



Development

The conversion from multi unit accommodation to a single family dwelling with ancillary granny flat at lower ground floor level, and associated alterations internally and externally including the following (i) the removal of the non-original single storey structure to the rear, (2 sqm), (ii) the removal of partitions, doors, secondary stair, floor coverings, toilets and kitchens, (iii) internal and external alterations including widened opes / doors to the rear and side at all levels, new window opening to the side at first floor, new balconettes to the front at ground and first floor, new landing to the rear at ground floor to provide access to the garden via an external stairs, (iv) the replacement of the kitchen, bathrooms, sanitary fittings and associated plumbing installations, (v) general refurbishment of the existing house (338 sqm) including essential repairs as required to the floors, walls, windows, facades and

roof, (vi) associated conservation works, site works and ancillary works.

| | |
|-------------------------------------|---|
| Location | 3 Brighton Terrace, Monkstown, Co. Dublin (a protected structure RPS Ref. 547). |
| Planning Authority | Dún Laoghaire Rathdown County Council |
| Planning Authority Reg. Ref. | D18A/0721 |
| Applicant(s) | Rosaleen Bishop & Siobhan O'Dwyer |
| Type of Application | Permission |
| Planning Authority Decision | Grant subject to conditions |
| Type of Appeal | Third Party v. Decision |
| Appellant(s) | Michael & Sandra Quinn |
| Observer(s) | None. |
| Date of Site Inspection | 28 th February, 2019 |
| Inspector | Robert Speer |

1.0 Site Location and Description

- 1.1. The proposed development site is located at No. 3 Brighton Terrace, Monkstown, Co. Dublin, approximately 1.7km east-southeast of the Blackrock Shopping Centre and 250m west of the Salthill and Monkstown Dart Station, where it occupies a prominent position in an established residential area alongside Seapoint Avenue overlooking Dublin Bay. The immediate site surrounds are generally characterised by mature housing which predominantly consists of a combination of detached, semi-detached and terraced period properties of varying design, although there are several examples of more contemporary developments in the wider area. In this respect it is notable that the surrounding area retains an attractive quality and is of considerable interest from a built heritage perspective.
- 1.2. The site itself has a stated site area of 0.0393 hectares, is rectangular in shape, and presently comprises a substantial end-of-terrace, two-storey-over-basement / lower ground floor, late-Georgian / early Victorian, Italianate property, with front and rear garden areas, which has been converted into 3 No. self-contained living units. It forms part of a larger terrace of 3 No. terraced units which, when taken in combination with a pair of semi-detached, two-storey-over-basement / lower ground floor dwelling houses to the immediate west, serves to form Brighton Terrace. Notably, the property has been designated as a protected structure by reference to its inclusion in the Record of Protected Structures contained in the Development Plan (RPS Ref. 547) and is also located within the Monkstown Architectural Conservation Area. It is bounded by the public road to the northeast and by neighbouring residences to the northwest, southeast and southwest.

2.0 Proposed Development

- 2.1. The proposed development consists of the conversion of the existing property at No. 3 Brighton Terrace from 3 No. self-contained living units into a single family dwelling with an ancillary 'granny' flat at lower ground floor level, with associated internal and external alterations, including the following:
- The removal of the non-original, single storey structure / return to the rear of the main building;

- The removal of partitions, doors, secondary stair, floor coverings, toilets and kitchens;
- Internal and external alterations, including widened openings / doors to the rear and side at all levels, a new window opening to the side at first floor level, new balconettes to the front at ground and first floor levels, a new landing to the rear at ground floor level to provide access to the garden via an external stairs;
- The replacement of the kitchen, bathrooms, sanitary fittings and associated plumbing installations;
- General refurbishment of the existing house (338m²), including essential repairs as required to the floors, walls, windows, facades and roof; and
- Associated conservation works, site works and ancillary works.

2.2. In response to a request for further information, amended proposals were subsequently submitted which detailed various revisions to the internal and external alterations proposed, including:

- The omission of a proposed door opening at ground floor level between the entrance hall (G-01) and the drawing room (G-02).
- The retention of the existing fireplace (FP-01) *in situ* within the ground floor drawing room (G-02).
- The repositioning of the fireplace (FP-04) from the existing first floor bedroom (F-01) to the lower ground floor living room (B-01).
- The revision of the first floor ensuite bathroom serving Bedroom 'F-06' to provide for a 300mm separation between the new partition wall and the existing chimneybreast.
- The omission of the ground floor level balconettes from the front elevation;
- The provision of one shared balconette along the first-floor level windows on the front elevation (to replace the 3 No. individual balconettes previously proposed);
- The omission of the glazed panels previously proposed for insertion into the front entrance door.

- The enlargement of only one window at ground floor level within the rear elevation of the property to provide for a door opening onto the proposed rear garden access.

2.3. The proposed development will avail of existing connections to mains services.

N.B. The planning application form has stated that as the proposed development does not involve the provision of any new dwelling units, the requirements of Part V of the Planning and Development Act, 2000, as amended, are not applicable.

3.0 Planning Authority Decision

3.1. Decision

3.1.1. Following the receipt of a response to a request for further information, on 26th October, 2018 the Planning Authority issued a notification of a decision to grant permission for the proposed development subject to 7 No. conditions which can be summarised as follows:

Condition No. 1 – Refers to the submitted plans and particulars.

Condition No. 2 - Requires the 'family' flat to be occupied by an immediate family member of the occupier of the main dwelling and prohibits its use as a separate dwelling. Moreover, the proposed flat is not to be let or sold independent of the main residence.

Condition No. 3 – Requires the first floor (ensuite) window within the western elevation of the building to be permanently glazed in opaque / frosted glass.

Condition No. 4 – States that only those structures identified for demolition on the submitted plans are to be removed.

Condition No. 5 – Requires all external finishes to harmonise with the existing building.

Condition No. 6 – Refers to the surface water drainage arrangements.

Condition No. 7 – Refers to the maintenance and repair of the public road during the construction works.

3.2. Planning Authority Reports

3.2.1. Planning Reports:

An initial report details the site context and the applicable policy considerations, including the designation of No. 3 Brighton Terrace as a protected structure in addition to the site location within the Monkstown Architectural Conservation Area. It proceeds to state that in light of the applicable land use zoning objective and the historical use of the property as a single dwelling, the overall principle of the proposal to provide a single family home is acceptable. With regard to the proposed 'family member / granny flat' at lower ground floor level, reference is made to Section 8.2.3.4(iii) of the Development Plan wherein it is stated that a 'family' or 'granny' flat refers to a temporary subdivision of a single dwelling, for a subsidiary element, for use by a member of the immediate family (e.g. an elderly parent), but not as a fully independent dwelling unit. It is further noted that the applicable policy provisions state that any such proposal should be:

- Interlinked with the primary dwelling and capable of being readily subsumed back into same.
- Such that the Planning Authority is satisfied that there is a valid justification for the proposal in use terms.

The report then raises concerns as regards the proposal to permanently remove the connecting stairwell between the lower and upper ground floor levels and the likelihood that the proposed 'family member / granny flat' will function as an independent dwelling rather than as subsidiary accommodation. It is also noted that the applicants have not provided any justification for the proposed flat nor have they identified the intended occupant.

With regard to the potential impact of the proposed development on neighbouring properties, with particular reference to No. 4 Brighton Terrace to the immediate west, it is stated that the alterations proposed to the side elevation, including the new fenestration arrangements, will not unreasonably impact on the residential amenity of surrounding properties by reason of overlooking, subject to the imposition of suitable conditions (i.e. the provision of opaque glazing within the window serving the first floor ensuite bathroom).

In relation to the proposed rear balcony area, it is stated that having regard to its scale, form and size, its intended function in providing access to the rear courtyard on site, and the existing boundary treatment which serves to preclude overlooking, this aspect of the development will not unreasonably compromise the residential amenity of surrounding property by reason of overlooking, overshadowing, or by having an overbearing impact.

From a built heritage perspective, the report concurs with the recommendations of the Architectural Conservation Officer, although it is stated that cognisance has also been taken of the contents of the submission received from An Taisce.

In terms of traffic and transport, whilst it is noted that 2 No. off-street parking spaces would normally be required for a dwelling house with 3 No. or more bedrooms, given the existing use of the property as three separate residential units in the absence of any off-street parking, its designation as a protected structure, and the site location within the Monkstown Architectural Conservation Area, the proposal is deemed to be acceptable from a traffic and transport perspective.

With regard to private open space, having regard to the nature of the proposal, the current use of the property, and the existing site conditions, it has been indicated that the proposal is acceptable in principle.

It is therefore recommended that further information be sought in respect of the proposed 'family member / granny flat' and the requirements of the Conservation Officer.

Following the receipt of a response to a request for further information, a further report was prepared which concluded that the proposed 'family' flat complied with Section 8.2.3.4(iii) of the Development Plan whilst the revised proposals adequately addressed the concerns of the Conservation Officer. Accordingly, it was recommended that permission be granted for the proposed development, subject to conditions.

3.2.2. Other Technical Reports:

Drainage Planning, Municipal Services Department: No objection, subject to conditions.

Transportation Planning: No objection, subject to conditions.

Conservation Officer: An initial report noted that the subject building is a protected structure (Ref. No. 547) and is also located within the Monkstown Architectural Conservation Area. It subsequently stated that whilst the principal of the proposed works was acceptable, there were a number of items which should be omitted and / or revised by way of further information as follows:

- It was considered that the proposal to open a doorway within an alcove at ground floor level (identified as '31' on Drg. No. P-2.1) would adversely affect the spatial quality and original floor plan of the entrance hall / drawing room. Accordingly, it was recommended that this aspect of the works be omitted.
- Within regard to the proposal to relocate the original fireplace (FP-04) from its current position at first floor level (Room: F-01) to the ground floor drawing room, it was considered that the existing fireplace (FP-01) within the drawing room should be retained in situ on the basis that best practice conservation philosophy would support the retention of original features where they survive. In this instance it was thus suggested that the relocation of fireplace FP-04 from the first floor to the lower ground floor would not present any built heritage objections and would also allow the existing drawing room fireplace to remain in its original position. Therefore, it was recommended that a condition should be attached to any grant of permission to this effect.
- Revised proposals should be provided by way of further information as regards the proposed ensuite serving the first floor bedroom identified as 'F-06' so as to ensure that the chimneybreast remains legible (i.e. by pulling the new stud partition away from the chimneybreast).
- Balconettes should only be reinstated on the basis of accurate historical evidence. Therefore, the balconettes proposed to the ground floor should be omitted with only a single shared balconette to be provided at first floor level (based on evidence available from the Lawrence Collection). This matter should be addressed by way of condition.
- The proposal to install glazed panels to the entrance door is not acceptable, would set an unfavourable precedent, and would adversely impact on the original character and appearance of same. Therefore, it was recommended that this aspect of the proposal be omitted.

- The window and door openings at ground floor level within the living / dining / kitchen area (Room: 'G-05') should be revised and reduced whilst it should also be demonstrated how the window joinery is to be retained and treated. In the interests of minimal intervention, it was recommended that only one window opening be converted to a door opening.

The report thus concluded by stating that all other elements of the proposed development would not present any major built heritage concerns and would have a neutral or positive impact. In relation to the side elevation and the alterations proposed to the window openings, it was considered that the elevation in question would be enhanced by same in that it would gain a symmetry which is often a characteristic / feature of buildings from this period. Overall, it was considered that, on balance, the proposed works would enhance the protected structure, subject to the aforementioned revisions.

Following the receipt of a response to a request for further information, a final report was prepared which stated that the concerns of the Conservation Officer had been adequately addressed and thus there were no further built heritage concerns as regards the proposed development.

3.3. Prescribed Bodies

3.3.1. *An Taisce*: The principle issues raised in this submission can be summarised as follows:

- There is no historical precedent for a balconette at ground floor level on the front elevation of the property and such an intervention would materially affect the character and legibility of the protected structure.
- The proposal to install three individual balconettes to each of the windows at first floor level is contrary to historical photography of the area which clearly shows that there was only one continuous balconette at first floor level at this location. Therefore, in the interest of historical accuracy, it is submitted that only one balconette should be permitted.
- The original balconette to this property included for the decorative use of ironwork, however, the vertical rods within the proposed balconette appear short in height and look aesthetically incongruous with the vertical lines or dimensions of the existing first floor windows, although it is noted that the

original single balconette would appear to have included vertical elements within the decorative castings which harmonised well with the open parapet balustrade above. Therefore, any replication should observe these important details in order to maintain cohesion along the terrace.

- The proposal to insert two glazed panels in the front entrance door is not justified and would materially affect the character of the house. There is already adequate lighting of the entrance hall by way of a fanlight and a large window to the side of the house. Glazed door panels were not part of the original door design. Section 10.3.2 of the *'Architectural Heritage Protection, Guidelines for Planning Authorities, 2004'* states that:

'Inappropriate works to its doorway would damage the special interest. Proposals to remove, replace or otherwise inappropriately alter features of interest should be treated with great caution'.

- The alterations proposed to both windows / balconettes and the entrance door do not constitute *'minimal intervention to the historic fabric'* as has been stated in the application. These interventions would be highly visible and would materially affect its character and historic integrity.
- Domestic facilities (such as bin storage), where possible, should be kept behind the building line of the house in order to enhance its presence and visual amenity along Brighton Terrace.

3.4. Third Party Observations

3.4.1. A total of 2 No. submissions were received from interested parties and the principle grounds of objection / areas of concern contained therein can be summarised as follows:

- Detrimental impact on the residential amenity of neighbouring property by reason of overlooking with an associated loss of privacy.
- The proposal does not involve the *'reinstatement of original building features'*, with specific reference to the design / detailing of the proposed balconettes.
- The proposed development contravenes the Council's guidelines which aim to *'encourage the reinstatement of historically accurate architectural detailing of buildings of heritage'*.

- The inclusion of non-original elements, such as the glazed panels within the front door, is inappropriate and serves to undermine the built heritage interest of the property.
- The siting of a bin storage area within the front garden will detract from the architectural significance of the existing building and streetscape.
- The opening of the 'blind' window contradicts the stated conservation approach of '*using minimal intervention of historic building fabric*'. This blind window is an architectural void used to establish symmetry with the surrounding windows and is very much part of the vernacular of the building.

4.0 Planning History

4.1. On Site:

None.

4.2. On Adjacent Sites:

PA Ref. No. D06A/1661. Was granted on 7th June, 2007 permitting Michael and Sandra Quinn permission for a single rear extension of 31m² and external and internal alterations to the existing non-original flat roofed extension at ground and first floor floors, to include a new flat lead roof and adjusted window openings. Also proposed are external and internal alterations to the house as follows: The lowering of the ground floor rear window opening and the insertion of new double French doors to create a direct access to the rear garden. The covering in of the existing rear light well at basement level so as to provide a roof-lit storage area and facilitate access to the rear garden. The covering in of the existing rear light well as basement level so as to provide a roof-lit storage area and facilitate access to the garden as above. The enlargement of the existing door opening at basement level to create a better access to the sunken side courtyard. The painting of the rear rendered wall of the house and non original rear extension to match the front and side of the house. The demolition of a non-original wall at basement level to provide one large rear room. The reopening of the staircase well in the ground floor and the reinstatement of the original stairs to basement level. The reinstatement of the window opening, in the same ground floor rear room as above, to match the new proposed French

doors, to provide a new connection from the house to the kitchen area. The existing small front bedroom at first floor level is to be converted into a new en-suite bathroom with a new opening from the adjoining master bedroom. The original period mouldings and fireplace are to be retained and protected by new internal linings applied in front of the existing surfaces. This is a protected structure. All at No. 4 Brighton Terrace, Monkstown, Co. Dublin.

5.0 Policy Context

5.1. National and Regional Policy

- 5.1.1. The '*Architectural Heritage Protection, Guidelines for Planning Authorities, 2004*' provide detailed guidance in respect of the provisions and operation of Part IV of the Planning and Development Act, 2000, as amended, regarding architectural heritage, including protected structures and Architectural Conservation Areas. They detail the principles of conservation and advise on issues to be considered when assessing applications for development which may affect architectural conservation areas and protected structures.

5.2. Development Plan

Dún Laoghaire Rathdown County Development Plan, 2016-2022:

Land Use Zoning:

The proposed development site is located in an area zoned as 'A' with the stated land use zoning objective '*To protect and-or improve residential amenity*'.

Other Relevant Sections / Policies:

Chapter 2: Sustainable Communities Strategy:

Section 2.1: Residential Development

Chapter 6: Built Heritage Strategy:

Section 6.1: Archaeological and Architectural Heritage:

Section 6.1.3: Architectural Heritage:

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).
- iv. Ensure that new and adapted uses are compatible with the character and special interest of the Protected Structure.

Policy AR2: Protected Structures Applications and Documentation:

It is Council policy to require all planning applications relating to Protected Structures to contain the appropriate level of documentation in accordance with Article 23 (2) Planning Regulations and Chapter 6 and Appendix B of the Architectural Heritage Protection Guidelines for Planning Authorities, or any variation thereof.

Policy AR5: Buildings of Heritage Interest:

It is Council policy to:

- I. Retain, where appropriate, and encourage the rehabilitation and suitable reuse of existing older buildings/structures/features which make a positive contribution to the character and appearance of a streetscape in preference to their demolition and redevelopment and to preserve surviving shop and pub fronts of special historical or architectural interest including signage and associated features.

- II. Identify buildings of vernacular significance with a view to assessing them for inclusion in the Record of Protected Structures.

Policy AR8: Nineteenth and Twentieth Century Buildings, Estates and Features:

It is Council policy to:

- I. Encourage the appropriate development of exemplar nineteenth and twentieth century buildings and estates to ensure their character is not compromised.
- II. Encourage the retention of features that contribute to the character of exemplar nineteenth and twentieth century buildings and estates such as roofscapes, boundary treatments and other features considered worthy of retention.

Section 6.1.4: Architectural Conservation Areas (ACA):

Policy AR12: Architectural Conservation Areas:

It is Council policy to:

- i. Protect the character and special interest of an area which has been designated as an Architectural Conservation Area (ACA).
- ii. Ensure that all development proposals within an ACA be appropriate to the character of the area having regard to the Character Appraisals for each area.
- iii. Seek a high quality, sensitive design for any new development(s) that are complimentary and/or sympathetic to their context and scale, whilst simultaneously encouraging contemporary design.
- iv. Ensure street furniture is kept to a minimum, is of good design and any redundant street furniture removed.
- v. Seek the retention of all features that contribute to the character of an ACA including boundary walls, railings, soft landscaping, traditional paving and street furniture.

Policy AR13: Demolition within an ACA:

It is Council policy to prohibit the demolition of a structure(s) that positively contributes to the character of the ACA.

N.B. The proposed development site is located within the *'Monkstown Architectural Conservation Area'*.

Chapter 8: Principles of Development:

Section 8.2: Development Management:

Section 8.2.3: Residential Development:

Section 8.2.3.1: Quality Residential Design

Section 8.2.3.4: Additional Accommodation in Existing Built-up Areas: (iii) 'Family Member/Granny' Flat Extension

A 'Family' or 'Granny' flat refers to a temporary subdivision of a single dwelling - often by adding an extension to the dwelling or converting an attached garage - for a subsidiary element, for use by a member of the immediate family (e.g. elderly parent) but not as a fully independent dwelling. These will be assessed against the criteria applied to 'normal' domestic extensions. The Planning Authority will generally consider such sub-division and/or extension favourably subject to ensuring no negative impacts on the integrity of the primary dwelling. Applications for granny / family flats within the rural area will be assessed under the provisions of Section 8.2.3.6(vi).

Proposals should be:

- Interlinked with the primary dwelling and capable of being readily subsumed back into same.
- Such that the Planning Authority is satisfied that there is a valid justification for the proposal in use terms.

Permission will normally be on condition that:

- The flat can be subsumed back into the main dwelling when it is no longer required.
- It shall not be let or sold, other than as an intrinsic part of the overall property.

- Where the owner wishes it to remain subdivided on a permanent basis, an application shall be made for sub-division which will be assessed on the more demanding criteria as would be applied to a separate dwelling house.

Section 8.2.3.5: *Residential Development – General Requirements*

Section 8.2.11: *Archaeological and Architectural Heritage:*

Section 8.2.11.2: *Architectural Heritage – Protected Structures*

Section 8.2.11.3: *Architectural Conservation Areas*

5.3. Natural Heritage Designations

5.3.1. The following Natura 2000 sites are located in the general vicinity of the proposed development site:

- The South Dublin Bay Special Area of Conservation (Site Code: 000210), approximately 70m north of the site.
- The South Dublin Bay and River Tolka Estuary Special Protection Area (Site Code: 004024), approximately 70m north of the site.

N.B. This list is not intended to be exhaustive as there are a number of other Natura 2000 sites in excess of the aforementioned distances yet within a 15km radius of the application site.

6.0 The Appeal

6.1. Grounds of Appeal

- Whilst there is no objection in principle to the proposed development, the appellants are opposed to any changes to the side elevation windows and the inclusion of the rear balcony on the basis that these aspects of the proposal would be seriously injurious to their residential amenity and privacy, would materially contravene the relevant land use zoning objective, and would depreciate the value of their property.
- The cumulative impact of the changes proposed to the side elevation (with particular reference to 6 No. substantial clear-glazed windows at ground and

first floor levels) will significantly increase the overlooking of No. 4 Brighton Terrace resulting in an associated loss of privacy.

- It is proposed to erect a non-period balcony at ground floor (first floor) level across the full width of the rear elevation of the property, and although the conservation method statement submitted with the application documentation has referred to this construction as a *'new painted lightweight steel landing and access stair to [the] rear garden'*, it is clear that this area would be eminently suitable for use as a south-facing amenity space to serve the uppermost residential unit.

The intended use of this 'steel landing' as a balcony would appear to have been confirmed in the applicant's response to the request for further information. If the purpose of the steel landing and stairway is simply to provide access to the lower level garden, then the balcony does not need to extend across the full width of the rear elevation. Instead, 'NW-24' (as shown in the response to the request for further information) could have been retained with a smaller landing area at the top of the access stair with no balcony extending across the full width of the house.

- The changes to the side elevation windows and the inclusion of the rear balcony would result in increased overlooking of No. 4 Brighton Terrace with an associated loss of privacy and a devaluation of property.
- There is a separation distance of between 9.2m and 9.4m between the side elevations of the respective properties, which is considerably less than the 22m standard recommended for opposing first floor windows.

The new window proposed at 'NW-06' to serve the master bedroom will be less than 10m from (and directly opposite) the appellants' master bedroom (please refer to Photo No. 1) and thus would undermine the privacy of both properties.

A similar scenario arises in respect of the proposed windows 'NW-07' & 'NW-08' which will be directly opposite the side elevation windows serving the second bedroom at that floor level within the appellants' property. Whilst the inclusion of Condition No. 3 in the notification of the decision to grant permission will somewhat reduce the potential loss of privacy, it is considered

that the replacement of 2 No. opaquely glazed windows with 2 No. larger windows without any such glazing less than 10m from a bedroom window would be highly intrusive. Furthermore, there would also be a loss of privacy within the appellants' study and ensuite bathroom.

- The new ground floor window ('NW-03') serving the dining / living / kitchen area will be positioned directly opposite the dining room window within No. 4 Brighton Terrace and will also overlook the lower ground level double doors that open onto a sunken patio / play area. The replacement of an opaque bathroom window with a substantial window serving the most active room in the proposed upper level dwelling will result in increased overlooking of the appellant's property with an associated loss of privacy.
- The alterations proposed to the side elevation of the existing property will have a detrimental impact on the privacy and amenity of the appellant's side garden area by reason of overlooking. Furthermore, the rear garden and extended kitchen of No. 4 Brighton Terrace will be overlooked by the extensive balcony proposed across the full width of the rear of the property.
- The proposed balcony will also impinge on the residential amenity of the property to the immediate rear of the appeal site ('Tara') by reason of overlooking given the limited separation distances available.
- The proposed development is contrary to the applicable land use zoning objective which seeks '*to protect and / or improve residential amenity*'.
- None of the proposed interventions to the side of the building or the provision of the new balcony and access stairs will result in the reinstatement of any historic / architectural features of the protected structure. The importance of omitting non-historic interventions was evident by the Planning Authority's approach to the proposed balconettes to the front of the building. Despite its obvious detrimental impact on the amenity and privacy of the appellants' dwelling house, the neighbouring property known as 'Tara', and the proposed upper level dwelling, the Planning Authority has not considered the architectural and conservation implications of the new windows and rear balcony.

It is considered that the modern interventions proposed, which are not necessary to achieve 2 No. dwelling units at No. 3 Brighton Terrace, would be contrary to Chapter 10: 'Openings: Doors and Windows' of the 'Architectural Heritage Protection, Guidelines for Planning Authorities, 2004'.

- The Board is requested to attach the following conditions in the event of a grant of permission:
 1. *The approved changes to the ground and first floor side elevation windows (facing No. 4 Brighton Terrace) shall only comprise the like for like replacement, where necessary, of the 5 No. existing windows including the retention of opaque glazing to windows EW-11, EW-12 & EW-25. Proposed window NW-06 shall be omitted. The applicants shall submit revised drawings of the side elevation and obtain written agreement from the local authority prior to commencement of development.*

Reason: In the interests of preserving residential amenity and privacy.
 2. *New door ND-03 shall be omitted and replaced with a traditional timber sash window to match NW-22. New door ND-24 shall be retained in place of NW-23 and the width of the rear balcony reduced to 2 metres. The applicants shall submit revised drawings of these changes and obtain written agreement from the local authority prior to commencement of development.*

Reason: In the interests of preserving residential amenity and privacy.

6.2. Applicant's Response

- The proposed development includes a number of positive conservation works, the primary aim of which is to retain the cultural heritage and architectural significance of the dwelling whilst also seeking to retain old fabric that contributes to its special interest. The proposed works will enhance the architectural quality of the structure and will be carried out with minimal disturbance to the remaining historic fabric of the building.

- The subject proposal seeks to deliver a high-quality residential development at a scale which makes the most efficient use of zoned and serviced land whilst also enhancing the character and appearance of the surrounding area and protecting the residential amenity of adjacent properties.
- In general, the proposal accords with the policies and objectives of the Dún Laoghaire Rathdown County Development Plan, 2016-2022.
- The proposed alteration and enlargement of windows within the western elevation of the existing building will not result in any unreasonable impact on the residential amenity of No. 4 Brighton Terrace and will not directly overlook the private amenity space to the rear of that property.
 - The alteration of 'NW-08' involves the removal of a non-original aluminium-framed window, the adjustment of the opening height, and the installation of a new 'one-over-one' double-pane timber sash window which will serve the southernmost first-floor bedroom. This window currently overlooks the space between Nos. 3 & 4 Brighton Terrace and its positioning is offset from those window openings within the eastern elevation of the adjacent property. Furthermore, the view from 'NW-08' is not conducive to overlooking due to the oblique nature of the rear amenity space.
 - The requirement of the Planning Authority that 'NW-07' be glazed in opaque or frosted glass is an effective means by which to minimise any potential loss of privacy / amenity.
 - The reinstatement of the 'blind' window on the western elevation will not result in any undue overlooking of the adjacent property and is quite distant from the private amenity space to the rear of No. 4 Brighton Terrace. It is also evident that the appellants' property already has an equivalent window in this position and thus it seems unreasonable for the appellants to object to the provision of same.
 - It is of relevance to note that the appellants have previously altered and / or enlarged openings within the eastern elevation of their property pursuant to the grant of permission issued for PA Ref. No. D06A/1661.

- Any overlooking from the modified window at ground floor level ('NW-03') on the western elevation of the subject property will be towards the rear of the appellants' private amenity space and it is considered that this type of overlooking typically occurs from the rear of housing in any residential area.
- The western elevation of the existing building is poorly composed with a confused fenestration layout. Accordingly, the enlargement and modification of certain windows will provide for greater consistency within this elevation thereby creating a sense of symmetry and proportionality in the 'solid-to-void' relationship. The proposed design will reflect the more considered design of the adjacent property at No. 1 Brighton Terrace, which comprises a more coherent side elevation.
- Careful consideration has been given to the positioning and alteration of windows in order to preserve the privacy of the appellants' property.
- The modifications proposed to the fenestration within the western elevation are minimal, will provide adequate access to good levels of natural light, and will not negatively impact on the overall character of the existing building.
- In their assessment of the subject proposal, the case planner has stated that the *'modifications to these windows are not considered to unreasonably impact the residential amenity of surrounding properties by reason of undue overlooking and is therefore considered to be acceptable in principle'*.
- With regard to the proposed balconette:
 - The purpose of the shared balconette is to act as a walkway connecting the upper ground floor level to the rear garden / courtyard.
 - Given the location of the proposed balconette relative to the amenity space to the rear of No. 4 Brighton Terrace, and considering the current level of screening and existing boundary treatment on site, it is submitted that this aspect of the proposal will not give rise to any undue overlooking of the appellants' private amenity space.

- Any overlooking from the proposed balconette will be comparable to that experienced to the rear of housing in any residential area.
- In their assessment of the subject proposal, the case planner stated that:

'having regard to the scale, form and size of the proposed balcony, its function which will allow for access to the rear courtyard and the existing boundary treatments, whereby overlooking is precluded, the Planning Authority is satisfied that the proposal will not unreasonably compromise the residential amenity of surrounding properties by reason of overshadowing, overlooking, or by being overbearing'.
- The overall design, massing and height etc. of the proposed development is such as to avoid any loss of amenity to adjoining dwellings or the character of the surrounding area and thus accords with the applicable land use zoning objective.
- The proposal seeks to appropriately refurbish the existing building on site, which was previously in use as three separate dwellings, and to ensure its future use thereby preserving the sense of place offered by this protected structure to the streetscape.
- The modifications proposed to the western elevation of the existing property are not conducive to overlooking of the adjacent dwelling. In addition, the existing boundary treatment on site benefits both properties as regards any perceived privacy concerns.
- The existing condition of No. 3 Brighton Terrace is poor and the proposed works will significantly improve the standard of accommodation and the overall appearance of the dwelling whilst also enhancing the value of the site and surrounding properties.
- The Conservation Division of the Local Authority has stated that the proposed development is acceptable in principle (provided that one shared balconette is introduced at first floor level to reinstate the original condition of the dwelling).
- The proposed development includes a number of positive conservation works that are necessary to protect and preserve the historic fabric and character of the dwelling. The alterations to the western elevation will reinstate the original

characteristics of the property and will significantly improve an elevation which is poorly composed thereby achieving a more considered appearance that is reflective of properties elsewhere along the terrace.

- The proposal is consistent with the relevant provisions of the Development Plan.
- The proposed works will complement and appear subsidiary to the main structure.
- No objections were received from the Department of Culture, Heritage and the Gaeltacht or The Heritage Council.
- The proposed development will improve the appearance of the property and maintain the existing living conditions of neighbouring residents.
- The proposed works are considered to be sensitive and do not interfere with the important historical, architectural, artistic, cultural, social, archaeological or technical features of the existing dwelling.
- The subject proposal is suitable for the site, represents an appropriate form of development, and will not have any undue impacts on the amenity (residential or other) of any adjacent property nor will it detract from the special interest of this protected structure within the Monkstown Architectural Conservation Area.

6.3. Planning Authority's Response

- States that the grounds of appeal do not raise any new matter which, in the opinion of the Planning Authority, would justify a change of attitude to the proposed development.

6.4. Observations

None.

6.5. Further Responses

None.

7.0 Assessment

7.1. From my reading of the file, inspection of the site and assessment of the relevant local, regional and national policies, I conclude that the key issues raised by the grounds of appeal are:

- The principle of the proposed development
- Overall design and layout / impact on built heritage considerations
- Impact on residential amenity
- Appropriate assessment
- Environmental impact assessment (screening)
- Other issues

These are assessed as follows:

7.2. **The Principle of the Proposed Development:**

- 7.2.1. Having regard to the site location in an established residential area, the applicable land use zoning objective (i.e. 'A: *To protect and-or improve residential amenity*'), the historical use of the site for residential purposes, and the likelihood that the property in question was originally developed as a single dwelling, I am satisfied that the proposal to convert the existing building from three self-contained living units into a single family dwelling house with an ancillary 'granny flat' is acceptable in principle.
- 7.2.2. With specific reference to the proposal to provide a self-contained 'granny flat' within the lower ground floor of the property, it is of relevance to consider Section 8.2.3.4: '*Additional Accommodation in Existing Built-up Areas: (iii) 'Family Member/Granny' Flat Extension*' of the Development Plan wherein it is stated that any such 'family' or 'granny' flat should be interlinked with the primary dwelling and be capable of being readily subsumed back into same. It is further stated that the Planning Authority should be satisfied that there is a valid justification for such a proposal in use terms.
- 7.2.3. In its initial assessment of the proposed development, the Planning Authority raised concerns as regards the intended use of the 'granny' flat given the proposal to remove the stairway linking the lower and upper ground floors of the existing property thereby severing any internal connection between the proposed 'granny flat'

at lower ground floor level and the primary residence over the upper ground and first floors. In this respect it was suggested that any usage of the proposed 'family member / granny flat' would likely be more akin to that of an independent living unit / dwelling as opposed to subsidiary accommodation ancillary to the principle residence. It was also considered that the applicants had failed to provide a clear justification in use terms for the proposed 'family member / granny flat', although I would advise the Board that it had been indicated in the *'Planning & Conservation Impact Report'* provided with the initial application that the flat was to be occupied by the elderly mother of one of the co-applicants (i.e. Ms. Bishop).

- 7.2.4. In response to a request for additional information which sought further clarity on the proposed 'granny flat', the applicants indicated that the reason for removing the internal stairway was to achieve greater independence from the upper levels and to use the space vacated by same to provide bathroom facilities on both floor levels (within each of the proposed units). Whilst it was acknowledged that the removal of this stairway would result in the proposed flat being incapable of being *'readily subsumed back into the main dwelling'* as per the requirements of Section 8.2.3.4(iii) of the Plan, it was emphasised that it would continue to form an intrinsic part of the overall property and that there was no intention to either let or dispose of the flat as a separate dwelling. In further support of the application, it was also stressed that the existing property had been in use as multi-unit accommodation for in excess of 20 No. years and that the subject proposal sought to revert the building to use as a single family home with a 'granny flat' below same.
- 7.2.5. Following consideration of the applicants' response to the request for further information, and in light of the nature of the application (i.e. the reversion of the existing building into a single home with a separate 'family' flat), the Planning Authority subsequently concluded (as set out in the report of the case planner) that the proposed development generally accorded with the requirements of Section 8.2.3.4(iii) of the Development Plan as regards the provision of 'family member / granny flats' and would be acceptable, subject to the imposition of suitable conditions.
- 7.2.6. Having reviewed the available information, I am in broad agreement with the findings of the Planning Authority as regards the proposed 'family member / granny' flat. Moreover, I would suggest that whilst the subject property is a protected structure,

the removal of the proposed new bathroom facilities at both upper and lower ground floor levels and the provision of a new stairway in the space vacated by same (effectively corresponding with the existing internal access arrangement on site) would allow the 'granny flat' to be subsumed into the main residence with no further loss of historical fabric thereby maintaining the character of the structure.

- 7.2.7. Accordingly, on the basis of the foregoing, I am satisfied that the proposed development is acceptable, subject to suitable conditions, including a requirement that the 'granny' flat not be permitted to be sold or let independent of the main residence.

7.3. **Overall Design and Layout / Impact on Built Heritage Considerations:**

- 7.3.1. With regard to the overall design of the proposed development and its potential impact on built heritage considerations, it is of relevance in the first instance to note that the subject property has been designated as a protected structure (RPS Ref. 547) by reason of its inclusion in the Record of Protected Structures set out in Appendix 4 of the County Development Plan whilst it is also located within the Monkstown Architectural Conservation Area.
- 7.3.2. The proposed development involves the conversion of No. 3 Brighton Terrace from three self-contained residential units into a single family dwelling with an ancillary 'granny' flat at lower ground floor level. This will entail the carrying out of various internal and external alterations / modifications to the property, including the removal of partitions, doors and floor coverings etc., the widening of opes / doors to the rear and side at all levels, and the replacement of the kitchen, bathrooms, sanitary fittings and associated plumbing installations, and in this respect I would refer the Board to the schedule of works set out in the '*Planning & Conservation Impact Report*' as well as the accompanying annotated plans and particulars.
- 7.3.3. Having reviewed the submitted information, it is clear that the existing structure makes a positive contribution to the overall historic character / streetscape of the wider area and that its architectural significance is primarily attributable to its exterior appearance given that the interior of the property has been substantially altered over the years with a considerable amount of the original 19th Century internal fabric, joinery and plasterwork having been lost (with the exception of that within the entrance hall which is generally undisturbed although in a bad state of repair). In this

regard permission has been sought to remove unsympathetic, non-original building fabric, repairs and refurbishments as necessary in order to protect the historic fabric. Whilst it is acknowledged that the new interventions / works will require the removal of some original building fabric, it has been suggested that this will be limited in nature with minimal disturbance to the remaining historic fabric. It has also been stated that the proposed works will be carried out to the highest standard and that interventions will be restricted to the minimum consistent with established conservation philosophy in order to ensure the current and future protection of the property.

7.3.4. In an initial assessment of the schedule of works set out in the submitted plans and particulars, the Local Authority Conservation Officer indicated that whilst the principle of the proposed works was acceptable, there were a number of items which gave rise to concerns. In this respect it was considered that the proposal to create a new opening within an alcove between the entrance hall (G-01) and the drawing room (G-02) on the upper ground floor level was objectionable on the basis that it would adversely affect the spatial quality and original floor plan of this area and thus it should be omitted. It was also suggested that the existing fireplace (FP-01) within the upper ground floor drawing room should remain in situ whilst the fireplace (FP-04) within the existing first floor bedroom (F-01) should be repositioned to the lower ground floor living room (B-01). In addition, it was recommended that the design / layout of the proposed first floor ensuite bathroom serving Bedroom 'F-06' should be revised to provide for a 300mm separation between the new partition wall and the existing chimneybreast.

7.3.5. With regard to the alterations proposed to the exterior to the property, the Conservation Officer asserted that the balconettes proposed on the front elevation at ground floor level should be omitted as there was no historical evidence to suggest that the provision of same would involve the reinstatement of an original feature. In addition, it was considered that the provision of a single shared balconette along the first-floor level windows on the front elevation would be more appropriate than 3 No. individual balconettes. It was also recommended that the glazed panels proposed for insertion into the front entrance door be omitted and that only one window at ground floor level within the rear elevation of the property be enlarged to provide for a door opening onto the proposed rear garden access. It was further considered that the

alterations proposed to the western elevation of the property, including the opening of a 'blind' window and the enlargement of other window openings, would enhance the elevation by providing for a greater degree of symmetry (a characteristic / feature often associated with similar period buildings).

7.3.6. Overall, the Conservation Officer was satisfied that all other elements of the proposed development would not present any major built heritage concerns and that, on balance, the proposed works would enhance the protected structure, subject to the aforementioned revisions.

7.3.7. Notably, the foregoing recommendations formed the basis of a request for further information issued by the Planning Authority and the amended proposals submitted by the applicants in response to same were held to adequately address the concerns of the Conservation Officer who had no other built heritage concerns as regards the proposed development.

7.3.8. From a review of the available information, and having undertaken a site inspection, I am satisfied that the proposed development will not have an undue impact on the built heritage value of the existing building, subject to the revisions detailed in the response to the request for further information (pursuant to the recommendations of the Conservation Officer).

7.3.9. However, I would have some reservations as regards the proposal to locate a bin storage area to the front of the property given the absence of any comparable features within Brighton Terrace and the potential for same to detract from the character and setting of the subject site (a protected structure) and the wider area. In my opinion, bin storage should be located behind the building line of the existing house in order to preserve the character and setting of the protected structure as well as the wider terrace, streetscape and Architectural Conservation Area. Accordingly, I would recommend the omission of this aspect of the proposal in the event of a grant of permission.

7.4. **Impact on Residential Amenity:**

7.4.1. Concerns have been raised in the grounds of appeal that the proposed development will have a detrimental impact on the residential amenity of neighbouring properties, with particular reference to No. 4 Brighton Terrace, by reason of overlooking with an associated loss of privacy. In this respect it is apparent that the aforementioned

concerns derive from the changes proposed to the fenestration arrangement within the western elevation of the building (i.e. the enlargement of several window opens and the opening of an existing 'blind' window), the reconfiguration of the internal usage of the property, and the proposal to erect a new steel landing / balcony area to the rear elevation at upper ground floor level in order to allow for direct access from the principle residence to the rear garden area.

- 7.4.2. With regard to the alterations proposed to the north-western (side) elevation of the existing dwelling house and the implications arising from the internal reconfiguration of the property, it is of relevance in the first instance to note the limited separation distance between the subject dwelling and the gable elevation of the adjacent dwelling house at No. 4 Brighton Terrace. Furthermore, cognisance should be taken of the relationship between the proposed fenestration arrangement and the existing windows within the directly opposing gable elevation of the appellants' property, including the nature of the rooms / accommodation served by same.
- 7.4.3. In relation to the proposal to open up the existing first floor 'blind' window (identified as 'NW-06' on Drg. Nos. P-2.1 & P-4.2) and to install a new double-pane sliding-sash window within same in order to provide for additional lighting of 'Bedroom F-01', it is notable that this window will be positioned almost directly opposite a corresponding first floor bedroom window within the gable end of the appellants' property. Given the limited separation distance of c. 9.1m between these bedroom windows, I am inclined to concur with the appellants that the proposed opening of the 'blind' window would likely undermine the privacy of their accommodation (whilst it could equally be said that the provision of such a window would allow 'Bedroom F-01' to be overlooked in turn from the appellants' property). Accordingly, in my opinion, it would preferable to omit this aspect of the works in the event of a grant of permission in order to preserve the residential amenity of the adjacent property. Moreover, and by way of clarity, I would further advise the Board that the omission of this window will not fundamentally undermine the level of amenity likely to be enjoyed within 'Bedroom F-01' given that it will continue to be served by two other windows within the front elevation of the property (excluding the ensuite bathroom).
- 7.4.4. In respect of the enlargement of the remaining gable-end windows, whilst I would acknowledge the appellants' concerns in this regard I am inclined to suggest that this

aspect of the works will not in itself give rise to such an increase in overlooking as to warrant a refusal of permission.

7.4.5. In terms of the potential for increased overlooking consequent on the reconfiguration of the internal layout of the dwelling house, in my opinion, the most significant alterations proposed to the interior of the property which will involve a change in the use of certain rooms served by windows within the gable elevation of the building are as follows:

- The omission of a bathroom at upper ground floor and the amalgamation of the area vacated by same into a combined living / dining / kitchen area.
- The replacement of a first floor kitchen with a new study area.

7.4.6. In assessing the potential impact of the aforementioned changes, consideration should be given to the usage of those rooms served by windows within the directly opposing gable of No. 4 Brighton Terrace. In this respect it is of relevance to note that the gable end upper ground floor window which will serve the living / dining / kitchen area within the subject property will be positioned opposite a window that serves a dining room within No. 4 Brighton Terrace (by reference to PA Ref. No. D06A/1661). Given that the accommodation concerned in both the subject site and the adjacent property is of a comparable use and is of a lesser sensitivity (and thus requires less privacy) than, for example, a bedroom area, I am inclined to suggest that any additional overlooking consequent on this aspect of the proposed works is within tolerable limits.

7.4.7. The second aspect of the aforementioned changes which could possibly impinge on the privacy of No. 4 Brighton Terrace relates to the replacement of a first floor kitchen with a new study. Although the window serving the room in question is positioned opposite first floor bedroom accommodation within the appellants' property, I would suggest that the levels of intrusion arising from a kitchen area and a study are somewhat comparable and thus there is no significant additional overlooking impact consequent on this aspect of the proposed development.

7.4.8. The final element of the proposed development which could potentially have a detrimental impact on the privacy / residential amenity of adjacent properties is the erection of a new steel landing / balcony at upper ground floor level across the full width of the rear elevation of the property. Whilst particular concerns have been

raised as regards the possibility of undue overlooking of the rear garden area of the appellants' property, I would suggest that consideration must also be given to the need to preserve the amenity of those residences to the immediate south and southeast of the site. On balance, it is my opinion that whilst the existing wall and planting along the intervening boundary between the application site and the appellants' property will provide some measure of screening, I would continue to have some concerns as regards the potential for overlooking. Similarly, I would draw the Board's attention to the proximity of three windows within the dwelling house known as 'Tara' to the immediate south of the site and their positioning relative to the proposed landing / balcony (*N.B.* It has been confirmed that the aforementioned windows within 'Tara' serve a kitchen area, a bathroom, and a dressing room attached to a bedroom). Given the specifics of the site context and the proximity of neighbouring properties, I am not satisfied that the introduction of a balcony such as that proposed would be conducive to preserving the residential amenity of adjacent housing and, therefore, I would recommend its omission in the event of a grant of permission. By way of further comment, whilst the purpose of this balcony is to provide access to the rear garden area from the upper level dwelling, I would suggest that it is not an essential component of the proposed development given the presence of a side passageway serving the rear of the property. Moreover, the inclusion of the proposed balcony would seem to be as a consequence of the submitted proposal failing to provide for an internal link between the main dwelling house and the proposed 'granny flat'. In my opinion, the omission of the proposed balcony feature is desirable in terms of preserving the residential amenity of neighbouring housing whilst a redesign of the internal layout of the property could potentially provide for an alternative access arrangement which would also allow the proposed granny flat to be more readily assumed into the main dwelling.

Appropriate Assessment:

- 7.4.9. Having regard to the nature and scale of the proposed development, the availability of public services, the nature of the receiving environment, and the proximity of the lands in question to the nearest European site, it is my opinion that no appropriate assessment issues arise and that the proposed development would not be likely to have a significant effect, either individually or in combination with other plans or projects, on any Natura 2000 site.

7.5. **Environmental Impact Assessment (Screening):**

7.5.1. Having regard to the nature and scale of the proposed development, the site location outside of any protected site, the nature of the receiving environment, the limited ecological value of the lands in question, the availability of public services, and the separation distance from the nearest sensitive location, there is no real likelihood of significant effects on the environment arising from the proposed development. The need for environmental impact assessment can, therefore, be excluded at preliminary examination and a screening determination is not required.

7.6. **Other Issues:**

7.6.1. **Traffic Implications:**

With regard to car parking, I would draw the Board's attention to Table 8.2.3: '*Residential Land Use - Car Parking Standards*' of the Development Plan which states that 2 No. parking spaces should normally be provided for a dwelling house with three or more bedrooms, although some degree of flexibility as regards this 'standard' provision would appear to be available '*depending on design and location*' (N.B. A reduced standard may be acceptable depending on the specifics of the site circumstances e.g. the proximity of the proposal to public transport). Whilst the subject proposal does not include for any off-street parking provision, it is of relevance to note that the existing property is presently used as three self-contained living units and thus its conversion into a single family dwelling (with an ancillary 'family member / granny flat') would likely lessen the demand for on-street parking in the area. Moreover, I would concur with the Planning Authority that cognisance should be taken of the fact that the subject property has been designated as a protected structure and is also located within the Monkstown Architectural Conservation Area.

Accordingly, having regard to the site context, the existing use of the property, and the nature of the proposed development, I am satisfied that the subject proposal is acceptable from a traffic and transportation perspective and will lessen the demand for on-street car parking facilities in the immediate site surrounds.

7.6.2. **Open Space:**

Section 8.2.8.4: '*Private Open Space – Quantity*' of the Development Plan requires a dwelling house with four or more bedrooms (i.e. inclusive of the subsidiary 'granny

flat') to be provided with a minimum of 75m² of private open space. In this regard whilst it is regrettable that no details have been provided of the extent of private open space available to serve the proposed development, in my opinion, it is apparent from the submitted site plan that the existing rear garden area is approximately 76m² in size and thus satisfies the relevant qualitative and quantitative requirements of the Development Plan. Furthermore, I am inclined to suggest that the open space provision on site is acceptable given the historical use of the property as 3 No. self-contained units and the proposal to convert same into a single family home.

8.0 Recommendation

8.1. Having regard to the foregoing, I recommend that the decision of the Planning Authority be upheld in this instance and that permission be granted for the proposed development for the reasons and considerations, and subject to the conditions, set out below:

9.0 Reasons and Considerations

9.1. Having regard to the provisions of the Dún Laoghaire-Rathdown County Development Plan, 2016-2022, and to the nature, form and design of the proposed development, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the residential amenities of property in the vicinity, would not be detrimental to the character or setting of any protected structure, and would not adversely impact on the character of the Monkstown Architectural Conservation Area. 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, as amended by the further plans and particulars submitted on the 4th day of October, 2018, 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. The proposed development shall be amended as follows:
 - a) The bin storage area to the front of the property shall be omitted.
 - b) The existing 'blind' window at first floor level within the gable (side) elevation of the building shall be retained in situ.
 - c) The steel landing / balcony to the rear of the building shall be omitted and corresponding alternative arrangements provided for the treatment of the fenestration at upper ground floor level on this elevation.

Revised drawings showing compliance with these requirements shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interests of residential amenity.

3. The use of the granny flat shall be ancillary to the use of the main house and shall not be sold or let as an independent living unit. When no longer required for use as a granny flat, the structure shall be incorporated back into the main dwelling and shall revert to use as living accommodation associated with same.

Reason: In the interest of clarity and of residential amenity.

4. The first floor bathroom window within the western (gable) elevation of the building shall be glazed in obscure glass.

Reason: In the interest of residential amenity.

5.
 - 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.

- 6. Water supply and drainage arrangements shall comply with the requirements of the planning authority for such works and services.

Reason: In the interest of public health.

- 7. Site development and building works shall be carried out only between the hours of 0800 to 1800 Mondays to Fridays inclusive, between 0800 to 1400 hours on Saturdays and not at all on Sundays or public holidays. Deviation from these times shall 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.

Robert Speer
Planning Inspector

7th April, 2019

