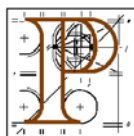


An Bord Pleanála



Inspector's Report

Appeal Reference No: 06S.245650

Development: The development will consist of modernisation and extension of 34sq.m. to existing Liscarney House (protected structure), a 4 bedroom detached dwelling at 196 Butterfield Avenue, and erection of 1 no. detached 4 bedroom dwelling of 184sq.m. with relocated entrance driveway to existing and proposed dwelling from Butterfield Avenue to cater for 2 car spaces per dwelling with retention of existing ornate railing on Butterfield Avenue and existing boundary wall on Butterfield Drive with rear garden shed to garden and associated landscaping to lands at 196 Butterfield Avenue and Butterfield Drive, Rathfarnham, Dublin 14.

Planning Application

Planning Authority: South Dublin County Council

Planning Authority Reg. Ref.: SD15A/0228

Applicant: Ursula Kenny and Natasha Kenny

Planning Authority Decision: Grant Permission

Planning Appeal

Appellant(s): An Taisce

Type of Appeal: Third Party

Observers: None

Date of Site Inspection: 20th January 2016

Inspector: Joanna Kelly

1.0 SITE LOCATION AND DESCRIPTION

The appeal site is a corner site located at the junction of Butterfield Avenue with Butterfield Drive in Rathfarnham. The site has a stated site area of .970 hectares and there is an existing two-storey residential property, 'Liscarney House' on the eastern section of the site. The existing house is a proposed protected structure in the Draft South Dublin County Development Plan. The dwelling has a red brick façade which is overgrown with ivy. The dwelling retains original external features such as timber sash windows, cast-iron rainwater goods and timber fascia. There is an existing wrought iron fence to the side and front boundary of this dwelling.

There are two existing vehicular entrances and a pedestrian entrance from Butterfield Avenue serving the property. There is a boundary wall approx. 1.8m in height running along the eastern boundary. The predominant land use in the immediate vicinity of the appeal site is residential.

2.0 PROPOSED DEVELOPMENT

The proposal is to extend and modernise an existing dwelling, Liscarney House, a proposed protected structure and to also construct a dwelling to the west of the existing dwelling.

The two storey dwelling which it is proposed to construct has a stated floor area of 184sq.m. The proposed external finishes comprise of a red brick and self-render colour along with timber double glazed windows, uPVC rainwater goods and a zinc standing seam cladding to the roof.

3.0 PLANNING HISTORY

File Ref. No. : SD14A/011 Permission refused for 2 dwellings, demolition of 'Liscarney House' and all ancillary site works. The two reasons for refusal cited by the Planning Authority include 1. Dwelling to be demolished is of significant architectural merit and its demolition would contravene the policies and objectives of the development plan and 2. The proposal would provide a poor level of residential amenity for the future occupants of the proposed dwellings.

File ref. No. : SD14A/0191 (PL.06S.244162) Permission refused for 2 dwellings including the demolition of Liscarney House and all ancillary site works. The reason for refusal cited by ABP was as follows:

“The existing building ‘Liscarney House’ while not a protected structure, is in reasonable structural condition, **has architectural merit** and **contributes to the character and visual amenity** of the immediate area. The Board does not consider that the **applicant has made an adequate case for its demolition**. Further, the proposed replacement structures, comprising two similar three-storey detached houses, are **not considered to be an appropriate form of development** on this site in view of their **top-heavy and discordantly non-identical roof designs** and their general bulk and massing which **contrasts negatively with adjoining existing properties**. The proposed development would seriously **injure the visual amenities** of the area and would, therefore, be contrary to the proper planning and sustainable development of the area.”

4.0 PLANNING AUTHORITY DECISION

4.1 Planning and technical reports

Planning report

The planning report notes the objection received from An Taisce, a prescribed body. No submissions were received from third parties. The principle of the development is considered to comply with development plan policy. The planner noted that the current proposal is significantly different to that previously refused as Liscarney House is to be retained overcoming reason no. 1 for refusal. The planner considered the new proposal acceptable and would not result in over-looking or over-shadowing. The extension to Liscarney House is not considered to adversely impact on the character or architectural integrity of the house. It was recommended that permission be granted subject to conditions.

Conservation Officer

The report makes reference to pre-planning discussions and that concerns with regard to the overall design and scale of the proposed new dwelling have been addressed. The materials being used for the proposed new extension at

first floor level will be contemporary and the junction between the new build and the existing external walls will be delineated by a glazed strip window. It is set out that the architectural report submitted fails to provide details on the proposed exterior and interior works including a first floor extension proposed to the existing dwelling. There are no details with regard to the retention and repair of architectural features to include both internal and external and it can only be assumed that all original features will be retained and necessary repair carried out. It was recommended that the development was acceptable subject to conditions.

Water Services Report

No objections subject to conditions.

Roads Department

Conditions are recommended.

4.2 Planning Authority Decision

The Planning Authority granted permission for the development subject to 12 no. conditions.

Of note is Condition 10 which relates to the protected structure and the requirement for a method statement to be submitted prior to commencement of development to ensure Liscarney House is protected during construction works including details of the retention of original features. This condition is dealt with in the assessment section in more detail.

5.0 GROUNDS OF APPEAL

The grounds of appeal are summarised as follows:

- The proposed alterations and modifications to Liscarney House a proposed protected structure in the Draft Development Plan 2016-2022 are so extensive all the internal architectural features will be lost.
- The chimney breast walls between the front and back rooms on both sides are being removed on the ground and first floors thus the eight original cast iron fireplaces will be lost.
- Reference is made to a previous conservation report and the features that were present in the rooms.

- An Taisce make reference to the architectural conservation officer's report which recommends a condition that provides for the retention of original architectural features.
- It is submitted that the planner has overlooked that the aforementioned condition is impossible to achieve due to the extent of the internal works proposed.
- Removal of both chimney breast walls on ground and first floors will cause a serious risk in that the two chimney stacks showing above roof level might be rendered unstable and might have to be removed thus seriously affecting the appearance of the proposed protected structure.
- The proposed new four bedroom house on the site within the curtilage of the proposed protected structure is overdevelopment of the site thereby compromising the distinctive character of Liscarney House.

6.0 RESPONSES/OBSERVATIONS TO GROUNDS OF APPEAL

6.1 Planning Authority response

The Planning Authority sets out that issues raised are dealt with in the planner's report.

6.2 First Party response to Third Party Appeal

Revised plans were submitted in response to the appeal and the following amendments are noted:

- The internal plans have been amended and now indicate that the chimney breasts are to be retained at ground and first floor.
- The proposed ensuite at first floor has been omitted relocated within the new rear extension.

With regard to the proposed detached dwelling it is submitted that it has been designed to reflect the scale and mass of Liscarney House and has been designed in a contemporary manner which will complement the proposed protected structure. The proposal will benefit the streetscape in a contemporary and sympathetic manner.

The Board should note that the submission received from the First Party dated 18th November 2015 was circulated to Planning Authority, An Taisce, Development Applications Unit, Heritage Council, Fáilte Ireland, An Chomhairle Ealaíon.

6.3 Response from Appellant to First Party submission

This submission sets out that:

- Pleased to note chimney breasts are to remain but there is no indication of the heights of the openings on either side of the chimney breasts
- With regard to the new adjoining dwelling the appellant submits that they consider it will compromise the distinctive character of Liscarney house.

7.0 POLICY CONTEXT

The South Dublin County Development Plan 2010-2016 is the statutory plan.

Section 1.2.27 deals with extensions to dwelling houses and the relevant guidance are set out. It provides that “proposals for domestic extensions should have regard to the House Extension Design Guide contained in Appendix 5 and safeguards set out in the Plan including the following:

- Contemporary design is promoted with a building language that is varied and forward-looking rather than repetitive and retrospective;
- The house and its extension should be used as a single storey dwelling units;
- In all instances the design and scale of domestic extensions should have regard to adjoining properties;
- The extension should integrate fully with the existing building, External finishes should harmonise in colour, texture, and materials with the existing building;
- The front extension should not protrude more than 1.5 metres forward of the existing building line unless it can be demonstrated that it will not have a negative impact on the visual amenity of the streetscape or on the residential amenity of an adjoining property due to overshadowing;
- In all cases a minimum private rear garden area must be retained.

Section 1.2.29 deals with Corner Site Development.

Policy H17: Corner Site Development

It is the policy of the Council to favourably consider proposals for the development of corner sites or wide side garden locations within established areas, subject to the following:

- Contemporary design is promoted with a building language that is varied and forward-looking rather than repetitive and retrospective;
- Scale that respects adjoining development;
- Gable walls should not be blank. Buildings should be designed to turn the corner and provide interest and variety to the streetscape;
- Compliance with standards set out in the Plan for both the existing and proposed dwelling;
- Maintenance of existing front building lines and roof lines where appropriate and;
- Proximity to piped public services.

Section 4.2 of the Development Plan deals with Archaeological and Architectural Heritage.

Policy AA1: Archaeological Heritage *“It is the policy of the Council to protect and conserve the archaeological heritage of the County.”*

Draft Development Plan 2016-2022

The Review of the Record of Protected Structures undertaken by consultants on behalf of South County Dublin County Council identifies ‘Liscarney House’ as worthy of protection. The following is an extract of the details (available on sdcc website) included in the report:

Summary Detached three-bay two-storey house, c.1920, now derelict. Pitched slate roof with remains of smooth render on brick chimneys rising through ridge. Brick wall covered extensively in ivy to front facade, other elevations smooth rendered, ruled-and-lined. Cut granite window lintels over square-headed openings having one-over-one timber sliding sash frames with ogee horns. Replacement timber door within recessed round arch-headed porch. Front garden enclosed with wrought –iron fencing

Context and setting Large garden plot; building holds a consistent street line with adjacent buildings

Condition Fair

Significance Early mid-twentieth century fabric and contributes to the continuous residential streetscape in this area with its slight variation on the otherwise standardised arrangement of semi-detached houses along Butterfield Avenue. Its’ simple classical proportions are interesting but it is not a building of special or outstanding architectural or historic significance.

8.0 ASSESSMENT

I have reviewed the proposal in the light of the South Dublin County Development Plan, relevant planning history, and the submissions on file. Accordingly, I consider that the pertinent issues pertaining to this appeal should be assessed under the following headings:

- Proposed alterations/modifications to Liscarney House
- Design and layout of proposed new dwelling
- Appropriate assessment

8.1 Proposed alterations/modifications to Liscarney House

The appeal grounds focus on the loss of internal features and subsequent loss of integrity to Liscarney house due to the extent of alterations/modifications to be made. I will examine the impact on the proposed protected structure due to the alterations/modifications to the structure itself by examining the different components of work proposed.

8.1.1 I have examined the proposed plans and the revised plans submitted 18th November 2015 and consider that the greatest internal impact to the integrity of the house comprised of the re-configuration of the ground floor rooms by removing the internal dividing walls which contain original cast iron fireplaces so as to provide 2 large living room areas on either side of the entrance hall. The revised plans now indicate that the chimney breasts are to be retained which is welcomed. The appellant query the height of the openings so as to ensure existing picture rails and cornicing can be retained. It is unclear if these features are to be retained.

8.1.2 With regard to the proposed rear extension, I consider that it will effectively replace an existing lean-to extension with an increase in the floor area to be provided at ground floor level to accommodate a kitchen area. The existing window on the rear elevation will be replaced with internal doors at this location. I do not consider this element of the proposal such that detracts from the existing structure or from the existing residential amenities of the area.

8.1.3 Observations on the architectural/historical significance of Liscarney House were prepared by David Slattery, conservation architect. It is noted that the conservation report sets out that original joinery, balustrading, cast iron fireplaces in all rooms, picture rails, moulded cornicing and windows all

remain. I note the comment that *“the quality of the detail is mass produced and machine made and has no particular quality or merit”*. I would point out that the plans submitted contain minimal specifications regarding proposed works and finishes both internally and externally to the dwelling. It is proposed to replace the existing cast-iron rain-water goods with uPVC rain water goods and the sliding timber sash windows are to be replaced with double glazed timber windows. It is noted that one existing window opening at ground floor level (western elevation) is to be blocked up. There will be a loss of natural light and ventilation to this living room that would in my opinion be detrimental to the residential amenity of this living area. There is no reference as to whether existing cornicing, picture rails, joinery etc. are to be retained.

8.1.4 I would consider that the actual existence of most if not all the original plan-form and features of this house is significant and contributes to the internal character of this early 20th century dwelling. There is little or no detail as to how existing features are to be protected during the construction works. Whilst I consider the revised plans address structural concerns and minimise unnecessary intervention to original walls, I consider the lack of such a statement means that a robust assessment of the impact and effects of the proposed works on the existing character of the proposed protected structure cannot be made.

8.1.5 I note that the conservation officer for the Council has recommended that conditions be attached to a grant of permission, one of which is that the protected structure should be safeguarded during the proposed works and a method statement should be submitted providing details of the retention of original features and how the works proposed to the existing structure adhere to conservation principles. Whilst such a condition may try to retrospectively address the omission of a methodology statement for protecting and preserving existing architectural features during the construction work, the fact remains that it is unclear what, if any existing features are to be retained. It is unclear if new fire-places are being installed at ground floor level or whether these are to be electrical/gas installations. The reason I mention this is to establish whether there will be additional flues etc. required which could possible impact on the integrity of the external façade of the proposed protected structure.

8.1.6 The Architectural Heritage Protection, Guidelines for Planning Authorities advocate that where the original plan form remains, or is readily discernible it should be identified and respected. A detailed assessment regarding the extent of works to the overall interior and more importantly the

interrelationship between the different spaces following the proposed works has not been submitted. I do not consider that a condition as imposed by the Planning Authority is appropriate given the lack of detail on the file.

8.1.7 In summary, whilst I have no objection in principle to modifying the existing structure so as to enhance and ensure the dwelling is fit for modern living, such alterations need to be done in a sensitive and sympathetic manner so as to retain the existing character and integrity of the house. In conclusion, in the absence of a clear methodology statement as to what existing features of the house are to be retained and protected during the construction work, the proposed works are such that may affect the overall architectural merit of this historical building that has been included in the Draft County Development Plan for protection.

8.2.0 Design and layout of the new dwelling

8.2.1 The design of the proposed new dwelling to be located to the west of Liscarney House is such that I consider would be 'at odds' with the existing established residential character of the existing streetscape. I acknowledge that the advice from South Dublin County Council at pre-planning stage appears to have been to ensure that any new structure is recognised as such in line with current development plan policy. However, my concern is that the design of the proposed dwelling represents, in my opinion, a 'confused' architectural response. I acknowledge that the proposal provides for contemporary details such as the use of zinc roofing material, zinc flat roof box to side elevation and contemporary style windows at ground level; however the design also provides for traditional elements such as sliding sash style windows at first floor on the front elevation with a red brick façade which appears to be an attempt to mimic 'Liscarney House'. The use of brick quoins (soldier course) on the east elevation is considered a traditional form at odds with the more contemporary features/form proposed.

8.2.2 Having regard to the established architectural character of the area, I consider that a dwelling of either 'traditional' or 'contemporary' style can be accommodated on this site. However, the overall design and architectural form and expression should be easily discernible rather than a collection of elements of various styles contained within the same structure. I, therefore do not consider that the current proposal is such that represents an appropriate design response that would contribute to or enhance the existing streetscape at this prominent location between Butterfield Avenue and Butterfield Drive.

8.3.0 Appropriate Assessment

Having regard to the nature and scale of the development proposed and to the nature of the receiving environment, namely a suburban and fully serviced location, no appropriate assessment issues arise.

9.0 CONCLUSIONS AND RECOMMENDATION

It is considered that the proposed development should be **REFUSED** for the reasons and considerations hereunder.

REASONS AND CONSIDERATIONS

1. The existing building 'Liscarney House', a proposed protected structure, is a structure of architectural merit retaining much of its original features and plan form, contributing to the character and visual amenity of Butterfield Avenue. The proposed modifications in the absence of a detailed methodology statement setting out what features both internally and externally are to be removed with a corresponding justification for the removal of such would potentially compromise the retention of the overall architectural integrity of the existing building and as such would be contrary to the proper planning and sustainable development.
2. The elevations of the proposed development represent a 'confused' architectural response on this prominent corner site in an established residential area. As such is not considered to be an appropriate form of development in view of the adjoining established pattern and form of development along Butterfield Avenue. The proposed development in the absence of a clear and appropriate architectural style would seriously injure the visual coherence of the streetscape and would, therefore, be contrary to the proper planning and sustainable development of the area

Joanna Kelly
Planning Inspector
25th January 2016