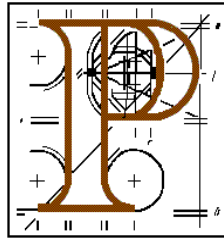


An Bord Pleanála



Inspector's Report

Development

Demolition of extension, construction of replacement extension, addition of bay windows to front, construction of staircase, internal refurbishment, and associated site development works at Eastmount, Knocknacree Road, Dalkey, County Dublin.

Planning Application

Planning Authority: Dún Laoghaire-Rathdown County Council

Planning Authority Register Reference: D15B/0368

Applicant: Christian & Jillian Dijkstra

Type of Application: Permission

Planning Authority Decision: Grant

Planning Appeal

Appellant(s): Christian & Jillian Dijkstra

Type of Appeal: First Party

Date of Site Inspection: 25th February, 2016

Inspector: Kevin Moore

1.0 APPLICATION DETAILS

- 1.1 There is a first party appeal by Christian & Jillian Dijkstra against the attachment of condition no. 2 with the grant of permission issued by Dún Laoghaire-Rathdown County Council for the demolition of an extension, the construction of a replacement extension, the addition of bay windows to the front of the house, the construction of a staircase, the internal refurbishment of the house, and associated site development works at Eastmount, Knocknacree Road, Dalkey, County Dublin.
- 1.2 The proposal includes the demolition of an existing two-storey extension to the side of the dwelling containing a family room at garden level and bedroom at entrance level and its replacement by a new two-storey extension providing an ensuite bedroom at garden level and a sitting/dining room at entrance level. It is further proposed to provide 2 no. two-storey bay windows to the front of the house. As well as internal refurbishment works the proposal would include the construction of a new two-storey staircase enclosure linking both levels to the rear. The overall development would increase the floor area of the building from 223.6 square metres to 290.2 square metres.
- 1.3 The reports received by the planning authority were as follows:

The Drainage Engineer had no objection to the proposal subject to the attachment of a condition.

The Planner noted the zoning of the site, details of a pre-planning meeting, and departmental reports received. Reference is made to a verbal report from the Conservation Officer recommending that the proposed bay windows to the front be refused permission. It was considered that the demolition of the existing extension was acceptable, the proposed replacement extension would not detract from the visual amenity of the area, and the two-storey staircase enclosure would not

detract from residential or visual amenity. Noting that the house is not a protected structure or located within an Architectural Conservation Area, it was submitted that the 19th century dwelling was an important element in the streetscape. It was also noted that the adjoining semi-detached house had two-storey bay windows to the front. It was queried how the applicant understood there was an original architectural intention to provide bay windows, as was submitted in the covering letter with the application. It was submitted that the conjectural work would falsify both the original intention and the qualities acquired during the building's overall lifetime. Reference was made to Policy AR12 of the Development Plan in relation to older buildings not on the Record of Protected Structures. The proposed bay windows were viewed as conjectural restoration, were not considered acceptable where there were none, and were seen as contrary to Policy AR12 of the Development Plan. It was further considered that they would set an undesirable precedent. A split decision was recommended, proposing a grant for the development with the exception of the proposed bay windows.

- 1.4 On 26th November, 2015, Dún Laoghaire-Rathdown County Council decided to grant permission for the development with the exception of the proposed bay windows, subject to 9 conditions and to refuse permission for the bay windows.

Condition no. 2 of the decision was as follows:

2. The addition of two no. two-storey bay windows to the front of the existing house shall be omitted from the proposed development.

REASON: In the interests of protecting and preserving the historical and architectural interest of Eastmount.

The reason for refusal referred to the bay windows detracting from the dwelling, setting an undesirable precedent, detracting from the eclectic mix

of dwellings in the area, and being contrary to Policy AR12 of the Development Plan.

2.0 SITE DETAILS

2.1 Site Inspection

I inspected the appeal site on 25th February, 2016.

2.2 Site Location and Description

'Eastmount' is a two-storey semi-detached Victorian house off Knocnacree Road in Dalkey, County Dublin. It has an extension to the side. The site rises steeply to the rear. The two houses at this location are prominently sited, having panoramic views over Dublin Bay. The adjoining semi-detached Victorian house has bay windows on the structure's front elevation. The house on the appeal site does not.

2.3 Dun Laoghaire County Development Plan 2010-2016

Zoning

The site is zoned Objective A: To protect and/or improve residential amenity.

Architectural Heritage

Policy AR12 – It is policy to retain where appropriate and encourage the rehabilitation and suitable reuse of the vernacular heritage and existing older buildings where appropriate, in preference to their demolition and redevelopment.

The Plan acknowledges that there are many existing buildings which contribute to the built heritage of the county that are not included on the Record of Protected Structures or located within an Architectural Conservation Area. It is stated that the retention of original windows, doors, roof coverings, and other significant features that contribute to the character of the building and the overall area is to be encouraged.

2.4 Planning History

I have no record of any previous planning applications or appeals relating to this site.

3.0 FIRST PARTY APPEAL

3.1 The grounds of the appeal relate to the attachment of Condition 2 and the reason for refusal attached to the planning authority's decision and may be summarised as follows:

- The overall proposal will enhance the overall condition and appearance of the structure and the proposed works will not adversely affect the character of the existing building. The proposed bay windows will not impact negatively on the visual or residential amenities of the area or nearest neighbours. The new configuration will add to the eclectic mix of dwellings in the area. Photographic examples of period semi-detached dwellings in the area are presented.
- The addition of the bay windows will serve to consolidate the appearance of the overall block and will ensure that the design will be completed as originally intended. They will also serve to increase the occupants' enjoyment of the house, taking full advantage of the light and views available.

- The original intention at the design development stage in the late 19th century was to have bay windows to match the adjoining house but funds did not allow for it. The application completes the architectural intention. The proposal allows the two houses to be read as a cohesive building unit as was originally intended.
- Bay-windowed terraces such as this can be seen in many seaside locations around the country and are entirely appropriate to their setting.

The Board is asked to remove Condition 2 and the separate reason for refusal.

4.0 PLANNING AUTHORITY'S RESPONSE TO APPEAL

- 4.1 The planning authority considered the grounds of appeal did not raise any new matter which would justify a change of attitude to the proposed development.

5.0 ASSESSMENT

- 5.1 I am satisfied, having examined the details of the application and having visited the site, that the determination of the application by the Board, as if it had been made to it in the first instance, would not be warranted. Accordingly, I consider that it is appropriate to use the provisions of section 139 of the Local Government (Planning and Development) Act, 2000 and to consider the issues arising out of the disputed condition only, supported by the decision to refuse.
- 5.2 I first note that the house on this site is not a protected structure or located within an Architectural Conservation Area. I acknowledge that it is the

planning authority's view that the 19th century dwelling is an important element in the streetscape and that it is viewed as a building of architectural heritage to which Policy AR12 applies. The appellant does not seek to contradict the stated importance of the structure to the streetscape. I wholly concur with the planning authority's finding as the long-established structure undoubtedly adds to the character of this area as a fine example of a building representing the era in which it was constructed, prominently located amidst a mix of primarily more modern dwellings in the immediate vicinity.

- 5.3 A key component of the appellant's submission is that it was originally intended, at the design stage of the house, to have bay windows to match the adjoining semi-detached house and that, as a consequence, the bay windows addition would complete the architectural intention. It is my submission to the Board that this position taken up by the appellants is not one premised upon details that are available to verify such a claim. Thus, it may only be seen as conjecture at this time. Furthermore, the planning authority's position on this matter was evident in the Planner's report and the appellants have not produced any details to verify their claim in the appeal.
- 5.4 In the context of the current Dun Laoghaire-Rathdown County Development Plan, the position on the rehabilitation of vernacular heritage and existing older buildings is explicit. The Plan acknowledges that there are many existing buildings which contribute to the built heritage of the county that are not included on the Record of Protected Structures or located within an Architectural Conservation Area. It is stated that the retention of original windows, doors, roof coverings, and other significant features that contribute to the character of the building and the overall area is to be encouraged. Policy AR12 seeks to retain and encourage the rehabilitation of the vernacular architecture in preference to demolition and

redevelopment. The proposal clearly constitutes the removal of original design elements of the house, namely the windows, which may reasonably be viewed as significant features that contribute to the character of this house that is recognised as being one which contributes to the built heritage value of the county. To distort the character of the principal elevation of this structure by introducing bays windows without justification is not considered to be consistent with the relevant provisions of the Development Plan and could not be viewed as sustainable development in the context of rehabilitating a building of architectural heritage value.

- 5.5 I note for the Board the provisions of *Architectural Heritage Protection: Guidelines for Planning Authorities*, published by the DoEHLG in 2004. With reference to the detailed guidance notes on windows (Section 10.4), it is stated:

“Surviving original proportions of glazing patterns should always be respected, even if these now differ from the adjoining buildings of similar style and date.”

I note that the appellants refer to the existence of bay windows in the immediate vicinity and in seaside settings countrywide. In the context of the protection of structures of architectural heritage, the proposed introduction of bay windows appears misplaced and not in accordance with such guidance.

- 5.6 Overall, it may reasonably be concluded that the proposed introduction of bay windows is an unnecessary intrusion into the character of this structure regarded to be of built heritage value, albeit not a protected structure.

6.0 RECOMMENDATION

I recommend as follows:

DECISION

Having regard to the nature of the condition and associated reason for refusal the subject of the appeal, the Board is satisfied that the determination by the Board of the relevant application as if it had been made to it in the first instance would not be warranted. Based on the reasons and considerations set out below, the Board directs the said Council as follows:

ATTACH condition number 2 and the reason therefor for the reasons and considerations set out.

Reasons and Considerations

Having regard to the contribution the established 19th century dwelling makes to the built heritage of the area and to the integral design features of the existing structure, inclusive of its fenestration form and pattern, it is considered that the proposed addition of bay windows to the front of the house would constitute an unwelcome intrusion into the character of the structure, would conflict with the provisions of the Dun Laoghaire-Rathdown Development Plan relating to the rehabilitation of vernacular heritage and older buildings, and, therefore, would not be in accordance with the proper planning and sustainable development of the area.

Kevin Moore

Senior Planning Inspector

March, 2016.