



An
Bord
Pleanála

Inspector's Report ABP-311538-21

Development

Construction of new part single part 2-storey home office/ art studio extension, with double height space to the side of an existing double garage and block up an existing garage door to form a high-level window and fit a rooflight, all for the sole and exclusive use of the residents of the existing house and all ancillary siteworks.

Location

Parkmore House, Auburn Drive,
Castleknock, Dublin 15

Planning Authority

Fingal County Council

Planning Authority Reg. Ref.

FW21B/0122

Applicant(s)

Ross & Sarah Nolan

Type of Application

Permission

Planning Authority Decision

Refuse permission

Type of Appeal

First Party

Appellant(s)

Ross & Sarah Nolan

Observer(s)

None

Date of Site Inspection

2nd December 2021

Inspector

Donal Donnelly

1.0 Site Location and Description

- 1.1. The appeal site is located on Auburn Drive to the north-east of Castleknock village, Dublin 15. Auburn Drive is a residential estate of mostly of 2-storey semi-detached dwellings located off Auburn Avenue, which in turn extends north to south from the N3 to Castleknock Road (R806).
- 1.2. The site is occupied by Parkmore House, a 2-storey detached dwelling with hipped roof and double height bay window to the front. The dwelling faces north within a corner site with stated area of 0.0968 hectare. There is a single storey double garage with hipped roof situated within the north-eastern corner of the site. The garage doors are on the western elevation of this structure. There is a cobbled car parking area to the front of the site and private open space to the eastern and southern sides of the dwelling.
- 1.3. The site is bounded to the north by the side boundary of No. 22 Auburn Drive and to the west by the side boundary of No. 20. The rear boundaries of No's. 3-7 Parkmore Peck's Lane are to the east and the rear boundaries of No's. 1-3 The Pines are to the south.

2.0 Proposed Development

- 2.1. Planning permission is sought for the following:
 - Construction of a new part single part 2-storey home office/ art studio extension with double height space to side of an existing garage;
 - Blocking up of existing garage door to form a high-level window;
 - Fitting of a rooflight;
 - Ancillary site works.
- 2.2. The existing garage has a floor area of 56.6 sq.m. and the proposed extension is 33.2 sq.m.

3.0 Planning Authority Decision

3.1. Decision

- 3.1.1. Fingal County Council issued notification of decision to refuse permission for the following reason:

“Taking particular account of the height and proposed design and finish of the proposed garage extension, the existing garage on site and the orientation of same on site, the proposal does not integrate with the existing garage and would be visually obtrusive on site, thereby seriously injuring the visual amenities of the area and the amenities of properties in the vicinity, depreciating the value of same. The proposal is contrary to the RS land use zoning objective of the Fingal Development Plan 2017-2023 which seeks to protect residential amenity, would create an undesirable precedent, and is therefore contrary to the proper planning and sustainable development of the area.”

3.2. Planning Authority Reports

- 3.2.1. The recommendation to refuse permission in the Planner’s Report reflects the decision of the Planning Authority. The main points raised under the assessment of the proposal are as follows:

- Proposed development and extension to the existing garage is acceptable in principle.
- Proposed extension as presented does not integrate with the existing garage both in terms of height and finish and would impact negatively on the existing site and development.
- Proposed garage extension would impact negatively on the visual amenity of the area and would be at variance with the zoning objective.
- Water Services note that the extension represents an increase in impermeable area and the applicant should include measures to reduce run-off and improve water quality in accordance with SuDS.

3.3. Third Party Observations

3.3.1. None

4.0 Planning History

4.1. No planning history.

5.0 Policy Context

5.1. Fingal County Development Plan, 2017-2023

- 5.1.1. The appeal site is zoned “RS” where the objective is *“provide for residential development and protect and improve residential amenity.”*
- 5.1.2. Objective PM46 seeks to *“encourage sensitively designed extensions to existing dwellings which do not negatively impact on the environment or on adjoining properties or area.”*
- 5.1.3. Objective ED108 aims to *“support the provision of home-based economic activity that is subordinate to the main residential use of a dwelling and that does not cause injury to the amenities of the area.”*
- 5.1.4. Development management standards for residential development are set out in Chapter 12 of the Development Plan.

6.0 The Appeal

6.1. Grounds of Appeal

6.1.1. A first party appeal against the Council’s decision was submitted on behalf of the applicant. The grounds of appeal and main points raised in this submission are summarised as follows:

- Proposed development is located at a substantial corner site of approximately 968 sq.m. enclosed on two sides and only accessible via a single driveway between No’s. 20 & 22 Auburn Drive. It is hardly visible from the main road.

- Proposal has been sensitively designed to avoid any overlooking or visual impact on any adjoining neighbours. Extension of the existing rear slope of the double garage roof using matching roof tiles masks the increase in height and impact on any of the houses backing onto it from Parkmore Peck's Lane.
- Proposal has been designed to be a cohesive and sympathetic addition whilst complementing the matrix of existing architecture and is similar in design with regards to roof and overall form of various houses and domestic extensions in the locality.
- Proposal has modern design and modest scale with high quality materials that will contrast with and complement the existing house.
- Juxtaposition of modern buildings or extensions against existing structures is well established – proposal has been intentionally designed with a simple form in order to maintain its integrity within its own setting and that of the existing house.
- Layout allows for retention of hedge and planted strip which will be enhanced with additional planting. Remaining private amenity space is well in excess of regulatory requirements.
- Proposed home office/ art studio is for the exclusive use of residents of the existing house who need a comfortable quiet space where they can work remotely.

6.2. Planning Authority Response

- 6.2.1. The Planning Authority stated in response to the first party appeal that the proposal was assessed having regard to Development Plan zoning objectives, as well as residential amenity, design and layout.
- 6.2.2. The Planning Authority remains of the view that the proposal does not integrate, would negatively impact on the visual amenity of the area and is contrary to the RS zoning objective. The Board is therefore requested to uphold the decision of the Planning Authority.
- 6.2.3. Should the Board decide to grant permission for the proposed development, the Planning Authority recommends that provision should be made for applying a

financial contribution in accordance with the Council's Section 48 Development Contribution Scheme.

7.0 **Assessment**

7.1. I consider that the key issues in determining this appeal are as follows:

- Development principle;
- Impact on visual amenities;
- Impact on residential amenities;
- Appropriate Assessment; and
- EIA Screening.

7.2. **Development Principle**

7.2.1. The appeal site is zoned "RS" where the objective is to "*provide for residential development and protect and improve residential amenity.*" The extension and conversion of the garage to ancillary residential accommodation would be acceptable in principle subject to an assessment of the impact of the proposal on visual and residential amenity and compliance with other relevant Development Plan policies and objectives.

7.3. **Impact on visual amenity**

- 7.3.1. It is stated under Fingal County Council's reason for refusal that the proposed garage extension does not integrate with the existing garage and would be visually obtrusive on site, thereby seriously injuring the visual amenities of the area and the amenities of properties in the vicinity. Reference is made to the height, design and finish of the proposed development and the orientation of the existing garage on site. It is considered that the proposal would create an undesirable precedent and is therefore contrary to the proper planning and sustainable development of the area.
- 7.3.2. The first party appellant submits that the proposed development is located at a substantial corner site and is hardly visible from the main road. It is considered that the proposal is a cohesive and sympathetic addition that complements the existing

architecture and is similar in design with regards to roof and overall form of various houses and domestic extensions in the locality. It is also submitted that the proposal for a modern extension against the existing structure has been intentionally designed with a simple form in order to maintain its integrity within its own setting and that of the existing house.

- 7.3.3. There are no specific standards set out within the Development Plan for the conversion and extension of garage structures for ancillary residential accommodation. The Planning Authority has assessed the proposal as a domestic extension, and I agree that this is of most relevant approach to take. In terms of visual impact, factors set out in the Development Plan to be considered are the external finishes and design, and it is advised that these shall generally match the existing. Notwithstanding this, it is also a Development Plan Objective (DMS42) to *“encourage more innovative design approaches for domestic extensions.”*
- 7.3.4. I would have no objection *per se* to a contemporary addition forming part of residential ancillary accommodation. The proposed garage extension consists of a 5.55m high flat roof structure to the front with vertical windows and timber cladded walls. When viewed from the street, the structure will contrast with the garage in terms of design, finishes and height.
- 7.3.5. It would be normal practice for an extension to remain subservient to the main dwelling. The proposal does not seek to extend the main dwelling itself; however, I consider that its visual impact should be assessed vis-à-vis the detached garage structure. In this regard, I agree with the Planning Authority that the design of the proposed extension does not integrate well with the existing garage and will give rise to an incongruous structure that is at odds with the regular hipped roof design and rectangular floor plan of the garage. The proposal is unnecessarily high and over-dominant, sitting forward of the front building line of the existing garage. The extended garage would face towards the street at a right angle to the main dwelling and this would increase the prominence of the new extension as a separate structure from the main dwelling.
- 7.3.6. I also note that the height of the structure is for internal effect only, with no additional floorspace being provided at first floor level. Furthermore, the applicant has provided no reason for the proposed height of the structure as part of the proposed art studio/

home office. It would be possible to construct an extension to the garage to provide for adequate work from home space, and of similar floor area, that integrates better with the existing garage and dwelling on site without the superfluous height.

- 7.3.7. Having regard to the above, I agree with the Planning Authority that the proposed garage extension is unacceptable and at variance with the visual amenities of the area. I do not consider that the corner location of the site is justification for a structure that is incongruous by reason of height and design.

7.4. Impact on residential amenity

- 7.4.1. Factors to be considered in assessing the impact of domestic extensions on residential amenity, as set out in the Development Plan, include the potential for overshadowing, overbearing and overlooking; proximity, height and length along mutual boundaries; and remaining private open space and its usability.
- 7.4.2. I would be in agreement with the first party appellant that the proposal has been designed to avoid any overlooking of neighbouring properties. I would also be of the opinion that the proposed extension with sloping roof to the rear will not give rise to any significant overshadowing or overbearing impacts when viewed from properties to the rear. In this regard, the highest point of the extension at 5.55m will be set back from the boundary by a distance of approximately 6m. I also note the area of the appeal site and the residual private amenity space, which is well in excess of the minimum standards.
- 7.4.3. The proposal development will not therefore result in any substantial diminution of residential amenity for occupants or adjoining residents that would warrant refusal of permission.

7.5. Appropriate Assessment

- 7.5.1. Having regard to the nature and scale of the development proposed and to the nature of the receiving environment, namely an urban and fully serviced location, no appropriate assessment issues arise.

7.6. EIA Screening

- 7.6.1. Having regard to the nature and scale of the proposed development, it is considered that there is no real likelihood of significant effects on the environment arising from the proposal. The need for environmental impact assessment can be excluded at preliminary examination and a screening determination is not therefore required.

8.0 Recommendation

- 8.1. It is considered that the proposed development should be refused for the reasons and considerations set out hereunder.

9.0 Reasons and Considerations

Having regard to the zoning objective for the site and the pattern of development in the area, it is considered that the proposed garage extension, by reason of its design, height and orientation, would result in an incongruous feature that would be at variance with the surrounding street context. Furthermore, the proposed extension is overly dominant and integrates poorly with the existing garage structure and dwelling on site. The proposed development would, therefore, seriously injure the visual amenities of the streetscape and would be contrary to the proper planning and sustainable development of the area.

Donal Donnelly
Senior Planning Inspector

6th December 2021