



An
Bord
Pleanála

Inspector's Report

ABP-314338-22

Development

Permission for development. The development will consist of the demolition of the existing single storey extension to the side of the existing 2-storey house; the construction of a new 2-storey extension to the side of existing house together with the construction of 2 no. dormer windows to the attic. Permission is also sought for the construction of a new 2-storey, 2-bedroom detached house in the side garden of existing dwelling to be called '1A Airfield Drive', with an attic conversion as a playroom & store with 2 no. dormer windows, new rooflights to front of both houses, partial removal of existing wall to front, to provide access to parking spaces for both houses together with all associated site works.

Location

No. 1 Airfield Drive, Churchtown, Dublin, D14 TX07.

Planning Authority

Dun Laoghaire Rathdown County Council.

Planning Authority Reg. Ref.	D22A/0363.
Applicant(s)	Jun Luan.
Type of Application	Planning Permission.
Planning Authority Decision	Refuse.
Type of Appeal	First Party.
Appellant(s)	Jun Luan.
Observer(s)	None.
Date of Site Inspection	18 th day of November, 2022.
Inspector	Patricia-Marie Young.

Contents

1.0 Site Location and Description	4
2.0 Proposed Development	4
3.0 Planning Authority Decision	5
3.1. Decision	5
3.2. Planning Authority Reports	5
3.3. Prescribed Bodies	6
3.4. Third Party Observations	6
4.0 Planning History.....	6
5.0 Policy & Context	7
5.2. Regional.....	8
5.3. Local	8
5.4. Natural Heritage Designations	9
5.5. EIA Screening	9
6.0 The Appeal	9
6.1. Grounds of Appeal	9
6.2. Planning Authority Response	10
6.3. Observations	10
7.0 Assessment.....	10
8.0 Recommendation.....	22
9.0 Reasons and Considerations.....	22

1.0 Site Location and Description

1.1. No. 1 Airfield Drive, the appeal site has a stated 0.032ha area. The site comprises of a 2-storey semi-detached dwelling that is served by a modest cul-de-sac lane which opens onto the R112 (Churchtown Road) c40m to the north and at a point of the R112 where it is joined by Churchtown Road Upper and Braemor Road to the immediate west of the cul-de-sac's entrance onto the southern side of the R112. It was observed during the inspection that the subject property has been extended to the side and its front garden space was in use for off-street car parking. The immediate area has a mixed-use character. Photographs of the site and its environs taken during the course of the site inspection are attached.

2.0 Proposed Development

2.1. Planning permission is sought for a development consisting of the following:

- Demolition of the existing single storey extension to the side of the existing 2-storey house.
- Construction of a new 2-storey extension to the side of existing house to extend kitchen on ground floor, study and new attic stairs on first floor as well as the conversion of the existing attic to a playroom, store, bathroom & bedroom, with the construction of 2no. dormer windows to the attic.
- Construction of a new 2-storey, 2-bedroom detached house in the side garden of existing dwelling to be called '1A Airfield Drive', with an attic conversion as a playroom & store and with 2 no. dormer windows.
- Provision of roof lights to front of the existing and proposed dwelling on site.
- Partial removal of existing wall to front to provide access to parking spaces for both the existing and proposed dwelling.
- All associated site works and services.

2.2. According to the accompanying planning application form the subdivision would result in the overall site area being subdivided into a site of 0.194ha (Note: No. 1 Airfield Drive (existing dwelling)) and 0.0126ha (Note: No. 1A Airfield Drive (proposed dwelling)). In addition, it indicates that the floor area to be retained in No. 1 under the

proposed development is 97.91m²; that the gross floor area of proposed gross floor space to No. 1 would be 73.05m²; that the area for demolition is 47.82m²; and that the gross floor space of No. 1A would be 109.03m². It further indicates that there is an existing connection to public mains water and foul drainage with surface water drainage also to be provided by a soak pit.

3.0 Planning Authority Decision

3.1. Decision

3.1.1. On the 15th day of July, 2022, the Planning Authority decided to **refuse** permission for the development sought under this application for the following single stated reason:

“Having regard to the overall size, design, layout, relationship with existing dwellings and immediately adjacent properties, impact on the amenities of neighbouring residents and adequate usable private open space for existing and proposed dwellings, it is considered that the proposed development would seriously injure the residential amenities of existing neighbours; fail to meet the open space requirements for the proposed and existing dwelling; and would help set an undesirable precedent for similar type harmful development in the area. The proposed development is therefore considered contrary to Sections 12.3.7.5 Corner/Side Garden Sites of the Dún Laoghaire-Rathdown County Development Plan 2022-2028, and consequently 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. It includes the following comments:

- General principle of development deemed acceptable.
- New build dwellings are required to have a BER rating of A2.
- The overall internal floorspaces are deemed to be acceptable.
- The existing and proposed dwelling is not served by adequate private open space.

- This development represents overdevelopment of the site.
- This development would give rise to disamenity for residents of properties in the vicinity, including by way of overlooking from the dormer windows.
- The proposed development would be unduly dominant and overbearing in its setting.
- The off-street car parking is not acceptable.
- No AA or EIA issues arise.
- Concludes with a recommendation to refuse.

3.2.2. Other Technical Reports

Drainage: No objection, subject to safeguards.

Transportation: No objection, subject to safeguards.

3.3. Prescribed Bodies

3.3.1. **Irish Water:** No objection, subject to safeguards.

3.4. Third Party Observations

3.4.1. During the course of the Planning Authority's determination of this application 3 No. Third Party observations were received. These raised a number of concerns ranging from procedural; errors in the information provided; inadequate information provided; residential amenity; visual amenity; access; drainage; through to civil matters. Copies of these observations are attached to file.

4.0 Planning History

4.1. Site

P.A. Ref. No. D18B/0036: Permission was **granted** subject to conditions for a development consisting of the construction of new pitched roof structure on the gable side of the main roof, the build-up of the gable wall and the construction of dormer windows to front and rear with the attic space will consist of a bedroom and bathroom together with all associated works. (Decision date: 21st day of March, 2018).

4.2. **Setting**

4.2.1. No recent and/or relevant Board or Planning Authority decisions.

5.0 **Policy & Context**

5.1. **National**

- **Project Ireland 2040 - National Planning Framework (NPF).**

One of the national core principles to guide the delivery of future housing, at every level of governance, is to tailor the scale and nature of future housing provision to the size and type of settlement.

- **Housing for All - A New Housing Plan for Ireland, 2021:** This plan aims to improve Ireland's housing system and deliver more homes of all types for people with different housing needs (with Ireland needing an average of 33,000 No. homes to be constructed per annum until 2030 to meet the targets set out for additional households outlined in the NPF). The Plan itself is underpinned by four pathways:

1. Pathway to supporting homeownership and increasing affordability.
2. Pathway to eradicating homelessness, increasing social housing delivery, and supporting inclusion.
3. Pathway to increasing new housing supply.
4. Pathway to addressing vacancy and efficient use of existing stock.

- **Climate Action Plan, 2021.**

- **National Development Plan, 2021 to 2030.**

5.1.1. **Ministerial Guidance:** The following Section 28 Ministerial Guidelines and other national policy documents are relevant:

- Quality Housing for Sustainable Communities – Best Practice Guidelines, 2007.
- Sustainable Residential Development in Urban Areas – Guidelines for Planning Authorities, 2009.
- Urban Design Manual: A Best Practice Guide, 2009.
- BRE Guide 'Site layout Planning for Sunlight and Daylight', 2011.

- Design Manual for Urban Roads and Streets, 2019 .

5.2. Regional

5.2.1. Eastern & Midland Regional Assembly Regional Spatial & Economic Strategy (RSES), 2019 to 2031.

This is a strategic plan which identifies regional assets, opportunities and pressures as well as sets out appropriate policy responses in the form of Regional Policy Objectives (RPO's). It provides a framework at a strategic level for investment to better manage spatial planning and economic development to sustainably grow the Region to 2031 and beyond.

5.3. Local

5.3.1. Since the Planning Authority issued its decision in respect of the subject proposed development, they have adopted a new development plan for their administrative area. The applicable plan for the determination of this application is therefore the Dun Laoghaire Rathdown County Development Plan, 2022-2028. Under this plan the appeal site is located in an area zoned as 'A' with the stated land use zoning objective: *"to protect and/or improve residential amenity"*.

5.3.2. Chapter 2 sets out the Development Plans Core Strategy.

5.3.3. Chapter 12.3 of the Development Plan deals with the matter of Neighbourhood, People, Homes, and Place.

5.3.4. Section 12.3.7.7 of the Development Plan deals with the matter of Infill development which it sets out shall accord with Policy Objective PHP19. It 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 including features such as boundary walls, pillars, gates/ gateways, trees, landscaping, and fencing or railings"*. It also sets out that reference be had to Section 12.3.7.5 corner/side garden sites for development parameters, Policy Objectives HER20 and HER21 in Chapter 11.

5.3.5. Section 12.3.7 of the Development Plan relates to additional accommodation in existing built-up areas with Section 12.3.7.1 dealing specifically with extensions.

5.3.6. Section 12.4.8 of the Development Plan relates to vehicle entrances and hardstanding.

5.3.7. Section 12.4.8.1 of the Development Plan sets out general specifications for residential developments.

5.3.8. Section 12.4.8.2 of the Development Plan deals with matters relating to visual and physical impacts of development, including boundaries.

5.4. Natural Heritage Designations

5.4.1. The site is not located within a designated Natura 2000 site. The nearest Natura 2000 site is situated c4.2km to the north east, i.e., the Special Protection Area of South Dublin Bay and River Tolka Estuary (Site Code: 004024), at its nearest point.

5.5. EIA Screening

5.5.1. This proposal is for demolition of existing habitable floor area of an existing dwelling, extensions to it and the provision of detached dwelling house to the side of the existing dwelling on part of the foot of an existing two-storey side extension. Such residential developments are not a class of development for the purpose of EIA.

6.0 The Appeal

6.1. Grounds of Appeal

6.1.1. The main grounds of this First Party appeal can be summarised as follows:

- The additional floor area for the existing dwelling is for a working from home area together with spare space for the applicants' children together with providing improved storage.
- The overall development seeks to provide a greater range of rooms for the existing and also in the proposed dwelling.
- This development is sought to remove substandard accommodation as well as allow for possible downsizing by the applicants in the future.
- This proposal is consistent with all relevant planning provisions.
- The site is a suitable location for residential development given the existing mixture of synergistic land uses.

- The site is within walking distance of services and public transport.
- The BER rating of A2 can easily be achieved for the new build proposed.
- It is not acceptable that there is inadequate private amenity space provided for the host dwelling or the proposed dwelling.
- Open space amenity is more than a garden and the site are located in close proximity to a neighbourhood centre, coffee shop, restaurants etc. This therefore makes up for the lack of open space amenity for the proposed development.
- It is not accepted that this development would give rise to overdevelopment or a development that is unduly dominant in its setting.
- No undue overlooking would arise.
- The site is located in an area where in all likelihood there is no need for a car.
- This proposal would provide a high standard of residential accommodation without adversely impacting on properties in its vicinity.
- This proposal would contribute to the supply of additional residential accommodation in Dublin in the context of a housing shortage.
- The site is effectively a neighbourhood centre and not residential.
- The Board is sought to overturn the decision of the Planning Authority.

6.2. **Planning Authority Response**

6.2.1. No further comments to make.

6.3. **Observations**

6.3.1. None.

7.0 **Assessment**

7.1. **Overview**

7.1.1. I consider that the key issues in this appeal case are those raised in the grounds of appeal. Notwithstanding, '*Appropriate Assessment*' also needs to be addressed. I am

satisfied that no other substantive issues arise and that my assessment below can be dealt with under the following headings:

- Principle of the Proposed Development
- Compliance with Development Plan

7.2. Principle of the Proposed Development

- 7.2.1. Under the provisions of the Dun Laoghaire Rathdown County Development Plan, 2022 to 2028.
- 7.2.2. By way of this application permission is sought for demolition of part of the existing floor area of No. 1 Airfield Drive, the subject site, the construction of extensions including at attic level to this dwelling together with the subdivision of the site in order to accommodate a two storey with attic level detached dwelling to the side of the aforementioned host dwelling with the area to the front of its building line and the edge of the roadside public domain to accommodate car parking for it and the proposed dwelling.
- 7.2.3. No. 1 Airfield Drive, the subject site, is contained within an area zoned land use Objective 'A'. The objective for such land as provided for in the Development Plan is to protect and/or improve residential amenity and where residential development is permitted in principle subject to compliance, with the relevant local to national planning provisions, in particular given the nature of the development sought the policies, standards and requirements of the aforementioned Development Plan. Under this Development Plan improvements to existing residential developments through to the provision of infill development by way of subdivision of residential sites are deemed to be permissible types of development, subject to safeguards.
- 7.2.4. As set out under Section 5 of this report in general the relevant planning provisions support the efficient utilisation of serviced zoned land and compact development in suburban locations like this under local, regional, and national planning provisions as well as guidance.
- 7.2.5. In addition, the demolition sought under this application does not relate to a structure and/or a setting of architectural or other merit that is afforded specific protection under the said Development Plan.

- 7.2.6. Moreover, it contributes little to the visual amenity of its setting and views of it are localised within its immediate setting.
- 7.2.7. I also note that the site is located at a location that in planning terms has a transitional zonal character due to the land to the west and north west of it zoned Objective 'NC'. The objective for such land is to protect, provide for and/or improve mixed-use neighbourhood centre facilities.
- 7.2.8. In this regard, Section 13.1.2 of the Development in relation to transitional zonal areas is relevant. It states that: "*whilst the objectives and development management standards indicate the different uses and densities, etc. permitted in each zone, it is important to avoid abrupt transitions in scale and use in the boundary areas of adjoining land use zones. In dealing with development proposals in these contiguous transitional zonal areas, it is necessary to avoid developments which would be detrimental to the amenities of the more environmentally sensitive zone. For instance, in zones abutting 'residential areas' or abutting residential development within mixed-use zones, particular attention must be paid to the use, scale and density of development proposals in order to protect the amenities of these residential properties*".
- 7.2.9. Given the residential nature of the development and the protection afforded to residential areas in transitional zonal areas I am satisfied that the principle of the development sought under this application is acceptable subject to safeguards.

7.3. Compliance with Development Plan

- 7.3.1. Part of the Planning Authority's single reason for refusal of the development sought under this application considered that having regard to the overall size, design, layout, relationship with existing dwellings and immediately adjacent properties that the proposed development would seriously injure the residential amenities of existing neighbours.
- 7.3.2. In addition, it was considered that the proposed development would fail to meet the open space requirements for the proposed and existing dwelling.
- 7.3.3. It was therefore considered that the proposed development would be contrary to Section 12.3.7.5 of the Development Plan which I note deals with 'Corner' and 'Side Garden Sites'.

7.3.4. I further note that this particular section of the Development Plan is to be considered alongside Section 12.3.7.7 of the Development Plan which deals with the matter of 'Infill' development.

7.3.5. Section 12.3.7.5 of the Development Plan sets out a number of parameters for development which the Planning Authority will have regard to in considering applications for such developments. They are as follows:

- *Size, design, layout, relationship with existing dwelling and immediate adjacent properties.*
- *Impact on the amenities of neighbour residents.*
- *Development Plan standards for existing and proposed dwellings.*
- *Building lines followed, where appropriate.*
- *Car Parking for existing and proposed dwellings provided on site.*
- *Side/gable and rear access/maintenance space.*
- *Adequate usable private open space for existing and proposed dwellings provided.*
- *Level of visual harmony, including external finishes and colours.*
- *Larger corner sites may allow more variation in design, but more compact detached proposal should more closely relate to adjacent dwellings. This parameter indicates that a modern design approach may be more appropriate in certain areas.*
- *Side gable walls as side boundaries facing corners in estate roads are not considered acceptable.*
- *Appropriate boundary treatments should be provided both around the site and between the existing and proposed dwellings. This parameter sets out that existing boundary treatments should be retained/reinstated where possible.*
- *Use of first floor/apex windows on gables close to boundaries overlooking footpaths, roads and open spaces for visual amenity and passive surveillance.*

7.3.6. In relation to the Planning Officer's report and having regard to the above parameters concerns were raised that the private amenity space that would result from the proposed development which comprises of demolition and extensions to the host

dwelling of No. 1 Airfield drive and the proposed detached dwelling did not accord with the Development Plan standards.

- 7.3.7. This was based on the Planning Authority's consideration that the resulting internal arrangement of rooms was such that the proposed dwelling should be considered as a 3 bedroom and the existing dwelling as a four bedroom as a minimum.
- 7.3.8. With this being the case the proposed dwelling would not meet the required 60m² and the existing dwelling would not meet the 75m² required under Section 12.8.3.3 and Table 12.10 of the Development Plan private open space minimum requirements for all houses (terraced, semi-detached and detached).
- 7.3.9. The said section of the Development Plan requires that minimum private open space provision shall be provided and that these areas shall be of good useable quality behind the front building.
- 7.3.10. Given the internal configuration of rooms and spaces within the host dwelling as extended in floor area and the proposed dwelling, particular at attic level, and given the lack of qualitative and quantitative useable private amenity space behind the front building I concur with the concerns raised by the Planning Authority that the private amenity space for the host dwelling and proposed dwelling would not provide a satisfactory residential private open space provision for future occupiers as is required under the Development Plan.
- 7.3.11. I further consider that the quality of the private amenity space that would arise for the host dwelling is also compromised by the lack of adequate design consideration for private amenity space; the orientation of the private amenity space which is of a substandard size; the juxtaposition of the space that is provided relative to features and structures that would result in it being of diminished quality. This is based on the probable level of overshadowing that it would experience throughout most of the year. Through to the provision of third floor levels that would give rise to this space being one that is significantly overlooked.
- 7.3.12. In addition, I consider that the dormer extensions at attic level and their extensive level of clear glazing for both the host dwelling and the proposed dwelling, alongside the proposed dwelling having an overall three storey rear elevation with clear glazing at first floor level, would also give rise to significant additional overlooking above the existing context of the adjoining semi-detached pair No. 2 Airfield Road.

- 7.3.13. Moreover, arguably the addition of what is effectively a third floor level with extensive rear glazing to the host dwelling and the provision of a detached dwelling to the side of the host dwelling. With large areas of clear glazing at first and attic level that would also give rise to diminished amenity value for the more limited balcony space amenities of the apartment building to the immediate east of the site. With the existing boundary and landscaping buffering in between not sufficient to minimise and screen out the visual overlooking that would arise if the proposed development were to be permitted.
- 7.3.14. Moreover, the development as proposed does include frosted glazing along the northern elevation for the three windows at ground floor level of the amended host dwelling. These windows are also indicated to be top opening windows and it is not specified that these windows opening would be restricted inwards so that they would not encroach the passageway that runs immediately alongside them serving the proposed dwelling. With this passageway having a given modest width of 0.8m.
- 7.3.15. I also note that there is no indication given in the submitted drawings in relation to how feasible the subdivision as proposed under this application is given that there is no mention given as to how the northern gable of the host dwelling as modified would be maintained. Through to what limitations would be placed on any legal subdivision to ensure no obstruction of the three ground floor windows does not occur in future.
- 7.3.16. I am not satisfied that the arrangement of the subdivision, the presence of ground floor windows opening onto a passageway of modest width forming part of what would effectively be a boundary wall through to on a side note that no rear access is provided to the host dwelling are qualitative design outcomes of the proposed development. Nor consistent with the general parameters of Section 12.3.7.5 of the Development Plan.
- 7.3.17. The appellants in the grounds of appeal consider that the presence of coffee shops and the like should be considered as amenity space for future occupants of either dwelling. Notwithstanding, the presence of coffee shops and the like in the area they do not justify the lack of private amenity space below the standards set out in the Development Plan for all dwellings and the amenity that they offer are very different in nature.

- 7.3.18. In relation to other concerns raised by the Planning Officer in their report it is noted that no provisions have been shown for any bin storage.
- 7.3.19. This concern adds to the potential of the already inadequate in area private amenity space that would be provided to serve the proposed dwelling in a situation whilst there is potential for it to be located to the rear of the dwelling, due to access being proposed in the design for the rear garden area. Notwithstanding, the provision of standard bin storage which is generally taken to comprise of a black bin, a green bin and a brown bin would further reduce the already inadequate private amenity space serving occupants of the proposed dwelling.
- 7.3.20. Further the host dwelling has no access to the rear private amenity space and as such their bin storage would be forward of the front building line. The depth and width is not satisfactory to accommodate the two car parking space thereon in a manner that meets the requirements of the Development Plan (Note: Section 12.4.5 and Table 12.5) without oversailing the public domain of the limited in width adjoining cul-de-sac lane. Through to it is of insufficient depth and width that would safely allow cars to park and leave this space in forward gear.
- 7.3.21. Therefore, the provision of bin storage forward of the building line of the host dwelling would further comprise these issues.
- 7.3.22. Alongside would further add to the issue that the subdivision for the host dwelling would result in this space not being compliant with Section 12.4.8.3 of the Development Plan. This requires that a minimum of one third of front garden areas should be maintained in grass or landscaped in the interest of urban greening and SuDS.
- 7.3.23. These particular issues are also present for the proposed dwelling which fails to provide the required car parking spaces to meet the needs of future occupants as per the Development Plan standards. Similarly to the subdivision proposed for the host dwelling its depth and width are not sufficient to provide car parking dimensions for one or more car parking spaces without oversailing of the public domain and the need to use the public domain of the cul-de-sac lane for vehicle manoeuvring for cars accessing as well as egressing from the site.

- 7.3.24. Alongside this there is no provision made for meeting the requirements of Section 12.4.8.3 of the Development Plan in the interests of urban greening and providing satisfactory SuDS measures.
- 7.3.25. In both cases this adds to the cumulative pressures that would be placed on public infrastructure to absorb the drainage needs of the development. This lack of provision also echoes the lack of climate resilience demonstrated in the overall design resolution put forward under this application including the lack of any carbon footprint reducing/passive design measures.
- 7.3.26. I note that Section 12.3.7.5 in relation to the provision of relaxation of private open space and car parking spaces allows for some discretion in the case of elderly persons accommodation of more than one unit.
- 7.3.27. In this case the proposal is for one dwelling unit and the design is not one that could be considered to be qualitatively designed for elderly residents. With this reflected in the fact that the doors serving the rooms, including the WC at ground floor level not being of a width that is accessible for those that would have mobility impairments. Through to the ground floor level containing no washing bathroom facilities or bedroom that would also cater for mobility impairments that often arise as persons age.
- 7.3.28. I do not accept that the proposed dwelling is one that could be considered as being designed for any qualitative standard of elderly persons accommodation. As such I consider the discretion for relaxation in private open space as well as car parking standards for both the existing as modified dwelling and proposed dwelling sought should not be applied in this instance.
- 7.3.29. Of further concern, given the level of development proposed, the site context, the site's orientation through to juxtaposition to properties sensitive to change, is that this application is not accompanied by any shadow analysis that demonstrates that no adverse impact would arise. I am therefore not satisfied on the basis of the information provided together with the design as proposed that the proposed development, if permitted, would not give rise to undue overshadow that would in turn diminish the residential amenities of properties in its vicinity. In particular when cumulative regard is had to the design of the proposed extension to the host dwelling that includes substantial dormer attic extensions in combination with the height, three storey nature

of the proposed detached dwelling through to the proximity of this new dwelling unit to the private amenity space of residential properties.

7.3.30. In addition, when regard is had to the proximity of the proposed detached dwelling to residential properties to the north and also to the private amenity space of adjoining residential properties to the immediate north of the site.

7.3.31. Of further concern the proposed alterations to the host dwelling and the proposed dwelling would essentially read in their site setting as three storeys. This is out of context with the subject host dwellings semi-detached pair and also with the two storey and single storey nature that predominates not only residential properties in its streetscape scene but also properties that are commercial in nature.

7.3.32. In relation to alterations to roof structures at attic level give rise to further concerns.

7.3.33. In this regard, I note that Section 12.3.7 of the Development Plan sets out that the hip-end roof of a semi-detached house to a gable/ 'A' frame end or 'half-hip' for example will be assessed against a number of criteria including:

- *Careful consideration and special regard to the character and size of the structure, its position on the streetscape and proximity to adjacent structures.*
- *Existing roof variations on the streetscape.*
- *Distance/contrast/visibility of proposed roof end.*
- *Harmony with the rest of the structure, adjacent structures, and prominence.*

7.3.34. It also sets out that: "*dormer extensions to roofs, i.e., to the front, side, and rear, will be considered with regard to impacts on existing character and form, and the privacy of adjacent properties. The design, dimensions, and bulk of any roof proposal relative to the overall size of the dwelling and gardens will be the overriding considerations. Dormer extensions shall be set back from the eaves, gables and/or party boundaries. Dormer extensions should be set down from the existing ridge level so as to not read as a third storey extension at roof level to the rear*".

7.3.35. In relation to the subject semi-detached pair, it does not form part of a group and No. 2, its adjoining pair has been subject to extensions mainly in the form of a side two storey extension that projects above the eaves height of the main dwelling but maintains the hipped roof structure over, which like the host dwelling has a modest

ridge over and as a property is clearly legible as once forming part of coherent and uniform 2-storey semi-detached pair.

- 7.3.36. This application seeks to extend the ridge over the entirety of the attic level to where it would terminate slightly beyond the gable shaped northern elevation with a height of 8.445m, i.e., 9.6m (Note: original ridge over No. 1 measures c2.15m in length with the overall ridge of No. 1 and No. 2 Airfield measuring c4.3m). The dormer structure has a measured width of c5.8m to the front and rear with a height of c2.1m. Its height sits slightly below the ridge of the original and extended gable shaped roof. A rooflight is also proposed in the slope of the new front roof over the host dwellings side extension.
- 7.3.37. In the context of this semi-detached pair which stands alone at the end of a modest in length cul-de-sac lane and is visible from the public domain of the heavily trafficked R112 and its intersection with Churchtown Road Upper, as a distinct two storey in built insertion in its urban setting, the third floor level and the gable shaped roof would not only be out of character with its once uniform semi-detached pair it would also be visually overbearing and highly dominant in its context as part of a semi-detached pair characterised by a modest hipped shaped roof over. This roof structure over the semi-detached pair would therefore be substantially altered by the proposed amendments to the host dwelling.
- 7.3.38. Further, there is a lack of subservience between the front and rear dormer roof extension with the host dwelling.
- 7.3.39. With this lack of subservience to the built form and its visual attributes, in my view, added to by the three-storey detached dwelling which has a minimum separation between its southern elevation and the modified northern elevation of the host dwelling. Particularly at roof level which measures between the rain water goods at a lateral separation distance of c200mm and above that c400mm. The lack of visual subservience, dominance and visual incongruity of the new built insertions in my view is added to by the large front and rear dormer roof extensions at third floor level of the proposed dwelling; the lack of balance between this structures front elevation width of just over 3m when compared to the front elevation widths of No.s 1 and 2 Airfield Drive which are c9m as modified through to the blank elevation treatment of the northern elevation.

- 7.3.40. The visual incongruity is further added to by the streetscape scene it would form part of. A streetscape scene whose public domain is characterised by single and two-storey built forms. Alongside a suburban location where the pattern of development where dwelling units on their individual plots are characterised by more generous amenity private as well as semi-private amenity space around them than one characterise the host semi-detached pair and other detached as well as semi-detached dwellings in this suburban location.
- 7.3.41. Given that that Section 12.3.7 of the Development Plan in relation to additional accommodation requires that such development do not give rise to adverse residential and/or visual amenity impacts. In addition, to when regard is had to Section 12.3.7.7 of the Development Plan requires new infill development to respect and retain the physical character of existing residential units as well as the area. Together with the site forming part of a residential land use zoning that seeks to achieve a balance between improving and protecting residential amenities it is my considered opinion that the proposed development would be contrary to this zoning objective on the basis of the serious residential as well visual amenity impacts that would arise.
- 7.3.42. With such impacts as discussed above being contrary to the provisions, standards and guidance set out in the Development Plan for the type of development sought.
- 7.3.43. Against such a context I consider it reasonable that the Planning Authority in their stated single reason for refusal included that, if permitted, the proposed development would set an undesirable precedent for similar harmful development in the area.
- 7.3.44. In conclusion I concur with the reason given by the Planning Authority for the refusal of permission for the development sought under this application.

7.4. Appropriate Assessment

- 7.4.1. Having regard to the nature and scale of the proposed development, the distance to the nearest European site, the site's location within an established serviced suburban area with capacity in the public water supply and foul drainage, subject to standard safeguards, 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.

7.5. Other Matters Arising

7.5.1. **No. 1A Airfield Drive:** I can find no planning history that substantiates the appellants content that there is an authorised separate dwelling unit at this appeal site. Nor am I satisfied that the applicant in this case has supported by way of any of their documentation this contention. I am therefore not of the view that this contention made in their grounds of appeal should justify the provision of a substandard detached dwelling house to the side of No. 1 Airfield Drive that would result in poor qualitative and quantitative amenities for future occupants of the host dwelling and the proposed dwelling. Should it be the case that there is an independently separate unit functioning in the existing single storey side extension this is a separate enforcement matter for the Planning Authority to deal with as they see fit.

7.5.2. **Traffic Impact:** I am not satisfied that the documentation provided with this application and having inspected the site that the cul-de-sac lane can safely absorb the additional traffic movements the proposed development would generate.

In relation to this consideration, I raise concerns that the additional traffic movements and manoeuvres this development would generate on the adjoining cul-de-sac lane. A lane that is substandard in its overall design, in particular width and containing a tall solid boundary wall which is located on the northern boundary of the site which effectively obscures views of vehicles that would egress from the site.

In addition, the proposed development would give rise to additional traffic hazard and/or road safety issue for No. 1 and 2 Airfield Drive as well as the traffic generated by the two-storey terrace group of what appears to be mostly commercial properties which are served by a car parking area that adjoins the western northern most boundary of the site.

I also observed during my inspection of the site that there also appears to be an issue with *ad hoc* car parking on the public domain of the western side of this lane directly opposite the aforementioned terrace group and in proximity of the lane's junction with the R112.

Moreover, the lane serving the site has an irregular alignment, it has a restricted width along most of its length which results in it not being suitable to safely accommodate two way traffic on its carriage and there are limited views for vehicles entering onto the lane from the R112 in a westerly direction.

Despite the low volume of traffic that the additional dwelling unit would give rise to, I consider that the substandard lane serving the proposed development, alongside the lack of adequate car parking to accommodate the host and proposed dwelling units, does not have the spare capacity to safely absorb the proposed development without giving rise to additional road safety and traffic hazards for existing road users of the lane as well as in proximity of the lane's junction with the R112 and the adjoining car parking area to the north.

- 7.5.3. **Development Contributions:** Under the adopted Dun-Laoghaire Rathdown County Council scheme under Section 48 of the Planning and Development Act 2000 (as amended) the proposed development is not exempt from the payment of a Section 48 Development Contribution.

8.0 Recommendation

- 8.1. I recommend that the decision of the Planning Authority to **refuse** permission for the development sought under this application is upheld as set out in the reasons and consideration below.

9.0 Reasons and Considerations

Having regard to the overall size, design, layout, relationship with existing dwellings and immediately adjacent properties, impact on the amenities of neighbouring residents and adequate usable private open space for existing and proposed dwellings, it is considered that the proposed development would seriously injure the residential amenities of existing neighbours; fail to meet the open space requirements for the proposed and existing dwelling; and would help set an undesirable precedent for similar type harmful development in the area. The proposed development is therefore considered contrary to Sections 12.3.7.5 Corner/Side Garden Sites of the Dún Laoghaire-Rathdown County Development Plan 2022-2028, and consequently the proper planning and sustainable development of the area.

Patricia-Marie Young
Planning Inspector – 1st day of February, 2023.