



An
Bord
Pleanála

Inspector's Report ABP 312201-21.

Development	Subdivision of site of existing house, demolition of garage and chimney, construction of two storey plus attic house to southwest gable, additional vehicular entrance and roof light on rear roof slope.
Location	No 54 Quinn's Road, Shankill, Dublin 18.
Planning Authority	Dun Laoghaire Rathdown County Council.
P. A. Reg. Ref.	D21A/0863
Applicant	Peter Farrell
Type of Application	Permission
Decision	Refuse Permission
Type of Appeal	First Party X Refusal
Appellant	Peter Farrell
Date of Site Inspection	17 th March, 2022
Inspector	Jane Dennehy

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1.0 Site Location and Description

- 1.1. The application site has a stated area of 0.386 hectares and is that of a two-storey house with a garage to the side, a front garden used for off street parking and vehicular access, and rear garden. It is located in a mature residential area on the southeast side of Quinn's Road in Shankill midway between St Anne/s Park to the southwest and Shanganagh Grove to the northeast. The adjoining property to the side at No 52 is a two-storey house with garage at the side adjoining the boundary with the application site property which has been converted to habitable accommodation.

2.0 Proposed Development

- 2.1. The application lodged with the planning authority indicates proposals for:
- Subdivision of the site of the existing two storey house which has a stated floor area of 121 square metres.
 - demolition of the existing garage and WC which has a stated floor area of eighteen square metres, a rear chimney and partial demolition of the front boundary wall.
 - construction of a two-storey dwelling with a stated floor area of ninety-four square metres attached the southwest gable of the existing dwelling along with a new vehicular entrance and front curtilage parking for one car space.
 - The proposed dwelling which has a stated floor area of ninety-four square metres is to infill space between the gable end of the existing dwelling and the party boundary with the adjoining property at No 54 Quinn's Road and would have a width of four metres. It would have a depth of twelve metres whereas that of the existing house is eight metres and as a result the proposed house would have a projection forward of the front building line by two metres and a projection two metres beyond the rear building line.
 - The floor plans indicate kitchen and living room accommodation at ground level, two bedrooms and a shared bathroom at first floor level and a store/home office at attic level. A flat roof element for the attic level behind

the ridge is 230 m above the ridge height of the existing dwelling according to the plans. A Velux rooflight is shown in the rear roof slope.

- Front curtilage parking for one car and a vehicular entrance are shown along with a rear garden with a stated area of fifty-two square metres on the lodged plans. It is stated that surface water drainage is to be via soakpits to the rear garden or by connection to the public network.

3.0 Planning Authority Decision

3.1. Decision

- 3.1.1. By order dated, 23rd November, 2021, the planning authority decided to refuse permission based on the following reason:

“The application site is located in an area to which the ‘A’ land use zoning objective applies - ‘To protect and/or improve residential amenity’, in the Dún Laoghaire Rathdown County Development Plan 2016-2022. Having regard to the restricted and narrow configuration of the proposed site, the proposed dwelling house by reason of its height, layout, and length, would overshadow, and would be unduly visually overbearing and obtrusive when viewed from the adjacent site to the southwest, and would result in overdevelopment of the site. The proposed development would not, therefore, comply with Section 8.2.3.4 Additional Accommodation in Existing Built-up Areas of the Dún Laoghaire Rathdown County Development Plan 2016-2022 (v) Corner/Side Garden Sites. In addition, the proposed development, in combination also with the narrow plan length/ layout, including limited internal space, would not comply with the provisions of the Quality Housing for Sustainable Communities - Best Practice Guidelines for Quality Housing for Sustainable Communities Delivering Homes Sustaining Communities (DEHLG), 2007. Furthermore, the proposal would help set a poor precedent for similar type development in the area. The proposed development would, therefore, seriously injure the amenities and depreciate the value of property in the vicinity and would be contrary to the proper planning and sustainable development of the area.”

3.2. Planning Authority Reports.

- 3.2.1. The report of the Transportation Department indicates no objection subject to five conditions relating to the arrangements and design for the proposed entrance
- 3.2.2. The report of the Drainage Division indicates no objection subject to conditions including requirements for consistency, with BRE Digest 365 standards and SUDS measures for the surface water disposal to soakpits.
- 3.2.3. The report of Irish Water indicates no objection subject to conditions.
- 3.2.4. The report of the Planning Officer indicates no objection in principle to infill development but that the proposed dwelling's habitable space is deficient in configuration at ground level, having regard to width 3.6 metres width, and at first floor level having regard to bedroom sizes and stated occupancy. Reference is made to having regard to the stated occupancies and storage provision as being inconsistent with standards in *Quality Housing for Sustainable Communities – Guidelines for Quality Housing for Sustainable Communities -Delivering Homes DOEHLG 2007*. It is also stated that the attic level space is eight and not fifteen square metres in area (exclusive of storage and plant areas space. The garden size is also assessed at 46.5 square metres, the application drawings indicating an area of fifty-two square metres and being of poor quality in configuration. The planning officer has confirmed that he has no objection to the flat roof section over the attic level accommodation. The design and the 5.6 metres depth of the projection beyond the rear building line of the adjoining converted garage according to the planning officer is negative in impact on the amenities of that property.

4.0 Planning History

There is no record of planning history for the application site.

5.0 Policy Context

6.0 The operative development plan is the Dun Laoghaire Rathdown County Development Plan, 2016-22 according to which the site location comes within an area subject to the zoning objective A; *to protect and/or improve residential amenity.*

7.0 The Appeal

7.1. Grounds of Appeal

7.1.1. An appeal was lodged by the applicant on his own behalf on 14th December, 2021 in which it is requested that the planning authority decision be overturned, and that permission be granted.

7.1.2. According to the appeal:

- Further to the subdivision the existing house would have a site size of 0.023 square metres and the proposed house would have a site size of 0.015 square metres.
- The proposed development would not create poor precedent. There are numerous precedent developments along Quinn's Road and at St Anne's Park some with prominent dormer at attic level: (P. A. Reg. Refs D04B/0162, D05A/1172, D17A/0845, D09A/848, D18A/0338, D04A/0313, D7A/1213 and D07B/0069 refer. (A dormer was omitted from the current application on the recommendation of the planning authority at pre planning stage.)
- The development is consistent with the policy RES4 which encourages densification of existing suburbs by infill housing to retain population levels, but which should respect or complement the established dwelling type in terms of materials, roof profile etc. The eaves and roof pitch are consistent with the existing house, and there is no evidence, other than with the Velux rooflight, of habitable accommodation in the attic. The front projecting element is consistent with No 50 Quinn's Road.

- The floor areas for the proposed two-bedroom 'three person' house and existing house at 94 square metres and 103 square metres respectively are generous and consistent with standards in Chapter 8 of the CDP.
- An incorrect reference to a void section of existing wall in the living room (at additional information stage) is a party wall. New walls are to be built outside the party wall boundary. An aggregate area of twenty-eight square metres can be achieved by adding 150 mm to the depth of the house and the bedrooms are sufficient in size.
- Overshadowing would be minimal. There are no issues as to overbearing impact or visual obtrusiveness.
- There are no objections to the proposal in the technical reports or from third parties.

7.2. Planning Authority Response

The planning authority in a letter dated 7th January, 2022 indicates confirmation of its assessment and decision to refuse permission.

8.0 Assessment

- 8.1. Having reviewed the documentation submitted with the application and the appeal and the planning authority's assessment, the issues central to the determination of a decision which are considered below are that of impact on residential amenities and the amenities of the area, and impact on attainable residential quality for the future occupants.
- 8.2. Impact on amenities of the adjoining properties surrounding area:
 - 8.2.1. The proposed development is to infill the flat roofed garage space at the side of the dwelling which is setback behind the front building line and a depth of 4.8 metres and a WC and utility area linked to the house. There is no objection in principle to their removal, the alteration and associated works to the existing house to facilitate new development at the side.

- 8.2.2. The proposed dwelling, by necessity, owing to the constraints arising from the subdivision of the site has a very narrow width and very deep footprint relative to the existing and surrounding residential development in that it has a projections of 1.5 metres forward of the front building line and two metres beyond the rear building line of the house at full height and onto the boundry with the adjoining property. The projection to the front at full height with the gable end reaching a height of eight metres rising to 8.2 metres for the flat section over the attic level accommodation.
- 8.2.3. The blank gable wall which is to be built up to the side boundary and extends almost six metres beyond the rear building line of the adjacent converted garage and three metres beyond the rear building line of the adjacent dwelling notwithstanding the fall to four metres at the rear eaves and on the boundary which falls to an eaves height of four metres at the rear resulting. It is agreed with the planning officer that this extensive blank gable end owing to the height and depth at the boundary would seriously injure the residential amenities of the adjoining property by owing overbearing impact, visual obtrusiveness and sense of enclosure from both within the rear garden and from within the rear facing internal accommodation. It is also agreed with the planning officer that this impact would also devalue the adjoining property. In addition, it is also considered that the proposed development would devalue and negatively impact on the residential amenities of the existing dwelling by reason of the substandard subdivision and excessive infill at the side, and poor configuration for the rear private open space and front curtilages.
- 8.2.4. The site does not have the capacity to accept the two-storey element as designed on the footprint proposed and as such proposal constitutes overdevelopment for which there is no scope for mitigation by way of minor amendment. It is concluded that the proposed development constitutes substandard overdevelopment which would be seriously injurious to the residential amenities and would devalue the adjoining property and the existing dwelling.

8.3. Impact on attainable residential quality for the future occupants.

- 8.3.1. While it is shown that the rear garden the sole private open space for the proposed dwelling would have an area of forty-eight square metres and is noted to benefit from good sunlight access due to the orientation. The minimum size provided for in the CDP is achieved by incorporation of some of the rear private open space that comes

directly behind. The resultant configuration is poor and indicative of substandard overdevelopment in view of the adverse impact on the amenity potential for both the proposed dwelling and the existing dwelling.

8.3.2. Notwithstanding some confusion with regard to the construction of a gable end wall vis a vis the wall of the garage in the adjoining property issues and internal measurements arising at application stage and the appeal, as discussed above the sizes for the rooms are marginal in relation to required minimum standards, but poor in configuration owing the narrow plot and footprint width and there is dependency on the attic level for storage provision.

8.3.3. In view of the limitations and deficiencies in quality for the internal accommodation and the private open space provision, it is considered that the proposed development would result in substandard attainable residential amenity for the future occupants.

8.4. Environmental Impact Assessment Screening

8.4.1. Having regard to the nature of the proposed development and its location in a serviced inner suburban area in the city, removed from any sensitive locations or features, there is no real likelihood of significant effects on the environment. The need for environmental impact assessment can, therefore, be excluded at preliminary examination and a screening determination is not required.

8.5. Appropriate Assessment Screening.

8.5.1. Having regard to the location and to the nature of the proposed development in a serviced inner suburban area in the city, no Appropriate Assessment issues arise. The proposed development would not be likely to have a significant effect individually or in combination with other plans or projects on a European site.

9.0 Recommendation

In view of the foregoing, it is recommended that the planning authority decision to refuse permission be upheld based on the reasons and considerations which follow.

10.0 Reasons and Considerations

It is considered that the proposed development would constitute substandard overdevelopment on a narrow site by reason of:

- Excessive massing height and depth and depth particularly having regard to the blank gable at the boundary facing the adjoining property resulting in overbearing impact and visual obtrusiveness adversely affecting the residential amenities of the rear garden and internal rear facing accommodation,
- The configuration and limited size for the private open space provision for the existing and proposed dwellings and, the layout, configuration and limited sizes for the internal accommodation with the proposed dwelling.

The proposed development would, therefore, seriously injure the residential amenities of future occupants, the residential amenities of the adjoining properties and would depreciate the value the adjoining property. The proposed development would be contrary to the proper planning and sustainable development of the area.”

Jane Dennehy
Senior Planning Inspector
19th March, 2022.