



An
Bord
Pleanála

Inspector's Report ABP-307951-20

Development

Alterations to elevations including new opes, and construction of a new extension to ground floor and part of first floor to an existing dwelling house together with all associated site works.

Location

Slieveroe, Riverstick, Co. Cork.

Planning Authority

Cork County Council

Planning Authority Reg. Ref.

19/7091

Applicant(s)

Aaron & Susan McDonnell

Type of Application

Permission

Planning Authority Decision

Refusal

Type of Appeal

First Party -v- Decision

Appellant(s)

Aaron & Susan McDonnell

Observer(s)

None

Date of Site Inspection

29th October 2020

Inspector

Hugh D. Morrison

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1.0 Site Location and Description

- 1.1. The site is located at a junction in the local road network, 6.4km to the south-west of the town centre of Carrigaline and 3.1km to the east of the village of Riverstick. This site lies beside the southern entrance to Heathburn Hall, which is included in the National Inventory of Architectural Heritage (NIAH) under reg. no. 20909816 and which is described as “a handsome classical inspired country house, with an interesting Gothic Revival wing”. Related structures are listed as including a farmyard complex, gate lodges, and a folly. Farmland and woodland surround the Hall and its related structures.
- 1.2. The site itself is roughly rectangular in shape and it extends over an area of 0.125 hectares. This site accommodates one of two dwelling houses, which would have originally been gate lodges to Heathburn Hall. This dwelling house is of two-storey form under a double pitched roof with hipped gable ends. Its distinctive features include a continuous veranda around its front and side elevations, and centrally sited oriel windows in these elevations. A two-storey rear extension has been constructed over the majority of the original rear elevation. The dwelling house and this extension share a decorative fascia detail.
- 1.3. Pedestrian and vehicular gates are sited within the front boundary to the site and garden areas surround the dwelling house. The more extensive rear garden has a septic tank and percolation area installed within it.

2.0 Proposed Development

- 2.1. The proposal would entail the following elements:
 - The reorganisation of space within the existing extended dwelling house: The existing kitchen and bathroom in the extension would be omitted in favour of the relocation of the staircase from the living room.
 - The two-storey rear extension would itself be extended over the remainder of the rear elevation of the original dwelling house. This extension would provide a bathroom at ground floor level and a bathroom/wardrobe at first floor level. It would be set back c. 200mm from the building line of the northern side elevation to the dwelling house.

- A single storey extension would be construction to the rear of part of the rear elevation to the existing extension and to all of the rear elevation and part of the exposed side elevation of the proposed two-storey extension. This extension would be of contemporary design with extensive glazed openings. It would provide kitchen and dining room space.
- 2.2. The existing dwelling house has a floorspace of 75 sqm and under the proposal an additional 42 sqm would be provided.
- 2.3. Under further information, revisions were made to the spacing of first floor windows in the existing rear extension and a decorative fascia detail to the two-storey extension to this extension was specified.

3.0 Planning Authority Decision

3.1. Decision

Following receipt of FI, permission was refused for the following reason:

The proposed development interests a building associated with Heathburn Hall (Protected Structure No. 00640) and the existing gate lodge on site is also on the NIAH Reg. No. 20909816 Heathburn Hall. It is considered that the proposed development would disrupt the symmetry of the front façade of the main building and lacks a general positive relationship with this specific context, the overall result would be detrimental to the special character and integrity of the protected structure and its setting. It is considered that the proposed development would contravene materially policy objective HE 4-1 of the Cork County Development Plan 2014, in particular objectives HE 4-1 (a), (e), (f), and (g) and would not be in accordance with the proper planning and sustainable development of the area.

3.2. Planning Authority Reports

3.2.1. Planning Reports

Further information (FI) was sought with respect to revisions to the proposal, i.e. the proposed rear extension should not protrude beyond the northern side elevation of the existing dwelling house, the re-use of existing decorative fascia on the proposed

first floor extension, and the re-spacing of proposed first floor fenestration. The gross floor area of the proposed extension(s) to be clearly stated, too.

3.2.2. Other Technical Reports

- Area Engineer: No objection.
- Heritage: Following receipt of FI, objection raised.

4.0 Planning History

None.

5.0 Policy and Context

5.1. National Planning Guidelines

Architectural Heritage Protection

5.2. Development Plan

Under the Cork County Development Plan 2014 – 2020 (CDP), Heathburn Hall and Yard is included in the RPS under ref. 00640. Policy Objective HE 4-1 addresses protected structures and relevant extracts are set out below:

(e) Protect the curtilage and attendant grounds of all structures included in the Record of Protected Structures.

(f) Ensure the development proposals are appropriate in terms of architectural treatment, character, scale, and form to the existing protected structure and not detrimental to the special character and integrity of the protected structure and its setting.

(g) Ensure high quality architectural design of all new developments relating to or which may impact on structures (and their settings) included in the Record of Protected Structures.

5.3. Natural Heritage Designations

Minane Bridge Marsh pNHA 001966

6.0 The Appeal

6.1. Grounds of Appeal

The applicants begin by setting out the design brief that was given to their agent, i.e. to assess and ascertain the heritage significance of the structure and its features, and to develop an appropriate and proportionate design solution respectful of the structure. The resulting proposal achieves a balance between conservation and contemporary design.

The applicants draw attention to not only the Items under Policy Objective HE 4-1 cited in the Planning Authority's reason for refusal but also to Item (c) under Policy Objective HE 4-6, which states "Foster an innovative approach to design that acknowledges the diversity of suitable design solutions in most cases, safeguards the potential for exceptional innovative design in appropriate locations and promotes the added economic, amenity and environmental value of good design."

The applicant sets out the six reasons previously cited in its further information response for the siting and design of the proposed single storey rear extension:

- Its position off-centre allows for the provision of a south facing terrace off the new kitchen/dining room,
- It allows light penetration through existing windows into the rear of the building,
- It creates an off-centre corridor permitting reasonable usable space in the proposed extension,
- It permits a logical side entrance to the kitchen,
- It allows western evening light into the new dining area, and
- It creates a balanced juxtaposition between the old and new elements, something which is advocated in contemporary attitudes towards conservation.

6.2. Planning Authority Response

None

7.0 Assessment

7.1. I have reviewed the proposal in the light of the Architectural Heritage Protection (AHP) Guidelines, the Cork County Development Plan 2014 – 2020 (CDP), the submissions of the parties, and my own site visit. Accordingly, I consider that the application/appeal should be assessed under the following headings:

- (i) Conservation and amenity, and
- (ii) Appropriate Assessment.

(i) Conservation and amenity

7.2. Heathburn Hall and Yard to the north of the site are included in the CDP's Record of Protected Structures (RPS) under reg. no. 00640. The site accommodates a former gate lodge to this Hall and so the question arises as to whether this site lies within the curtilage or the attendant grounds of the Hall.

7.3. The applicants have submitted an Architectural Heritage Impact Assessment, which states that the former gate lodge is to Heathburn Hall and so it comes within "the curtilage of the original Heathburn Demesne". The Planning Authority's (PA's) Heritage Unit referred to the National Inventory of Architectural Heritage (NIAH), which identifies Heathburn Hall under reg. no. 20909816 and the former gate lodge as a related structure to this Hall. The view is expressed that this gate lodge lies within the attendant grounds to the Hall. Further advice from the Heritage Unit stated that the PA's Conservation Officer had in 2011 informed the owner of Heathburn Hall that "...the listing does include all the buildings associated with the main house..." The view is expressed that the gate lodge is therefore a protected structure.

7.4. From the information available to me, I do not consider that the former gate lodge lies within the curtilage to Heathburn Hall and Yard, but rather in the attendant grounds to this Hall, and so it is not automatically a protected structure. The advice of Paragraph 13.2.3 of the Architectural Heritage Protection Guidelines is clear in this respect. It states that "A planning authority has the power to protect all features of importance which lie within the attendant grounds of a protected structure. However, such features must be specified in the RPS and the owners and occupiers notified in order for the features to be protected." To date, the RPS refers to the Hall and Yard only, and so, insofar as the former gate lodge is on a site that lies in

attendant grounds to rather than the curtilage of Heathburn Hall, it is not a protected structure.

- 7.5. Under reg. no. 20909816, the NIAH identifies the former gate lodge on the site as a “related structure” and it describes this gate lodge as, “comprising three-bay two-storey house with hipped slate roof, timber sliding sash windows, timber panelled door and veranda addition.” I, therefore, fully accept that it is of conservation interest.
- 7.6. The CDP addresses architectural heritage. The PA’s reason for refusal cites Objective HE 4-1, which refers to protected structures. This Objective refers to attendant grounds and the settings of protected structures. As noted above, the former gate lodge is within the attendant grounds of Heathburn Hall. The distance between these two buildings is c. 220m across an open field. However, during my site visit, I observed that, due to mature trees and hedgerows around the site boundaries, and woodlands within the vicinity of the Hall, there is virtually no line of sight between them. Thus, while the former gate lodge remains a presence at the entrance to one of the driveways to the Hall, any other affect upon its setting is marginal at most.
- 7.7. Under Objective HE 4-2, the CDP addresses the protection of structures in the NIAH as follows: “Give regard to and consideration of all structures which are included in the NIAH for County Cork, which are not currently included in the RPS, in development management functions.” I understand this Objective to mean that weight should be given to the conservation interest of such structures.
- 7.8. The PA’s reason for refusal states that “the proposed development would disrupt the symmetry of the front façade of the main building and lacks a general positive relationship with this specific context, the overall result would be detrimental to the special character and integrity of the protected structure and its setting”. The applicants have responded to this critique by setting out how the proposal would enhance the amenities of the existing dwelling house while creating a juxtaposition between the old and new elements in accordance with modern conservation practice.
- 7.9. The PA raises no objection to the internal alterations to the existing extended dwelling house. Likewise, it raises no objection to the external alterations to this dwelling house and the proposed two-storey rear extension, which would replicate

the form and design details of the existing two-storey rear extension. The only element of the proposal at issue is the proposed single storey rear extension and, in particular, its projection beyond the northern side building line of the original dwelling house. In this respect, the applicants' reference to creative juxtaposition is in contention.

- 7.10. I note that the proposed single storey rear extension would be constructed off the existing and proposed two-storey rear extensions. As such it would be set back by 2020mm from the nearest corner of the original symmetrical dwelling house, i.e. the north-eastern one. I note, too, that the projection beyond the northern side building line would be 3000mm and that the presenting western elevation would be glazed and returned partially along the northern elevation. (The submitted ground floor does not tally with the elevations and sections in this respect).
- 7.11. During my site visit, I observed the strongly symmetrical front and side elevations to the original dwelling house. I observed, too, how across the extended southern side elevation, original and extended portions blend, whereas under the proposed two-storey rear extension the simple device of setting back slightly the new from the old would ensure that the two would remain distinguishable across the proposed extended northern side elevation.
- 7.12. I consider that the proposed single storey rear extension, insofar as it would be visible from the front of the original dwelling house, would appear as a contemporary addition to this dwelling house. Its recessed position and light appearance borne of the extensive use of glazing would cause it to be "read" as clearly distinguishable from the original. Accordingly, its departure from the symmetry of the original would not "jar" visually as there would be no reason to expect it of a contemporary addition. I, therefore, accept the applicants' reference to creative juxtaposition.
- 7.13. I note that the proposed single storey rear extension would be the "lynch-pin" to the overall proposal and to the increase in the amenity value of the existing dwelling house. I note, too, that on the basis of my assessment such increase would be achieved in a manner consistent with respect for the conservation interest of the existing dwelling house.
- 7.14. I conclude that the proposal would both represent good conservation practice and the furtherance of the amenities of the existing dwelling house.

(ii) Appropriate Assessment

- 7.15. The proposal is for alterations and extensions to a dwelling house on a site that is neither in nor near to any Natura 2000 site. There are no source/pathway/receptor routes between this site and any Natura 2000 sites. Accordingly, there is no possibility that its development as proposed would have any significant effects upon the Conservation Objectives of these sites.
- 7.16. Having regard to the nature, scale, and location of the proposed development, the nature of the receiving environment, and the proximity of the nearest European site, it is concluded that no Appropriate Assessment issues arise as 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.

8.0 Recommendation

That permission be granted.

9.0 Reasons and Considerations

Having regard to the National Inventory of Architectural Heritage, the Architectural Heritage Protection Guidelines and the Cork County Development Plan 2014 – 2020, the Board considers that the site lies within the attendant lands to Heathburn Hall, a protected structure, but that the former gate lodge upon it is of conservation interest only. The proposed alterations and extensions to this gate lodge would be consistent with this conservation interest and they would enhance its amenities as a dwelling house. They would not affect the setting of the protected structure. The proposal would thus accord with the proper planning and sustainable development of the area.

10.0 Conditions

1.	The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, as amended by the further plans and particulars submitted on the 25 th day of June 2020, except as may otherwise be required in order to comply with the following
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	<p>conditions. Where such conditions require details to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority prior to commencement of development and the development shall be carried out and completed in accordance with the agreed particulars.</p> <p>Reason: In the interest of clarity.</p>
2.	<p>The proposed development shall be amended as follows:</p> <p>(a) The proposed ground floor plan shall show the glazing to the western and northern elevations of the single storey rear extension that is shown on the elevation plans.</p> <p>Revised drawings showing compliance with these requirements shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.</p> <p>Reason: In the interests of clarity.</p>
3.	<p>Samples of the proposed external finishing materials shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.</p> <p>Reason: In the interest of visual amenity.</p>
4.	<p>All works to the protected structure, shall be carried out under the supervision of a qualified professional with specialised conservation expertise.</p> <p>Reason: To secure the authentic preservation of this [protected] structure and to ensure that the proposed works are carried out in accordance with best conservation practice.</p>
5.	<p>The existing dwelling and proposed extensions shall be jointly occupied as a single residential unit and the extensions shall not be sold, let or otherwise transferred or conveyed, save as part of the dwelling.</p>

	Reason: To restrict the use of the extensions in the interest of residential amenity.
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Hugh D. Morrison
Planning Inspector

4th December 2020