



An
Bord
Pleanála

furt

Inspector's Report ABP-304756-19

Development	Proposed demolition of existing garage and construction of 2 storey, 2-bedroom dwelling and associated site works.
Location	No. 37 Sycamore Avenue, Castleknock, Dublin 15.
Planning Authority	Fingal County Council.
Planning Authority Reg. Ref.	FW19A/0062.
Applicant(s)	Jonathan Hutton.
Type of Application	Planning Permission.
Planning Authority Decision	Refuse.
Type of Appeal	First Party
Appellant(s)	Jonathan Hutton.
Observer(s)	Mary Egan & Sean Dunning.
Date of Site Inspection	3 rd day of September, 2019.
Inspector	Patricia-Marie Young.

Contents

1.0 Site Location and Description	3
2.0 Proposed Development	3
3.0 Planning Authority Decision	4
3.1. Decision	4
3.2. Planning Authority Reports	4
3.3. Prescribed Bodies	4
3.4. Third Party Observations	5
4.0 Planning History.....	5
5.0 Policy and Context.....	6
5.2. Local Planning Context	6
5.3. Natural Heritage Designations	7
5.4. EIA Screening	7
6.0 The Appeal	7
6.1. Grounds of Appeal	7
6.2. Planning Authority Response.....	8
6.3. Observations	9
7.0 Assessment.....	9
8.0 Recommendation.....	18
9.0 Reasons and Considerations.....	18

1.0 Site Location and Description

- 1.1. No. 37 Sycamore Avenue, is an irregular triangular shaped site with a stated 0.028ha area and is located c88.5m to the north-west of Sycamore Avenue's intersection with Carpenterstown Avenue and c27m to the east of its intersection with Sycamore Lawn, in the 'Sycamore' residential development, in the city suburb of Castleknock, which is located to the north west of Dublin's city centre. The site is located to the north of Castleknock village, c0.5km from Coolmine train station and c0.9km from Castleknock train station as the bird would fly.
- 1.2. The site consists of the side garden area of No. 37 Sycamore Avenue and it contains a single storey garage that sits forward of the front building line of a 2-storey detached property (No. 37 Sycamore Avenue) which neighbours the eastern boundary of the site which is not demarcated. No. 37 Sycamore Avenue contains two entrances onto the public road, one of which is situated on the north-easternmost corner of the site.
- 1.3. The surrounding area is characterised by highly uniform in the design, appearance and built form 2-storey semi-detached dwellings. There are also a number of detached dwellings in the vicinity. This area has a mature residential character.

2.0 Proposed Development

- 2.1. Planning permission is sought for the demolition of an existing garage with a stated 24m² floor area; the construction of a 2-storey 2-bedroomed infill detached dwelling with a stated 109m² floor area; provisions for the existing access serving No. 37 Sycamore Avenue to serve the existing dwelling and the proposed dwelling together with all associated site works and services.
- 2.2. According to the planning application form the proposed development would be served by way of a new connection to the public mains and sewer. It also indicates that surface water drainage would be via the public sewer/drain.

3.0 Planning Authority Decision

3.1. Decision

3.1.1. The Planning Authority **refused** permission for the development for the following stated reasons:

- “1. *The proposed development by reason of its design, siting and location would be visually obtrusive and out of keeping with pattern and nature of development in the vicinity. The proposed development, by itself or by the precedent which the grant of permission would set for other relevant development, would seriously injure the amenities of the area, and of property in the vicinity and would, therefore, be contrary to the proper planning and sustainable development of the area.*
2. *The proposed development by reason of its proximity to the southern site boundary and the rear boundaries of buildings to the south and west would result in overlooking and consequential loss of residential amenity to adjoining dwellings, and would be overly dominant as viewed from the rear aspect of these dwellings. The proposed development would therefore seriously injure residential amenities and be contrary to the proper planning and sustainable development of the area.”*

3.2. Planning Authority Reports

3.2.1. Planning Reports

The Planning Officer's report is the basis of the Planning Authority's decision.

3.2.2. Other Technical Reports

Transportation Planning Section: No objection subject to safeguards.

Water Services Department: No objection subject to standard safeguards.

3.3. Prescribed Bodies

3.3.1. **Irish Water:** No objection.

3.4. Third Party Observations

- 3.4.1. There is one submission on file. This was made by the observers to this appeal and I consider that the substantive issues raised by them correlate with those set out in their submission to the Board (See: Section 6.3 of this report).

4.0 Planning History

4.1. Site

P.A. Reg. Ref. No. FW18A/0127: Planning permission was **refused** for the demolition of an existing garage and the construction of a 2-storey 3-bedroom infill dwelling to the side of an existing dwelling together with all associated site works and services. The stated reasons read as follows:

- “1. *The proposed development by reason of its design, siting and location would be visually obtrusive and out of keeping with pattern and nature of development in the vicinity. The proposed development, by itself or by the precedent which the grant of permission would set for other relevant development, would seriously injure the amenities of the area, and of property in the vicinity and would, therefore, be contrary to the proper planning and sustainable development of the area.*
2. *The proposed development by reason of its proximity to the southern site boundary and the rear boundaries of buildings to the south and west would result in overlooking and consequential loss of residential amenity to adjoining dwellings, and would be overly dominant as viewed from the rear aspect of these dwellings. The proposed development would therefore seriously injure residential amenities and be contrary to the proper planning and sustainable development of the area.”*

P.A. Reg. Ref. No. F05A/0241: Planning permission was **granted** for a first-floor extension to the east and west of an existing dwelling and included the reconfiguration of the existing roof structure to include a bedroom at attic level, a bay window to rear at ground floor level, garden room to the site, a detached garage, new boundary railings and wall.

5.0 Policy and Context

5.1. National Policy

- Sustainable Residential Development in Urban Areas, Guidelines for Planning Authorities, (DEHLG 2009) and the accompanying Urban Design Manual: A Best Practice Guide, (DEHLG 2009).
- Design Manual for Urban Roads and Streets (DMURS) (DECLG and DTTS 2013).
- Project Ireland 2040 National Planning Framework (2018).

5.2. Local Planning Context

- 5.2.1. The policies and provisions of the Fingal Development Plan, 2017-2023, apply. The site lies within an area zoned 'RS' which has an aim to: *"provide for residential development and protect and improve residential amenity"*.
- 5.2.2. Chapter 3 of the Development Plan deals residential development. In relation to infill, corner and backland sites it states that: *"the development of underutilised infill, corner and backland sites in existing residential areas is generally encouraged. A balance is needed between the protection of amenities, privacy, the established character of the area and new residential infill. The use of contemporary and innovative design solutions will be considered for this type of development."*
- 5.2.3. The following objectives are particularly relevant to the development sought under this application:
- Objective PM44 states that the Planning Authority will seek to: *"encourage and promote the development of underutilised infill, corner and backland sites in existing residential areas subject to the character of the area and environment being protected"*.
 - Objective PM45 states that the Planning Authority will seek to: *"promote the use of contemporary and innovative design solutions subject to the design respecting the character and architectural heritage of the area"*.
 - Objective DMS39 states that the Planning Authority will seek to: *"new infill development shall respect the height and massing of existing residential units. Infill"*

development shall retain the physical character of the area including features such as boundary walls, pillars, gates/gateways, trees, landscaping, and fencing or railings.”

- Objective DMS44 states that the Planning Authority will seek to: “protect areas with a unique, identified residential character which provides a sense of place to an area through design, character, density and/or height and ensure any new development in such areas respects this distinctive character.”
- Objective DMS24 requires all new residential units comply with or exceed the minimum standards set out in Tables 12.1, 12.2 and 12.3 of the Development Plan.
- Objective PM65 requires that all areas of private open spaces have an adequate level of privacy for residents through the minimisation of overlooking and the provision of screening arrangements.

5.3. Natural Heritage Designations

5.3.1. None relevant.

5.4. EIA Screening

5.4.1. Having regard to the nature, scale and scope of the proposed development, the subject sites context which can be described as a mature and built-up residential area within the Dublin city suburb of Castleknock, the nature of the receiving environment, the serviced nature of the site and its surroundings, I consider that 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. The grounds of appeal submission can be summarised as follows:

- The proposed development has been designed to provide future occupants with high quality residential amenity in the context of an established urban setting whilst safeguarding the residential amenities of adjoining residents.
- The proposed development is consistent with the built character of the area and represents an efficient use of residentially zoned as well as serviced lands.
- The proposed development is consistent with planning policy provisions.
- There are 2 no. vehicular entrances serving No. 37 Sycamore Avenue.
- There is a park within 50m of the site that contains 2 no. tennis courts.
- The site is located 850m away from Coolmine Railway Station, is 190m from a bus stop, is near the M50 to the east, Blanchardstown to the north and Castleknock Golf Club to the south.
- The proposed dwelling would be served by two pockets of private open space.
- The proposed development will utilise an existing entrance and there will be space for 2 no. car parking spaces to the front.
- Reference is made to the recent planning history of the site.
- The proposed development would give rise to a residential density of 35.7 units per hectare which is consistent with the density of this area.
- Examples of infill developments are cited.
- It is requested the Planning Authority's decision be overturned.

6.2. Planning Authority Response

6.2.1. The Planning Authority's response can be summarised as follows:

- The reasons for refusal should stand.
- The proposed development, if permitted, would be visually incongruous in the streetscape scene and it would be detrimental to the visual amenities of the area.
- Each application should be judged on its own merits.
- There are clear policies and objectives in the current Development Plan against which this proposal is assessed.

- The Board is requested to uphold its decision; however, should the Board overturn its decision a Section 48 contribution condition should be applied.

6.3. Observations

6.3.1. The observer's submission can be summarised as follows:

- The proposed development would undermine the residential amenity of adjoining residential properties.
- The Planning Authority's decision should be upheld.
- The proposed development would be too dominant in its setting and it would result in overlooking of the observer's property.
- The proposed development, if permitted, would devalue the observer's property.
- This development removes the observer's rights to enjoy their garden and their views.
- The proposed development would result in additional footfall, generate extra traffic and noise.
- There is little on-street car parking available in the vicinity.
- Recently double yellow lines have been placed outside this property and other adjoining roads due to complaints of multiple cars being parked from rented properties nearby.
- Project Ireland 2040 does not require building on every corner site in mature areas.
- The proposed would block light to the observer's property.
- Gable ends are not compatible with half-hipped design of dwellings in this area.

7.0 Assessment

7.1. Introduction

7.1.1. I consider that the relevant issues in determining the current application and appeal are as follows:

- Principle of the Proposed Development;
- Impact on Character of the Area;
- Residential Amenity Impact;
- Other Matters Arising.

7.1.2. I also consider that the matter of 'Appropriate Assessment' requires examination.

7.1.3. Before I begin my assessment, I raise a concern that there is a projecting single storey canopy structure on the side and there are single storey projections to the rear elevation of the existing dwelling on site. The submitted drawings do not indicate their presence. This I consider gives rise to a lack of clarity to the proposed development as submitted in terms of firstly calculating the actual level of private amenity space that would remain to the rear of the existing dwelling and also puts forward a degree of un-certainty in relation to the built structures between the existing dwelling and the proposed dwelling through to the physical juxtaposition of these structures including any proposed boundary treatment.

7.1.4. The documentation on file appear to suggest that the roof structure over the existing dwelling would significantly oversail into the proposed subdivided plot and from site inspection I consider it is quite probable should the proposed side canopy be kept as it is that it would also oversail onto the proposed new subdivision or more likely it could potentially connect to the eastern side elevation of the proposed dwelling. These matters I consider require clarification should any grant of permission be considered, and I am also of the view in the absence of clarification through to amendments to the design and layout as proposed would give rise to future civil issues.

7.1.5. On the latter point, while I am cognisant of Section 34(13) of the Planning Act which indicates that a person is not entitled solely by reason of a permission to carry out any development and that the applicant is the current owner of the subject site in its entirety and therefore could provide fetters on any sale to allow future occupants of the existing dwelling to enter onto the new subdivision in order to carry out maintenance and the like I am of the view that it would be in accordance with good design to ensure that such developments do not include oversailing or encroachment as part of the creation of a new residential subdivision. Moreover, it is generally

encouraged that developments like this seek to ensure that their structures are confined within the parameters of their individual sites, both proposed and existing.

7.1.6. Of further concern, from inspection of the site it would appear that there is dense in terms of width mature planting along the existing side boundaries between the proposed dwelling and the adjoining properties to the west. Having regard to the submitted documentation there is in my view limited clarity on the boundary treatments proposed and/or amendments to existing boundary treatments as part of the documentation submitted with this application. Moreover, the proposed development is not accompanied by any landscaping scheme. In the absence of clarity on these matters it is not possible in my view to determine an accurate quantum of actual private open space for existing dwelling and the proposed dwelling.

7.1.7. I note that there are also other small inaccuracies and details lacking in the submitted drawings with this application. This includes but is not limited to details like the chimney stack on the existing dwelling; the two oriel windows on the front elevation appear to be connected to the single storey connection to the front but, are not; through to the fact that there are no contiguous elevation showing the rear elevation of the existing dwelling house relative to the proposed dwelling. In relation to these inaccuracies the photographs attached to this report should aid the Board to have an informed view of the existing site context in which the proposed development is sought.

7.2. Principle of the Proposed Development

7.2.1. The subject site and its surrounding setting are zoned 'RS'. The stated Development Plan objective for such land is "*to provide for residential development and to protect and improve residential amenity*". As such residential development is deemed to be acceptable in principle in this area, subject to safeguards.

7.2.2. I further note that the proposed development essentially seeks permission for the subdivision of an existing residential plot to provide a separate infill dwelling. Objective PM44 of the Development specifically encourages the development of infill, corner and backland sites in existing residential areas and Objective SS15 of the Development Plan seeks to strengthen and consolidate existing urban areas adjoining Dublin City in part through infill development to maximise the efficient use

of existing infrastructure and services. In addition, the Project Ireland 2040 - National Planning Framework acknowledges that there are opportunities for infill development on the smaller scale and under Section 4.5 it indicates that a significant proportion of future urban development should be targeted within the built footprint of existing urban areas. It indicates that this will require well designed, high quality development that meet appropriate standards as well as supported by universal design and improved urban amenities.

7.2.3. Based on the above considerations, I consider that the general principle of the proposed development is acceptable, subject to safeguards.

7.3. Impact on the Character of the Area

7.3.1. The first reason of refusal considered that the proposed development by reason of its design, siting and location would be visually obtrusive and out of keeping with the pattern of development in its vicinity. This reason for refusal also raised a concern that, if permitted, it could be itself or by the precedent which a grant of permission would set for other similar developments would seriously injure the amenities of the area and in turn properties in its vicinity. For these reasons the Planning Authority considered that the proposed development would be contrary to the proper planning and sustainable development of the area. The Planning Authority in their response to the grounds of appeal further reiterate these concerns.

7.3.2. The appellant in their grounds of appeal consider that the proposed development is respectful of the character of its suburban setting and consider that the proposed infill development is consistent with local planning policy provisions for this type of development.

7.3.3. The appeal site is situated in the mature residential area that is predominantly characterised by 2-storey semi-detached dwellings; however, I did observe during my inspection of the site and its setting there are examples of 2-storey later detached infill type dwellings. This includes a detached contemporary in design 2-storey dwelling on the opposite side of the road at the western side of Sycamore Avenue junction with Maple Avenue. No. 37 Sycamore Avenue forms part of a residential scheme that extends to the south, east and west of the subject site with the residential area on the opposite side of Sycamore Gardens appearing to predate it. Sycamore Avenue despite this somewhat diminishing due to later additions and

alterations that are visible from the public domain still has a defining character in terms of its uniformity in building design and layout relative to its treatment of buildings to space.

- 7.3.4. Indeed, it would appear that No. 37 Sycamore Avenue has been extended to the side and rear since its original construction. Alongside this a later single storey detached garage has been constructed forward of the principal building line in the north western corner of the site. Whilst the site itself is a decent size in terms of a suburban plot. However, due to the additions made to it, the placement of the original dwelling c9.3m back from the curving roadside boundary, the additions of garage/shed structures and canopies together with the triangular dimensions of the site with the site substantially narrowing in its width from its roadside boundary to the rear where it is a diminutive c1.3m width I question its ability to positively absorb the proposed development even with the proposed demolition of the single storey garage/shed structure in a manner that is consistent with the local planning policy provisions for such a development.
- 7.3.5. While the height of the proposed dwelling is a more subservient 8.168m when compared to the 8.64m height of the existing dwelling I raise a concern that the eaves height is marginally higher than the existing dwelling and other semi-detached dwellings in its vicinity. The eaves structure appears to be larger and the gable shaped roof structure over is out of character with the hipped roof structures over the semi-detached structures in this area and indeed over the detached structure of No. 37 Sycamore Avenue itself. Hipped and half hipped structures are one of the dominant design features of properties within Sycamore Avenue and the larger Sycamore residential scheme. In addition, the proposed roof structure also includes no overhang. While I have no objection to the proposed contemporary approach put forward in terms of the design of the proposed dwelling and I am cognisant that on the opposite side of the road there are 2-storey structures with hipped roofs over I consider in the context of the southern side of this road which represents a different phase of residential development with a different character to that opposite that the introduction of a 2-storey gable roof would be visually at odds with this particular streetscape setting.
- 7.3.6. I also concur with the Planning Authority's Planning Officer in their concern that in conjunction with the visual incongruity of the roof structure over the proposed

dwelling that the shape of the plot and the layout of the proposed dwelling on site would have a greater visual impact as appreciated from the public domain than the diminutive single storey garage/shed structure which is situated to the front of the principal building line of No. 37 and is considerably forward of the principal building line of residential properties to the east of it, i.e. the stretch of Sycamore Avenue which the subject site forms part of. In this context the proposed dwelling would appear visually incongruous, the plot on which it would be sited would be visually cramped more so than other dwellings within its streetscape scene and bringing forward habitable floor area so far forward of the principal building line that defines No. 37 and the group of dwellings it forms part of to the east would be out of character with the design and layout of this residential scheme. Particularly in terms of the relationship between the dwelling house and the space in which it occupies which is characteristically set back by more than 10m from the roadside boundary.

7.3.7. Further, the curving alignment of this stretch of Sycamore Avenue which extends in a northerly direction from its junction with Carpenterstown Avenue further heightens in my view the visual incongruity of the proposed insertion of a 2-storey dwelling at this location within a site context that is already in terms of building to space relationship at odds with the group of semi-detached dwellings it forms part of.

7.3.8. Based on the above, I consider that to permit the proposed development as put forward in this application would conflict with Objective PM44 of the Development Plan which seeks to encourage and promote infill developments subject to the character of the area being protected. Moreover, the proposed development as put forward in this application would also conflict with Objective DMS39 which states that: *“new infill development shall respect the height and massing of existing residential units. Infill development shall retain the physical character of the area”*. For this reason, I concur with the Planning Authority’s first reason of refusal as set out in their decision notification.

7.4. Residential Amenity Impact

7.4.1. In relation to the residential amenity of the existing dwelling should permission be granted for the proposed development as sought in this application I consider that the remaining private open space would fail to meet the minimum requirements of Objective DMS87 of the Development Plan. This Development Plan objective

requires houses of this size to have a minimum private open space located behind the front building line of the dwelling, excluding narrow strips to the side of the dwelling, of 75m². Based on the measurements of the submitted drawings this cannot be achieved. Moreover, as previously discussed, the submitted drawings fail to provide an accurate representation of the existing dwelling as it has excluded the single storey projections to the rear. The presence of these further reduce the private amenity space that would remain to serve the occupants of the existing dwelling. In terms of impact on the existing dwelling the proposed development, if permitted, would conflict with the private amenity space requirements of Objective DMS87 of the Development Plan and it would also result in the overdevelopment of the subject site.

- 7.4.2. In relation to the residential amenity of the proposed dwelling I share the Planning Authority's Planning Officer's concern that the proposed internal layout fails to comply with the requirements set out in terms of bedroom size and storage and I also concur with them that these could be resolved by internal reconfiguration and design changes. Notwithstanding, as proposed the 2-storey 2-bedroom dwelling house, if permitted, would conflict with Development Plan Objective DMS24 which requires such developments to meet the requirements set out in Table 12.1 and Table 12.3.
- 7.4.3. I also raise a concern in relation to the provision of qualitative private open space for future occupants of the proposed dwelling and whilst I am cognisant the Objective DMS88 allows for a reduced standard of no less than 48 m² of private open space for 2-bedroom townhouses only in circumstances where a particular design solution is required to develop a small infill site. Notwithstanding, in general Objective DMS87 requires dwellings of 3 bedrooms or less to have a minimum of 60m² of private open space located behind the front building line of the dwelling, excluding narrow strips of open space to the side of the house. This objective indicates that these shall not be included in the private open space calculations. I further note that Chapter 12 of the Development Plan seeks that private open shall be both qualitative and quantitative in its nature and provision.
- 7.4.4. I therefore raise a concern in relation to the two pockets of private open space to serve the proposed dwelling house. Both having restrictive triangular dimensions with one occupying an area to the western side of the proposed dwelling which

would also be overshadowed and if the existing planting along the western boundary is maintained its width would be further reduced. I am not satisfied that this area would result in a high-quality area of private open space amenity for future occupants of the proposed dwelling house. I am also equally not convinced that the triangular area of space to the rear of the proposed dwelling also offers an area of quantitative and qualitative private open space amenity for future occupants due to its dimensions. I am not convinced in this instance that the configuration of private open space proposed to serve future occupants of the proposed dwelling is consistent with the spirit of the Development Plan. Further, I consider that the provision of open space that would remain for the existing dwelling and for the proposed dwelling would be out of character in terms of its quantitative provision when compared to other dwellings within its setting. This in turn would be a further factor in the consideration of the proposed development, if permitted, giving rise to a development that would be out of character with its area. This would further reinforce in my view the proposed developments conflict with Objective PM44 of the Development Plan.

- 7.4.5. In relation to the residential amenity impact on properties in the immediate vicinity of the proposed development I firstly raise a concern that the first-floor internal layout does not match the exterior elevation drawings. Of particular concern, is that the submitted drawings show that both the east and western side elevation at first floor level will contain windows. This conflicts with the internal layout drawings which show that there is no window present serving the front bedroom yet this conflicts with the drawing provided of the eastern elevation. This requires clarification and/or in the event of a grant of permission a condition should be imposed omitting this window to deal with any potential adverse residential amenity concerns it could give rise to.
- 7.4.6. The western elevation contains a tall opaque window serving the hallway and what appears to be a high-level window at the attic level that is broken into 6 parts that terminate alongside the sloping gable ended roof. This latter window would be at a level that unless a mezzanine type level was introduced at attic level would not result in any direct overlooking from the interior of the rear of neighbouring properties.
- 7.4.7. I am satisfied that the rear elevation at first floor level has adequately addressed the matter of overlooking by way of using opaque glazing and an angled window.

7.4.8. In terms of overshadowing I raise some concerns in terms of the accuracy of the shadow analysis submitted with this application to demonstrate that the proposed development would not result in any undue level of overshadowing. This is particularly evident when one compares the existing and proposed shadow analysis for the 21st day of June at 1pm. What is clear is that the private open space amenity of the courtyard area and rear garden area would be significantly compromised in terms of its quality by way of overshadowing. I would also raise a concern that the shadowing resulting from the existing western boundary does not appear to be consistently measured in these submitted shadow analysis drawings.

7.4.9. Based on the above, I consider that to permit the proposed development would conflict with Objectives DMS85; DMS87 and DMS24 of the Development Plan; it would result in a substandard level of residential amenity for the occupants of the existing and proposed dwelling; it would result in overdevelopment of the site in a manner that would be out of character with the pattern of development in this suburban setting; and, for these reasons it would be contrary to the proper planning and sustainable development of the area as set out both under the local planning policy provisions but also in terms of the national planning policy provisions which includes the National Planning Framework which requires that such developments be well designed, of a high quality and that they meet the appropriate standards.

7.5. **Other Matters Arising**

7.5.1. **Road Safety/Traffic Hazard:** The subject site benefits from two entrances onto Sycamore Drive. While I consider that the sightlines from the entrance that would serve the proposed dwelling are limited particularly in a westerly direction having regard to the low levels of traffic I observed on this road, the presence of a double yellow line alongside part of the roadside verge and the low volume of traffic the proposed 2 bedroom residential unit would have the potential to generate I raise no substantive issue in this regard. Notwithstanding, in the absence of any drawings that can show that the car parking provision on site would meet the needs of both the proposed and existing dwelling, including that there is sufficient space for cars parked to manoeuvre within the confines of both the existing and proposed dwellings subdivided site areas without reversing out onto the public footpath and road I am not convinced that the proposed development would not give rise to an additional

burden of on-road car parking in the vicinity of the site or that it would not give rise to any road traffic or road safety issue for road users.

- 7.5.2. **Boundaries:** Should the Board be minded to grant permission for the proposed development I recommend that by way of condition that the boundaries of the site, including that in the vicinity of the entrance that would serve the proposed dwelling be appropriately dealt with so as to ensure firstly the safety of road users, in particular pedestrians using the footpath running along the front of the roadside boundary; and, secondly, to ensure an appropriate level of residential amenity to future occupants of the proposed dwelling, the existing dwelling and properties in its vicinity.

7.6. **Appropriate Assessment**

- 7.6.1. Having regard to the nature and scale of the proposed development and to the nature of the receiving environment, namely an urban and fully serviced location, 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**

- 8.1. I recommend that planning permission be refused.

9.0 **Reasons and Considerations**

1. Having regard to the established character and pattern of development in the vicinity, in particular the streetscape scene of the southern side of Sycamore Avenue, the provisions of the Fingal Development Plan, 2017 to 2023, the nature and scale of the proposed development, with the proposed dwelling house being forward of the building line of residential dwellings, the roof structure over, the cramped nature of development on the site itself as appreciated from the public domain, it is considered that the proposed development, would be out of character and visually obtrusive within its streetscape scene and it would detract from the visual amenities of the area in a manner that would be contrary to the provisions of Objective PM44 of the said Development Plan which seeks for such

developments to protect the character of the area and Objective DMS39 of the said Development Plan which requires infill development to respect the height and massing of existing residential units alongside that such developments retain the physical character of the area. The proposed development would conflict with the stated Development Plan objectives, it would seriously injure the visual amenities of the area, and it would, therefore, be contrary to the proper planning and sustainable development of the area.

2. Having regard to the provisions of the Fingal Development Plan, 2017 to 2023, and to the design, layout and the building to space relationship of the proposed development, the configuration and size of the site, the shortfall of private amenity space that would result for the host dwelling house; the potential substandard residential amenity for future occupants of the proposed dwelling as a result of substandard internal amenity and substandard in quality private open space, it is considered that the proposed development would constitute a substandard form of development, would be seriously injurious to the residential amenities of future occupants of the host dwelling house and proposed dwelling house and would be contrary to Objectives DMS85; DMS87 and DMS24, which seeks to ensure that such developments provide a satisfactory level of residential amenity. The proposed development would, therefore, conflict with the objectives of the Development Plan and would be contrary to the proper planning and sustainable development of the area.

Patricia-Marie Young
Planning Inspector

16th day of September 2019