

An
Coimisiún
Pleanála

Direction
CD-021137-25
ACP-323051-25

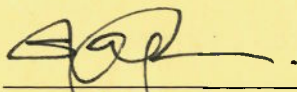
The submissions on this file and the Inspector's report were considered at a meeting held on 03/11/2025.

The Commission decided, in a 2:1 majority decision, to refuse permission for the following reasons and considerations.

Planning

Commissioner:

Date: 04/11/2025



Emer Maughan

DRAFT WORDING FOR ORDER

Reasons and Considerations

Having regard to the protected structure status of this building, the Architectural Heritage Protection Guidelines 2011, and the relevant provisions in the Fingal Development Plan 2023-2029, it is considered that the works proposed to be retained would, by virtue of the cumulative impact of the changes and the level of intervention required, have a detrimental impact on the essential qualities of the structure thereby materially affecting its character. The development proposed to be retained would be contrary to Objective HCAP12 of the Fingal Development Plan 2023-2029 and the incremental damage caused by the cumulative impact of works

to the protected structure would be contrary to the conservation principles outlined in Chapter 7 of the Architectural Heritage Protection Guidelines 2011. The development proposed to be retained would therefore be contrary to the proper planning and sustainable development of the area.

In deciding not to accept the Inspector's recommendation to grant permission, the Commission considered the totality of the documentation submitted with the application and the appeal. It did not share the Inspector's view that the development proposed to be retained accords with Objective HCAP12 as the Commission considered that the cumulative impact of the changes required to facilitate the retention of the additional apartment unit within the attic level, including the insertion of an additional staircase, a fire engineering solution with associated sprinkler heads, service risers, sprinkler tank and generator, the provision of 2 no. rooflights on the prominent front roof slope (notwithstanding the extant permission for a single rooflight on the lower roof slope), and 4 rooflights on the west (St Margaret's Road) elevation, additional roof and wall vents and the impact on the principle rooms in Apartments 3 and 5 arising from the relocated kitchen areas, result in interventions into the physical historic fabric that are not sympathetic, sensitive or appropriate to the character and setting of the protected structure. In this regard the Commission agreed with the planning authority and the Fingal County Council's Senior Executive Architectural Conservation Officer that a significant portion of the works are not acceptable as they negatively affect the character of the protected structure. In addition, whilst acknowledging the proposal as part of the appeal to omit rooflight no. 1 on the principal façade and rooflight no. 6 on the west, the development proposed to be retained would not accord with the provisions of the Architectural Heritage Protection Guidelines 2011 which states inter alia "*the insertion of rooflights into prominent slopes of roofs is generally not appropriate*" (Section 9.3.3). Furthermore, the combined impact of all the relatively minor alterations is considerable and detracts from the architectural quality and character of the building and would therefore be contrary to best practice conservation principles as outlined in Chapter 7 of the Architectural Heritage Protection Guidelines 2011. The Commission agreed with the Inspector that the accumulation of structures within the site is visually discordant and unsympathetic and while the Commission acknowledged the benefits arising from the proposed revised site layout as part of the appeal, it did not agree

at the revised site layout which includes the removal of three ancillary structures and the realignment of the rear boundary mitigates the totality of the impacts arising from the development proposed to be retained and considered that these revisions in themselves would have a significant detrimental impact on the residential amenity of the future occupants in terms of loss of daylight and storage provision.

Note

The Commission noted the restricted floor to ceiling height and the height of the rooflight off the internal floor level (c.1.5m AFFL) within the apartment proposed to be retained and considered their impact on the functionality, layout and residential amenity of the apartment, however given the substantive reason for refusal outlined above, noting that this is a new issue and that building regulation compliance is regulated under the Building Control Regulations 1997 (as amended) decided not to pursue this matter further at this time.