



An
Bord
Pleanála

Inspector's Report ABP 304200

Development

Demolition of garage and construction of a house, converted attic space for study, single storey rear room for extended living accommodation, new vehicular aces and all associated works.

Location

Side garden 2 Foxfield Lawn, Raheny, Dublin 5

Planning Authority

Dublin City Council

Planning Authority Reg. Ref.

2105/19

Applicant(s)

Sean and Patricia Manton

Type of Application

Permission.

Planning Authority Decision

Refuse permission

Type of Appeal

First Party

Appellant(s)

Sean and Patricia Manton

Observer(s)

None

Date of Site Inspection

8th September 2019

Inspector

Suzanne Kehely

1.0 Site Location and Description

- 1.1. No. 2 Foxfield Lawn is an extended two-storey house on a corner site on the eastern side of the road at its junction with Foxfield Park. The site as delineated is to the side of the house and presently forms part of its curtilage. It incorporates a garage that is interconnected with the house and part of the garden area for no.2. The plot as delineated has a depth of 37m in line with adjacent plot depths. It is 6.9m narrowing to 5.69m in width and then tapers to a point on Foxfield Lawn frontage. The adjacent plots are about 10m in width. The boundary is formed by a low wall to the front and a higher wall screening the rear garden, A line of mature evergreens are along the rear boundary.
- 1.2. Foxfield Lawn is part of a mature residential area comprising mainly two storey semi-detached houses. The houses are typically two-bay with a hipped roof and a flat roofed integrated garage to the side. Further west there is some terracing. Some corner sites to the north and west of the site have been developed with new corner houses.

2.0 Proposed Development

- 2.1. The proposal is to demolish the interconnecting garage and to construct a 150sq.m. two-storey dwelling house in the side garden, the main elements being:
- Accommodation over three levels by the provision of a dormer level with a dormer window to the rear.
 - 3 no. bedrooms on the first floor and study and storage at roof level.
 - Set back of 20-900mm from the boundary along Foxfield Park but a recess at ground level provides for side passageway of at least 900mm over the depth of the property.
 - Set back of 901mm from existing house.
 - House width is about 5.7m at its widest and narrow to 4.6m over a depth of about 5.1m. The front building line is stepped back from the extended adjacent house (no.2) built would be consistent with the original prevailing building line
 - Different house style – rendered finish with tall narrow windows to the front and large dormer to the rear.

- New vehicular access at the corner. An alternative parking area is shown at the end of the garden off Foxfield Park.

3.0 Planning Authority Decision

3.1. Decision

The planning authority decided to refuse permission for the development for the following reason:

- Having regard to the Z1 residential zoning as set out in Dublin City Development Plan 2016-2022 for the area, to the layout, form and design of the proposed development on a restricted corner site which significantly breaks the established building line on Foxfield Park, it is considered that the proposed development would appear visually incongruous would have a negative visual impact on the area and seriously injure the residential amenities of the area. The development therefore would depreciate the value of property in the vicinity and would be contrary to the proper planning and development of the area.

3.2. Planning Authority Reports

3.2.1. The Planning Reports refers to:

- The Development Plan –Chapter 5 (housing provision and standards), section 16.2.1 (design principles 16.10.2 (residential standards) section 16.10.2 (corner sites), Appendix 5.1 (Driveways) and by reference to these:
- The internal floor areas of some of the rooms/areas are noted to be substandard thereby of a low amenity value
- Adequate access to light and ventilation
- Open space of 70 sq.m. acceptable.
- Access is unsafe
- While recognising some consistencies with the prevailing form the development is out of character due to building line breach along 'Foxfield Park' roof profile incorporating a very large dormer to the rear that is visible in the front elevation.

- There are no flooding risks or appropriate assessment issues.

3.3. Prescribed Bodies

No submissions.

4.0 Planning History

- PA ref: 2977/00 refers to permission for a 2-storey extension to side and rear of no. 2 with a condition to retain building line along Foxfield Park.
- An Bord Pleanála ref: 302265 Permission on appeal for a two-storey dwelling to the side of dwelling fronting on Foxfield Park. (opposite corner) This breaches the building line along Foxfield Lawn but not along Foxfield Park – the more principal thoroughfare.

5.0 Policy Context

5.1. Dublin City Development Plan 2016-2022.

- 5.1.1. The objective for the site is 'To protect, provide and improve residential amenities'.
- 5.1.2. Section 16.10.9 of the plan sets out the requirements with regard to the development of houses in side gardens .
- 5.1.3. Relevant policies
 - Policy QH8 -To promote the sustainable development of vacant or underutilised infill sites and to favourably consider higher density proposals with respect to the design of the surrounding development and the character of the area.
 - Policy QH 21 – To ensure that new houses provide for the needs of family accommodation with a satisfactory level of residential amenity, in accordance with the standards for residential accommodation.
 - Policy QH 22 – To ensure that new housing development close to existing houses has regard to the character and scale of the existing houses unless there are strong design reasons for doing otherwise.

5.2. **Natural Heritage Designations**

Not relevant.

6.0 **The Appeal**

6.1. **First Party Grounds of Appeal**

The grounds of appeal are as follows;

- There are many houses that break the building lien and on this basis the proposal is not unduly visually incongruous.
- There is need an overriding need for additional housing. This is a good location given proximity to the Dart service.
- The quantitative standards/areas of the dwelling are clarified. The breaches are minor and can be improved by reconfiguring space internally – overall space is in excess of standards. Development is not substandard.

6.2. **Planning Authority Response**

No response to the grounds of appeal were submitted by the planning authority.

7.0 **EIA Screening**

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

8.0 **Assessment**

8.1. **Issues**

- 8.1.1. This appeal relates to a proposal for an atypical 150 sq.m house in the side and rear garden of a corner site. While the principle of additional housing development is

supported in the development plan in accordance with national policy, in this case there are issues relating to both design and overall standard of development.

8.2. Design

- 8.2.1. It is argued by the applicant that the design is not incongruous by reference to other example of houses in side gardens as for example at the other end of Foxfield Lawn. While I accept that there are other houses in similarly sized corner sites, the context and circumstances of this case are different in many respects.
- 8.2.2. There are two design constraints to this corner site. Firstly, the scale, extent and form of no.2 as already extended and the other is the extensive views of the site as potentially viewed over a distance of 450m along Foxfield Park – a busy route in the area.
- 8.2.3. The house on the original site has been considerably extend to the side (but I note permission was subject of a condition restricting breach of building line). It deviates considerably from the prevailing house scale and form in terms of it being a generous three bay dwelling with a two-storey projection to the front which is not a feature along the road and breaks the building. It is mitigated by the maturely landscaped and setting afforded by the generous corner site. The scale and massing are also assimilated by virtue of the set back from Foxfield Park. The design of No.2, while breaching building line, in effect bookends the east side of the road and is a cohesive and legible treatment .
- 8.2.4. In the context of the existing house, a further two storey development to the side on a narrower plot than prevails and introduction of a new style – would result in a variety of styles. In addition, the plot is less than 6 m as compared to the 10.5m wider than average house at no.2. This would result in three different style on three different plots with no continuity and lacking any sense of cohesion which would I consider constitute disorderly development and detract from the streetscape .
- 8.2.5. Of particular concern, is the breach in building line by a house incorporating a roof that significantly deviates from the prevailing roof profile. The proportions are unusual given the detached and narrow deep alignment. The addition of the contextually large dormer to apex height and projecting beyond the slopes is top heavy and inappropriately scaled and does not conform with guidance in the

Development Plan in respect of principles of scaling and subordination for such development.

- 8.2.6. The incongruity, in terms of building line, elevations and profiling would detract considerably from the immediate street elevations and would also command long distant views of up to 450m along Foxfield park given the sites prominence and alignment of the road. This is not comparable to the context of the other corner sites.
- 8.2.7. While there is scope for innovative architecture in infill sites. the form, scale and design are neither consistent with prevailing house type nor of a standard of architectural design to constitute contemporary quality architecture.
- 8.2.8. In view of the foregoing the proposal cannot be considered to respect the design and character of the area as advocated in QH8 and 16.10.9 of the Development Plan.
- 8.2.9. Furthermore, I consider the addition of a vehicular access at the corner location would be disorderly given the narrow frontage onto Foxfield Lawn in addition to being a potential cause of traffic hazard as highlighted by the Roads and Traffic Planning Division. I note the alternative option which I consider would be an improvement.

8.3. **Standard of accommodation.**

- 8.3.1. There are concerns about the substandard nature of some of the internal spaces by reference to Quality Housing for Sustainable Communities- Best Practice Guidelines for Delivering Homes Sustaining Communities (DoEHLG). The applicant counters this with clarification of floor areas demonstrating only minor breaches which are stated to be more than compensated by the overall floor area of 150 sq.m. as compared to minimum requirement of 83 sq.m. for a three-bed unit. These constraints I note are due to the narrowness of the plot at less than 6m and the provision of side passages along each side. I accept however that the breaches are minor but given the overall design character, it is, to a certain extent unwarranted. I consider the overriding issue relates in this instance to streetscape and urban design and that this should be the basis for refusal of permission.

9.0 **Appropriate Assessment**

- 9.1. Having regard to the location of the development within a serviced built up area, the nature of the development and the separation distance from any European Sites, I

consider that the proposed development either alone, or, in combination with other plans or projects, would not be likely to have significant effects on a European site, in view of the sites' conservation objectives and that, therefore, a Stage 2 Appropriate Assessment and the submission of a Natura Impact Statement is not required.

10.0 Recommendation

10.1. Having considered the contents of the planning application, the decision of the planning authority, the provisions of the development plan, the grounds of appeal and the responses thereto, my inspection of the site and my assessment of the planning issues, I recommend that permission be refused for the proposed development for the following reasons and considerations set out below.

11.0 Reasons and Considerations

Having regard to the pattern and design of development in the area it is considered that the proposed dormer dwelling by reason of its design and location would be out of keeping with the character of adjacent properties and would be visually prominent and visually obtrusive in the streetscape as viewed from both Foxfield Lawn and Foxfield Park. The proposed development would therefore seriously injure the amenities of the area and would be contrary to the provisions of the Dublin City Development Plan 2016-2022 in respect of its policies for quality house as set out in QH 22 – 'To ensure that new housing development close to existing houses has regard to the character and scale of the existing houses unless there are strong design reasons for doing otherwise' and section 16.10.2 regarding corner site development and would therefore be contrary to the proper planning and sustainable development of the area.

Suzanne Kehely
Senior Planning Inspector

10th September 2019