequate level of amenity for future residents of the development. The proposed development is considered contrary to the requirements set out in Section 8.2.8 of the Dun Laoghaire Rathdown County Development Plan regarding Open Space and Recreation. The proposed development is, therefore, contrary to the proper planning and sustainable development of the area.

3. Having regard to the established built form and character of the street and to the existing buildings on the site which are considered to be of importance to the streetscape, it is considered that the proposed development, which provides for the demolition of the existing single storey garage/former school building would be incongruous in terms of its design and out of character with the streetscape. The proposed development provides an inadequate design response to this sensitive infill site, would be of insufficient architectural quality and would seriously injure the visual amenities of the area. The design is not considered appropriate to justify the demolition of the existing structure on the site. The proposed development would be contrary to the stated policy of the planning authority, as set out in the current Development Plan under Policy AR5 to encourage the rehabilitation and suitable reuse of buildings which make a positive contribution to the streetscape and would, therefore, be contrary to the proper planning and sustainable development of the area.

Erika Casey
Senior Planning Inspector

21st February 2019