



An
Bord
Pleanála

Inspector's Report ABP 304365-19

Development	Two storey extension to side of the existing house.
Location	515 Pearse Villas, Sallynoggin, Co. Dublin.
Planning Authority	Dun Laoghaire-Rathdown County Council.
Planning Authority Reg. Ref.	D19B/0077.
Applicant	Ashraf Rezkalla.
Type of Application	Permission.
Planning Authority Decision	Grant Permission with conditions.
Type of Appeal	Third Party v. Decision.
Appellants	Rhona McGrath.
Observers	None.
Date of Site Inspection	18 th July 2019.
Inspector	Dáire McDevitt.

1.0 Site Location and Description

- 1.1 The application site is located within Pearse Villas, an established residential area built in the late 1940s/early 1950s. Accessed via Rochestown Park off Rochestown Avenue in the mature suburb of Sallynoggin, Co. Dublin. The surrounding area is characterised by two-storey terraced houses within Pearse Villas and two storey semi-detached of varying designs and dormer dwellings along Rochestown Park to the southeast.
- 1.2 No. 515 Pearse Villas, occupies the site that has a stated area of c.0.0527 hectares. No. 515 is a semi detached two storey house that is paired with No. 516. The site is irregularly shaped, forming the corner of Pearse Villas and a cul-de-sac serving c.24 houses. It has a large front garden and a small enclosed triangular yard to the rear.
- 1.3 The frontage of the site along the main access road within Pearse Villas and the cul-de-sac is bounded by walls. The boundary with No. 514 (the appellant's house) to the south is a block wall. To the west, the site is bounded by No.516.

2.0 Proposed Development

The applicant is seeking permission for a c. 48.26sq.m two storey side and front extension to an existing c.135.40 sqm two storey house on a site with a stated area of c. 0.0527 hectares.

3.0 Planning Authority Decision

3.1. Decision

Grant permission subject to **10** standard conditions.

3.2 Planning Authority Reports

3.2.1 Planning Reports

This report formed the basis for the Planning Authority's decision and the main points referred to relate to design, visual impact and residential amenity.

3.2.2 Other Technical Reports

Drainage Section No objection subject to conditions.

3.3 Third Party Observations

A submission by the appellant was made at application stage. The issues raised are broadly in line with the grounds of appeal and shall be dealt with in more detail in the relevant section of this report.

4.0 Planning History

Application Site:

Planning Authority Reference No. D13A/0510 refers to a 2015 grant of permission for a boundary wall, including vehicular entrance at front.

Planning Authority Reference No. D13A/0184 refers to a 2015 split decision. Permission granted to alterations and extensions to dwelling. Permission refused for retention of boundary wall to front and eastern boundary of site including vehicular and pedestrian entrance on the grounds of visual obtrusiveness.

No. 491 Pearse Villas, on the opposite corner of Pearse Villas:

Planning Authority Reference No. D18A/0138 (An Bord Pleanála Reference No. ABP 301562-18) refers to a 2018 decision to refuse permission to the construction of a new 3 bedroom 2 storey dwelling in the garden of No. 491 Pearse Villas and permission for a single storey extension to the front of the existing house. Permission was refused on the grounds that the design, mass and scale would be overly dominant and incongruous and overdevelopment of the site.

Planning Authority Ref. No. D12A/0317 refers to a 2012 decision to refuse outline permission for a dormer bungalow to the side of existing house and new entrance off public road. Permission was refused on the grounds that a dwelling

at this location, forward of the front building lines of both Nos 490 and 491 Pearse Villas, would be out of character with the existing pattern of development, would be visually incongruous with the existing streetscape at this prominent location and would be seriously injurious to the amenities of the area. It was also considered that the proposal would set an undesirable precedent for similar developments.

No. 17 Rochestown Park, Dun Laoghaire (to the south east of the site adjoining the terrace of 4 houses which includes No. 490 Pearse Villas):

Planning Authority Ref. No. 17A/0752 (An Bord Pleanála Ref. No. 300180-17) refers to a 2018 (May) decision to refuse of permission for the demolition of garage, construction of new house, driveway and entrance gates. Permission was refused for two reasons relating to overdevelopment of the site and negative impact on residential amenities.

5.0 Policy & Context

5.1 Dun Laoghaire-Rathdown County Development Plan 2016-2022.

Land Use Zoning Objective 'A' *To protect or improve residential amenity.*

General Development Management Standards:

Section 8.2.3.4 refers to Additional Accommodation in Existing Built-Up Areas:

Section 8.2.3.4 (i) refers to Extensions to Dwellings.

5.2 Natural Heritage Designations

The nearest European sites are:

- The Dalkey Islands Special Protection Area (Site Code: 004172), approximately 3.3km east of the site.
- The Rockabill to Dalkey Island Special Area of Conservation (Site Code: 003000), approximately 3.3km east of the site.

- The South Dublin Bay and River Tolka Estuary Special Protection Area (Site Code: 004024), approximately 2.9km north-northwest of the site.
- The South Dublin Bay Special Area of Conservation (Site Code: 000210), approximately 2.8km north-northwest of the site.

6.0 The Appeal

6.1. Third Party Appeal

An appeal has been lodge by Rhona McGrath, 514 Pearse Villas, Sallynoggin, Co. Dublin. Owner of the adjoining house. The grounds of appeal are summarised as follows:

- Overbearing impact on No. 514.
- Overlooking.
- Overdevelopment of the site.

6.3 Planning Authority Response

It is considered that the grounds of appeal do not raise any new matter which, in the opinion of the planning authority, would justify a change of attitude to the proposed development.

6.4 Observations

None.

7.0 Assessment

The main issues in this appeal are those raised in the grounds of appeal and I am satisfied that no other substantive issues arise. The issue of appropriate assessment also needs to be addressed.

The issues can be dealt with under the following headings:

- Design
- Residential Amenity.
- Appropriate Assessment.

7.1 Design

7.1.1 Permission is being sought for a c.48.26sq.m two storey extension to the side of No. 515 on a site with a stated area of c.0.052hectares.

7.1.2 Section 8.2.3.4 (i) of the County Development Plan refers to the criteria set out for domestic extensions. The appellant raised concerns that the proposed extension would have an overbearing impact on No. 514 due to its scale, mass and proximity to the boundary with the No. 514.

7.1.3 No. 515 is located on prominent corner, the proposed extension is in line with the front building line of No. 514 to the south and meets the southern boundary with No. 514 at a point. In my view, the scale and bulk of the extension to the side of an existing house that has been previously extended results in a dwelling with a length of c.14m which is disproportionate. I am not satisfied that the proposed design features would break up the bulk and reduce its impact. The current proposal would form a discordant feature on the streetscape at this location which would detract from the architectural uniformity of the streetscape. In my opinion the scale and bulk of the extension would result in a dwelling (No. 515) that would jar with the existing built environment and detract from the architectural grain of the area.

7.1.4 I consider the proposed development, in terms of scale and mass would detract from the architectural composition of the existing streetscape and would form a discordant feature on the streetscape. In this regard the proposed development would not comply with Section 8.2.3.4 (i) of the Development Plan. The proposal would, therefore, seriously injure the character of the area and be contrary to the proper planning and sustainable development of the area.

7.2 Residential Amenity

- 7.2.1 The appellant has raised concerns that the proposed development constitutes overdevelopment of the site with particular reference its proximity to the boundary with No. 514 and would have a detrimental impact on the amenities of said properties by virtue of overlooking of its front amenity space. The layout of No. 515 results in the main private amenity space being located to the front of the house, enclosed by high walls. Ample private amenity space is retained and I do not consider that the proposed development would constitute overdevelopment of the site.
- 7.2.2 The extension would be set back c.6.5m from the gable of No. 514 and does not project beyond its front building line. While I acknowledge that the extension would be visible from the front garden of No. 514, given the orientation of the site and the relationship of No. 514 with No. 515, I do not consider that the proposal would have an overbearing impact on No. 514 when viewed from this property.
- 7.2.3 Windows serving bedrooms at first floor level would be orientated towards the front garden of No. 514. I note that the front garden of No. 514 has trees planted and a substantial section is used for parking, at the time of inspection I noted 3 cars parked within the front curtilage and there was no evidence to suggest that the front garden was used as the main amenity area. While I note the concerns raised by the appellant, a degree of overlooking is to be expected in urban settings. Furthermore I note that there are no first floor opposing windows within 22m of each other. I do not consider that overlooking is a substantial issue in this instance.
- 7.2.4 On balance, given the orientation of the site and the relationship of the two properties (no. 514 and No. 515) with each other. I consider the proposed development would not have a detrimental impact on the residential amenities

of adjoining properties, in particular No. 514 Pearse Villas by virtue of overlooking or overbearance.

7.4 Appropriate Assessment

7.4.1 Having regard to the nature of the proposed development and the location of the site in a fully serviced built up suburban area, 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.

8.0 Recommendation

I recommend that planning permission should be refused for the reasons and considerations as set out below.

9.0 Reasons and Considerations

1. It is considered that the proposed extension by virtue of its design, mass and scale would be overly dominant and visually incongruous and would be at variance with the predominant pattern of development in the area. The proposed development would, therefore, detract from the existing pattern of development in the area and be contrary to section 8.2.3.4 (i) of the Dun Laoghaire- Rathdown County Development Plan 2016-2022 and would set an undesirable precedent for further such developments in the area. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

Dáire McDevitt
Planning Inspector

19th July 2019.