



An
Bord
Pleanála

Inspector's Report ABP.303468-19

Development	A protected structure, ref. 1803, refurbishment and extension to house, which is protected.
Location	Thomond, Holly Park, Shankill, Dublin 18
Planning Authority	Dun Laoghaire Rathdown County Council
Planning Authority Reg. Ref.	D18A/0355
Applicant(s)	Peter & Philomena Pearson
Type of Application	Permission
Planning Authority Decision	Grant
Type of Appeal	Third Party
Appellant(s)	John Bolton
Observer(s)	None
Date of Site Inspection	20 th May 2019
Inspector	Kenneth Moloney

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1.0 Site Location and Description

- 1.1. The appeal site is located in Shankill, Co. Dublin, immediately east of the railway line.
- 1.2. The site itself consists of a country villa style period property and its curtilage.
- 1.3. The property on the appeal site is Thomond House and dates from circa. 1870.
- 1.4. The property is two-storey over lower ground floor and is accessed by steps.
- 1.5. The original curtilage of the Thomond House has been developed with suburban housing. The overall size of the appeal site is 0.2213 ha (0.5 acres) and the shape of the subject site is irregular.
- 1.6. Thomond House is finished in red brick on its front elevation and plaster finish on the gable and rear elevations.
- 1.7. Thomond House has many original external features including granite steps to the front, red brick walls either side of the front steps, original front door and door surround, and original windows. The brickwork including the surrounding brickwork above the main door arch is original and is an attractive feature. There are original gutters and downpipes in place.
- 1.8. The interior of Thomond House includes many original features including fireplaces, doors, ceilings and upper coving.
- 1.9. The property is currently enclosed with natural vegetation along the site boundary and as such is located within a private setting.
- 1.10. There are established houses located to the immediate north and south of Thomond House.

2.0 Proposed Development

- 2.1. The proposed development generally involves internal alterations, provision of a single storey extension to the rear and a revised treatment to the site boundary.
- 2.2. The proposed alterations / interventions are as follows;

2.3. Ground floor

- Demolition of rear porch.
- Removal of staircase
- Removal of existing sitting room window

2.4. First Floor

- Existing staircase to be removed
- Existing partitions removed

2.5. Second Floor

- Intervention to bedroom no. 2 & bedroom no. 4

2.6. The proposed internal alterations to the ground level include insertion of partitions to the kitchen area and a proposed staircase at ground floor level. The proposal also includes the closing of an external entrance on the western elevation. The proposal includes insertion of partitions at second floor level.

2.7. The proposed development also includes the construction of a glazed single storey extension to the rear of the existing house. The floor area of the proposed extension is approximately 33 sq. metres.

2.8. The proposed development includes alterations to the existing site boundary as follows;

- Removal of pedestrian gate on southern boundary.
- Replace natural vegetation on southern boundary with 2m high boundary wall.
- Provision of a vehicular entrance along western boundary and replace natural vegetation with 2m high boundary wall.

- Removal of existing natural vegetation along northern boundary and replace with 2-metre-high boundary wall. Provision of a vehicular entrance.

Additional information sought for the following;

1. Conservation (a) schedule of works, (b) revised proposals for more characteristic boundary treatment, (c) the proposed entrances widths of 3.6m are unacceptable.
2. Transportation (a) revised detailed drawings for the new western vehicular entrance (b) details of surface treatment between the proposed boundary wall and the existing road edge / kerb on the western and northern boundaries.

Clarification of Additional information sought for the following;

1. Conservation (a) a more characteristic boundary treatment is required, (b) clarify whether more sections of the existing railings survive.

3.0 **Planning Authority Decision**

3.1. Dun Laoghaire-Rathdown County Council decided to **grant** planning permission subject to 9 no. conditions. The conditions are standard for the nature of the development proposed.

3.2. **Planning Authority Reports**

3.2.1. The main issues raised in the planner's report are as follows;

Area Planner

- It is not considered that the proposed extension will adversely impact on established residential or visual amenities.
- The proposed extension would not detract from the character of the protected structure.
- The maximum width of the vehicular entrance shall be 3.2m.

- Section 13.4 of the Department's guidelines is considered relevant.

3.3. Internal Reports;

- Conservation Office; - Further information required (a) schedule of works, (b) boundary treatment.
- Water Services; - No objections subject to condition that surface water runoff from proposed roof to extension is drained to a soak pit or similar.
- Transportation Planning; - Additional information sought (a) maximum width of the vehicular entrance revised downwards to 3.5m, (b) revise the automated vehicular gate, and (c) clarify details of surface treatment from kerb edge to new boundary wall.

3.4. Third Party Observations

- There was one third party submission and the issues raised have been noted and considered.

3.5. Submissions

- There is a submission from An Taisce who have no objections to the proposed development.

4.0 Planning History

- L.A. Ref. 17A/0280 – Permission **granted** for new vehicular entrance onto western boundary and a new gate to the secondary existing entrance at the eastern entrance.

5.0 Policy Context

5.1. Development Plan

The operational Development Plan is the Dun Laoghaire-Rathdown County Development Plan, 2016 - 2022.

The following are relevant provisions;

- The appeal site is zoned Objective A 'To protect and or improve residential amenity'.
- Thomond House is listed on the Record of Protected Structures.

The following development management guidance set out in Chapter 8 is relevant;

- Section 8.2.11.2 (i) Works to a Protected Structure

6.0 The Appeal

6.1. The following is the summary of a first party appeal from John Bolton, no. 15 Thomond.

- The proposed boundary treatment would have a negative impact.
- The boundary walls will have a significant and negative impact on the setting of Thomond House.
- The proposed boundary treatment will be visually obtrusive and will not protect or improve the amenity of adjoining properties.
- The County Council have not clarified how general planning considerations can override the protection of architectural heritage.
- The grant of planning as proposed will result in the loss of the sylvan setting of Thomond house that is an important part of the protected structure.
- It is submitted that the construction of the proposed wall allowing for excavations will result in the destruction of the existing hedge.

- The visual appearance of the wall given its length and height would be visually overbearing.
- It is contended that given the evergreen nature of the existing hedging and given its height that the existing boundary provides adequate privacy.
- It is contended that a principle argument for the erection of the wall is to enhance security. It is submitted that the proposed wall is unlikely to be a deterrent to someone determined to enter the property.

7.0 Response

7.1. The following is the summary of a first party response;

- The original curtilage of Thomond House has been developed on and Thomond House now stands on less than 20% of its original curtilage.
- The original site has been developed for housing and the property represents a conservation property typical of a period before the passing of the 2000 planning act. Since the passing of the 2000 Act there is now greater protection afforded to these conservation properties.
- During that period the new boundary was a rough hedge which over the years has become untidy and overgrown.
- A new boundary is required to improve security and the setting.
- The proposed new wall design is based on a boundary wall recently repaired at the Deanery of St. Patrick's Cathedral.
- The wall is finished with projecting plinth and projecting piers and is coated in lime and sand dash with granite coping.
- It is contended that the proposed boundary is suitable allowing for existing and proposed landscaping.
- The original boundary design was amended to introduce railings. This will open the front elevation to the public domain. Some of these railings were part of the original boundary of Thomond House while others are taken from the applicant's historic collection.

- It is contended that a large number of villas in south Dublin have boundary walls constructed of rubble granite and sometimes dashed and with stone expressed.
- The Conservation Office has accepted the revised boundary proposal.
- It is contended that the revised boundary will contribute positively to the character of the area and will mitigate the impact of the local housing development.
- The submission includes an attachment from the applicants with opinions on best conservation practice.
- The construction of the new boundary wall will help address some of the adverse impacts caused by the construction of housing developments in the original curtilage of Thomond House.

7.2. The Planning Authority submitted a response stating that they had no further comments.

8.0 **Assessment**

- Principle of Development.
- Conservation
- Impact on Existing Residential Amenities
- EIAR
- Appropriate Assessment

8.1. **Principle of Development**

8.1.1. The proposed development comprises of some internal interventions and a single storey extension to the rear of an existing 2-storey over lower ground floor level property. The proposed development also consists of revised site boundary treatment.

- 8.1.2. Thomond House is an existing single use residential property and the proposed development would effectively provide for improved living conditions and a higher standard of amenity for the applicants. The floor area of the proposed single storey extension is 33 sq. metres.
- 8.1.3. The appeal site is zoned Objective A 'To protect and or improve residential amenity'.
- 8.1.4. Overall and having regard to the nature of the works proposed and the zoning objective for the appeal site I would consider that the principle of the proposed development is acceptable subject to safeguarding established amenities of the area.

8.2. **Conservation**

- 8.2.1. Thomond House is a protected structure in accordance with the provisions of the County Development Plan. The proposed development involves internal interventions such as the insertion of partition walls, the closing up of an external door to the side of the house, the replacement of an external window with a door and the removal of an internal staircase. These internal works would not, in my view, have any adverse impacts on the integrity of the protected structure.
- 8.2.2. The proposed development also includes a proposed single storey glazed extension to the rear. The proposed extension is set behind the rear building line of the house and the building line of an adjacent former coach house building. The proposed extension is set back approximately 2.6 metres from the established rear building line. As such, in my view, the proposed rear extension will not generally be visible from within the site. Nonetheless the design of the proposed extension which is generally finished in glazing and timber panelling allows for a transparent design solution which, in my view, provides for integration to the historic property without adversely impacting on the character of the structure.

8.2.3. The proposed development also includes revised boundary treatment. However, I would note from my site inspection that the existing site boundaries are not the original site boundaries and as such, in my view, the removal of these boundaries would not detract from the architectural character of the protected structure.

8.2.4. Therefore, I would conclude that the proposed development would not detract from the architectural or historical special interest of Thomond House and as such the proposed development would not be detrimental to the architectural heritage of the subject property.

8.3. **Impact on Existing Residential Amenities**

8.3.1. The appellant is primarily concerned with the proposals for the site boundary and the impacts that these proposals will have on the architectural character of the protected structure and the impact that the boundary proposals will have on privacy and residential amenities of established properties.

8.3.2. I have addressed the issue in relation to the impact of a revised site boundary on the architectural heritage in paragraph 8.2.3 above.

8.3.3. The appellant's property is situated to the south of the appeal site and the front elevation of the appellant's property is set back approximately 18 metres from the southern site boundary of the appeal site.

8.3.4. The existing southern site boundary comprises of a 2-metre-high evergreen hedge and some mature trees situated behind this 2-metre high hedge. The hedge would provide year-round screening whereas the mature trees which are deciduous in nature would provide some screening during the year and filter screening during the remainder of the year.

- 8.3.5. The original boundary treatment submitted with the planning application is a 2-metre high wall situated along the north, south and western boundary. It is proposed to remove the existing pedestrian entrance situated on the southern boundary and provide a vehicular entrance along the western boundary. The original design of the proposed wall is a lime render with a floating finish and granite copings.
- 8.3.6. Following a request for additional information the proposed site boundary was revised. The revised proposal consists of the boundary wall set back approximately 700mm from its original location. This revision provides for the retention of the existing grisalinnia hedge and the revised proposal includes planting behind the wall. A further revision to the site boundary, in accordance with submitted drawings dated 31st August 2018 and 21st November 2018, shows the introduction of railings along the western and northern boundaries. However, these further revised proposals indicate no further changes to the southern boundary.
- 8.3.7. I would consider that an important issue is the orientation of the southern site boundary relative to the appellant's property. I would note that the front elevation of the appellant's property faces towards the southern boundary. Should any overlooking prevail in the proposed development it be to the front garden of the appellant's property which is essentially the public interface.
- 8.3.8. Overall, I would conclude having regard to the revised boundary proposals that the proposed site boundary would not unduly impact on residential amenities.

8.4. **EIA Screening**

- 8.4.1. Based on the information on the file, which I consider adequate to issue a screening determination, it is reasonable to conclude that there is no real likelihood of significant effects on the environment arising from the proposed development and an environmental impact assessment is not required.

8.5. **Appropriate Assessment Screening**

- 8.5.1. Having regard to the nature and scale of the development proposed, to the nature of the receiving environment and the likely effluents arising from the proposed development I recommend that no appropriate assessment issues arise.

9.0 **Recommendation**

- 9.1. I have read the submissions on the file, visited the site, had due regard to the County Development Plan, and all other matters arising. I recommend that planning permission be granted for the reasons set out below.

10.0 **Reasons and Considerations**

Having regard to the proposed development and the policy objectives of the Dun Laoghaire-Rathdown County Development Plan, 2016 - 2022, and the extent of the development, it is considered that subject to compliance with conditions set out below, the development proposed to be carried out would not seriously injure the amenities of the area and would be in accordance with the proper planning and sustainable development of the area.

11.0 **Conditions**

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, and as amended by plans and particulars submitted to Dun Laoghaire-Rathdown County Council on the 31st August 2018 and 20th November 2018, except as may otherwise be required in order to comply with the following conditions. Where such conditions require points of detail to be agreed with the planning authority, these matters shall be the subject of written agreement and shall be implemented in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. 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 Environment, Heritage and Local Government in 2011. The repair works shall retain the maximum amount of surviving historic fabric in situ, including structural elements, 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, shall be protected during the course of works.

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

3. An architectural impact statement and conservation plan for the proposed development shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. The development shall be carried out in accordance with this plan, and the relevant works shall be restricted to conservation, consolidation and presentation works.

Reason: To ensure that these elements of the historic structure are maintained and protected from unnecessary damage or loss of fabric.

4. The entire premises shall be used as a single dwelling unit only.

Reason: To prevent unauthorised development.

5. Prior to the commencement of development, details of the materials, colours and textures of all the external finishes shall be submitted to the planning authority for agreement.

Reason: In the interest of orderly development and the visual amenities of the area.

6. Water supply and drainage arrangements, including the disposal of surface water, shall comply with the requirements of the planning authority for such works and services.

Reason: In the interest of public health and to ensure a proper standard of development.

7. Prior to the commencement of development the developer shall submit a full and detailed construction management plan which shall include a construction programme for the works, hours of operation, a traffic management plan, noise and dust mitigation measures(including details of truck wheel wash at the site entrances) and details of construction lighting. A Construction Manager shall be appointed to liaise directly with the council. Details to be agreed in writing with the Planning Authority.

Reason: In the interest proper planning and sustainable development of the area.

8. That all necessary measures be taken by the contractor to prevent spillage or deposit of clay, rubble or other debris on adjoining roads during the course of the works.

Reason: To protect the amenities of the area.

9. Prior to the commencement of development the developer shall submit, and obtain written agreement of the planning authority to, a plan containing details of the management of waste (and, in particular, recyclable materials) within the development including the provision of facilities for the separation and the collection of the waste and, in particular, recyclable materials, and for the ongoing operation of these facilities.

Reason: To provide for appropriate management of waste and in particular, recyclable materials, in the interest of protecting the environment.

Kenneth Moloney
Planning Inspector
23rd May 2019