



An
Bord
Pleanála

Inspector's Report ABP-302535-18

Development	Construction of second floor extension consisting of an additional bedroom, a shower room and a store room
Location	Stonelodge, Garville Drive, Rathgar, Dublin 6, D06 P589
Planning Authority	Dublin City Council South
Planning Authority Reg. Ref.	WEB1304/18
Applicant(s)	Muireann & Ciaran McAteer.
Type of Application	Permission.
Planning Authority Decision	Refuse Permission
Type of Appeal	First Party
Appellant(s)	Muireann & Ciaran McAteer.
Observer(s)	None.
Date of Site Inspection	12 th November 2018.
Inspector	Bríd Maxwell

1.0 Site Location and Description

1.1. The appeal site relates to an established two-storey detached dwellinghouse site located on the eastern side of Garville Drive, a small cul de sac running south east off Garville Avenue in Rathgar, Dublin 6. The site has a stated area of 163.9 sqm and is occupied by a two storey detached dwellinghouse of 120m². The site is located to the rear of protected structure 15 Garville Avenue, its origins were as a mews dwelling created from a subdivision of that site. Opposite to the west of the are two contemporary mews dwellings to the rear of 17 and 19 Garville Avenue, whilst 5-12 Garville Drive are twin terraces of three storey dwellings. Garville Drive is approximately 4.5m wide reducing to 4m at the appeal site. The adjoining site to the south is undeveloped, apparently used as car sales / display area, and its boundary to Garville Drive is defined by a wall and vehicular entrance and to the west of which is a pedestrian access to Garville Mews.

2.0 Proposed Development

2.1. The proposal consists of the construction of a second-floor extension consisting of an additional bedroom, a shower room and store room providing a three storey house in lieu of the existing two storey dwelling. The proposal involves the relocation of two bedrooms from the first floor and replacement of these rooms with a sitting room at this level incorporating a bay window, a two storey side extension providing a new entrance, a single storey extension to the rear to incorporate a downstairs WC and all associated elevational alterations and associated site works. The proposal provides for zinc cladding finish to the upper storey. An alternative front door access to the dwelling is proposed through the side extension to the northern elevation to replace the existing front door which opens directly onto Garville Drive.

3.0 Planning Authority Decision

3.1. Decision

By order dated 15 August 2018 Dublin City Council issued notification of decision to refuse permission for the following reason.

“The proposed development by reasons of its scale, design and depth would be visually obtrusive and would be unduly overbearing when viewed therefrom adjoining properties. Therefore, it would materially and negatively impact the residential amenity and setting of the streetscape. The proposed would set an undesirable precedent for similar development. The proposed development would therefore contravene the zoning objective ‘Z2’, to protect and/or improve the amenities of residential conservation areas. The proposed development would be contrary to the objectives of the Development Plan and the proper planning and sustainable development of the area.”

3.2. Planning Authority Reports

3.2.1. Planning Reports

Planners report asserts that given the context of the properties adjoining and in particular those along Garville Drive, the scale height and overall design of the proposed development would be overbearing. Extension would have an overbearing impact would not be subordinate to the main dwelling and would have a negative visual impact. Refusal was recommended.

3.2.2. Other Technical Reports

Engineering Department Drainage Division indicates no objection subject to compliance with the Greater Dublin Regional Code of Practice for Drainage Works Version 6.0.

3.3. Third Party Observations

None

4.0 Planning History

2567/17 Permission granted for retention of existing garage 15sq.m to be used as habitable space as part of the existing dwelling and planning permission for the creation of a new off-street car parking space. I note that the creation of the off-street car parking space has not been implemented.

PL29S130563 (0296/02) Permission granted by the Board, following third party appeals, for 1 no two storey mews dwelling and associated parking entered from Garville Drive at rear of no 15 Garville Avenue. Condition 4(a) of this decision was that the garage shall not be converted to habitable accommodation. Floor area of the dwelling was 125 sq.m and provision for one car garage.

5.0 Policy Context

5.1. Development Plan

5.1.1 The Dublin City Development Plan 2016-2022 refers. The site is zoned Z2 “To protect and or improve the amenities of residential conservation areas.”

- Policies for the protection of designated conservation areas are set out under Section 11.1.5.4 and Policy Objective CHC4.
- Guidance and standards for residential extensions and alterations to dwellings are set out in Section 16.10.12.
- Appendix 17 Comprises Guidelines for Residential Extensions. 17.11 Roof Extensions. “The roofline of a building is one of its most dominant features and it is important that any proposal to change the shape, pitch, cladding or ornament of a roof is carefully considered. The following principles to be observed when extending in the roof.
 - The design of the dormer should reflect the character of the area, the surrounding buildings and the age and appearance of the existing building

- Dormer windows should be visually subordinate to the roof slope, enabling a large proportion of the original roof to remain visible
- Any new window should relate to the shape, size, position and design of the existing doors and windows on the lower floors
- Roof materials should be covered in materials that match or complement the main building
- Dormer windows should be set back from the eaves level to minimise their visual impact and reduce the potential for overlooking of adjoining properties.

6.0 The Appeal

6.1. Grounds of Appeal

The appeal is submitted by Future Analytics on behalf of the first party. Grounds of appeal are summarised as follows:

- Applicants moved into Stonelodge in 2014 as a family of five and now as a family of seven have outgrown the available space.
- Notably there were no third-party submissions indicating objection.
- The proposed development's scale, design and depth will not be overbearing. Design takes its cues from the existing properties in the area.
- Marginal height increase from 7.515m to 8.063m ensures alignment with 3 & 4 Garville Drive.
- Development is of a design and scale and is sufficiently distant from No 15 Garville Avenue to ensure that it does not impose or impinge property's character or residential amenity.
- Inconsistency evident in Planning Authority approach given that permission for three storey properties 5-12 Garville Drive and an extension to 2 Garville Drive increases height to 8.065m. (1233-16)
- Additional footprint of the site extends less than 1m to the east (rear) at ground floor level only and only 2m to the north at ground and first floor.

- The streetscape will not be materially and negatively impacted.
- Use of zinc cladding to complement grey tones and textures of existing and proposed stonework and to synergise with the the grey render brickwork and zinc cladding of 3 storey residences at No 5-12 Garville Drive. Extension is subordinate to the main house at Stonelodge and will result in increase in floor area of 69.78 sq.m. -a 58% increase.
- Additional storey aligns with the 3 storey houses of No 5-12 Garville Drive and the height of Nos 3 and 4 Garville Drive.
- No impact on Garville Avenue's Streetscape.
- Proposed development will not be overbearing as it will be sufficiently distant and screened by mature vegetation.
- Properties at no 3 and 4 Garville Drive permitted and constructed with smaller distances from principal houses and at a height in line with proposal.
- No impact on daylight or residential amenity. No above ground fenestration proposed to northern façade to ensure no overlooking of No 15 Garville Avenue. High level opaque windows used in eastern and other facades.

6.2. Planning Authority Response

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

7.0 Assessment

- 7.1 The issues arising in this appeal relate to the principle and acceptability of the proposed development in this location particularly in light of the visual impact, impact on the character of the area and the residential amenities of adjacent properties. Given the established residential use and Z2 zoning objective of the site "*to protect and or improve the amenities of the residential conservation areas*", the principle of development of an extension intended to enhance and improve the level of

residential accommodation on the site is acceptable in principle. The key issue is therefore to consider whether the intervention is acceptable in terms of its impact on residential amenity, visual impact and impact on the character of the area in the specific circumstances of this site.

- 7.2 I note the main requirements for extensions and alterations to dwellings as set out within the Dublin City Development Plan 2016-2022 S16.10.12 and Appendix 17, namely that the design of residential extensions should have regard to the amenities of adjoining properties and, the need for light and privacy. In addition, the form of the existing building should be followed as closely as possible and the development should integrate with the existing building through the use of similar finishes and windows. Extensions should be subordinate in terms of scale to the main unit.
- 7.3 The first party, within the grounds of appeal outlines the justification for the proposed scale of the extension. Whilst I consider it a reasonable ambition to increase and improve the level and standard of accommodation on the site, I note the restricted nature of the appeal site and the significance of its context and its history and development as a mews dwelling to the rear of the protected structure 15 Garville Avenue. I note that the extension proposed 69.78m² is significant in the context of a relatively modest scale of original dwelling 120m² essentially involving the creation of a third storey to the established two storey structure. Having considered the proposal in its detail, I am inclined to concur with the local authority that the proposed extension would result in a significant overbearing impact on the context from Garville Drive, the adjoining gardens to Garville Avenue and Garville Mews to the east. The proposed rear elevation which arises within 1m of the eastern site boundary includes a number of additional windows which notwithstanding use of opaque glazing and established screening will result in significantly increased sense of overlooking of adjacent garden no 13 Garville Avenue. I note that the proposal provides for a private open space area of 44sq.m which falls short of the minimum standard of 10sq.m of private open space per bedspace as set out in the development plan. I note that the first party has alleged inconsistency of approach by the local authority in terms of permissions granted in the vicinity particularly 5-12 Garville Drive and No 2 Garville Drive, however I note the unique context of the appeal site and consider that the in its specific detail the proposal is not directly

comparable. In light of my assessment, I recommend that the Council's decision to refuse permission be upheld.

7.4 As regards Appropriate Assessment having regard to the nature and scale of the proposed development and the nature of the receiving environment, and proximity to the nearest European site, no appropriate assessment issues arise and it is considered that the proposed development would not be likely to have a significant effect individually or in combination with other plans or projects, on a European site.

7.5 On the issue of Environmental Impact Assessment screening having regard to the limited nature and scale of the development, nature of the receiving environment no likelihood of significant effects on the environment arising from the development. The need for environmental impact assessment can, therefore, be excluded.

8.0 Recommendation

8.1. Having regard to the foregoing, I recommend that the decision of the Planning Authority be upheld and permission refused for the following reason.

9.0 Reasons and Considerations

Having regard to the to the zoning objective, Z2 ;"to protect and/or improve the amenities of residential conservation areas", according to the Dublin City Development Plan, 2016-2022, to the character of the existing dwelling and to the established pattern, scale and architectural character of the area, it is considered that the proposed extension, by reason of its scale would result in an obtrusive and overbearing impact and would set undesirable precedent for similar development in the area. The proposed development would therefore be contrary to the proper planning and sustainable development of the area.

Bríd Maxwell
Planning Inspector

30th November 2018