



An  
Bord  
Pleanála

## Inspector's Report ABP-304258-19

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<b>Development</b>	Removal of cladding and application of a white-rendered insulation to front elevation of house
<b>Location</b>	69 Seapark Road, Clontarf, Dublin 3
<b>Planning Authority</b>	Dublin City Council
<b>Planning Authority Reg. Ref.</b>	2139/19
<b>Applicant(s)</b>	John Keogh
<b>Type of Application</b>	Permission
<b>Planning Authority Decision</b>	Grant
<b>Type of Appeal</b>	First-Party v Condition
<b>Appellant(s)</b>	John Keogh
<b>Observer(s)</b>	None
<b>Date of Site Inspection</b>	24 <sup>th</sup> June 2019
<b>Inspector</b>	Colm McLoughlin

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## 1.0 Site Location and Description

- 1.1. The appeal site is located on Seapark Road, a narrow tree-lined street in the residential area of Clontarf, approximately 5km northeast of Dublin city centre. It is rectangular in shape and measures a stated 171sq.m. It contains a mid-terrace two-storey house with shared vehicular access from the front onto a hardsurfaced parking area. The external finishes to the front of the house include painted-white plinth, red-brick at ground floor, white unplasticised polyvinyl chloride (upvc) cladding and windows, and concrete profile roof tiles. The surrounding area is generally characterised by two-storey terraced and semi-detached dwellings of varying styles. Ground levels in the vicinity are relatively level with a gradual drop moving south.

## 2.0 Proposed Development

The proposed development comprises:

- removal of the white upvc cladding and the application of a white-render external insulation to the front elevation of the house.

## 3.0 Planning Authority Decision

### 3.1. Decision

- 3.1.1. The Planning Authority decided to grant permission subject to seven conditions, most of which are of a standard nature, but also including the following condition no.2:

‘a) The external insulation treatment to be provided to the front the dwelling between the ground and first floor windows shall match the slatted design, colour and detailing of the uPVC cladding to be removed and/or the external insulation provided to the front elevation of adjoining dwelling No. 67 Seapark Road.

b) The depth of the external insulation to be provided to the front the dwelling shall match that of adjoining dwelling No. 67 Seapark Road.

**Reason:** In the interests of visual amenity’.

## 3.2. **Planning Authority Reports**

### 3.2.1. Planning Reports

The report of the Planning Officer (March 2019) reflects the decision of the Planning Authority. The Planning Officer notes the following in their report:

- the drawings submitted do not detail the thickness of the proposed insulation;
- the replacement of the horizontal slats with a blank treatment would be significantly at variance with the elevation treatment of both adjoining houses;
- the adjoining house No.67 Seapark Road was granted permission for external insulation to its front, subject to a condition, inter alia, requiring the upvc cladding to either be maintained or replaced with an external insulation treatment that includes tiling slips or finishes that would match the existing finishes;
- a condition is required to minimise the visual impact of the proposal and maintain the character and visual amenity of the streetscape at this location.

### 3.2.2. Other Technical Reports

- Engineering Department (Drainage Division) - no objection subject to conditions.

## 3.3. **Prescribed Bodies**

- Irish Water – no response.

## 3.4. **Third-Party Submissions**

### 3.4.1. None received.

## 4.0 **Planning History**

### 4.1. **Appeal Site**

#### 4.1.1. I am not aware of any other planning applications relating to the appeal site.

## 4.2. Surrounding Sites

4.2.1. Planning applications for neighbouring properties, include the following:

- No.67 Seapark Road – Dublin City Council (DCC) Ref. WEB11111/14 – permission granted (June 2014) for single-storey side and rear extensions, application of external insulation and a render finish to walls and the replacement of the uPVC cladding to the front elevation with a clay-tile cladding. A condition (no.2) was attached to the permission to clarify material finishes, including the details and colour of any replacement cladding to the front.

## 5.0 Policy & Context

### 5.1. Development Plan

- 5.1.1. The appeal site has a zoning objective 'Z1 - Sustainable Residential Neighbourhoods' within the Dublin City Development Plan 2016-2022, with a stated objective 'to protect, provide and improve residential amenities'.
- 5.1.2. Relevant planning policies for the proposed development are set out under Section 5 (Quality Housing) and Section 16 (Development Standards) within Volume 1 of the Development Plan. Appendix 17 (Volume 2) of the Development Plan provides guidance specifically relating to residential extensions.

### 5.2. Environmental Impact Assessment - Preliminary Examination

- 5.2.1. Having regard to the existing development on site, the limited nature and scale of the proposed development and the absence of any connectivity to any sensitive location, 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

6.1.1. A first-party appeal has been lodged only against condition no.2, which was attached to the Planning Authority notification of a decision to grant planning permission. The following grounds of appeal are raised:

- condition 2a should be omitted from the decision, as it would not prove sustainable and as it restricts the primary purpose of the proposed development, which is to modernise the appearance of the house;
- there is significant variety in the type and finishes of houses within the streets immediate to the site, with the subject and adjoining row of houses similar to the terraced housing within Chelsea Gardens;
- the size of the horizontal slats on the three houses within the subject row vary;
- photographs and a drawing are included with the appeal in order to highlight the variety of housing in the locality, including housing of a similar architectural style to the subject house in Chelsea Gardens that have been finished and treated differently following various interventions;
- the existing cladding dates from the 1970s and the aesthetic quality of this feature does not warrant retaining, as attempted in the subject condition;
- condition 2b relating to the depth of the insulation is overly onerous and restrictive, as the depth of insulation would not be noticeable from the front street;
- there were no objections from third parties.

### 6.2. Planning Authority Response

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

### 6.3. Observations

6.3.1. None received.

## 7.0 Assessment

- 7.1. This is a first-party appeal only against condition no.2 attached to the Planning Authority's decision to grant permission. Condition 2a requires the external insulation to match the style of the upvc cladding it would replace or the finishes on the adjoining house to the north, no.67. Condition 2b requires the depth of external insulation to be applied to the front elevation, to match the depth of insulation to the front of no.67.
- 7.2. Having regard to the nature and scale of the proposed development and the nature of condition no.2, it is considered that the determination by the Board of the application, as if it had been made to it in the first instance, would not be warranted. Therefore, the Board should determine the matters raised in the appeal only, in accordance with Section 139 of the Planning and Development Act 2000, as amended.
- 7.3. The grounds of appeal assert that the imposition of the condition would negate the primary purpose of the proposed development, which is to improve and modernise the visual appearance of the house, and that there are substantive reasons for allowing the proposed white-painted render finish to the front elevation, particularly when taking into consideration the extent of variety in house types in the immediate vicinity and their differing material finishes. The grounds of appeal also assert that condition 2b is overly onerous, as the depth of the insulation that would be applied would not be noticeable from the front street.
- 7.4. The Planning Authority's reason for attaching condition no.2 to their notification of a decision to grant permission is stated as being 'in the interests of visual amenity'. Within the Planning Officer's report assessing the proposed development it is stated that the removal of the existing cladding and its replacement with a white-painted render would introduce a treatment that would differ from the adjoining houses on the terrace and that the grant of planning permission for amendments to the front elevation of no.67 included a condition requiring the style of the horizontal cladding to be replicated in the finalised scheme.
  - 7.4.1. In addressing design principles for 'alterations and extensions', Section 16.2.2.3 of the Dublin City Development Plan 2016-2022 states that 'the retrofitting of sustainability measures to existing buildings is of crucial importance, as this will

always represent a much greater proportion of the building stock than new buildings' and that alterations and extensions should respect any existing uniformity of the street, together with significant patterns, rhythms or groupings of buildings. Section 17.13 of appendix 17 to the Plan outlines that a sustainable approach to new build housing, alterations and extensions is both encouraged and supported, including increased insulation.

- 7.5. Adjoining to the north of the site is no.67 Seapark Road, which has been recently extended under planning permission DCC Ref. WEB1111/14 and features revised finishes to the front elevation. These finishes include replacement horizontal cladding panels between the ground and first-floor windows and a painted off-white render at ground floor where the red brick was previously visible. The finishes on the front elevation of the adjoining house to the south, No.71 Seapark Road, replicate the finishes on the subject house. The style, design and age of house types in the vicinity differ, with housing to the immediate west within Chelsea Gardens a similar house type to the row of terraced houses the appeal site is situated within. There have been various interventions over the years to the front elevations of the terraced housing within Chelsea Gardens, with some houses featuring front extensions while the original horizontal upvc cladding has been removed from others and replaced with a dashed render.
- 7.6. In assessing the proposed development, the Planning Authority submitted that the proposed material finishes to the front of the house should replicate the situation currently on site or the recently applied finishes to no.67. The appeal site is situated in an area that does not have any conservation status. The proposed alterations to the front elevation would be visible from the front street area and the immediate neighbouring properties. Condition 2a would not provide for a consistent treatment to the front elevations of houses at nos.71, 69 and 67 Seapark Road with the recently installed horizontal cladding to no.67 differing to that existing on nos.69 and 71. As is illustrated on the floor plan drawing (No.001) submitted, external piers separating the houses on the terrace project forward of the main building line and the white render insulation is not proposed to project forward of this. The front building line is therefore not flush along the terrace and the piers provide some definition and scope for variation in the treatment of the elevations. Given this context, I am satisfied that there is not a necessity to precisely replicate the depth of finishes to



no.67. I am satisfied that alterations to the front façade as proposed in the planning application would be acceptable in design terms and would have negligible impact on the visual amenities of the area, when considering the site context, including the extent and style of existing neighbouring interventions to the front elevations of houses.

7.7. In conclusion, I am satisfied that condition no.2, requiring the design and style of the external insulation to the house to match the upvc cladding it would replace or the finishes to no.67, and also requiring the depth of external insulation proposed to match that existing on house no.67, would not be warranted, as the resultant amendments would have negligible impact on the visual amenities of the area and the proposed finishes would be acceptable in design terms.

## **8.0 Appropriate Assessment**

8.1. Having regard to the minor nature of the proposed development and to the location of the site in a serviced urban area and the separation distance to the nearest European site, no Appropriate Assessment issues arise, and it is not considered that the 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**

9.1. It is recommended that the Planning Authority be directed to omit condition number 2, for the reasons and considerations hereunder.

## **10.0 Reasons and Considerations**

1. Having regard to the nature and scale of the proposed development and the pattern of development in the area, including the extent and design of interventions to neighbouring properties, it is considered that the modifications to the proposed development, as required by the planning authority in its imposition of condition number 2, are not warranted, and that the proposed development, with the omission of condition number 2, would not have a significant impact on the visual amenities of the area, and

would, therefore, be in accordance with the proper planning and sustainable development of the area.

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Colm McLoughlin  
Planning Inspector

25<sup>th</sup> June 2019