



An
Bord
Pleanála

Inspector's Report ABP-302357-18

Development

PROTECTED STRUCTURE:

Demolition of extension & reconstruction of the single storey store to rear of dwelling. Construction of 2 storey plus single storey extension to rear of house with internal works, rooflights & all associated site development works.

Location

28, Garville Avenue, Rathgar, Dublin 6

Planning Authority

Dublin City Council South

Planning Authority Reg. Ref.

3152/18

Applicant(s)

Adrian and Caroline Duffy.

Type of Application

Permission.

Planning Authority Decision

Grant Permission subject to conditions

Type of Appeal

First Party appeal of condition 2

Appellant(s)

Adrian & Caroline Duffy.

Observer(s)

None.

Date of Site Inspection

12th November 2018.

Inspector

Bríd Maxwell

1.0 Site Location and Description

- 1.1. The appeal site is located on the northern side of Garville Avenue, in Rathgar, Dublin 6. The site is occupied a three storey terraced dwelling which is protected structure Ref No 3155. No 28 forms part of a terrace of three houses on Garville Avenue which are in turn joined to longer terraces. The site is bounded by two mews dwellings to the north and also retains a pedestrian access onto Garville Lane.
- 1.2. The existing dwelling, a large residence extending to 312m² is a two storey over garden level double fronted house constructed circa 1840. To the front of the dwelling the upper two storeys to the house are brown brick in Flemish bond, with basement constructed in stone (currently unrendered) divided from the brickwork above by a stone coping. There are granite quoin stones to the western edge of the façade. A granite staircase with bull-nosed granite steps and simple cast iron balustrade leads up to the front door threshold. An attractive front door case matching those of no 26 and 24 comprising of fluted columns flanking the door in turn carrying a pediment above. Fanlight above has been replaced with new glass and lead. Fenestration on each level is notably different. Brick chimney pots to both party walls have a stepped detail. The roof is of natural blueblack slate with a terracotta ridge. The house is bounded to the front by a decorative iron railing on a granite plinth with a central pedestrian gate in decorative iron to match the railings. To the western side boundary there is a boundary wall capped with granite coping stones. To the east it is bounded by a modern metal railing.
- 1.3. To the rear the building is three bays wide and three stories high with a large return extending to two of the bays, and with a roof that hips back into the main roof. A two storey extension of 24 sq.m was added to the rear of the house in the late 20th century. The extension houses small kitchens at both and at first floor level it contains a conservatory / sunroom. A metal landing and external stairs connects first floor with the garden. A single storey outhouse contains boiler room and externally accessed utility. The large rear garden is bounded on both sides by a stone wall and to the rear there are two modern mews houses accessible from Garville Lane.

2.0 Proposed Development

2.1 The proposal as set out involves permission for the demolition of the non-original two storey extension 22m², external landing and stairs and reconstruction of the single storey store to the rear. The construction of a new two storey plus single storey extension to the rear of the original house; as well as internal refurbishment and remedial works at lower ground, upper ground and first floor level. Internal works will include the creation of a new external door ope to rear, reconfiguring of opes, and refurbishment of shower / toilet under external stairs at lower ground floor level; replacement of non-original staircase between lower and upper ground floor and removal of existing ensuite and creation of new ensuite and wardrobe within the master bedroom at first floor level. Rooflights are proposed within the two storey extension to the rear. The development will include all associated landscape, conservation and site development works.

2.2 The nature of the proposed development is outlined in detail within the application documentation including a Conservation Report by Murphy Austin Architects, and Planning Report by Marston Planning Consultancy.

3.0 Planning Authority Decision

3.1. Decision

By order dated 26th July 2018 Dublin City Council issued notification of its decision to grant permission subject to largely standard conditions and the following condition 3 which is subject of the appeal:

Condition 2. *“The proposal hereby approved shall be revised as follows:*

- a) *The proposed widening of the door ope at lower ground floor level from the proposed kitchen to the hall shall be omitted.*

Reason: To protect the character and integrity of the protected structure.”

3.2. Planning Authority Reports

3.2.1. Planning Reports

Planner's report asserts that the proposed widening of the lower ground floor door opening from the kitchen to the hall would be an unnecessary and unacceptable impact on the historic fabric of the building. The report concludes that the proposal would not adversely affect the character and setting of the existing protected structure and would not injure residential amenity. Permission was recommended.

3.2.2. Other Technical Reports

3.2.2.1 Conservation report notes that no conservation officer's review of the file was undertaken.

3.2.2.2 Engineering Department Drainage Division indicates no objection subject to compliance with Greater Dublin Regional Code of Practice for Drainage Works Version 6.0.

4.0 Planning History

2493/95 Permission for 2 mews dwellings to rear.

0255/97 Permission granted for retention of alterations to mews dwelling.

5.0 Policy Context

5.1. Development Plan

- The Dublin City Development Plan 2016-2022 refers.
- The site is zoned Z2. "To protect and/or improve the amenities of residential conservation areas".
- 11.1.5.3 Protected Structures – *"Interventions to Protected Structures should be to the minimum necessary and all new works will be expected to relate sensitively to the architectural detail, scale, proportions and design of the original structures. This*

should take into account the evolution of the structure and later phases of work, which may also contribute to its special interest.

Where possible, existing detailing, fabric and features of the structure should be preserved, repaired or, if missing or obscured, should be re-instated or revealed. In almost all cases, the materials used for alterations, extensions or repairs should match the original and the use of non- traditional materials will not normally be acceptable. Original and historic fabric should be retained and protected, wherever possible.”

- Policies for the protection of the special character of designated conservation areas are set out under Section 11.1.5.4 and Policy Objective CHC4.
- Guidance and standards for residential extensions and alterations to dwellings are set out in Section 16.10.12.

6.0 The Appeal

6.1. Grounds of Appeal

6.1.1 The grounds of appeal are submitted by Murphy Austin Architects on behalf of the first party. The grounds of appeal relate to condition 2 and are summarised as follows:

- Notable Dublin City Council’s Conservation Officer did not report on the case.
- By not widening the door at lower ground floor level there will be a detrimental effect to the overall scheme in its design. House needs to be adaptable to modern day living.
- Lower ground floor level has been substantially altered by previous owners leaving no significant original architectural features which give the structure its special character. Skirtings, architraves, doors, covings, fireplace throughout this level are all modern replacements.
- Ceiling at this level are lower than standard ceiling height and consequently the room to the front of the house where the proposed kitchen is to be located is a dark enclosed room with an oppressive feeling. By removing the existing

(non-original) door to the hall and opening up this wall to insert a glazed screen and door, allows for a feeling of openness and integration at this level.

- The original planform of the room is not being altered and is clearly legible. There is a head left above the opening to allow for the insertion of steel below the level of the existing ceiling so as not to interfere with the floor above.
- Amendment to screen within the grounds of appeal in that the door is to be placed in the centre of the screen away from the bottom of the staircase.
- Precedence for opening up of lower ground floor walls No 330 Belgrave Square West. Protected structure, 2622/06.

6.2. Planning Authority Response

The Planning Authority did not respond to the grounds of appeal.

7.0 Assessment

7.1 Having regard to the nature of the development and the grounds of appeal, I consider it that determination by the Board of the application as if it is had been made to it in the first instance would not be warranted and therefore in accordance with Section 139 of the Planning and Development Act 2000, it is appropriate that consideration is confined to assessment of the condition under appeal namely condition 2.

7.2 Condition 2 is as follows:

“The proposal hereby approved shall be revised as follows:

- a) The proposed widening of the door ope at lower ground floor level from the proposed kitchen to the hall shall be omitted.*

Reason: To protect the character and integrity of the protected structure.”

- 7.3 I note that on the date of my site visit I did not gain access to the dwelling however I am satisfied that there is sufficient information and photographic evidence to enable assessment of the matter subject of the appeal and its implications on the historic fabric of the building. I refer particularly to the Conservation Report by Murphy Austin Architects, Survey Drawing 1622 PL02 and the photo surveys relating to numbers on survey plans. (P8, P 11, P4 and P6). I note that in terms of justification for the proposed intervention the first party has noted that whilst the formation of the enlarged opening does involve the loss of part of an original wall, the original planform of the room is being retained and the change is clearly legible. Notably the lower ground level has been significantly modernised and doors, covings, architraves and skirtings are all modern features.
- 7.4 Having considered the proposal, I am inclined to accept the assertions made on behalf of the first party that the proposed works will not have a negative impact on the special character of the protected structure. The alterations are designed to ensure that the structural stability of the building is not jeopardised. I consider that the benefits arising in terms of the improvement to residential amenity is appropriately balanced against the extent of loss of an original wall and the implications in terms of the integrity of the protected structure. In light of my assessment, I recommend that the imposition of condition 2 is unnecessary.
- 7.5 Having regard to the nature and scale of the proposed development and the nature of the receiving environment, and proximity to the nearest European site, no appropriate assessment issues arise and it is considered that 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.
- 7.6 On the issue of Environmental Impact Assessment screening having regard to the limited nature and scale of the development, nature of the receiving environment no likelihood of significant effects on the environment arising from the development. The need for environmental impact assessment can, therefore, be excluded.

8.0 Recommendation

- 8.1. In light of my assessment I recommend that the Planning Authority be directed to omit condition 2.

Reasons and Considerations

Having regard to character of the lower ground floor level of the protected structure, which has been subject to substantial alteration over time, and to the limited nature of the proposal to provide for the replacement of a non-original door and a glazed screen, it is considered that the proposed development would be acceptable in terms of its impact on the integrity of the protected structure and would therefore be in accordance with the proper planning and sustainable development of the area.

Bríd Maxwell
Planning Inspector

14th November 2018