

## 5.0 Grounds of Appeal

### 5.2 Grounds of Appeal: Refusal Reason 2

*"As the rear building line of the proposed two storey dwelling will be offset by only c.2m from the boundary with the immediate neighbour to the west (No.46 Whitehall Road) this will have a significant adverse overbearing impact on the residential and visual amenity for this property and for its private open space. Having regard to this **overbearing impact** and unacceptable quality of private open space, the proposed development constitutes **overdevelopment of a constrained site** and would detract from the residential amenity of neighbouring properties, and would therefore contravene Council policy in relation to residential development as set out in Sections 11.3.1 Residential (iv) Dwelling Standards and Section 11.3.2 Residential Consolidation of South Dublin County Development Plan 2016 - 2022. As a result, the proposed development would seriously injure the amenities of property in the vicinity and would contravene the proper planning and sustainable development for the area."*

Section 5.1 has demonstrated that the Private Amenity Area is above the minimum space requirements. Moreover, the total amenity area is of 160m<sup>2</sup>. The site is therefore not constrained and is not limited in its capacity to deliver a high quality residential house.

The South Dublin County Council Development Plan lacks clarity on the definition of what is overbearing. We shall therefore clarify the design of the proposal to demonstrate that the development constitutes a strategic infill development.

The impact on the surrounding amenity is reduced by the methodology set out in the Architects Design Statement, summarised as follows:

- The proposed house is aligned to the existing streetscape of Whitehall Gardens, both at the front and rear.
- The proposed height is aligned with the existing streetscape.
- The proposed house becomes an extension of the existing streetscape.
- Materials of the proposed house match the existing streetscape.
- Zero over-looking impact.
- Zero over-shadowing impact.

## 5.0 Grounds of Appeal

### 5.2 Grounds of Appeal: Refusal Reason 2

#### Proposed Design Amendments (for consideration)

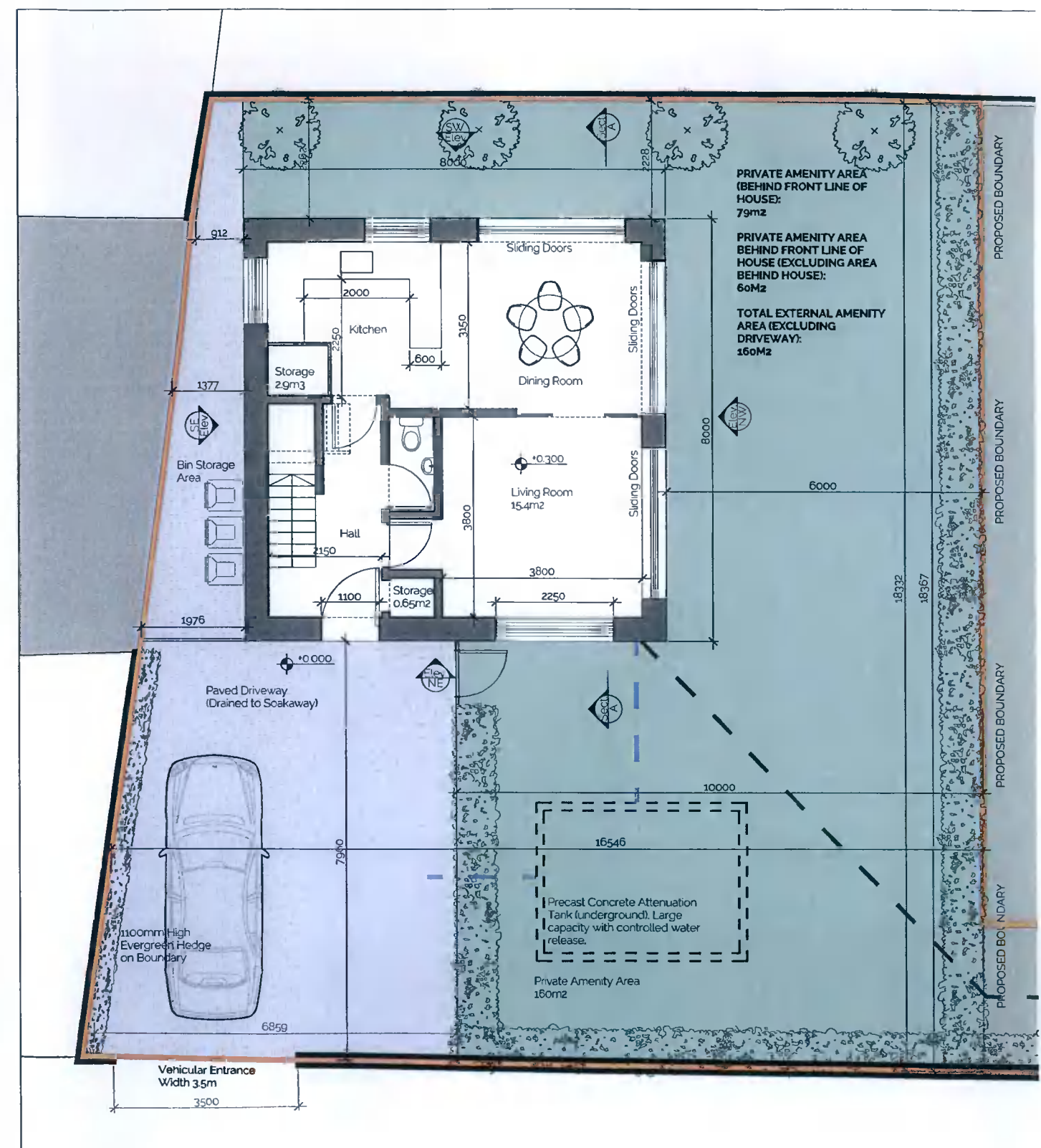
The proximity to the boundary of 46 Whitehall Road has been raised by SDCC as a potential to have an overbearing impact on 46 Whitehall Road.

Considering the size of the rear garden of 46 Whitehall Road we consider there to be no significant impact on their house or garden.

However, the following design amendments have been proposed for consideration, should they be necessary:

- Landscaped boundary condition to screen the proposed house. 4no. Betula Pendula trees - equally spaced to allow sufficient daylight to the proposed development.

- Hip roof introduced to the gable end to reduce the perceived height of the house from 46 Whitehall Road.



Revised plan with proposed design amendments

5.0  
Grounds of Appeal

5.2 Grounds of Appeal: Refusal Reason 2

Proposed Design Amendments (for consideration)

- Hip roof introduced to the gable end to reduce the perceived height of the house from 46 Whitehall Road.

- Landscaped boundary condition to screen the proposed house. 4no. Betula Pendula trees - equally spaced to allow sufficient daylight to the proposed development.



Aerial view showing proposed design amendments

- 42 42 Whitehall Road
- 46 46 Whitehall Road
- H Proposed House



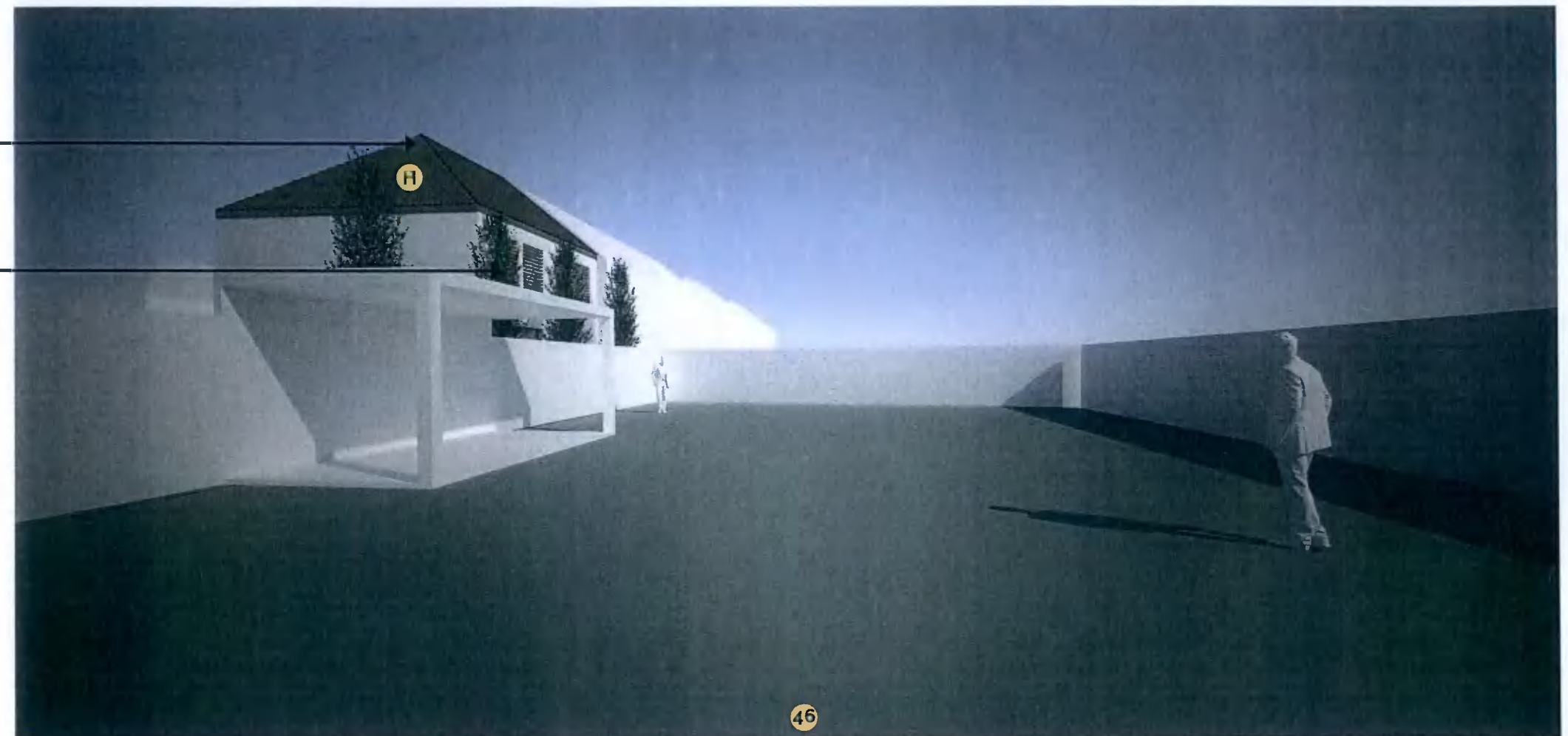
## 5.0 Grounds of Appeal

### 5.2 Grounds of Appeal: Refusal Reason 2

#### Proposed Design Amendments (for consideration)

- Hip roof introduced to the gable end to reduce the perceived height of the house from 46 Whitehall Road.

- Landscaped boundary condition to screen the proposed house. 4no. Betula Pendula trees - equally spaced to allow sufficient daylight to the proposed development.



View from 46 Whitehall Road - Garden View.

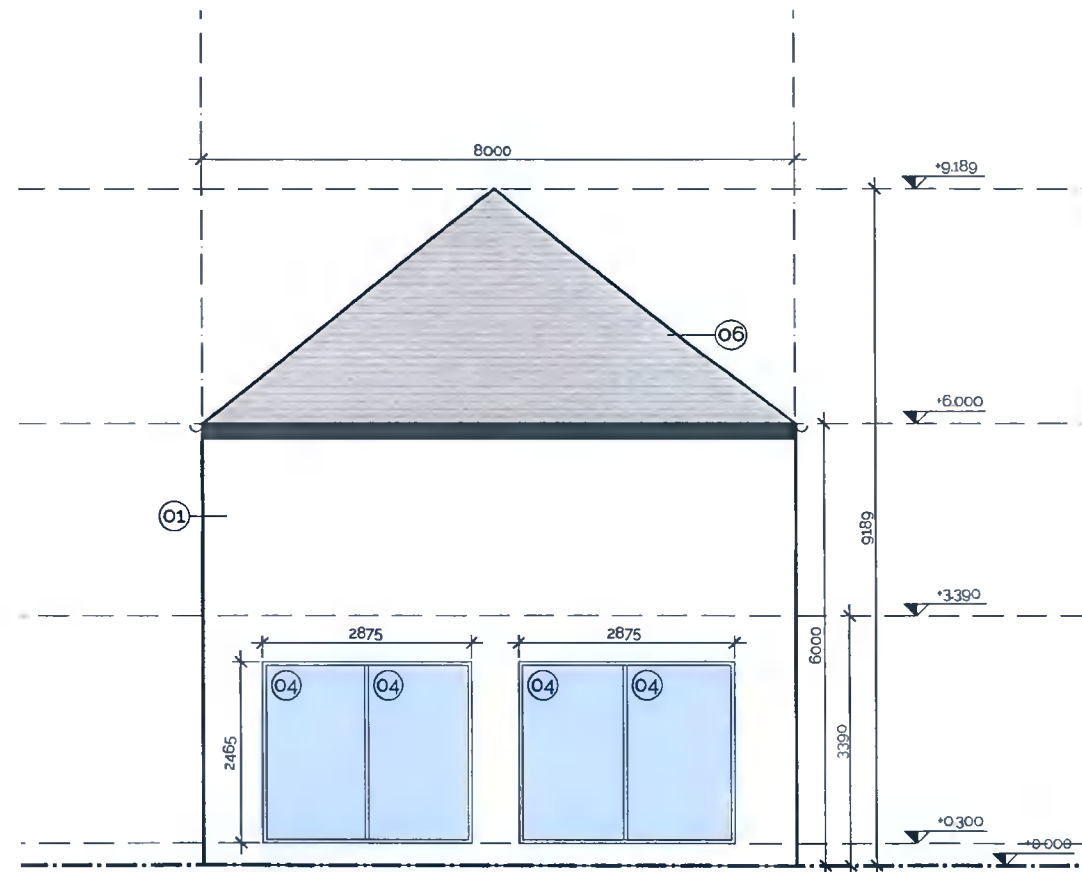
**46** 46 Whitehall Road Garden

**H** Proposed House

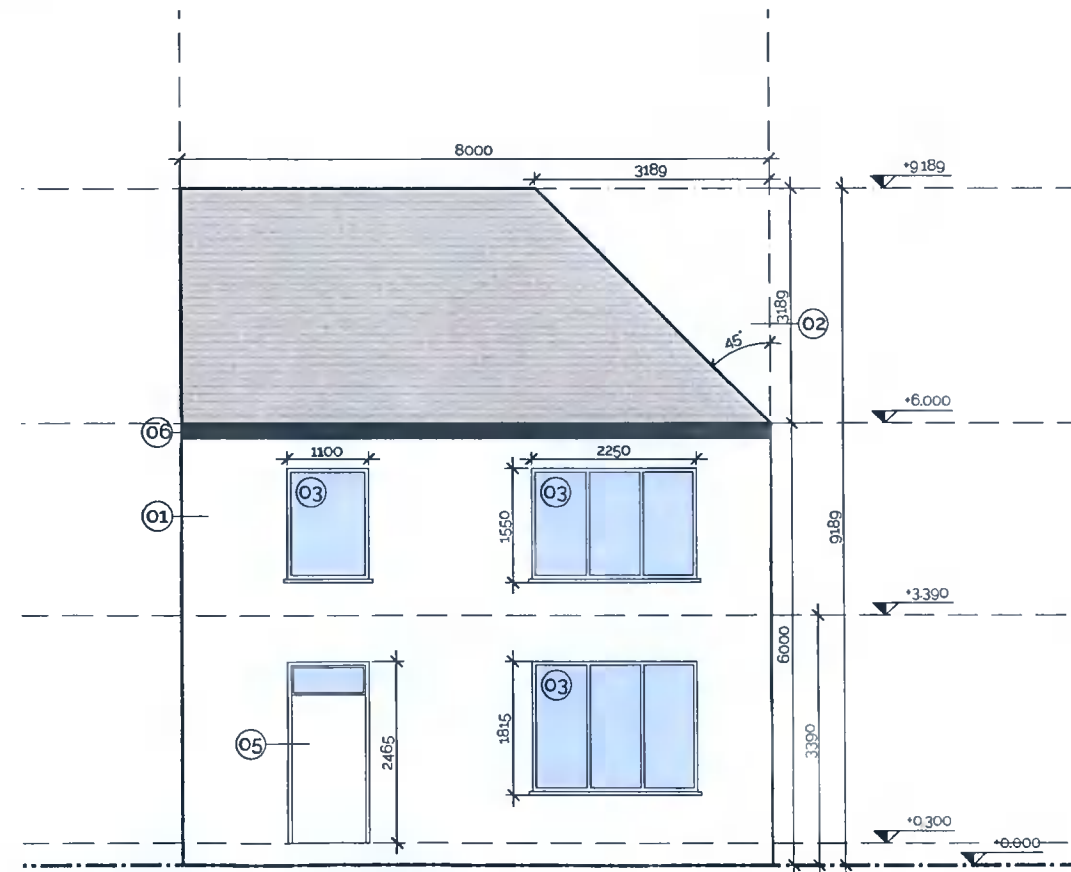
5.0  
Grounds of Appeal

5.2 Grounds of Appeal: Refusal Reason 2

Proposed Design Amendments (for consideration)



North West Elevation - Proposed (1:100)



North East Elevation - Proposed (1:100)

Revised Elevations: Showing Hip Roof to Gable End.

Proposed Materials

- 01 White Render
- 02 Roof Tiles (to match existing adjacent houses)
- 03 Windows: AluClad Timber (white)
- 04 Sliding Doors: Aluclad Timber (white)
- 05 Front Door: Timber/Glass Top Panel
- 06 Fascia/Soffit Board (Black)
- 07 Louvres: Timber (permanent fixture)
- 08 Driveway: Permeable, Stone
- 09 Boundary: Existing (1100mm Block Wall and 1800mm Hedge)
- 10 Boundary: Proposed (1100mm Block Wall and 1800mm Hedge)
- 11 Hedge: Proposed
- 12 Grass