



An
Bord
Pleanála

Inspector's Report 29S.247291

Development	Demolition of single storey extension and construction of new two storey extension and refurbishment of a dwelling which is a protected structure.
Location	3 Leinster Road, Rathmines, D 6.
Planning Authority	Dublin City Council.
Planning Authority Reg. Ref.	3333/16.
Applicant(s)	Stephen Byrne.
Type of Application	Permission.
Planning Authority Decision	Grant.
Type of Appeal	Third Party.
Appellant(s)	Philip O'Reilly.
Observer(s)	None.
Date of Site Inspection	15 th of December 2016.
Inspector	Karen Hamilton.

1.0 Site Location and Description

1.1. No 3 Leinster Road is an end of terrace two storey dwelling and is a protected structure. Leinster Road is residential in nature and those dwellings along the north of the road are large semi-detached protected structure, some of which have been refurbished. The dwelling has a large front garden, divided by a limestone wall, mature trees and hedging and is accessed directly from Leinster Road which radiates west from Rathmines, Dublin 6. The dwelling has a single storey side extension attached to the west of the building.

2.0 Proposed Development

- 2.1. The proposed development includes for the following:
- Demolition of single storey side extension and construction of new two storey extension (92m²);
 - Refurbishment of external walls to include two new ground floor opes on the west and north elevation, one new ope on the first floor on the western elevation and one new window on the north elevation.
 - Refurbishment of interior to include one new internal ope at the first floor, connection of boiler room to bathroom, upgrade of mechanical and electrical systems, internal decoration and new foul and surface drainage layout.

3.0 Planning Authority Decision

3.1. Decision

Decision to grant permission.

3.2. Planning Authority Reports

3.2.1. Planning Reports

The report of the area planner reflects the decision to grant permission. The planner notes the extension to be demolished is not part of the original dwelling and

incorporates the Conservation Officers recommendation to grant as part of the decision.

3.2.2. Other Technical Reports

Drainage Division- No objection subject to conditions.

Conservation Section- No objection to conditions.

3.3. Prescribed Bodies

No reports received.

3.4. Third Party Observations

One submission was received and the issues raised are reflected in the grounds of appeal.

4.0 Planning History

No planning history on the site.

5.0 Policy Context

No 3 Leinster Road is a protected structure and therefore the following policy and guidance are relevant.

5.1. **Architectural Heritage Guidelines for Planning Authorities, 2004.** Development guidelines for Protected Structures and Areas of Architectural Conservation.

5.2. Dublin City Development Plan 2016-2022

The site is zoned in Z2 *“To protect and/or improve the amenities of residential conservation areas”.*

Policy CHC2: To ensure that the special interest of protected structures is protected.

Section 11.1.5.8: Demolition of Protected Structures and Buildings in Architectural Conservation Areas. The demolition of structures which make a positive contribution to protection structure or conservation area will be restricted. The acceptability of

demolition will be considered having regard to the impact on the character of the special interests of the protected structure.

Appendix 24: Protected Structures and Buildings in Conservation Areas.

6.0 The Appeal

6.1. Grounds of Appeal

The grounds of appeal have been submitted by a resident from an adjoining street and has been summarised below:

- The decision of the planning authority makes no differentiation from the guidance and policy in the development plan relating to the Z2 zoning and those relating to the protected structure protected structure.
- The proposed development is not in keeping with the character of the protected structure and surrounding area.
- The proposed flat roof extension is inappropriate, the parapet lines are different to the protected structure and materials are inappropriate.
- The previous extension to No 2 is more appropriate and sympathetic to the protected structure.

6.2. Applicant Response

The agent on behalf of the applicant has submitted a response to the grounds of appeal which may be summarised below:

- The original structure and the features of the protected structure are retained aside from some minor interior alteration.
- The proposed development includes the removal of the modern single storey extension, which has very little architectural merit, and replacement with a contemporary extension with materials to match the original dwelling.
- It is accepted, as an established conservation principle, that newly constructed works can be distinct and separate from the design of the original building.

6.3. **Planning Authority Response**

The planning authority wish to re-iterate the original planners report and the conditions which are attached to the planning permission.

6.4. **Observations**

None received.

7.0 **Assessment**

The issues of the appeal can be dealt with under the following headings:

- Principle of development
- Built Heritage
- Visual Amenity
- Appropriate Assessment

Principle of development

7.1. The proposed development includes the demolition of a side extension, construction of new two storey side extension and additional minor works to the interior and exterior of a protected structure. The site is zoned for residential development in the current Development Plan and therefore subject to complying with other planning requirements as addressed in the following sections, the principle of the proposal is acceptable.

Built Heritage

7.2. The subject site is an end of terrace two storey dwelling, which is a protected structure adjoining an almost similar dwelling, also a protected structure. There currently exists a single storey side extension referred to as a conservatory. The proposed development includes the demolition of the side extension and replacement with a two storey contemporary extension. The grounds of appeal argue that the replacement is not in keeping with the character of the protected structure and should follow a previous example of an extension onto No 2 Leinster Street. I

have assessed both the impact of the demolition, the construction of the new extension and alterations to the interior and exterior separately below.

- 7.3. Demolition of single storey side extension: Section 3.10.2 of the Architectural Heritage Guidelines for Planning Authorities provides guidance on the demolition of structures where the works may have an impact on the special features of interest or overall character of the protected structure. I note the submitted Architectural Heritage Impact assessment and reference to the side extension as a “modern” addition and is connected to the main dwelling via an open into to the ground floor reception. I also note the design and location of the current extension and I consider its demolition is justifiable and I do not consider the removal would affect the character and setting or the special interests of the main dwelling.
- 7.4. Design of the new extension: The proposed two storey extension is located on a similar footprint to the current extension. The overall design is contemporary with a flat roof, glazing on the front façade, timber windows and plaster finish on walls. In relation to the impact of the proposed new extension on the character and setting of the protected structures, Section 6.8.3 of the Architectural Heritage Guidelines for Planning Authorities states that “*attempts should not be made to disguise new additions or extensions and make them appear to belong to the historic fabric*”. In addition, Section 11.1.5.3 of the development plan seeks to ensure that the design, form, scale, height, proportions, siting and materials of the new development should complement the special character of the protected structure. I note the report of the Conservation Section has no objection to the proposed development I have assessed the design of the extension in context to the character and setting of the protected structure and based on the location of the extension and the careful consideration of design and palette of materials and I consider the proposed extension would not have a detrimental impact on either the character of the main dwelling or those adjacent protected structures.
- 7.5. Interior and exterior alterations: The proposed development includes refurbishment of the interior and exterior, including replacement of sash windows to match the existing, blocking up an existing rear door, three additional opens connecting the proposed extension into the main dwelling and a new window on the first floor northern elevation. Chapter 10 of the Architectural Heritage Guidelines for Planning Authorities provides guidance for assessing the impact of additional openings,

windows, and alterations of same in a protected structure. I note the survey of the contained in the Architecture Heritage Impact Assessment and the original fabric and I consider the proposed alterations should not have any adverse effect on the special features of interest of the main dwelling. I note the recommendation from the Conservation Section to include a condition requiring works to be undertaken in line with best conservation practice and I consider this a reasonable condition.

Visual and Residential Amenity

7.6. The subject site is accessed directly from the main Leinster road which radiates west from Rathmines. The dwelling is set back from the public road and is concealed by mature landscaped gardens. The dwelling is not easily visible from the public road and I do not consider the proposed two storey extension would have negative impact on the streetscape along Leinster road.

7.7. There is a commercial yard to the rear of the site and a two storey dwelling to the west which is set forward from building line of the subject dwelling. I note the proposed development includes a window proposed on the first floor western gable which does not look directly onto any adjoining windows therefore I do not consider the proposed development would have a negative impact on the residential amenity of the adjoining residents.

7.8. Appropriate Assessment

Having regard to the nature and scale of the proposed development within a serviced area and separation distance to the nearest European site, 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 the conservation objectives of any European site.

8.0 Recommendation

8.1. I recommend that planning permission should be granted, subject to conditions, as set out below.

9.0 Reasons and Considerations

Having regard to the zoning objective, the design and layout of the proposed development and the policies of the current Dublin City Development Plan it is considered that subject to compliance with the conditions below, the proposed development would not seriously injure the residential or visual amenity of the area and would not detract from the character or setting of the Protected Structure. The proposed development would, therefore, be in accordance 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 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 out in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. All repair/restoration works shall be carried out in accordance with best conservation practice as detailed in the application and the “Architectural Heritage Protection Guidelines for Planning Authorities” Department of Arts, Heritage and the Gaeltacht, 2011. The repair/restoration works shall retain the maximum amount possible of surviving historic fabric in-situ including structural elements, plasterwork and joinery and shall be designed to cause minimum interference to the building structure and/or fabric.

Reason: To ensure that the integrity of the historic structures is maintained and that the structures are protected from unnecessary damage or loss of fabric.

3. Site development and building works shall be carried out only between the hours of 0800 to 1900 Mondays to Fridays inclusive, between 0800 to 1400 hours 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 residential amenities of property in the vicinity.

4. 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.

Karen Hamilton
Planning Inspector

15th of December 2016