



An
Bord
Pleanála

Inspector's Report ASBP 303166-18

Development

Change of use and subdivision reverting to two dwellings. Demolition of single storey extensions and alterations: (a): removal of roof, of increase wall height, new dormer roof lights to front and rear, roof lights to sides. (b) Single storey extensions to rear and sides, (3) Front door and associated alterations to include removal of part bay window, (4) alterations to windows door openings to side. (5) block up existing entrance & create two vehicular entrances (6) Boundary wall and associated alterations.

Location

Nos 35 and 37 Farmhill Drive,
Goatstown, Dublin 14.

Planning Authority

Dun Laoghaire Rathdown County
Council

P. A. Reg. Ref.

D18A/0949

Applicant

Steven van den Bergh

Type of Application

Permission.

Decision

Refuse Permission.

Type of Appeal

First Party X Refusal

Appellant(s)

Seven van den Bergh.

Date of Inspection

2nd February, 2019

Inspector

Jane Dennehy.

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1.0 Site Location and Description

- 1.1. The site has a stated area of 0.01457 hectares and is located on the southern side of Farmhill Drive along which there is a row of detached bungalows, and front and rear gardens incorporating garages to the side and off-street parking to the front. Several properties have been upgraded and extended.
- 1.2. The application site comprises the original plots of two detached bungalows. The plots were combined, and the original dwellings were extended, connected and integrated into a single dwelling unit with a large extension with a garage, front and rear gardens and one vehicular entrance. The combined floor area of the existing development is stated to be 397 square metres and height is indicated to be 5.87 metres.
- 1.3. The area is characterised by suburban residential development dating from the 1950s with some later additions and infill. Roebuck Park, a small gated two and three storey apartment and housing scheme constructed during the 1990s with access off Larchfield Park is located on the north side of Farmhill Drive opposite the application site.

2.0 Proposed Development

The application lodged with the planning authority indicate proposals for Change of use and subdivision reverting to two dwellings. The works involved include demolition of single storey extensions and alterations and:

- (a): removal of roof, of increase wall height, new dormer roof lights to front and rear, roof lights to sides.
- (b) Single storey extensions to rear and sides,
- (c) Front door and associated alterations to include removal of part bay window,
- (d) alterations to windows door openings to side.
- (5) block up existing entrance & create two vehicular entrances and,
- (6) Boundary wall and associated alterations.

- 2.1. The stated floor area of the existing development to be demolished is 185 square metres to be demolished with total stated floor area of 212 square metres being retained.
- 2.2. The application also includes proposals for replacement of the existing vehicular entrance with two independent vehicular entrances, each with a width of 3.6 metres with 1.2 m high gate piers.
- 2.3. The applicant has obtained written consent from the representatives of the owner to lodge the application.

3.0 Planning Authority Decision

3.1. Decision

By order dated, 26th November, 2019, the planning authority decided to refuse permission on the basis of the following reason:

“The proposed development that includes a significant increase in roof height and a dominant roof form to both dwellings, would appear overbearing and visually obtrusive in the streetscape, contrary to the established pattern of development in the area, seriously detracting from the area in terms of visual amenity and materially contravening Section 8.2.3.54 ‘Additional Accommodation in Existing Built up Areas’ in the Dun Laoghaire Rathdown county Development plan, 2016-2022. The proposed development would create an undesirable precedent for similar scaled developments contrary to the proper planning and sustainable development of the area.”

3.2. Planning Authority Reports

3.2.1. Planning Reports

The planning officer indicates concerns about the scale, width and height, roof profile and dormers and visual relationship with the surrounding single storey properties it being stated that *“the character of the 1950s modest style bungalow is lost”*.

3.3. Other Technical Reports

The Transportation Department indicate a recommendation for restriction of the entrance to a maximum width of 3.6 metres.

The reports of the Drainage Division and of Irish Water indicate no objection to the proposed development.

3.4. Third Party Observations

One objection was received from the occupant of No 41 Farmhill Drive indicating concerns as to the need to preserve a unique 1950s streetscape between Nos 19 and 49 Farmhill Drive, a statement that the refurbishments that have taken place to some of the bungalows have not necessitated increases in the roof heights and, that large dormer extensions are unwarranted as the existing houses are relatively large in size with adequate living space. Objection to the removal of the large cedar and magnolia trees in the front gardens which are described as fine specimens is also indicated.

4.0 Planning History

There is no record of planning history for the site available. However, it is of note that the site consists of two original plots on which existing dwellings were linked and integrated to form single dwelling unit.

5.0 Policy Context

5.1. Development Plan

The operative development plan is the Dun Laoghaire Rathdown County Development Plan 2016-2022 according to which the site is within a location subject to the zoning objective, A: *to protect and/or improve residential amenity*. An undeveloped area of space to the south is subject to the zoning objective F: Open Space.

According to section 8.2.4.9 vehicular entrance for single dwellings should not exceed a maximum width of 3.5 metres.

Guidance and standards for extension to dwellings are set out in section 8.2.3.4. The requirements section 8.2.3.4 include demonstration that there are no negative impacts on surrounding residential and visual amenities and that external finishes and design should be in harmony with the existing development.

6.0 The Appeal

6.1. Grounds of Appeal

An appeal was received from RD Architecture on behalf of the applicant on 6th December, 2018. Attached is a set of photomontages and a statement on the methodology employed in producing the images.

According to the Appeal:

- The increase in roof height is not significant and is 1.467 m. (not 1.65 metres)
- The roof form is not dominant or visually obtrusive in the streetscape and the increase in height is modest. There are many different roof types and designs on the road.
- There is no uniform design or consistency in design and scale on Farmhill Drive so there is no concern is to precedent for similar scale development contrary to the pattern of development in the area. There are various house types and different roof designs and complexity. Examples are at No 41, 42, 45, 47 and 49. Dwellings to the south side are altered and modified and there is no consistency in building line. The buildings on the north side of Farmhill Drive are radically different in scale size and the include two and three storey, (two storey with dormer) residential buildings.
- The proposed development does not materially contravene Section 8.2.3.4 of the CDP. It is open to interpretation. The proposed development is sensitive to the scale of adjacent buildings. This is demonstrated in the submitted photomontages.

- The dormers are not dominant and different to those elsewhere on the road. There is no consistent style of dormer development on the street and it is of note that there is at Dutch – hip dormer window at No 41.
- The increase in height will not have a shading effect on adjoining properties. The roof is setback from the adjoining boundaries. If required a shadow study can be prepared and submitted. Overshadowing is not a concern of the occupants of the adjoining properties.
- While it had been intended to retain the trees on the site, they obstruct the view of the development and will reduce the potential impact of the proposed development.
- It is not accepted that the photomontages, which are based on a digital survey are inaccurate in reflect the height increase and the addition of the dormer. The methodology is set out in a letter enclosed with the appeal from RME Digital Solutions. The photomontages shown the development as consistent with the exiting development on the street which re mostly obscured by trees.
- It is noted that subdivision of dwellings I and densification is encouraged by the local authority. The height available in the existing roof does not allow for usable first floor unless the ridge height is increased. The increase is acceptable as there are taller buildings in the area.
- Refusal of permission would set serious prescience against first floor development against similar development on Farmhill Drive. There is additional usable accommodation

6.2. **Planning Authority Response**

In a letter received from planning authority on file it is stated that there is no change to the views as set out in the planning officer report.

7.0 **Assessment**

- 7.1. Further to review of the application and the appeal, there is no objection to the proposal to subdivide the existing development to two separate dwelling units on separate plots, which in effect amounts to reversal to the original arrangement. The

replacement of the existing entrance with two individual entrances is also considered acceptable subject to a minor reduction in the proposed widths which can be addressed by condition.

- 7.2. The issues central to the decision to refuse permission and the appeal are as to whether there would be an adverse visual impact due to excessive scale and overbearing impact particularly due to the roof profile and height for the two dwellings, and potential negative precedent for similar development.
- 7.3. The dwellings originally developed on the southern side of Farmhill Drive (Nos 27 to 49) are low density, low profile detached bungalows with deep setbacks from the road frontage. Contrary to the assertion in the appeal, although some of the bungalows have been altered, upgraded and extended, these characteristics have not been lost.
- 7.4. Roebuck Park, the gated development on the north side of Farmhill Drive opposite the site which was developed as a stand along residential scheme during the 1990s can dictate its own density, layout and design characteristics. It is not a relevant or suitable reference point for the purposes of taking precedent in that the proposed development is midway along the row of bungalows on the south side of Farmhill Drive.
- 7.5. On review of the other bungalows, the alterations and additions to some of the dwellings on the row on the south side of Farmhill Drive have been sufficiently modest in massing and sensitive to allow for a reasonable balance in accommodating upgrades and expansions with sufficient retention of the original typology and streetscape character.
- 7.6. It is considered that reliance on the statement that the increase in height over the original height of the dwellings is 1.467 metres, (1.65 according to the planning officer report) is misleading in consideration of the visual impact of the proposed development having regard to scale and mass. In the proposed dwellings of particular note is: the raised eaves and wall height for the main block; the large mass in its roof profile where a single ridge point characteristic of the existing bungalows is replaced by a flat section and the profile of the dormer elements with large box elements beneath the dormers being positioned above the eaves in the slope in the roofs on the front elevations. These combined features and increases result in two

dwellings which are out of scale to an undue degree with the established and relatively homogenous scale, form and character of the bungalows on Farmhill Drive midway along which the site is located. The applicant is reliant on prior developments of extensions and additions to other bungalows along the Farmhill Drive to support the appeal. In these developments the roof ridge is not replaced by a wide flat section and the dormer element only is above the eaves. These developments are not comparable to the proposed development.

7.7. In view of the foregoing the view of the planning officer in his report and decision of the planning authority is supported. In addition, it can be confirmed that reversal to the original arrangement allowing for two independent dwellings in separate plots is supported and considerable achievable. However, it is considered that modification of the dwelling design by condition is not feasible and would represent a major departure from the proposed development for which the application was made in the first instance. It is further considered that if permitted, the proposed development would set precedent for similar enlargement in scale and massing relative to the existing development in the streetscape which would result in loss of the established streetscape character. It is therefore recommended that the planning decision to refuse permission be upheld.

7.8. Finally, the loss of the cedar trees on the site to facilitate the proposed development would be regrettable should permission be granted. The statement in the third-party objection submitted at application stage that they are fine specimens that are significant contributory features to the amenities of the area is supported. It is considered that tree loss or reduced tree loss is achievable in a development providing for reversal from one dwelling to the original arrangement for two dwellings on individual plots.

7.9. **Environmental Impact Assessment Screening.**

7.9.1. Having regard to the nature of the proposed development and its location in a serviced urban area, removed from any sensitive locations or features, there is no real likelihood of significant effects on the environment. The need for environmental impact assessment can, therefore, be excluded at preliminary examination and a screening determination is not required.

7.10. Appropriate Assessment Screening.

- 7.10.1. Having regard to the small-scale nature of the proposed development and, to the serviced inner urban location, no Appropriate Assessment issues proposed development would not 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. In view of the foregoing, it is recommended that the planning authority decision be upheld, and that permission be refused based on the draft reasons set out below.

9.0 Reason.

Having particular regard in particular to:

- the raised eaves height for the main blocks;
- the large mass in roof profile where the single ridge point characteristic of the existing bungalows is replaced by a flat section and,
- the profile of the dormers element which comprise large box elements being positioned above the eaves in the roof slope beneath the dormer windows on the front elevations,

It is considered that the combined impact of the proposed increases, additions, alterations, extensions and design features would result in dwellings which are excessive on scale and mass and out of character with the established and relatively homogenous scale, form and character of the bungalows on Farmhill Drive midway along which the proposed development is to be positioned. As a result, the proposed development the proposed development would be out of scale and character, visually obtrusive within the established streetscape, would seriously injure the visual and residential amenities of the area, would set undesirable precedent for similar

development and, would be contrary to the proper planning and sustainable development of the area.

Jane Dennehy
Senior Planning Inspector
4th February 2019