



An  
Bord  
Pleanála

## Inspector's Report PL27.246787

### Development

Permission for an extension, Internal works, repair works including roof, rendering and tying in works at Curam House (Protected Structure and within an Architectural Conservation Area), Church Hill, Enniskerry, Co Wicklow

### Planning Authority

Wicklow County Council

### Planning Authority Reg. Ref.

16/364

### Applicant(s)

H.S.E

### Type of Application

Permission

### Planning Authority Decision

Grant with conditions

### Appellant(s)

Third Party V. Grant of Permission (John & Mary O'Reilly)

### Observer(s)

None

### Date of Site Inspection

2<sup>nd</sup> September 2016.

### Inspector

Dáire McDevitt

## **1.0 Site Location and Description**

- 1.1 Curam House is a Protected Structure (County Development Plan reference 03-02), assigned a rating of Regional Importance in the National Inventory of Architectural Heritage (NIAH Reg. Ref. 16302036) as it is a rare example of this picturesque style favoured throughout the village of Enniskerry. It is located along Church Hill, one of the main approaches to Powerscourt House & Gardens, within an identified Architectural Conservation Area (ACA).
- 1.2. Curam House has a gfa of 192sq.m (proposed extension 8.5sq.m) on a site with an overall area of 0.140 hectares. The house is owned and operated by the HSE and was used as residence for independent living for persons with minor intellectual disabilities from the 1980s until mid 2000s. It is currently vacant.
- 1.3 Photographs and Maps in the pouch.

## **2.0 Proposed Development**

- 2.1 Permission for the construction of additional sanitary facilities to Curam House, a Protected Structure, within the Architectural Conservation Area of Enniskerry consisting of:
  - an extension with disabled access bathroom at upper ground floor level behind an existing garden wall to the side of the building.
  - A further bathroom en-suite at the upper first floor level with an existing bedroom.

- General repairs including roof, render and tying in works.

Application documentation includes:

- A Preliminary Structural Appraisal Report on wall cracks.
- A Historical Analysis, Architectural Inventory and Photographic Record & Report

### **3.0 Planning Authority Decision**

#### **3.1 Decision**

Planning Permission granted subject to 4 standard conditions.

#### **3.2 Planning Authority Reports**

##### **3.2.1 Planners Report (6<sup>th</sup> May 2016)**

The main points raised in the Planner's Report relate to architectural conservation.

##### **3.2.2. Other Technical Reports:**

**Irish Water:** No objection subject to standard connection condition.

**Roads Section:** No Objection.

##### **3.2.3 Third Party Observations**

One submission was received by the Planning Authority by the current appellant. The issues raised are the same as in the current appeal and are dealt with under the Appeal section of this Report.

### **4.0 Planning History**

There are no records of Planning Applications for the application site.

## 5.0 Policy Context

### 5.1 Wicklow County Development Plan 2010-2016

#### Section 16.4.1 Record of Protected Structures. Objectives

- **RPS1** *To positively consider proposals to improve, alter, extend or change of use of protected structures as to render them viable for modern use, subject to suitable design, materials and construction methods*
- **RPS2** *All development works on or at the sites of protected structures, including any site works necessary, shall be carried out using best heritage practice for the protection and preservation of those aspects or features of the structure/site that render it worthy of preservation.*
- **RPS3** *To support the re-introduction of traditional features on protected structures where there is evidence that such features (e.g wind styles, finishes etc) previously existed*
- **RPS5** *The Council shall consider the change of use of Protected Structures, provided that it can be shown that the structure, character, appearance and setting will not be adversely affected.*

#### Section 16.4.3 Architectural Conservation Areas

- **Existing Architectural Conservation Areas: Enniskerry**
- **ACA2** *The design of any development in Architectural Conservation Areas, including any changes of use of an existing building, should preserve and/or enhance the character and appearance of the Architectural Conservation Area as a whole. Schemes for the conservation and enhancement of the character and appearance of Architectural Conservation Areas will be promoted.*

## 5.2 Enniskerry Local Area Plan 2009-2015

(Review of the Local Area Plan was deferred to 2016 by resolution of the Council on the 30<sup>th</sup> April 2014). The Enniskerry plan is currently under review as part of the Wicklow County Development Plan 2016-2022 process.

- **Land Use Zoning Objective: 'TC' Town Centre.**

*To provide for the development and improvement of appropriate town centre uses including retail, commercial, office and civic use, and to provide for 'Living over the Shop' residential accommodation or other ancillary residential development.*

*Residential Use is not normally permitted under this land use zoning objective. This does not refer to existing uses that pre-date the land use zoning objective and extensions to these shall be considered on their merits.*

- Architectural Conservation Area.

### **5.3 Architectural Heritage Protection Guidelines for Planning Authorities (2011)**

- **Section 3.7** Development Control in Architectural Conservation Areas.
- **Chapter 6.** Development Control.

### **5.4 Natural Heritage Designations**

Knocksink Wood Special Area of Conservation (SAC) (site code 000725) is c. 260m North West of the site, beyond the boundaries of Enniskerry village.

## **6.0 The Appeal**

### **6.1 Grounds of Appeal**

The appellants are the owners of the neighbouring property to the south of the site. The grounds of the third party appeal can be summarised as follows:

- The house is by design, layout, scale and historical use a domestic dwelling/family home and, as such, is unsuitable for use as 'long-term residential health (care) unit' as is proposed.
- The provision of 2 additional bathrooms would not make a 19<sup>th</sup> Century domestic dwelling a suitable unit for long term residential health care.
- The layout of Curam House would not be replicated for a new build.
- The house was in use by the HSE from c.1976 to 2008 as a residence for persons with minor degree of mental disabilities, it was however vacated

in 2008 and has remained vacant since. During which period significant expenditure on the maintenance and upkeep of the property has occurred.

- Should permission be granted, there is a list of suggested conditions that should be included in the schedule.
  - Replacement of uPVC windows and rainwater goods.
  - Removal of paint from granite piers.
  - Removal of flue pipes.
  - Submission of a drainage plan.

## **6.2 Planning Authority Response**

No response received.

## **6.3 Applicants Responses**

The main points can be summarised as follows:

- The application lodged is not for a change of use, rather it is for additional sanitary facilities to an existing residential use (independent living unit for persons with minor intellectual disabilities) along with essential repair works to a protected structure.
- The HSE contend that a large portion of that expenditure would be aimed at securing, stabilising and weatherproofing the physical fabric of a Protected Structure and providing additional sanitary facilities for residents, therefore, not a waste of resources.
- uPVC windows and rainwater goods have been in place prior to the HSE being appointed to the structure. The HSE is in agreement that if they should be replaced it should be done with appropriate and correctly

profiled timber sliding sash windows and cast iron rainwater goods respectively.

- The removal of paint from the granite piers is not included in the current application. Any such works to be carried out should be agreed with the Conservation Officer for Wicklow County Council and not form part of the current application.
- The existing boiler flues referred to by the appellant are neither adjacent to the neighbouring property nor are they discharging gases in contravention of building regulations. If required, the HSE has no issue with the relocation of these flues (if conditioned)
- The Planning Authority dealt with the issue of drainage by attaching a relevant condition. The current application does not include proposals to change or vary existing drainage arrangements.

#### **6.4 Observations**

None

#### **7.0 Assessment**

**7.1** The main issues in this appeal are those raised in the grounds of appeal and I am satisfied that no other substantive issues arise. The issue of appropriate assessment also needs to be addressed. The issues can be dealt with under the following headings:

- Architectural Conservation
- Residential Amenity



- Appropriate Assessment

7.2 The appellant has raised a number of concerns regarding the use of the structure. The use or purported change of use is not the subject of the Planning Application. The application before the Bord is for an extension and alterations to a Protected Structure only.

### **7.5 Architectural Conservation:**

- Wicklow County Development Plan 2010 Record of Protected Structure (No. 03-02)
- NIAH Registration No.: 16302036

7.5.1 The National Inventory of Architectural Heritage(NIAH) Appraisal: despite its replacement uPVC windows, a rare detached example of the picturesque style favoured throughout the village of Enniskerry, though possibly somewhat late in date (possibly c.1860).

7.5.2 A Preliminary Structural Appraisal Report on wall cracks was submitted with the planning application. This concluded that the Structure is generally in good condition and would require some remedial works to be carried out and that a further survey on the roof fabric and structure should be carried out.

7.5.3 A Historical Analysis, Architectural Inventory and Photographic Record was carried out and submitted with the planning application.

7.5.4 I consider that the scale and design of the proposed new build element and the nature of the repair works will not detract from the character and integrity of Curam House. The location of the proposed extension is screened from the nearby public road and with the exception of the immediate property to the south the proposal would not be visible from the surrounding area.

7.5.5 I am of the opinion that the proposal accords with the plans and objective as set out in the Wicklow County Development Plan and Enniskerry Local Area

Plan. The development will not detract from the character and integrity of the Curam House (protected structure), nor negatively impact on the character of the Architectural Conservation Area.

## **7.6 Residential Amenity**

7.6.1 The existing structure on site has an area of c.192 sq.m and the proposed extension (accessible bathroom) would have an area of 8.5 sq.m. The remainder of the works involve internal alterations and reconfiguration of room to provide a second new accessible bathroom and repair works to the structure.

7.6.2 The application is for a single storey extension to the side of Curam House (split level structure). There is an existing lean-to to the rear of this location (see photographs in the pouch) which is visible from the adjoining site (appellants house). The use of a flat roof to the extension assists in reducing the impact at this location.

7.6.3 The difference in levels between the application site and the appellants site (c.1.5 metres) assists in screening the proposed extension from the adjoining house to the south. The extension will be screened from Church Hill by an existing garden wall. The visual impact of the repair works and extension is minor and are both necessary and sympathetic to the character of the structure.

7.6.4 The use of materials and finishes for the current works proposed are noted and if the Board is of a mind to grant permission this is an issue that can be dealt with by condition for the agreement of the Planning Authority and their Conservation department.

7.6.5 There is no overlooking or overshadowing of adjoining properties from the proposed extension. There will be no negative impacts on the residential amenities of adjoining properties.

## **7.7 Appropriate Assessment**

Having regard to nature and scale of the development on a fully serviced site within the village core, no appropriate assessment issues arise and it is not considered that the proposed development would be likely to have a significant effect individually or in combination with other plans or projects on a European site.

## **8.0 Recommendation**

I recommend that planning permission should be granted, subject to conditions the reasons and considerations as set out below.

### **Reasons and Considerations**

Having regard to the zoning objectives for the area and to the pattern of development in the area, it is considered that, subject to compliance with conditions set out below, the proposed development would not seriously injure the amenities of Curam House, Protected Structure, Enniskerry Architectural Conservation Area or of properties in the vicinity. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

### **Conditions**

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application except as may otherwise be required in order to comply with the following 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.

**Reason: In the interest of clarity.**

2. All finishes and samples of the proposed materials shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

**Reason:** In the interest of visual amenity.

3. All works to the protected structure, shall be carried out under the supervision of a qualified professional with specialised conservation expertise.

**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.

4. The site and building works required to implement the development shall be carried out only between the hours of 08.00 to 18.00 Monday to Fridays, between 08.00 to 14.00 on Saturdays and not at all on Sundays and Public Holidays. Deviation from these times will only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.

**Reason:** In order to safeguard the amenities of adjoining residential occupiers

5. Water supply and drainage arrangements, including the disposal of surface water, shall comply with the requirements of the planning authority for such works and services.

**Reason:** In the interest of public health and to ensure a proper standard of development.

6. The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefiting development in the area of the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the Development Contribution Scheme made under section 48 of the Planning and Development Act 2000, as amended. The contribution shall be paid prior to commencement of development or in such phased payments as the planning authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. Details of the application of the terms of the Scheme shall be agreed between the planning authority and the developer or, in default of such agreement, the matter shall be referred to An Bord Pleanála to determine the proper application of the terms of the Scheme.

**Reason:** It is a requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance with the Development Contribution Scheme made under section 48 of the Act be applied to the permission.

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Daire McDevitt  
Planning Inspector

16<sup>th</sup> September 2016