



An
Bord
Pleanála

Inspector's Report 303170-18

Development	Construction of two, two-storey houses on site of existing old house
Location	20 Thomas Hand Street, Skerries, Co. Dublin
Planning Authority	Fingal County Council
Planning Authority Reg. Ref.	F18A/0531
Applicant(s)	Joseph and Geraldine Grimes
Type of Application	Permission
Planning Authority Decision	Refuse permission
Type of Appeal	First Party
Appellant(s)	Joseph and Geraldine Grimes
Observer(s)	None
Date of Site Inspection	10 th February 2019
Inspector	Joanna Kelly

1.0 Site Location and Description

The site with a stated site area of .534ha is located along Thomas Hand Street in Skerries, Co. Dublin. The site is part of a larger residential landholding located in close proximity to the junction of Church Street and Thomas Hand Street. There is an existing single storey structure on the site which has permission relating to its demolition. Vehicles currently park to the front of this structure by traversing the public footpath. There is a protected structure, single storey thatched property, which is located perpendicular to the site. There is a stone archway which provides pedestrian access to the existing dormer dwelling with granny flat on the landholding. There is existing open space to the side and rear of the granny flat and existing dwelling.

2.0 Proposed Development

The applicant is seeking permission to construct two new two storey dwellings on the site of the old house. The site also includes 4 no. existing car parking spaces to the front. Permission was previously granted for the demolition of the existing old house Reg. Ref. No. F17A/0526, decision order no. PF/1587/17. The site is located within the Architectural Conservation Area of Skerries town.

3.0 Planning Authority Decision

3.1. Decision

The planning authority refused permission for the proposed development for two reasons as follows:

1. The proposed development constitutes over development of the subject site as evidenced by the inadequate rear private amenity spaces available to the proposed houses and also the proposed location of the percolation area for the purposes of surface water drainage to serve the proposed dwelling at 20C

Thomas Hand Street, which is located in the rear garden of No. 20A Thomas Hand Street. The proposed development would result in the provision of substandard residential amenity and would, therefore, depreciate the value of property in the vicinity through the provision of a substandard housing scheme on this restricted site. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

2. The design of the rear (north) elevations of the proposed houses is of limited aesthetic merit and would be visually out of character with development in the area. The proposed development would seriously injure the visual amenity of the area and would depreciate the value of neighbouring properties.

3.2. Planning Authority Reports

3.2.1. Planning Report

The planning report notes the zoning and vision for the zoning objective. It is noted that the application is located within an ACA. The site adjoins a protected structure. No observations were received.

The proposed development provides inadequate and insufficient rear private open space in respect of the two houses (25.sq.m. and 45.5sq.m.). The proposal would negatively impact on the amenities of the future residents and represents overdevelopment of the site. The design of the rear elevations is not sensitive to the established character of the area.

The planner recommended a refusal for two reasons.

3.2.2. Other Technical Reports:

Conservation Officer Any new development should seek to retain and replicate the predominant single storey scale of this quadrant. There are concerns with trying to fit two three-bedroom dwellings within the footprint of a modest single cottage and the implications this has for the design requiring two separate entrances and inserting roof-lights into the front roof elevations. It would be more appropriate to reinstate one dwelling on the footprint of no. 20 and to either redevelop or replace the granny flat of no. 20a for the second dwelling. Certain amendments to the front

elevation as within the ACA are required should permission be considered appropriate.

Planning and Strategic Infrastructure No objection subject to conditions.

Water services Department Further information required in respect of proposed soakaway including distance from boundaries, proposed dwellings/buildings, on site treatment systems etc.

Statutory Consultees

Irish Water No objection

As per section 131, An Bord Pleanála sought submission / observations from The Heritage Council, Development Applications Unit, An Taisce, An Chomhairle Ealaíon and Fáilte Ireland. No submissions are noted on file.

4.0 Planning History

The most relevant planning history is:

File Ref. No. F17A/0526 Permission granted for the demolition of the existing old house at 20 Thomas Hand Street. The final notification for this permission issues on the 28 November 2017.

It is noted that permission was granted under File Ref. No. 92A/1957 for a new house on the adjoining site which appears to be no. 20A. Permission was granted under F02A/1188 for a single storey extension to side of house 20A.

5.0 Policy Context

5.1. Development Plan

Fingal County Development Plan 2017-2023 is the statutory plan for the area. The site has a land use zoning objective 'TC' – with the objective to “protect and enhance the special physical and social character of town and district centres and provide and/or improve urban facilities”.

The site is located within Skerries Architectural Conservation Area. Specific objectives relating to ACA's are set out in Chapter 15 “Cultural Heritage” and Chapter 12 “Development Management Standards”.

The following is of note in Table 12.11 – Direction for proposed development within ACAs.

Alterations and New Build

Development proposals for new build need to follow a sensitive design approach that respects the established character of the ACA in terms of the scale, massing, bulk, plot sizes, proportions and materials of the adjoining buildings to the development site. Direction can be taken from traditional forms and dimensions that are then

expressed in a contemporary manner or with contemporary elements rather than an exact copy of a historic building style. Where a totally contemporary design approach is taken the detailing, materials and overall design must be carefully handled and of a high quality to ensure the proposal does not compromise the integrity and character of the area.

- Demolition of structures that positively contribute to the streetscape character will not normally be permitted.
 - Retaining the legibility of the historic urban grain of a streetscape or townscape is important and so where a development seeks to amalgamate a number of different building plots the design treatment should consider articulating the original plot divisions in the volume of the new building. Where it is proposed to connect existing buildings internally frontages should maintain an active function and alterations to the historic fabric should be kept to a minimum.
 - Extensions to buildings in ACAs that are visible from public places should be of a scale and proportion that respects that of the original building. In general extensions should be subservient in size with materials, finishes and roof profiles that complement the principal structure.
 - Alterations or modifications of existing facades, openings, finishes, roofscapes, etc. should not detrimentally impact on the character of the ACA or cause damage to the building.
- Removal of the original weathering coat of a building or its render or plaster finish to expose the underlying stone is unacceptable.
 - Where a building has a unpainted render or plaster finish this should not be painted over.
 - Insertion of dormers or roof lights should be on hidden pitches and in general should not be placed on the front roof slope.
 - Enlargement of window or door openings can change the prevailing proportions of the building or streetscape and so original dimensions should normally be retained.

Objective DMS157

Ensure that any new development or alteration of a building within or adjoining an ACA positively enhances the character of the area and is appropriate in terms of the proposed design, including: scale, mass, height, proportions, density, layout, materials, plot ratio, and building lines.

Objective DMS158

All planning applications for works in an Architectural Conservation Area shall have regard to the information outlined in Table 12.11.

5.2. Natural Heritage Designations

No known designations in the vicinity of the site.

6.0 The Appeal

6.1. The primary grounds of appeal are summarised as follows under the following headings:

Inadequate rear private space available to the proposed houses

- Reference is made to the exempted development Class 1 category which sets out planning standards for minimum private open space, reserved exclusively for the use of occupants of a house at 25sq.m. The proposed gardens to the new houses meet these requirements.
- Another option would have been to apply for a smaller house plan and avail of the exemption after getting permission. The end result would have been the same.
- The occupants of the proposed two new houses would have access through the gates in their garden walls to a shared garden and facilities beyond their

own private open space. This includes access to undercroft entrances, bin/bicycle store, and large garden behind 20C.

Location of the proposed soakaway

- The provision of an on-site surface water soakaway is normally conditioned.
- A large space is available for a common soakaway in the common garden for the proposed houses with more than 3m clearance to site boundaries/house.
- The site is in one ownership at present and it is intended to divide up the land with rights of way to the undercroft entrance, storage areas and shared family garden with legal access to repair and maintain the common soakaway, drainage etc.
- This part of Skerries is built on old sand dunes and the soakage of the soil is excellent.
- Soakaway design is a technical engineering matter and it can be conditioned.

Depreciation of value of property in the vicinity

- The imaginative layout and design fits well into the pattern of similar housing clusters in the vicinity.
- None of the owners of property in the area have made any submissions.
- The existing house is depreciating value of property.
- Construction of high quality houses will increase the value.

Design of rear elevations of limited aesthetic merit and would be visually out of character with the development of the area and would seriously injure the visual amenity of the area and depreciate the value of neighbouring property.

- The rear elevation is not visible from the street and other properties have limited view of it.
- It has been designed to complement the style of the existing house and granny flat.
- Two banks of solar panels are shown indicatively on the roofs of the new houses so as not to be visible from the street.

- The exact detail has not been worked out but it will be done so as to minimise visual impact.
- Reference is made to a rebuild within the ACA beside Supervalu where the style of the rear elevations are radically different with flat roof extensions and large windows totally dissimilar to the front elevation.
- The proposed rear elevation does not impact negatively on the character of the ACA.
- Do not consider proposal depreciates the value of property in the vicinity.

Conclusion

- Family attempting to build houses for their children in a manner that respects Skerries ACA and Fingal rules for design.
- The proposal for two houses makes the most of the existing site.
- It is critical that traditional family living is retained in ACA and Skerries town centre.

6.2. Planning Authority Response

- It remains the opinion of the planning authority that the proposed development would constitute over development of the site, resulting in the provision of substandard residential amenity and would, therefore, depreciate the value of property in the vicinity.
- The design of the rear (north) elevations would be visually out of character with development in the area and would seriously injure the visual amenities of the area.

7.0 Observers

None noted

8.0 Assessment

Pursuant to site inspection and inspection of the surrounding environs including examination of all documentation, plans and particulars, and submission/observation on file, the following are the relevant planning considerations of this application:

- Principle and nature of development
- Future residential amenity
- Architectural Conservation and Heritage
- AA screening

8.1. Principle and nature of development

I note that this application is not seeking the demolition of the existing structure on site which has been permitted in a previous permission File Ref. No. F17A/0526. While it would have been desirable for the applicant to include the demolition works within this application, I consider that any development authorised by this permission sought, should be linked to the period of time remaining on the File ref. F17A/0526 permission which was granted in November 2017 with an expiry date of November 2022 so as to avoid a situation where the permission allowing for the demolition of the structure has expired but an extant permission remains for the construction of the two dwellings. I also draw the Board's attention to the existing masonry wall that exists where the pedestrian access is provided to the property no. 20A. While a section of this wall including the railing was permitted to be removed over the existing archway, there is a section of the wall that is to be retained in File Ref. No. F17A/0526. The proposal in this application, will result in the complete removal of this masonry wall.

- 8.2. The lands in question are zoned town centre where the objective is to protect and enhance the special physical and social character of town and district centres and provide and/or improve urban facilities. While the existing structure to be demolished does not appear to be occupied, it does appear to have been previously used as a residential property. Residential use is an acceptable use on town centre lands and

as such I consider that the principle of allowing and intensifying residential use on town centre lands acceptable.

8.3. Proposed layout and design

The subject site is an awkwardly configured site located in an ACA and further constrained by the presence of a single storey protected structure to the west of the site. Notwithstanding this, any proposed re-development of the site needs to be of a high quality and sympathetic to the location and character of the area. Section 12.3 of the Fingal County Development Plan deals with 'Design Criteria for Urban Development'. Furthermore, Objective DMS157 seeks to ensure that any new development within or adjoining an ACA positively enhances the character of the area and is appropriate in terms of the proposed design, including: scale, mass, height, proportions, density, layout, materials, plot ratio, and building lines.

In this regard, I share the concerns raised by the planning authority regarding over-development of the site. Firstly, the protected structure, appears to be well maintained and is a good example of vernacular architecture within a traditional streetscape. The existing contiguous south elevations submitted do not accurately reflect the existing streetscape in that there is currently a masonry wall at this location and any roof that existed at this location has long been removed. I therefore, consider that any proposal for a structure that straddles the party boundary with the protected structure should not detract from the setting of the protected structure. I consider that the proposed first floor over the pedestrian entrance unduly detracts from the protected structure and is an inappropriate design response. The retention of the masonry wall as permitted under File Ref. No. F17A/1526 was a more acceptable solution.

I consider that while the proposal to provide town houses at this location is acceptable, the proposal before the Board represents overdevelopment of the awkwardly configured site. The applicant is proposing two three bed units which are of generous floor spaces at 123.8sq.m. and 125.3sq.m. respectively given the

current constraints of the site. I note that the conservation officer indicates that a development which replicates the single storey character of this quadrant is considered more appropriate. I do not consider that the design solution proposed is the most appropriate for the site in question and would detract from the existing architectural conservation area. The emphasis should be on achieving the most appropriate design solution that maintains and enhances the character of the ACA and simultaneously protects the existing and future residential amenities of the area. Any new development should be of high quality utilising appropriate materials having regard to its location within an ACA. In this regard, the introduction of rooflights along the streetscape at this location is not ideal, particularly where it can be avoided through re-design. I concur with the planning authority regarding the aesthetic nature of the rear elevation of the proposed structures. While, the rear elevation may not necessarily be visually prominent it will be visible from the existing dwelling and granny flat on the landholding. I note the reference by the appellant to new structures being constructed near Supervalu and I observed that the context of these new structures is entirely different. The fenestration detailing referred by the appellant front onto a car park.

The granny flat while existing is a single storey property that with the appropriate design response could be re-designed within minimal impact on the plot ratio to accommodate an independent residential unit thus allowing for flexibility/more innovative design solution for the front of the site. The design of the rear elevation of this new building is also of critical importance as it will be visually prominent within this landholding and either enhance or detract from the residential amenities of this landholding.

8.4. Future Residential Amenity

Having regard to the proposed layout, I would have serious concerns regarding the qualitative nature of the private amenity space associated with the proposed dwellings and the impact the proposal would have on the existing amenity of the

dwelling on the landholding and the granny flat. It is proposed to have 1.8m walls to the rear of the properties which would significantly diminish the visual amenity to the front of these properties. Given the awkwardly configured nature of the site, I consider that a more innovative layout and response to providing amenity space to the rear is required. The use of semi-private open space with the use of planters to demarcate private amenity space is one such example. While reference to made to the quantum of rear amenity space by the appellant, I do not necessarily consider this to be the issue; rather the qualitative nature and integration of private and semi-private open space within the overall landholding will determine the success of the residential landholding. The proposal of providing traditional housing with traditional layouts and private rear amenity spaces with high walls is not, in my opinion, an appropriate design response in this particular instance given the limited size of the site. Further consideration of the qualitative nature of the space to the front of house no. 20 and its interface with the proposed new development needs further consideration.

8.5. Surface Water Management

The first reason for refusal cited by the planning authority pertains to the overdevelopment of the site with regards to the proposed location of the percolation area for the purposes of surface water drainage. It is unclear if there is a public storm water network. I note the presence of a soakaway chamber under a decking area associated with no. 20 and the appellant is proposing the same arrangement for this development. The water services department recommended that further information be sought regarding the calculations for the determination of the size of the soakaway and the time of emptying calculation based on site specific infiltration test results. It is reasonable that this information should have been submitted rather than dealing with by way of condition as espoused by the appellant.

8.6. AA Screening

Having regard to the nature and scale of the proposed development and nature of the receiving environment 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.

9.0 Recommendation

I recommend that permission is **refused** for the proposed development for the following reasons and considerations.

10.0 Reasons and Considerations

1. The site is zoned 'town centre' where it is the policy of the Planning Authority as expressed in the current Fingal County Development Plan 2017-2023 to ensure that best practice urban design principles are applied to all developments. This policy is considered reasonable and is consistent with the section 28 Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas (Cities, Towns & Villages), May 2009. Having regard to the awkward disposition of the site, the location of the site within an architectural conservation area and adjacent a protected structure, it is considered that the proposed development represents an inappropriate design solution and represents overdevelopment of a limited site. The proposal would be prejudicial to the existing and future residential amenities of the properties and would set an undesirable precedent for similar infill development on town centre lands. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.
2. In the absence of adequate information regarding the determination and calculations regarding the proposed percolation area and sufficient evidence to determine the suitability of this area to adequately deal with the disposal of surface water, the Board is not satisfied that the proposal would not be prejudicial to public health.

Joanna Kelly
Senior Planning Inspector

9th February 2019