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Pleanála

## Inspector's Report ABP 301968-18.

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<b>Development</b>	Internal and External Refurbishment Works and single storey rear extensions.
<b>Location</b>	Nos 7 and 8 Pembroke Gardens, Dublin 4. (Protected Structures.)
<b>Planning Authority</b>	Dublin City Council
<b>P.A. Reg. Ref.</b>	2374/18
<b>Applicant</b>	Strand Trust Ltd.,
<b>Type of Application</b>	Permission
<b>Decision</b>	Refuse Permission.
<b>Type of Appeal</b>	First Party
<b>Appellant</b>	Strand Trust Ltd.
<b>Date of Site Inspection</b>	29 <sup>th</sup> September, 2018.
<b>Inspector</b>	Jane Dennehy

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## 1.0 Site Location and Description

- 1.1. The application site is that of a pair of small semi-detached, early twentieth century cottages within the Pembroke Estate which have small front gardens and small yards at the rear. Each of the cottages has a stated floor area of thirty-eight square metres. They are modelled on the Garden village concept whereby the dwellings along two streets enclose and have direct access to a large triangular shaped communal garden or small park at the rear of the houses which, on its third side is enclosed by limestone walling and an entrance gate.

## 2.0 Proposed Development

- 2.1. The application lodged with the planning authority indicates proposals for internal alterations which include removal of the chimney breasts and cast-iron fireplaces, internal front partition and doors, replacement of the existing floor slab with an insulated floor slab and damp proofing. It is the applicant's intention to provide for alterations to the internal layout of the existing structure to include changes to circulation space providing for integration with additional accommodation within small storey rear extensions.
- 2.2. It includes proposals for external works to include window reari, bkc pointing, replacement of roof tiles and upgrading of roof insulation, where necessary.
- 2.3. The application includes a brief Conservation Statement which includes details on the building condition, the proposed works, photographs, and drawings prepared by the applicant's architect.
- 2.4. A further information submission lodged with the planning authority on 10<sup>th</sup> May, 2018 include a section drawings photographs and a description in greater detail of the proposed works, technical details on the **proposals for the replacement of windows and doors**. Windows are to be double glazed Danish Carlson sash windows the exact profile of the existing windows and the same as windows used at Nos 25 and 25a to the north side of the appeal site.

- 2.5. Replacement doors are to be core timber sheeted, also by Carlson and include double glazed sections.
- 2.6. It is submitted that the merit and special interest which warrants the protected structure status is external only by way of the presentation of the buildings in the contribution to the overall streetscape. It is claimed that the design approach for the interventions and additions has previously been accepted. That old and new can integrate well subject to thoughtful design. The works to No 25 and 25a are an example. (This property, a former meeting hall building within the Pembroke Estate which has also been extended is on the corner site corner adjoining the north side of the appeal site and was subject to four prior applications. P. A. Reg. Refs: 3404/16, 3905/15, 3996/15 and 3504/16 refer.)

### **3.0 Planning Authority Decision**

#### **3.1. Decision**

By order dated, 5th June, 2018, the planning authority decided to refuse permission for the development on grounds of excessive and unacceptable loss of historic fabric resulting in serious injury to the integrity and character of the cottages (protected structures and material contravention of Section 11.1.5.3 of the Dublin City Development Plan, 2016-2021.

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

##### **3.2.1. Planning Reports**

The planning officer having noted the contents of and recommendations in the reports of the conservation officer and the original and further information submissions, concluded that the proposed development was unacceptable.

The conservation officer in her report on the original application, indicated objection to proposed development on ground of excessive interventions and removal of historic fabric and consequent conflict with the Policy CHC 2 and section 11.1.5.3 of the CDP and the guidance in Section 7 of *Architectural Heritage Protection: Guidelines for Planning Authorities*, (DOEHLG, 2004) (The Guidelines.)

3.2.2. The supplementary report of the conservation officer on the further information submission proposals indicated a recommendation for refusal of permission on grounds of exceptional loss of fabric and character. The Conservation Officer expresses appreciation of the intentions of the applicant, a charitable trust in providing sheltered housing, is unopposed to construction of a rear extension involving judicious removal of some internal partitions and alterations to the internal plan in which most of the character and historic fabric is retained. It is stated that improvements to thermal performance for living accommodation standards can be achieved by alternative means such as draft proofing and installation of secondary glazing inside the historic single glazed timber sash windows. The final report also contains technical guidance and requirements which should be provided for in a schedule of works and repairs should permission be granted.

The report of the Drainage Division indicates no objection to the proposed development.

## 4.0 Planning History

There is no record of a planning history for the two cottages within the application site. The planning officer has noted several other prior applications for development at other Pembroke Estate cottages in the vicinity at properties within Pembroke Gardens. (These prior applications include (P. A. Reg. Refs 5913/07, 3694/07, 3993/09 and 3504/16.)

## 5.0 Policy Context

### 5.1. Development Plan

The operative development plan is the Dublin City Development Plan, 2016-2022 according to which the site is within an area subject to the zoning objective: Z2: *“to protect, and/or improve amenities of residential conservation areas.”*

Policy CHC2 provides for ensuring the protection of the special character and integrity of protected structures. Guidance and standards on works and additions, internally and externally, to protected structures are set out in section 11.1.5.3 which provides for minimal intervention to and maximisation of retention historic fabric and

original planform, protection of proportions within buildings and relative to adjoining buildings.

## 6.0 The Appeal

### 6.1. Grounds of Appeal

An appeal was received from Manahan Associates on 2<sup>nd</sup> July, 2018 which is outlined in summary form below.

- Strand Trust Ltd., (the applicant) is a registered charity which provides housing for people, usually older people and/or people with poor health who are unable to provide housing for themselves and which is in ownership of thirty-two historic cottages which need modernisation and upgrading works. Nos 7 and 7 Pembroke Cottages are vacant at present so there is now an excellent opportunity to carry out upgrading and modernisation works. It is requested that the special circumstances of the applicant regarding people in need of permanent accommodation be taken into consideration in reaching a decision on the application. Included in the submission is a statement from the Secretary of Strand Trust in which it is stated that there is an excellent opportunity at present to undertake the project proposed for Nos 7 and 8 Pembroke Cottages and that the Trust is coming under increasing pressure to upgrade its housing stock.
- Removal of the central fireplace is essential to the proposed creation of acceptable circulation, but the corner splayed fireplaces could be retained without undue adverse impact on space creation.
- The front doors and timber sash windows and rainwater goods can be retained subject to employment of a specialist with expertise in the repair of historic fabric providing for draught proofing. Included with the appeal are drawings indicating the locations of the proposed works and a letter from a specialist sash window craftsman indicating a willingness to undertake the works proposed for the windows and doors.

## 6.2. Planning Authority Response

6.2.1. There is no submission from the planning authority on file.

## 7.0 Assessment

- 7.1. The consideration central to the determination of the decision is that of architectural heritage impact in that the existing cottages being included on the record of protected structures and being located within a Conservation Area. It is acknowledged that the applicant is a Charitable Trust and that it wishes to extend upgrade the cottages, which are vacant before making them available as sheltered accommodation units again.
- 7.2. The cottages are of special interest in terms of their special architectural, historical and social interest as individual structures in the context of the Pembroke Estate. The argument that special interest meriting protection is confined to the external presentation of the cottages in the streetscape and that retention of the interior planform and features is unwarranted is not accepted.
- 7.3. The applicant has sought in the revised proposals in the further information submission to overcome the concerns about the original application, the proposed development is unacceptable due to excessive loss of historic fabric involved which adversely affects the integrity, character and special interest of the cottages. However, in principle, provision for a small rear extension within the footprint proposed, is considered acceptable subject to achievement of a design that does not necessitate significant loss of historic fabric and has an appropriate junction with the existing structure with an unaltered roof profile. It is acknowledged that an alternative overall internal layout may need to be considered. To this end, it is considered that upgraded and enlarged internal accommodation providing for modern standards can be delivered by way of less detrimental and irreversible interventions to historic fabric such as the chimney breasts and original internal walls. It is noted that single storey rear extensions have been previously been authorised at Nos 3 and 4 Pembroke Cottages. (P. A. Reg. Refs. 3993/09 refers.) The planning officer noted that the final grant of permission included provision for the retention of the existing central

chimney and chimney breasts and refurbishment and draughtproofing of the existing windows at these properties. There are some informative observations and recommendations within the conservation officer's report such as those on means to facilitate improvements to thermal performance of the fenestration to supplement repair and restorative works to the existing windows in respect of which a schedule was requested but not submitted at application stage.

#### **7.4. Environmental Impact Assessment – Screening.**

7.4.1. Having regard to the minor nature of the proposed development and its location in a serviced urban area, removed from any sensitive locations or features, there is no real likelihood of significant effects on the environment. The need for environmental impact assessment can, therefore, be excluded at preliminary examination and a screening determination is not required.

#### **7.5. Appropriate Assessment.**

7.5.1. Having regard to the scale and nature of the proposed development and to the serviced central business district location, no Appropriate Assessment issues arise. The proposed development would not 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. In view of the foregoing, it is recommended that the planning authority decision be upheld, and that permission be refused based on the draft reasons set out below.

### **9.0 Reasons and Considerations**

The existing cottages are included on the record of protected structures and are located within the Pembroke Estate which is designated as a Conservation Area. It is considered that the proposed development involves extensive interventions to and loss of original historic fabric which is would adversely and irreversibly affect the integrity of the existing cottages, protected structures, and their special character within the context of the historic streetscape. As a result, the proposed development would materially contravene Policy CHC 2 of the Dublin City Development Plan, 2016-2022 which provides for ensuring the protection of the special character and



integrity of protected structures and section 11.1.5.3 which provides for minimal intervention to and maximisation of retention historic fabric and original planform and protection of proportions within buildings. As a result, the proposed development would be contrary to the proper planning and sustainable development of the area.

**Jane Dennehy**  
**Senior Planning Inspector**  
**2<sup>nd</sup> October, 2018.**