



An
Bord
Pleanála

Inspector's Report 310667-21

Development	Demolition of Semi-detached House and Replacement with New Detached House
Location	19 Victoria Road, Clontarf, Dublin 3, D03 P2X0
Planning Authority	Dublin City Council
Planning Authority Reg. Ref.	2539/21
Applicant(s)	CDP Developments
Type of Application	Permission
Planning Authority Decision	Refused Permission
Type of Appeal	First Party Appeal
Appellant(s)	CDP Developments
Observer(s)	Thomas Moore and Pauline Sheeran Ms Orla Fleming Kevin and Jennifer Hickey Cormac and Jackie Farrell Ms Patricia Kerr Vincent Corcoran and Linda Loughran
Date of Site Inspection	19 th August 2021
Inspector	Susan Clarke

1.0 Site Location and Description

- 1.1.** The site is located at No. 19 Victoria Road, Clontarf, Dublin 3, D03 P2X0 and has a stated area of 0.056 ha. The site is an existing semi-detached dwelling located in a well-established residential area in the suburb of Clontarf, approximately 3.5km north east of Dublin city centre. Victoria Road is located between Seaview Avenue and Castle Avenue; the eastern part of Victoria Road is Victorian in character containing a number of designated Protected Structures, while the western end comprises of semi-detached dwellings constructed in the early part of the 20th century. The latter dwellings consist of alternating two-storey and single storey semi-detached pairs.
- 1.2.** The existing property is a 2-storey semi-detached dwelling (4 No. bedrooms) and has a front and rear garden. The front garden provides for off-street car parking and pedestrian access, while the rear garden provides amenity space only. The house is located on the northern side of Victoria Road and is attached to No. 17 Victoria Road (two-storey semi-detached house) to the west. The property has a large rear garden to the north that abuts the rear garden of No. 33 Kincora Avenue. No. 21 Victoria Road (a semi-detached bungalow) is located to the east of the site and Victoria Road is located immediately to the south of the site. The existing dwelling has a stated floor area of 132 sq m. The subject dwelling and adjoining dwelling have a traditional hipped roof and similar building line to all dwellings on this section of Victoria Road.

2.0 Proposed Development

- 2.1.1.** The proposed development consists of:
- Demolition of an existing 4-bed, two storey semi-detached dwelling;
 - Construction of a 5-bed, two storey detached dwelling with single storey element to rear and Attic Level accommodation; and
 - All associated site works to facilitate the development.

The Applicant originally proposed for the replacement house to measure 267 sq m and accommodate five bedrooms (four at First Floor Level and one at Attic Level). As part of the First Party Appeal, the Appellant has proposed an alternative design for the replacement dwelling (hereafter referred to as the 'alternative scheme'). The alternative design is reduced in scale in comparison to the original scheme and

proposes four bedrooms, all at First Floor Level. Both replacement schemes would occupy a much larger footprint to the original dwelling and have different fenestration detail and external finishes to the existing dwelling (i.e. changing the front elevation from render to brick). Whilst the original scheme is greater in height than the existing dwelling and that of the attached No. 17 Victoria Road, the ridge height of the alternative scheme matches the existing dwelling. Furthermore, the width of both schemes similarly matches the existing dwelling, however both are considerably longer with extension into the rear garden.

Both the original scheme submitted to the Planning Authority and the alternative scheme submitted with the First Party Appeal are assessed in this Report.

2.2. Decision

2.2.1. A Notification of the Decision to Refuse Permission was issued on 31st May 2021 for two reasons:

1. The proposed development by reason of its excessive scale and proximity to its boundaries, would result in overbearing, overshadowing and overlooking of neighbouring property. Therefore, the proposed development would be seriously injurious to the residential amenity of neighbouring properties and contrary to the proper planning and sustainable development of the area.
2. The proposed development to demolish one side of a semi-detached pair of houses and to replace the demolished house with a detached house, would result in development which is inconsistent with the established character of semi-detached houses and bungalows in Victoria Road. The excessive scale and detached character of the proposed house would be visual obstructive at this location. The demolition of the existing house would result in the adjoining house No. 17 Victoria Road, being visually imbalanced, creating a discordant element in the streetscape. The proposed development, in itself and by the precedent it would set for similar development, would be seriously injurious to residential amenity and contrary to the proper planning and sustainable development of the area.

2.3. Planning Authority Reports

2.3.1. Planning Reports

2.3.2. Basis of Planning Authority's decision.

2.3.3. The Planning Officer considered that the proposed development by reason of its excessive scale and proximity to its boundaries would result in overbearing, overshadowing, and overlooking of the neighbouring property. Furthermore, it was considered that the demolition of the existing house would result in development that is inconsistent with the established character of semi-detached houses and bungalows on Victoria Road. The scale and character of the proposed house would be visual obstructive, in addition to the adjoining house No. 17 Victoria Road being visually and potentially physically imbalanced.

2.3.4. Other Technical Reports

Transportation Planning Division: No objection subject to conditions.

Engineering Department Drainage Division: No objection subject to conditions.

2.4. Prescribed Bodies

Irish Rail: None received.

Irish Water: None received.

2.5. Third Party Observations

A number of Third Party Observations from local residents were made in respect of the application:

- 1) Mr Eoin Cavanagh of No. 23 Kincora Avenue, Clontarf, Dublin 3;
- 2) Mrs Margaret O'Doherty of No. 7 Victoria Road, Clontarf, Dublin 3;
- 3) Mr Robert Scully of No. 20 Victoria Road, Clontarf, Dublin 3;
- 4) Councillor Donna Cooney of No. 4 Victoria Road, Clontarf, Dublin 3;
- 5) Dr. Judith Murphy of No. 19 Kincora Avenue, Dublin 3;
- 6) Mr Stephen Devine of No. 126A Vernon Avenue, Clontarf, Dublin 3;
- 7) Thomas Moore and Pauline Sheeran of No. 15 Victoria Road, Dublin 3;
- 8) Ms Orla Fleming of No. 23 Victoria Road, Clontarf, Dublin 3;

- 9) Ms Niamh Fitzpatrick of No. 37 Kincora Avenue, Clontarf, Dublin 3;
- 10) Mr James Hawe, of No. 35 Kincora Avenue, Clontarf, Dublin 3;
- 11) Kevin and Jennifer Hickey of No. 31 Kincora Avenue, Clontarf, Dublin 3;
- 12) Vincent Corcoran and Linda Loughran of No. 33 Kincora Avenue, Clontarf, Dublin 3; and
- 13) Ms Patricia Kerr of No. 21 Victoria Road, Clontarf, Dublin 3.

2.6. The key points from the Observations can be summarised as follows:

- The proposal damages the streetscape by moving to a detached property.
- The development is overbearing and will overlook properties on Victoria Road and Kincora Avenue, reducing privacy to these dwellings.
- Concerns raised in relation to the physical and structural damage the development could have on No. 17 Victoria Road.
- No light/shadow tracing analysis submitted with the application. It is considered that the proposal will deprive neighbouring residents of light and result in significant overshadowing.
- The resulting gable wall to No. 17 Victoria Road will look unusual.
- No. 17 Victoria Road should be conditioned to have a hipped roof.
- Detaching Nos. 17 & 19 Victoria Road would infringe, and have an adverse visual effect, on the existing architecture.
- The proposed house is taller than the current structure and will break the existing ridgeline. In addition, the building line will be broken as the front elevation of the house protrudes forward.
- Contradictions from the Appellant's agent, Hughes Planning & Development Consultants, when analysing the proposed development and a development at No. 15 Victoria Road (Reg. Ref. 2095/15) with respect to overbearing, overlooking, overshadowing, visual amenity, cultural heritage, and devaluation of property.
- The proposal will visually affect the existing architecture and is out of character with the area. It is unsympathetic and insensitive to developments that have

occurred to date. The proposed style, scale, nature and building profiles of the replacement dwelling are incompatible with the street.

- The 24 No. two storey and single storey semi-detached houses built in 1921 are the only remaining unaltered sample of houses built by the Sailors and Soldiers Land Trust. The proposal will destroy the entire layout and appearance of the road.
- The proposal is not in keeping with the area's land use zoning policy to protect and enhance the residential amenity. The proposal will result in a significant loss of privacy for neighbouring dwellings, which contributes to a sense of security.
- The development would set a precedent for very large scale out of keeping houses.
- Requests that the footprint and height be reduced to maintain character and appearance of the road.
- Demolition of No. 19 Victoria Road should not be permitted without a full structural survey. The demolition works will severely effect No. 17 Victoria Road.
- The Applicant is not the owner of the subject premises and the proposal will expose the current owner (Agnes Noctor, RIP) and tenants to liability risk.
- The proposed development will devalue neighbouring properties.
- There are inaccuracies in the documentation submitted with the application, including the 'Method Statement for Demolition, Dismantling of Existing Semi-detached Dwelling', 'Planning Report' and drawings.
- The development will endanger traffic and pedestrians.
- Examples of similar type development referenced by the Applicant are not relevant in this context.

3.0 Planning History

3.1.1. Subject Site

- 3.1.2. Section 96 Social Housing Exemption Certificate Reg. Ref. 0125/21:** A Social Housing Exemption Certificate was issued by Dublin City Council in respect of the proposal on 19th April 2021.

3.2. Neighbouring Sites

3.2.1. No. 5 Victoria Road, Clontarf, Dublin 3

Dublin City Council Reg. Ref. 4304/19: The development will consist of construction of a new single storey extension to the rear of the existing bungalow, alterations to existing elevations, new rooflights to existing roof (front, side and rear), widening of existing vehicular entrance to 3.5m and all associated site, internal, ancillary and landscaping works. Permission granted on 28th January 2020.

3.2.2. No. 15 Victoria Road, Clontarf, Dublin 3

An Bord Pleanála Reg. Ref: PL29N.244726 (DCC Reg. Ref. 2092/15): Permission sought for partial demolition of bungalow and construction of a two storey rear and side extension. Refused permission on 1st July 2015 for reasons relating to overbearing and overshadowing of neighbouring dwellings and reduced residential amenity due to height of proposed extension.

3.2.3. No. 7 Victoria Road, Clontarf, Dublin 3

Dublin City Council Reg. Ref. 3713/13: Construction of single storey rear extension to bungalow, conversion of attic space, extended roof over relocated front door and minor alterations to front elevation. Permission granted on 1st April 2014.

3.2.4. No. 2 Victoria Road, Clontarf, Dublin 3

Dublin City Council Reg. Ref. 1617/08: Partial demolition of single storey bungalow and construction of a new one/two storey extension to front, side and rear and single storey garage to the rear. Permission granted on 16th May 2008.

3.2.5. No. 23 Victoria Road, Clontarf, Dublin 3

Dublin City Council Reg. Ref. 3240/06: Demolition of the single storey bungalow and replacement with two storey semi-detached dormer bungalow. Permission granted on 29th August 2006.

4.0 Policy and Context

4.1. Dublin City Development Plan 2016-2022

- 4.1.1. The site is subject to land use zoning “Z1” (Sustainable Residential Neighbourhoods) which has the objective “to protect, provide and improve residential amenities”. Within Z1 zones ‘Residential’ is a permissible use.
- 4.1.2. Chapter 16 outlines the Development Management Standards and has regard to Design, Layout, Mix of Uses and Sustainable Design. Applicable to the proposed development are the following:
- Indicative plot ratio for Z1 zones is 0.5 to 2.0.
 - Indicative site coverage for the Z1 zone is 45-60%.

Table 16.2 the Cycle Parking Standards. Parking: Area 3 applies to the appeal site. Section 16.10 outlines the Standards for Residential Accommodation.

In addition, the following policies in the CDP are also of relevance to the proposal:

QH13: To ensure that all new housing is designed in a way that is adaptable and flexible to the changing needs of the homeowner as set out in the Residential Quality Standards and with regard to the Lifetime Homes Guidance contained in Section 5.2 of the Department of Environment, Heritage and Local Government ‘Quality Housing for Sustainable Communities – Best Practice Guidelines for Delivering Homes Sustaining Communities’ (2007).

QH21: 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.

QH22: 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.

QH23: To discourage the demolition of habitable housing unless streetscape, environmental and amenity considerations are satisfied, and a net increase in the number of dwelling units is provided in order to promote sustainable development by making efficient use of scarce urban land.

5.0 The Appeal

5.1. Grounds of Appeal

- 5.1.1. A First-Party Appeal has been lodged by Hughes Planning & Development Consultants on behalf of the Appellant, CDP Developments.

The appeal submission includes an alternative scheme for the consideration of the Board (see Dwg. No. 2020-49-P2-100.) In summary, the primary differences between the original scheme (Dwg. No. 2020-49-P100) and the alternative scheme can be summarised as follows:

1. The ridge height of the proposed dwelling has been reduced to match that of No. 17 Victoria Road,
2. The attic accommodation has been omitted and the roof profile has been amended,
3. The front façade has been setback to match the established building line on the Road, with the exception of the front porch and windows which project forward at Ground Floor Level.
4. Whilst the original scheme proposed five bedrooms, the alternative scheme proposes four bedrooms. I note however that there is reference to a fifth bedroom in the alternative proposal (see Proposed Section AA).

- 5.1.2. The grounds of appeal can be summarised as follows:

- The alternative proposal significantly reduces potential overlooking by removing the attic floor level and its associated dormer window, and recessing the window serving the master bedroom at First Floor Level by 625mm it back flush with the rear elevation.

- It is considered that no undue impact on neighbouring amenities can arise on the basis of overshadowing impacts due to the length of the adjoining rear gardens serving Nos. 17 & 21 Victoria Road (both of which extend c. 37m) relative to the depth and scale of the originally proposed replacement dwelling.
- A shadow analysis of the alternative scheme was commissioned to confirm that it will have no undue impact on the residential amenity of Nos. 17 & 19 Victoria Road in the context of overshadowing. The Report states:

“An analysis was carried out on the two adjacent properties, Nos. 17 and 21 Victoria Road, by calculating the area of sunlight that received a minimum of two hours of sunlight on March 21st. Overall, there is minor additional overshadowing caused by the proposed new development which would be considered in keeping with a development of this type.”

- It is argued that the original scheme cannot be representative of overdevelopment with a plot ratio and site coverage of 0.48 and 60%, respectively.
- The omission of the attic floor level and the associated reduction in the ridge line height of the dwelling collectively provide for a significant reduction in the height and associated scale of the replacement dwelling when viewed from the private amenity spaces to the rear of Nos. 17 & 21 Victoria Road. The revision of the roof form of the extended first floor element also reduces the visual impact.
- The alternative scheme has a plot ratio and site coverage of 0.04 and 25.9, respectively. It is contended that the alternative scheme provides a reduced scale of development that has an altogether limited impact on adjoining amenities.
- A degree of symmetry along Victoria Road with either side of the road presenting a pattern of a pair of semi-detached bungalows followed by a pair of semi-detached houses is recognised. However, it is considered that the detachment of one of these pairs will have an imperceptible impact on the wider streetscape given the limited separation provided between the replacement dwelling and the remaining No. 17 Victoria Road and the extent of architectural variance between neighbouring properties. It is argued that the key variance within the immediate streetscape is the detached property at No. 29 Victoria Road.

- The original scheme does not represent an unreasonable form of development at the subject location having regard to a number of precedent developments (ABP Reg. Refs. 302405 and 241904).
- It is considered that the cumulative effects from the revised proposal serve to create a more harmonious form of redevelopment which does not obtrude on the visual amenity of the streetscape. Furthermore, it is considered the alternative scheme presents no undue impact on the visual amenity of the streetscape and forms an appropriate precedent for similar development on large individual sites.

5.2. Planning Authority Response

None.

5.3. Observations

Six Observations in respect of the First Party Appeal were made to the Board from the following parties:

- 1) Thomas Moore and Pauline Sheeran of No. 15 Victoria Road, Dublin 3;
- 2) Ms Orla Fleming of No. 23 Victoria Road, Clontarf, Dublin 3;
- 3) Kevin and Jennifer Hickey of No. 31 Kincora Avenue, Clontarf, Dublin 3;
- 4) Cormac and Jackie Farrell of No. 17 Victoria Avenue, Clontarf, Dublin 3.
- 5) Ms Patricia Kerr of No. 21 Victoria Road, Clontarf, Dublin 3; and
- 6) Vincent Corcoran and Linda Loughran of No. 33 Kincora Avenue, Clontarf, Dublin 3.

A number of the key points made in the Observations were previously made in earlier submissions to the Planning Authority (see Section 2.6 above). Additional points raised in the Observations made in respect of the First Party Appeal can be summarised as follows:

- No regard has been had to the mature trees and hedgerow at No. 21 Victoria Road.
- The boundary line between the subject site and No. 21 Victoria Road has been altered in the alternative scheme.

- Footprint of the proposed development is almost three times that of the existing dwelling.
- Further contradictions from the Appellant's agent, Hughes Planning & Development Consultants, when analysing the proposed development in the context of their previous analysis of a development at No. 15 Victoria Road (Reg. Ref. 2095/15) with respect to overbearing, overlooking, overshadowing, visual amenity, cultural heritage, and devaluation of property.
- Inaccuracies on the drawings, including failure to provide principal dimensions for the alternative scheme. In addition, inaccuracies in the Planning Report which states that the subject property has no indoor toilet/shower facilities, however the drawings illustrate such existing facilities.
- A separate planning application should be submitted to the Planning Authority in respect of the alternative scheme.
- The site area is stated as being 0.056 hectares, however the Land Registry Folio No. 17433 states the site is 0.051 hectares.
- The overshadowing analysis submitted with the First Party Appeal demonstrates that the proposal would have a detrimental effect on the areas of neighbouring gardens that are used such as patio, dining, and social gathering areas. In addition, the overshadowing analysis is based on the 45 degree test and instead should be based on the 25 degree test. Furthermore, the analysis fails to take account of the roof overhang of the proposed development on No. 19.
- The proposal will be a massive intrusion on the skyline view from No. 21 Victoria Road (bungalow).
- Concerns raised in relation to the structural integrity of No. 17 Victoria Road from the owners of the property who have now retracted their original support for the development.
- Hipping the roof of No. 17 Victoria Road would result in a loss of space as the internal ceilings of the property extend into the attic space. The owners of No. 17 Victoria Road do not agree to have their roof hipped.
- The sides of the roof on the amended proposal are pitched whilst the top of the roof is flat. Other houses/bungalows on the road have hipped roofs.

- The amended proposal includes for 5 bedrooms (see Proposed Section AA).
- Whilst the alternative scheme proposes to recess the front elevation to match the building line, the windows and porch are projecting.
- The proposed alterations to the original scheme (as proposed in the alternative scheme) fail to address the reasons for refusal and make the building even more detrimental to the visual amenity, character, and streetscape of the road.
- The proposed development is not designed for someone with a physical disability notwithstanding that the Applicant argues that the dwelling will be used by someone with a disability.

5.4. Further Responses

None.

6.0 Assessment

6.1.1. My assessment considers the planning application as lodged with the Planning Authority de novo. The proposed development has been amended by way of the Applicant's First Party Appeal submission. In my opinion, the changes are material and would be more appropriately addressed by way of a revised planning application. Notwithstanding the foregoing, the issues that arose in the first instant are still pertinent and as such the alternative scheme has been considered as part of my assessment. In the event An Bord Pleanála considers granting permission for the alternative scheme, in my opinion, the application should be readvertised to the public.

I am satisfied that the main issues for consideration in this case include the following:

- 1) Principle of the Development,
- 2) Impacts on Residential Amenity, and
- 3) Appropriate Assessment.

Each of these issues is addressed in turn below.

6.2. Principle of Development

- 6.2.1. The subject site is zoned Z1 (Sustainable Residential Neighbourhoods) which has the objective “to protect, provide and improve residential amenities”. Within Z1 zones ‘Residential’ is a permissible use. As such, I consider the principle of the development to be acceptable in terms of land use zoning, subject to normal planning consideration.
- 6.2.2. The Planning Report submitted to the Local Authority states that the rationale for seeking permission to demolish the existing dwelling and construct a replacement dwelling is based on the energy performance and standard of accommodation of the existing dwelling and by association the cost of refurbishing the house to a higher energy rating. In this regard I note Policy QH23 in the Development Plan which discourages the demolition of habitable housing unless streetscape, environmental and amenity considerations are satisfied, and a net increase in the number of dwelling units is provided in order to promote sustainable development by making efficient use of scarce urban land. Whilst I did not view the existing dwelling’s interior during my site visit, the house does not appear to be in a dilapidated condition when viewed externally. As is evident in the attached photographs of the site, the existing dwelling is not an eyesore nor visual detracts from the area. Furthermore, I note that several dwellings on the western section of Victoria Road have been relatively recently refurbished and extended (Reg. Refs. 3713/13, 1617/08, 3240/06, 4304/19). I question the principle of demolishing and replacing the dwelling in terms of sustainability.

6.3. Impacts on Residential Amenity

- 6.3.1. The proposed development involves the replacement of a semi-detached dwelling with a detached dwelling. Having regard to the long-established symmetry and pattern of development on the street created by the series of two semi-detached two-storey houses and two semi-detached bungalows, I consider that the proposed development would be out of character with the rhythm and form of the area, and thereby would reduce the residential amenity of the area. In my opinion, notwithstanding that the proposed separation distance between No. 17 Victoria Road and the replacement dwelling is not significant, No. 17 Victoria Road would appear unbalanced and would lose its original character.

- 6.3.2. The replacement house proposed in both the original scheme and alternative scheme significantly differs in terms of scale and massing to the existing house. The original scheme has a ridge height of 8.705m from Ground Floor Level, while the alternative scheme has a ridge height of c. 7.4m. The alternative scheme matches the ridge height of the existing dwelling and No. 17 Victoria Road and is appropriate for the area. I consider the ridge height of the original scheme to be excessive and out of character with the area.
- 6.3.3. The First Floor Level has a maximum length of 14.5m in the original scheme and 13.6m in the alternative scheme and rises to c. 5.2m at eaves height along the eastern elevation. This is a large extension when viewed in the context of the neighbouring bungalow at No. 21 Victoria Road. The original scheme also proposes a dormer style roof to provide for habitable accommodation at Attic Level. I consider the scale and height of the original scheme to be excessive when viewed from No. 21 Victoria Road. I note that the front door to No. 21 Victoria Road faces directly onto the eastern elevation of the proposed dwelling and is separated by only c. 5m. I consider the height and scale of the original scheme would result in significant overbearing on No. 21 Victoria Road and would therefore result in reduced residential amenity.
- 6.3.4. Whilst the alternative scheme is somewhat reduced in scale with the omission of the habitable accommodation at Attic Level and amending the roof profile, the development is significant in the context of the neighbouring bungalow. I do not consider that the proposed stone capping detail to the rear of the dwelling at First Floor Level mitigates the scale of the development on the neighbouring dwellings in the alternative scheme.
- 6.3.5. In terms of overlooking both schemes propose a number of windows along the eastern elevation which will directly overlook No. 21 Victoria Road, notwithstanding that there is a mature hedgerow between the two properties. This would result in a loss of privacy for the neighbouring dwellings. Having regard to the length of the rear gardens, I do not consider overlooking to be an issue in the context of the residential dwellings located on Kincora Avenue in the alternative scheme. Furthermore, the roof profile proposed in the original scheme would reduce overlooking from the north facing windows on these properties, (notwithstanding the overbearing impacts this roof may have on No. 21 Victoria Road).

- 6.3.6. In terms of overlooking on No. 17 Victoria Road, I note that there are only Ground Floor Level windows proposed in both schemes. There are two north facing windows proposed at First Floor Level in Bedroom 2 in both proposed schemes. However, these windows are small and do not directly overlook the neighbouring property. As such, I do not consider that they would result in significant overlooking. Should the Board be minded to grant permission for either scheme, I recommend that the permission be conditioned to reduce the size of the north facing window in the master bedroom to mitigate any overlooking No. 17 Victoria Road.
- 6.3.7. With respect to overshadowing, the Appellant has commissioned a Daylight Analysis and Overshadowing study to be completed in respect of the alternative scheme. No such study has been submitted in respect of the original scheme. The greatest potential for increased overshadowing occurs in the late afternoon period when the sun is to the west of the subject site. Whilst the rear gardens of Nos. 17 and 21 are large, the analysis demonstrates that the proposal will result in significant overshadowing of the rear patio areas of Nos. 17 & 21 Victoria Road, particularly in March at 10:00 and 16:00 and in September at 16:00. The shadow casting analysis for the summer solstice suggest that there will be negligible difference in the early to late afternoon period, however there is a notable difference in overshadowing in the late evening to the rear of No. 21 Victoria Road. Overall, I consider that there will be a significant difference in overshadowing of the rear gardens of the neighbouring properties, which would reduce the residential amenity currently enjoyed by these properties. I refer the Board to the shadow casting analysis submitted with the First Party Appeal.
- 6.3.8. Both proposed schemes incorporate different architectural features to the existing dwelling and neighbouring dwellings on the northern side of the western section of Victoria Road including *inter alia*: fenestration design and sizing, capping on the front elevation, brick finish in comparison to render, large side chimney, front windows and porch projecting beyond the established building line, and provision of a large front door on the front elevation. I do not consider that either proposal is in keeping with the architectural context of the area and the designs conflicts with Policy QH22 of the Development Plan. Whilst I note the area is not an ACA nor immediately abuts Protected Structures, Victoria Road has an attractive architectural appearance and character. In my opinion neither of the proposed schemes' architectural designs are in

keeping or complement this character. As outlined in Section 3.2 above, permission has been granted to alter the 1920's dwellings. However, the alterations have respected the original character of the streetscape. I consider that the proposed development conflicts with Policy QH23 in this regard.

- 6.3.9. In conclusion, I consider that the overall scale and massing of the development in both schemes to be excessive and not in keeping with the character of the area. Replacing the semi-detached dwelling with a detached dwelling would conflict with the pattern of development on the road. In particular, I consider that the original scheme would be obtrusive in the streetscape. The development as proposed in both schemes would result in overbearing, overlooking and overshadowing impacts that would reduce the area's amenity. Furthermore, I do not consider that the architectural treatment of the proposals is in keeping with the character of the area. There are a number of examples of similar type housing in the area that have been refurbished and extended in line with modern day standards without diminishing the area's residential amenity.

6.4. Appropriate Assessment

Having regard to the nature and scale of the proposed development, the residential land use zoning of the site, and its location relative to Natura 2000 sites, no appropriate assessment issues arise, and it is not considered that the development would be likely to have a significant effect, either individually or in combination with other plans or projects, on a European site.

7.0 Recommendation

I recommend that planning permission be refused for the proposed development based on the reasons and considerations set out below.

8.0 Reasons and Considerations

The proposed development to demolish one side of a semi-detached pair of houses and to replace the demolished house with a detached house, would result in development which is inconsistent with the established character of semi-detached

houses and bungalows on Victoria Road. The excessive scale and massing would be out of character with the adjoining properties and result in significant overbearing and overlooking impacts on neighbouring properties, in particular on No. 21 Victoria Road. The replacement house would be visual obstructive on the streetscape and not in keeping with the area's established architectural character and would therefore conflict with Policy QH 22 and Policy QH 23 of the City Development Plan. The proposed development would fail to protect and improve residential amenities in accordance with the Z1 zoning objective. The development would, therefore, be contrary to the proper planning and sustainable development of the area.

Susan Clarke

Planning Inspector

27th August 2021