



An  
Bord  
Pleanála

## Inspector's Report PL29N.249336

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<b>Development</b>	Construction to extension to rear of Protected Structure
<b>Location</b>	77 St Lawrence Road, Clontarf, Dublin 3
<b>Planning Authority</b>	Dublin City Council
<b>Planning Authority Reg. Ref.</b>	3400/17
<b>Applicant(s)</b>	Emer Murray
<b>Type of Application</b>	Permission
<b>Planning Authority Decision</b>	Grant
<b>Type of Appeal</b>	Third Party
<b>Appellant(s)</b>	Betty Hallinan
<b>Observer(s)</b>	None
<b>Date of Site Inspection</b>	21 December 2017
<b>Inspector</b>	Una O'Neill

# Contents

1.0 Site Location and Description .....	3
2.0 Proposed Development .....	3
3.0 Planning Authority Decision .....	3
3.1. Decision .....	3
3.2. Planning Authority Reports .....	4
3.3. Prescribed Bodies .....	4
3.4. Third Party Observations .....	4
4.0 Planning History.....	4
5.0 Policy Context.....	5
5.3. Natural Heritage Designations .....	5
6.0 The Appeal .....	6
6.1. Grounds of Appeal .....	6
6.2. Applicant Response .....	6
6.3. Planning Authority Response .....	7
6.4. Observations.....	7
6.5. Further Responses.....	7
7.0 Assessment.....	7
8.0 Recommendation.....	9
9.0 Reasons and Considerations.....	9
10.0 Conditions .....	10

## 1.0 Site Location and Description

- 1.1. The subject site comprises no. 77 St Lawrence Road, a two storey red bricked terraced residential property in the north Dublin suburb of Clontarf, which is an established residential area. St Lawrence Road connects Howth Road to the north with Clontarf Road to the south. St Lawrence Road is a mature tree lined street made up of a mix of both terraced and semi-detached red brick Victorian residences. The adjoining properties to the north of no. 77 are three storey in height and to the south are two storey in height. The site backs onto a common mews lane to the east.
- 1.2. The red-bricked property, which is a protected structure (RPS ref 7661), has a two storey rear return in addition to two later single storey rear extensions.

## 2.0 Proposed Development

- 2.1. The proposed development comprises the following:
  - Extension to rear of existing single storey ground floor extension, measuring 6.48sqm in area, 4.2m long (4.8m including extended wall) x 2.5m wide. The overall height of the new extension, which includes new raised height of existing extension and parapet wall, is 3.9m, and has an overall depth (new and extended) of 10.5m alongside the boundary with no. 77.
  - Alterations of existing single storey rear extension including replacement of pitched roof with a flat roof, parapet wall, roof light and overhang.
  - Internal alterations to the ground floor of the 2- storey annex to the rear, including new fenestration and a wood burning stove.

The application is accompanied by an Architectural Heritage Impact Assessment, which relates to a previous development for the conversion of the attic level of this dwelling. A Conservation Report has also been submitted.

## 3.0 Planning Authority Decision

### 3.1. Decision

GRANTED, subject to 9 conditions, including the following:

C3: The parapet level shall be kept as low as possible.

C4: Conservation standards.

### 3.2. Planning Authority Reports

#### 3.2.1. Planning Report

The Planning Officer's report generally reflects the decision of the Planning Authority. It is noted the Conservation Officer had no objection to similar proposals previously applied for. No report from the Dublin City Council Conservation Officer accompanies this planning assessment.

#### 3.2.2. Other Technical Reports

Drainage Division: No objection subject to condition.

### 3.3. Prescribed Bodies

None.

### 3.4. Third Party Observations

Two third party observations were received from no. 78 and no. 76 St Lawrence Road. The issues raised are primarily covered in the grounds of appeal. In addition, an issue was raised in relation to the unsuitability of the extension for an ACA and depreciation of property.

## 4.0 Planning History

**2859/13** – Permission GRANTED to remove existing rear pitched roof and replace with a parapet wall, flat roof & roof lights, alterations to the external fenestration and internal layout of the extension.

*This permission has not been carried out.*

**2693/12** – Permission GRANTED for conversion of existing attic space to office/playroom with 2 dormer style windows to rear of dwelling. Condition 2 of the permission omitted the rear dormers and permitted rooflights.

**3046/98** – Permission GRANTED to erect single storey extension to the rear.

**1999/98:** Permission GRANTED to extend existing two storey annexe and erect single storey extension to the rear.

## 5.0 Policy Context

### National Policy

#### 5.1. Architectural Heritage Protection – Guidelines for Planning Authorities, 2011

Section 6.8.1 of the Guidelines outlines best practice in relation to extending Protected Structures. It is recommended that extensions to protected structures should involve the smallest possible loss of historic fabric and ensure that important features are not obscured, damaged or destroyed. The guidelines require Planning Authorities to be mindful of the setting of a protected structure within a terrace and that rear elevations can sometimes contain fabric that relates to the history of the structure. The guidelines state that the design of symmetrical buildings or elevations should not be compromised by additions that would disrupt the symmetry or be detrimental to the design of the protected structure.

### Local Policy

#### 5.2. Dublin City Development Plan 2016-2022

The application site is located within land use zoning objective Z2, the objective for which is *'to protect and/or improve the amenities of residential conservation areas.'*

5.2.1. Chapter 11 relates to Built Heritage and Culture and Sections 11.1.5.3-11.1.5.6 sets out policies in relation to protected structures and conservation areas.

5.2.2. Chapter 16 relates to Development Standards and Section 16.2.2.3 relates to Extensions and Alterations.

5.2.3. Appendix 17 sets out Guidelines for Residential Extensions.

#### 5.3. Natural Heritage Designations

The site is not located within or adjacent to any designated Natura 2000 site. The nearest Natura sites are the South Dublin Bay and River Tolka Estuary SPA (0040240), North Dublin Bay SAC (000206), and the North Bull Island SPA (004006), to the south and south east.

## 6.0 The Appeal

### 6.1. Grounds of Appeal

One third party appeal was received from the occupant of no. 78 St Lawrence Road (adjoining and to the north of the appeal dwelling), which is summarised as follows:

- It is proposed to increase the height of the extension with a parapet wall where it adjoins with no. 78. The eaves height of the existing single storey extension is 2.55m and the height of the proposed wall is 3.9m. The proposal will extend the length of this extension so that it is double the length of the existing single storey extension at 10.9m in length.
- The appellant is concerned about the bulk of the extension and the impact on the amenity of the garden of no. 78, with increased overshadowing. An additional sketch is submitted by the appellant to indicate the impact of the proposal. The impact from overshadowing has not been adequately considered in the planners report.
- The exterior finish proposed is not indicated and it is not indicated how the wall will be constructed or maintained from within the curtilage of no. 77.
- Permission was granted under 2859/13 for replacement of the pitched roof with a flat roof and extension. This proposal is 600mm higher than the previously permitted version. The section abutting the boundary wall has increased in both length and height.
- Condition no. 3 states that the parapet level shall be kept as low as possible. This condition is ambiguous in terms of what it will achieve.

### 6.2. Applicant Response

- The scale of the extension, which is single storey with a proposed parapet, is considered modest.
- The existing roof pitch does not comply with building regulations and is prone to leaking.

- The extent of the additional extension and the new parapet level will not impact on the amenity enjoyed by no. 78. A minor level of overshadowing will occur in the morning and will be located in a small portion of the garden.
- The gardens of these houses are extensive and the proposed extension is considered modest and reasonable.
- The proposal is to add 6.5sqm of additional space and square off the existing L-shaped extension. The proposal is not to double the length of the extension as stated in the appeal submission.

### 6.3. **Planning Authority Response**

None.

### 6.4. **Observations**

None.

### 6.5. **Further Responses**

None.

## 7.0 **Assessment**

7.1. The proposed development is for a single storey extension to the rear of no. 77 St. Lawrence Road, which is a two storey red brick protected structure (RPS ref 7661).

7.2. The primary issues for assessment include;

- Impact on Residential Amenity
- Impact on Architectural Character

### **Impact on Residential Amenity**

7.3. The grounds of appeal raises concerns in relation to the bulk of the extension and height of proposed parapet wall on the amenity of no. 78. Concern is also raised in relation to lack of detail on finishes and how the side wall of the extension is to be constructed and maintained.

- 7.4. The extension is to the rear of an existing single storey extension to the side and rear of the dwelling, which links into the existing two storey return. The existing extension forms a single storey L shape with the proposal squaring off the extension, measuring 4.8m deep (including extended wall) x 2.5m wide. The overall height of the extension, which includes the new raised height of the existing extension and parapet wall, is 3.9m high (existing height of 2.6m at boundary, with ridge height being 3.7m). The overall length (new and extended) alongside the boundary with no. 77 is 10.5m (previously 4.2m deep).
- 7.5. I note the neighbouring property no. 78 is to the south of the proposed extension. Given the orientation of the extension north of no. 78 and the scale of the existing extension, I do not consider the proposal would impact significantly in terms of overshadowing.
- 7.6. With regard to outlook, I note the extension will be increased in height at the boundary for a distance of 10.5m by an additional height of 1.3m. However, I note the presence of a courtyard between the extension and the rear elevation of the dwelling and also note the existing extension to the rear of no. 77, whereby the most usable amenity area to the immediate rear of the extension is not impacted upon significantly by the proposed development. I consider the impact in terms of outlook would not be so significant as to warrant amendment of the parapet wall. The proposal is overall in my opinion acceptable and will not seriously impact on the amenity of neighbouring properties.
- 7.7. A condition can be attached to any grant of permission in relation to finishes.

#### **Impact on Architectural Character**

- 7.8. The Architectural Heritage Guidelines for Planning Authorities recommend that new work should involve the smallest possible loss of historic fabric and ensure that important features are not obscured, damaged or destroyed.
- 7.9. The principal merit of the dwelling is the front façade, which as part of a terrace of almost identical buildings forms a strong streetscape. I note that no work is proposed to the front elevation. The addition of a rear single storey extension to the existing single storey extension (which was a later addition to the dwelling) will not, in my view, impact upon the architectural quality or integrity of the building, particularly given the context whereby a number of extensions have been added to the rear of properties along this street. The



amendments to the fenestration at ground level to the side of the original two storey return, which faces onto an internal courtyard, will also not, in my opinion, impact upon the integrity of the building. The works would integrate well with the existing dwelling and would not be visible from the street. The proposal overall is considered acceptable.

### **Other Matters**

- 7.10. I have no information before me to believe that the proposed development, if permitted, would lead to devaluation of property values in the vicinity. I consider that the works proposed are acceptable and would not detract from the visual or residential amenities of the area.

### **Appropriate Assessment**

- 7.11. Having regard to the minor nature of the development, its location in a serviced urban area, and the separation distance to any 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 granted for the proposed works to the rear of this protected structure.

## **9.0 Reasons and Considerations**

- 9.1. Having regard to the scale and nature of the development and the existing pattern of development in the area, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the amenities of the area or of property in the vicinity and would not impact upon the architectural integrity 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 in accordance with the agreed particulars.

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

2. Details of the materials, colours and textures of all the external finishes to the development shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

**Reason:** To ensure an appropriate standard of development/conservation.

3. (a) A conservation expert shall be employed to manage, monitor and implement the works on the site and to ensure adequate protection of the retained and historic fabric during the works. In this regard, all permitted works shall be designed to cause minimum interference to the retained building and facades structure and/or fabric.

(b) All repair works to the protected structure shall be carried out in accordance with best conservation practice as detailed in the application and the Architectural Heritage Protection Guidelines for Planning Authorities issued by the Department of Arts, Heritage and the Gaeltacht in 2011. The repair works shall retain the maximum amount of surviving historic fabric in situ, including structural elements, plasterwork (plain and decorative) and joinery and shall be designed to cause minimum interference to the building structure and/or fabric. Items that have to be

removed for repair shall be recorded prior to removal, catalogued and numbered to allow for authentic re-instatement.

(c) All existing original features, including interior and exterior fittings/features, joinery, plasterwork, features (including cornices and ceiling mouldings) staircases including balusters, handrail and skirting boards, shall be protected during the course of refurbishment.

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

4. Site development and building works shall be carried out only between the hours of 0700 to 1800 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.

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Una O'Neill  
Senior Planning Inspector

3<sup>rd</sup> January 2018