



An
Bord
Pleanála

Inspector's Report ABP-304900-19

Development	Extensions and alterations to existing dwelling and all ancillary works
Location	26 Glenageary Woods, Glenageary, Co. Dublin
Planning Authority	Dun Laoghaire Rathdown County Council
Planning Authority Reg. Ref.	D19B/0226
Applicant(s)	Melissa & Trevor Hall
Type of Application	Permission
Planning Authority Decision	Grant
Type of Appeal	Third Party
Appellant(s)	Pat & Deirdre Coakley
Observer(s)	None
Date of Site Inspection	11 th October 2019
Inspector	Mary Crowley

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1.0 Site Location and Description

- 1.1. The appeal with a stated area of 0.08 ha comprises No. 26 Glenageary Woods, a large detached dwelling located on the eastern side and the end of a cul de sac of six similar dwellings. There is a single storey detached garage to the south of the existing dwelling. The northern boundary is defined by a high brick clad wall. The site is open to the public road at the front with a boundary fence separating the front and rear gardens of the existing property.
- 1.2. A set of photographs of the site and its environs taken during the course of my site inspection is attached. I also refer the Board to the photos available to view on the appeal file. These serve to describe the site and location in further detail

2.0 Proposed Development

- 2.1. Permission is sought a domestic extension and alterations to existing detached dwelling comprising the following:
 - single storey extensions / modifications to bays to front, and new roof canopy; modifications of existing garage to side, including new roof, single storey extension to side and rear to link existing garage to house; two-storey extension to rear; elevation changes; modifications to existing house; and all ancillary works
 - The existing house has a stated floor area of 219sqm. The stated floor area of the proposed works is 315sqm

3.0 Planning Authority Decision

3.1. Decision

- 3.1.1. DLRCC issued a notification of decision to grant planning permission subject to 10 no generally standard conditions. Condition 3 is referenced in the appeal and states as follows:

Unless otherwise stated, external finishes including materials, colours and textures shall harmonise with the existing building

Reason: *In the interest of visual amenity.*

3.2. **Planning Authority Reports**

3.2.1. Planning Reports

- The **Case Planner** having considered the scheme recommended that permission be granted subject to 10 no conditions. The notification of decision to grant permission issued by DLRCC reflects this recommendation.

3.2.2. Other Technical Reports

- **Drainage Planning** – No objection subject to conditions as set out in the report relating to surface water and permeable hardstanding areas.

3.3. **Prescribed Bodies**

3.3.1. There are no reports from any prescribed bodies on the planning file.

3.4. **Third Party Observations**

3.4.1. There are five observations recorded on the planning file from (1) Pat & Deirdre Coakley, No 28 Glenageary Woods, (2) Greg & Jane Kenward, No 30 Glenageary Woods, (3) Robert & Valerie Calder, 27 Glenageary Woods, (4) Iris Beatty, 25 Glenageary Woods and (5) Alison & David Fitzpatrick, 29 Glenageary Woods. It is noted that the five observations come from the remaining 5 residences in this cul de sac.

3.4.2. The issues raised relate to site history, overlooking, height and scale, visually overbearing, incongruous design, impact on privacy, the side extension and alterations to the front facade not in keeping with appearance of the remaining five houses in the estate which were built almost 40 years ago and the proposed trees / shrubs not specified.

4.0 **Planning History**

4.1. There is no evidence of any previous planning application or appeal at this site. There was a previous planning appeal on this site that may be summarised as follows:

PL0D.244630 (Reg Ref D14A/0831) – DLRCC refused permission for the construction of a dwelling adjoining existing detached dwelling, one car parking space and all associated site works at No 26 Glenageary Woods for a single reason relating to the overdevelopment of the site. The decision was appealed by the first party. The Board also refused permission for a similar reason relating to the overdevelopment of the site.

5.0 Policy and Context

5.1. Development Plan

- 5.1.1. The operative Development Plan is the **Dun Laoghaire Rathdown County Development Plan 2016-2022**. The site is zoned **Objective A** where the objective is *to protect and/or improve residential amenity*. **Section 8.2.3.4(i)** deals with extensions to dwellings.

5.2. Natural Heritage Designations

- 5.2.1. The site is not located within a designated Natura 2000 site.

5.3. EIA Screening

- 5.3.1. Having regard to the nature and scale of the proposed development comprising the extension and alteration to an existing dwelling, there is no real likelihood of significant effects on the environment arising from the proposed development. The need for environment 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 third party appeal has been prepared and submitted by Paul C Mealy Architects on behalf of Pat & Deirdre Coakley, No 28 Glenageary Woods against the decision to grant permission and may be summarised as follows. The submission was

accompanied by a copy of the original submission to DLRCC, the contents of which area noted.

- Concerned with the Planning Authority's support of the scheme and in particular the proposed choice of materials.
- Condition No 3 of the decision offers no consolation to the objector's as one persons harmony is another's discord. If the Board is disposed to granting permission, Condition No 3 should be revised to state unambiguously that the external finishes including materials, colours and textures shall match with the existing building and the other buildings in the cul de sac.
- It is an unfortunate emerging trend that if an applicant / developer desires a design that might be considered contemporary, it is only necessary to include some zinc cladding and zinc roofing material irrespective of what the predominant materials are in the location. This is a fashion trend and not good architecture or proper planning and sustainable development.
- To harmonise by contrast, the design proposal must be of the highest architectural merit and contribute positively at the location. This proposal fails to meet this criteria and should therefore be refused.

6.2. Planning Authority Response

- 6.2.1. DLRCC refers to the previous Planners Report and states 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.*

6.3. First Party Response

- 6.3.1. Brendan Balfe Architects on behalf of the applicant submitted the following response to the third party appeal as summarised:

- No 26 is a detached two-storey dwelling that has been in the applicants ownership for the last few years. The applicant is looking to modify the house to suit their family needs.
- Particular and considerable care has been taken in designing the works to the house. No 26 is located at the very end of the cul de sac and the side

extension is located at the furthest corner of the house from the entrance to the cul de sac.

- The proposed side extension is very deliberately single storey in character and set back from the elevation of the house in order to retain the integrity of the existing front elevation. It is also proposed that the side elevation be partially screened from the front by way of planting.
- The proposed extension and alterations have been designed with a lot of care and attention to details, in order to achieve a delicate balance between respecting the pattern and character of the existing streetscape, along with upgrading and modernising the property. Reference is made to sections of the Case Planners Report in support of this position.
- The Board is asked to uphold the decision of DLRCC and grant permission.

6.3.2. The response was accompanied by a letter prepared by the applicant that may be summarised as follows:

- House needs major renovation with heating only 75% operational, has little insulation and leaking single pain windows. Extension designed to allow more open plan living space.
- The applicant has worked hard to be respectful to the cul de sac while keeping it less visible. The site is at the furthest point of Glenageary Woods surrounded by high walls. The single storey extension is in the furthest corner of the site, has been set back for less visibility and is in keeping with the general look and feel of the house.

6.4. **Observations**

6.4.1. There are no observations recorded on the appeal file.

6.5. **Further Responses**

6.5.1. There are no further response recorded on the appeal file.

7.0 Assessment

7.1. Having regard to the information presented by the parties to the appeal and in the course of the planning application and my inspection of the appeal site, I consider the key planning issues relating to the assessment of the appeal can be considered under the following general headings:

- Principle
- Scale & Design
- Other Issues

7.2. Principle

7.2.1. Under the provisions of the Dun Laoghaire Rathdown County Development Plan 2016-2022 the site is wholly contained within an area zoned Objective A where the objective is *to protect and/or improve residential amenity* and where residential extensions and alterations to an existing dwelling for residential purposes is considered a permissible use. I am satisfied that the principle of the development is acceptable at this location subject to the acceptance or otherwise of site specifics / other policies within the development plan and government guidance.

7.3. Scale & Design

7.3.1. As set out previously DLRCC issued notification of decision to grant permission subject to 10 generally standard conditions. The third party appeal raises concerns in relation to the scale, mass, location, choice of material and visual intrusion of the proposed extension and the resulting overall negative impact on the site and adjoining properties.

7.3.2. Section 8.2.3.4(i) Extensions to Dwellings of the current development plan states *inter alia that side extensions will be evaluated against proximity to boundaries, size and visual harmony with existing (especially front elevation) and impacts on residential amenity and that external finishes shall normally be in harmony with existing.*

7.3.3. While I agree with the DLRCC Case Planner that the proposed extension to the northern side and rear will provide for a contrasting contemporary element to the

existing dwelling and that the proposed northern extension represents a departure from the style and form of the original dwelling I do not accept that the contemporary response is appropriate or acceptable at this location. In absolute terms the proposed extension has strong architectural merits and I accept the applicant's position that the proposed extension and alterations have been designed with a lot of care and attention to detail. However, in relative terms I disagree that the proposal has achieved a delicate balance between respecting the pattern and character of the existing streetscape, along with upgrading and modernising the property. I consider the proposed extension including the elevational style changes to the front windows and main door to be ill-conceived in the context of the established architecture and uniformity of this cul de sac and that the proposed scheme cannot be readily absorbed within the existing cul de sac without undue and irreparable harm to the character of the area.

- 7.3.4. As pointed out by the observer (Greg & Jane Kenward), the Orchard, Glenageary Woods, the cul de sac comprising the 6 properties 25-30 Glenageary Woods, is a separate and distinct portion of the Glenageary Woods development with all 6 detached houses having a consistent design and appearance (in shape, brick and window design). It is further accepted, as evident on day of site inspection that this consistent design and look has been maintained by the residents since construction in 1979. This is a key feature and quality of this cul de sac that gives it a unique feel and character within the wider Glenageary Woods development.
- 7.3.5. Although neither the appeal dwelling house nor the adjoining properties in the cul de sac are listed as Protected Structures or located within a designated residential or architectural conservation area I consider that the architectural design, form, setting and location of these dwelling houses both individually and collectively within the established development pattern of this cul de sac and the wider residential area is of significant value and should be preserved and respected. While the intention is not to stifle innovative design it remains that the uniformity of architecture at this location where there has been minimal intervention is to be commended. Any side extension or alternations to the front façade at this location should respect, preserve and compliment the parent building in terms of scale, elevational treatment and the use of appropriate materials.

7.3.6. In this context I consider that the proposed extension is neither sympathetic nor adequately subservient to the existing building and is symptomatic of the inappropriate scale and nature of the intervention proposed at this location. The proposed works when viewed in the context of adjoining buildings in the streetscape would appear out of scale and character with the area and would result in a development that would appear highly incongruous in relation to the parent building and the adjoining properties. To permit such a development would dominate and upset the established character, height and roof profiles of this residential area creating a negative visual distraction. Further such a development would set an undesirable precedent where the important visual amenities and character of this cul de sac would be diminished. Refusal is recommended.

7.4. **Other Issues**

7.4.1. **Appropriate Assessment** - Having regard to the nature and scale of the proposed development comprising the extension and alteration to an existing dwelling and all ancillary works and its distance to the nearest European site, 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.

7.4.2. **Development Contributions** – Dun-laoghaire Rathdown County Council has adopted a Development Contribution scheme under Section 48 of the Planning and Development Act 2000 (as amended) and is in place since 14th December 2015. The proposed development does not fall under the exemptions listed in the scheme and it is therefore recommended that should the Board be minded to grant permission that a suitably worded condition be attached requiring the payment of a Section 48 Development Contribution in accordance with the Planning and Development Act 2000.

8.0 **Recommendation**

8.1. It is recommended that permission be **REFUSED** subject to conditions for the reasons and considerations set out below.

9.0 Reasons and Considerations

- 1) Having regard to the design of the proposed extension and alterations and in particular the scale, visual prominence, choice of materials and impact on the established streetscape arising from the proposed works it is considered that the proposed contemporary development would be visually incongruous and overbearing and would have a negative impact on the scale and character of the parent dwelling, the visual character of the streetscape and the amenities of the area. The proposed development would, therefore, be contrary to the provisions of Section 8.2.3.4(i) Extensions to Dwellings of the Dun Laoghaire Rathdown County Development Plan 2016-2022 and to the Objective A zoning for the site where the objective is to *protect and/or improve residential amenity*. Accordingly, the proposed development would seriously injure the visual amenities of the area and of property in the vicinity and would contravene the provisions of the development plan and by itself and by the precedent it would set, would be contrary to the proper planning and sustainable development of the area.

Mary Crowley

Senior Planning Inspector

30th October 2019