



An
Bord
Pleanála

Inspector's Report PL06D.249064

Development	First floor extension on footprint of existing house, with the grounds of a Protected Structure.
Location	The Lodge, Elm Park House, Rathfarnham, Dublin 16.
Planning Authority	Dún Laoghaire-Rathdown Co. Council
Planning Authority Reg. Ref.	D17A/0505
Applicant	Aida White
Type of Application	Permission
Planning Authority Decision	Refuse permission
Type of Appeal	First Party
Appellant	Aida White
Observers	Judit & Balazs Olcsvary
Date of Site Inspection	7/11/17
Inspector	Siobhan Carroll

1.0 Site Location and Description

- 1.1. The appeal site is located at Grange Wood, Rathfarnham in south County Dublin. The site is situated within the grounds of Elm Park House.
- 1.2. Grange Wood housing estate was developed in the 1970's on the former lands associated with Elm Park House. The estate comprises predominantly two-storey detached and semi-detached properties.
- 1.3. Elm Park House is a Protected Structure. It is a Georgian country house which was built in the 1780's. It was occupied as a private residence up until the 1970's when it was acquired by the Servite Order.
- 1.4. The Servite Order used the property to accommodate the Order's Irish students. In 1994 permission was granted for alterations and extensions to Elm Park House and the sub-division of the property to provide 16 no. apartments.
- 1.5. In 1996 permission was granted for the demolition of a former lodge which served Elm Park House and construction of a single storey dwelling containing one bedroom. The dwelling (The Lodge) is situated 7.5m to the south-west of Elm Park House. The design and finishes to The Lodge particularly the roof and chimney match that of Elm Park House.

2.0 Proposed Development

- 2.1. Permission is sought for a first floor extension on footprint of existing house, with the grounds of a Protected Structure. Features of the scheme include the following;
 - Site area – 134sq m
 - Floor area of existing dwelling – 42sq m
 - Floor area of proposed extension – 40sq m

3.0 Planning Authority Decision

3.1. Decision

Permission was refused for the following reason;

1. Having regard to the proposed increase in height of the lodge building from single storey to two storey, it is considered that the development would cause harm to the special character and appearance of the Protected Structure at Elm House by way of its scale, height and visual prominence and is therefore contrary to Policy AR1 of the Dún Laoghaire-Rathdown County Development Plan, 2016-2022. The proposed development, therefore, fails to comply with the requirements of the Dún Laoghaire-Rathdown County Development Plan, 2016 -2022 Policy AR1 that seeks to protect the special character and appearance of protected structures and would materially affect the protected structure.

3.2. Planning Authority Reports

3.2.1. Planning Reports

- The report of the Planning Officer reflects the decision of the planning authority.

3.2.2. Other Technical Reports

Conservation Division – refusal recommended

Drainage Planning – No objections

3.3. Prescribed Bodies

- 3.3.1. An Taisce – They stated that they were satisfied for the Planning Authority to assess the application in accordance with the Dún Laoghaire – Rathdown County Development Plan 2016-2022, having particular regard to the provisions referring to Protected Structures.

3.4. **Third Party Observations**

- 3.4.1. The Planning Authority received one submission/observation in relation to the proposed development. The main issues raised are similar to those set out in the observation to the appeal.

4.0 **Planning History**

Reg. Ref. 96A/0499 – permission was granted for the demolition of a disused house and construction of a single-storey 1 bedroomed pitched roof dwelling in grounds. Elm Park House.

Reg. Ref. 96A/0187 – permission was granted for amendments to existing planning permission for 16 apartments (Reg. Ref. D94A/0762) to set back east wing in compliance with condition number 12 of D94A/0762; to retain front facade of existing building, to rebuild demolished side and rear walls and roof of existing building to match original at Elm Park House.

Reg. Ref. 94A/0762 – permission was granted for conversion of existing main house, demolition of existing annexes to same and new extension to rear to provide 16 apartments at Elm Park House.

5.0 **Policy Context**

5.1. **Development Plan**

- 5.1.1. The site is governed by the provisions of the Dún Laoghaire – Rathdown County Development Plan 2016-2022.
- 5.1.2. The site at the Lodge, Elm Park House, Rathfarnham, Dublin 16 is located on Map 5 of the Dún Laoghaire Rathdown Development Plan and is identified as being Zoned Objective A 'to protect and/or improve residential amenity'.
- 5.1.3. RPS No: 1470 – Elm Park House (former Servite Monastery) Grange Wood, Rathfarnham, Dublin 16. Described as a House.

- Chapter 6 – Built Heritage Strategy

Policy AR1: Record of Protected Structures – It is Council policy to:

- i. Include those structures that are considered in the opinion of the Planning Authority to be of special architectural, historical, archaeological, artistic, cultural, scientific, technical or social interest in the Record of Protected Structures (RPS).
- ii. Protect structures included on the RPS from any works that would negatively impact their special character and appearance.
- iii. Ensure that any development proposals to Protected Structures, their curtilage and setting shall have regard to the Department of the Arts, Heritage and the Gaeltacht 'Architectural Heritage Protection Guidelines for Planning Authorities' (2011).

- Chapter 8 – Principles of Development
- Section 8.2.3.4(i) refers Extensions to Dwellings

5.2. Architectural Heritage Protection, Guidelines for Planning Authorities, DoEHLG, 2011

- Section 13.5 refers to Development within the Curtilage of a Protected Structure
- Where a formal relationship exists between a protected structure and its ancillary buildings or features, new construction which interrupts that relationship should rarely be permitted. There may be a designed vista between a building and a built or landscape feature within its gardens or a less formal relationship between a house and its outbuildings. Similarly, the relationship between the protected structure and the street should not be damaged. New works should not adversely impact on views of the principal elevations of the protected structure.

6.0 The Appeal

6.1. Grounds of Appeal

A first party appeal was submitted by Peter Brennan on behalf of Aida White. The main issues raised concern the following;

- Elm Park House is a Georgian country house which was built circa 1780. It was occupied as a private residence until 1975 when it was acquired by the Servite Order.
- The original gate lodge and entrance to Elm Park House was located on Grange Road, this building was demolished. Under Reg. Ref. D96A/0499 permission was granted for the demolition of a former lodge which served Elm Park House and construction of a single storey one bedroom dwelling.
- Under Reg. Ref.D94/0762 permission was granted for the conversion of Elm Park House into 16 no. apartments. The development involves the demolition of later additions to the building and the construction of three-storey extensions to either side of the original house.
- The original house has been extensively altered. It is considered that the three-storey extensions detract from the original character of the three-bay two-storey façade of Elm Park House.
- The misalignment of the windows in the extended sections with the main house and the lack of appropriate proportions in the replica Georgian windows to match the fenestration in the original house serve to upset the symmetry and special character and appearance of the Protected Structure.
- Section (ii) of policy AR1 of the Development Plan requires that Protect structures included on the RPS from any works that would negatively impact their special character and appearance.
- It is argued that Elm Park House, Protected Structure has been significantly altered with only the original façade and portico remaining that the special character and appearance of the Protected Structure would not be negatively impacted with the construction of a first floor extension to the Lodge because

the northern and southern wings of the building are a pastiche of 20th century construction.

- The proposed extension would be built on the footprint of the existing dwelling. The design reflects the character of the lodge and the proposed materials and finishes will match the existing.
- The proposal has been designed to take account of the location existing windows in Elm Park House to prevent overlooking and protect amenity.
- There is an area of 79sq m of private amenity space to the south/south-west of the lodge and there is a large area of communal open space to the rear of Elm Park House.
- The lodge is served by one car parking space which meets the Development Plan requirement of one space for a one or two bedroom unit.
- Regarding the matter of surface water drainage it is stated that as the extension would be built within the footprint of the Lodge that there would be no additional rain or surface water discharge. The proposed bathroom would connect to the existing foul sewer.
- In conclusion, it is stated that the extension would provide a more practical and usable layout to serve the applicant and their family. The proposed design is considered sympathetic to surrounding development and having regard to the level of extensions and alterations carried out to Elm Park House it is considered that the Protected Structure will not be adversely affected by the construction of the proposed first floor extension to the Lodge.

6.2. Planning Authority Response

- The Board is referred to the previous Planner's report.
- The grounds of the appeal do not raise any new matters which would justify a change of attitude to the proposed development.

6.3. Observations

An observation was submitted by Judit & Balazs Olcsvary the main issues raised concern the following;

- The proposed extension would interfere with the view of Elm Park House and building in the vicinity. It would negatively impact upon the residential and visual amenities of Elm Park House a Protected Structure.
- The extension of the Lodge with the construction of a first floor would have a disproportionately severe impact upon Elm Park House. It would appear visually obtrusive and would detrimentally alter the character of the area.
- Construction works could impact the structural integrity of the neighbouring building Elm Park House. The construction phase would generate dust, vibration and high levels of noise which would negatively impact the quality of life of residents at Elm Park House.
- Reference is made to Reg. Ref. D16A/0331 (PL06D.246984) where permission was refused for a two-storey dwelling within Grange Wood and opposite Elm Park House on the basis that it would materially contravene a condition of the permission granted for the Grange Wood residential estate.
- The proposed development would detract from the architectural integrity and the character of Elm Park House, Protected Structure and would materially contravene condition no. 3 of the original permission for the lodge granted under register ref: D96A/0499.
- Gate lodges tend to be single storey. A two-storey gate lodge would not be appropriate within the setting of Elm Park House and it would set an undesirable precedent for extending a gate lodge within the curtilage of a Protected Structure.
- It is requested that the Board refuse permission for the reasons outline in the observation.

7.0 Assessment

- 7.1. Permission is sought for a first floor extension to the Lodge a single storey and detached dwelling situated to the south-west of Elm Park House. The Lodge was granted permission under Reg. Ref. 96A/0499. The permission involved the demolition of the previous lodge and its replacement with the existing 42sq m dwelling.
- 7.2. The subject dwelling is located within the curtilage of Elm Park House, Protected Structure. While the Lodge is not an original structure and not afforded protected status its location within the curtilage of Elm Park House and proximity of circa 7.5m from the building mean that the proposed development should be assessed having regard to impacts to the character and setting of the Protected Structure.
- 7.3. In relation to the matter, I would note the provisions of the Dún Laoghaire – Rathdown County Development Plan 2016 – 2022 and the Architectural Heritage Protection, Guidelines for Planning Authorities. Policy AR1 of the Development Plan states that it is Council policy to protect structures included on the RPS from any works that would negatively impact their special character and appearance.
- 7.4. Section 13.5 of the Architectural Heritage Protection, Guidelines refers to development within the Curtilage of a Protected Structure. It advises that where there is a formal relationship between a protected structure and its ancillary buildings or features that a construction which would interrupt that formal relationship should rarely be permitted. It is further advised that the relationship between the protected structure and the street should not be damaged and that any new works should not adversely impact on views of the principal elevations of the protected structure.
- 7.5. It is argued in the appeal that the proposed first floor extension would be accommodated entirely within the footprint of the existing dwelling. The case is also made that as Elm Park House was extensively altered with the provision of the three-storey extensions to the side of the original three-bay two-storey house and that only the original façade and portico remain therefore the proposed first floor extension to the Lodge would therefore not impact upon the special character and appearance of the Protected Structure.

- 7.6. The Conservation Officer in their assessment of the proposal considered that while it is not an original gate lodge to Elm Park House, that it would be reasonable to assume that the subject dwelling was designed to provide an ancillary and subservient building in the spirit of a historic gate lodge having regard to the context.
- 7.7. The proposed extension would increase the height of the building from 4.5m to 6.8m and it would effectively alter the design character of the building from that of a limited scale gate lodge style building which is subsidiary to the main property, to a two storey building which would interrupt views of Elm Park House from areas of the public domain to the south and south-west.
- 7.8. Accordingly, I consider that having regard to the proximity of the subject property to Elm Park House and the formal relationship of the building to Elm Park House which arises from its siting, design and single storey nature which renders the dwelling subsidiary to the main property that the proposed first floor extension would form an incongruous addition to the lodge which would interfere with views of Elm Park House and therefore would adversely impact on the character and setting of the Protected Structure.

Appropriate Assessment

- 7.9. The appeal site is not within or adjoining any Natura 2000 site. Having regard to the minor nature and scale of the proposed development, the location of the site in a serviced suburban area and the 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 a European site.

8.0 Recommendation

- 8.1. I recommend that permission be refused for this development for the reasons and considerations set out below.

9.0 Reasons and Considerations

1. Having regard to its height, form and appearance, it is considered that the proposed development would be an incongruous addition to the lodge, and would be unsympathetic to its character as a single storey dwelling house within the curtilage of Elm Park House, which is a protected structure. The formal relationship of the building to Elm Park House, arises from its siting, design and single storey nature which renders the dwelling subsidiary to the main property. Accordingly, the proposed development would adversely impact on the character and setting of the protected structure. The proposed development would, contravene Policy AR1 of the Dún Laoghaire-Rathdown County Development Plan 2016–2022, would seriously injure the amenities of the area and be contrary to the proper planning and sustainable development of the area.

Siobhan Carroll
Planning Inspector

27th November 2017