



An
Bord
Pleanála

Inspector's Report ABP-303822-19

Development	PROTECTED STRUCTURE: Coach house extension with underground store room.
Location	21, Palmerston Road, Rathmines, Dublin 6
Planning Authority	Dublin City Council South
Planning Authority Reg. Ref.	4490/18
Applicant(s)	Neil O'Leary & Aislinn O'Farrell.
Type of Application	Permission
Planning Authority Decision	Refuse
Type of Appeal	First Party
Appellant(s)	Neil O'Leary & Aislinn O'Farrell.
Date of Site Inspection	27 th May 2019
Inspector	Colin McBride

1.0 Site Location and Description

1.1. The appeal site, which has a stated area of 0.5013 hectares, is located to the south of Dublin City Centre on the western side of Palmerstown Road, Rathmines. The site is occupied by no. 21, which is a part four and part three-storey semi-detached dwelling. The existing dwelling is a nineteenth century dwelling that is on the record of protected structure as are the adjoining dwellings to the north and south which are similar in design. There is an existing two-storey brick constructed coach house to rear of the site along the western boundary. A laneway runs along the western boundary to the rear of the dwellings fronting Palmerstown Road.

2.0 Proposed Development

2.1. Permission is sought to remodel and extend an existing storey and a half coach house including an underground store room to the rear of an existing dwelling. The works include the replacement of non-original windows and doors with new, the removal of existing modern pitched roof and construction of a new similar roof at a slightly higher level containing 6 no. roof lights, raising the walls to meet the new roof, forming an opening to the side gable to allow access to the new extension and construction of a new single-storey (double height) side extension and containing a rear roof light and a part pitched glazed screen to the front, replacement of the modern internal first floor, pebble dashing of existing brickwork. The works relating to the garden store room include the construction of a new c.30sqm underground store below the rear garden along with an access stair; to include associated site and drainage works. No 21 Palmerstown Road is on the record of protected structures (part 3 story/part 4 storey semi-detached dwelling).

3.0 Planning Authority Decision

3.1. Decision

Permission refused based on two reasons which are as follows...

1. The existing coach house building, dating from the late 19th Century, is original to the Protected Structure and forms part of the curtilage of the Protected Structure. The coach house building itself is of special interest and is one of the few remaining intact original coach houses along the street. The proposal would seriously injure the historic fabric and special architectural character of the coach house building, which forms part of the curtilage of this Protected Structure. The proposed development does not relate sensitively to the architectural detail and character of the original structure and would therefore contravene Section 11.1.5.1 CHC2 (a), (b), (c), (d) of the Dublin City Council Development Plan 2016-2022.

2. The proposal would contravene Section 16.10.15 of the Dublin Council development Plan 2016-2022, whereby 'it is the policy of Dublin City Council to discourage any significant underground or basement development or excavation below ground level of, or adjacent to, residential properties in Conservations Areas or properties which are listed on the Record of Protected Structures'. The proposed development would therefore set an undesirable precedent for similar forms of development and would be contrary to the proper planning and sustainable development of the area.

3.2. Planning Authority Reports

3.2.1. Planning Reports

Planning Report (30/01/19): The proposal was considered unacceptable in the context of level of loss of fabric of an original coach house located in the curtilage of a protected structure as well as being contrary development plan policy regarding underground excavation adjoining a protected structure. Refusal was recommended based on the reasons outlined above.

3.2.2. Other Technical Reports

Drainage Division (17/12/18): No objection subject to conditions.

Conservation Officer (28/01/19): Refusal recommended due to loss of fabric of existing coach house and level of excavation in proximity to a protected structure.

3.3. **Prescribed Bodies**

None

3.4. **Third Party Observations**

None.

4.0 **Planning History**

4341/17: Permission granted for an extension to the existing dwelling on site.

5.0 **Policy and Context**

5.1. **Development Plan**

The relevant development Plan is the Dublin City Development Plan 2016-2022. The site is zoned Z2 with a stated objective 'to protect and/or improve the amenities of residential conservation areas'.

CHC1: To seek the preservation of the built heritage of the city that makes a positive contribution to the character, appearance and quality of local streetscapes and the sustainable development of the city.

CHC2: To ensure that the special interest of protected structures is protected.

Development will conserve and enhance Protected Structures and their curtilage and will:

(a) Protect or, where appropriate, restore form, features and fabric which contribute to the special interest

(b) Incorporate high standards of craftsmanship and relate sensitively to the scale, proportions, design, period and architectural detail of the original building, using traditional materials in most circumstances

- (c) Be highly sensitive to the historic fabric and special interest of the interior, including its plan form, hierarchy of spaces, structure and architectural detail, fixtures and fittings and materials
- (d) Not cause harm to the curtilage of the structure; therefore, the design, form, scale, height, proportions, siting and materials of new development should relate to and complement the special character of the protected structure
- (e) Protect architectural items of interest from damage or theft while buildings are empty or during course of works
- (f) Have regard to ecological considerations for example, protection of species such as bats. Changes of use of protected structures, which will have no detrimental impact on the special interest and are compatible with their future long-term conservation, will be promoted.

CHC4: To protect the special interest and character of all Dublin's Conservation Areas. Development within or affecting a conservation area must contribute positively to its character and distinctiveness, and take opportunities to protect and enhance the character and appearance of the area and its setting, wherever possible.

Enhancement opportunities may include:

1. Replacement or improvement of any building, feature or element which detracts from the character of the area or its setting
2. Re-instatement of missing architectural detail or other important features
3. Improvement of open spaces and the wider public realm, and re-instatement of historic routes and characteristic plot patterns
4. Contemporary architecture of exceptional design quality, which is in harmony with the Conservation Area
5. The repair and retention of shop- and pub-fronts of architectural interest.

Section 16.10.15: 'It is the policy of Dublin City Council to discourage any significant underground or basement development or excavation below ground level of, or adjacent to, residential properties in Conservations Areas or properties which are listed on the Record of Protected Structures'.

Section 16.10.16: Mews Dwellings

(b) Stone/brick coach houses on mews laneways are of national importance. Dublin City Council recognises the increasing rarity of stone/brick coach houses and the need to retain and conserve all of the surviving examples, particularly in relation to their form, profile and building line as well as any original features remaining. Proposals to demolish such buildings will generally not be accepted.

5.2. Natural Heritage Designations

None in the vicinity.

6.0 The Appeal

6.1. Grounds of Appeal

A first party appeal has been lodged by Brock McClure Planning & Development Consultants on behalf of the applicants, Neil O'Leary & Aislinn O'Farrell. The grounds of appeal are as follows...

- In relation to the proposed basement, it is noted that such is modest in scale and coincides with only 18% of the rear amenity space. The basement is in a lawn area that will be reinstated and the steps to it will be screened by landscaping.
- A consulting engineers report details construction management proposal to ensure no impact on structural stability.
- The reason for refusal regarding conservation is unwarranted and it is noted the Conservation Officer's concerns could have been addressed by way of further information.
- The applicants/appellants have proposed a revised scheme that does not involve raising the roof. A conservation report is included that details the extent of the structure to be retained and be repaired which is significant.

- The conservation report sets out that the structure in question is a functional building within the curtilage of a protected structure and is not a protected structure in its own right. The modified proposal should address the concerns of the conservation officer.
- The applicants/appellants acknowledge the wording of Section 16.10.15 but consider that the application of such in this case is unwarranted. The policy is not being applied consistently with the applicants/appellants noting numerous examples of extensive basement excavation in Georgian conservation areas. The scale of the basement is modest and can be constructed with impacting on structural stability of a protected structure.

6.2. Planning Authority Response

No response.

7.0 Assessment

7.1. The main issues in this appeal are those raised in the grounds of appeal and I am satisfied that no other substantive issues arise. The issue of appropriate assessment also needs to be addressed. The issues can be dealt with under the following headings:

Design, scale, conservation

Basement

Appropriate Assessment

7.2 Design, scale, conservation:

7.2.1 The first reason for refusal noted that the existing coach house building is original to the Protected Structure and forms part of the curtilage of the Protected Structure. The coach house building itself is of special interest and is one of the few remaining intact original coach houses along the street. It was considered that the proposal would seriously injure the historic fabric and special architectural character of the

coach house building, which forms part of the curtilage of this Protected Structure and would therefore contravene Section 11.1.5.1 CHC2 (a), (b), (c), (d) of the Dublin City Council Development Plan 2016-2022.

7.2.2 The existing coach house on site is brick built structure original to the existing house on site, which is on the record of protected structures. The structure is within the curtilage of a protected structure (house) and does contribute to its status as structure of architectural heritage value by virtue of its age and its historical association with the house. The works proposed include the replacement of non-original windows and doors with new, the removal of existing modern pitched roof and construction of a new similar roof at a slightly higher level containing 6 no. roof lights, raising the walls to meet the new roof, forming an opening to the side gable to allow access to the new extension and construction of a new single-storey (double)height) side extension and containing a rear roof light and a part pitched glazed screen to the front, replacement of the modern internal first floor, pebble dashing of existing brickwork.

7.2.3 The first thing I would note that the works proposed to the existing structure are modest in scale and do not alter the overall bulk and scale of the existing structure. They entail a small increase in ridge height and a side extension having regard to the scale of the existing structure. The proposed use is ancillary to the use of the existing dwelling and the structure will still be subordinate in relation to the scale of the existing dwelling on site. The design and scale of the structure would also not be out of scale or character with adjoining properties and in particular adjoining structures along the laneway running to the west of the dwellings fronting Palmerstown Road. I am satisfied that the overall design and scale of the proposed alterations and extension to the existing coach house would have no adverse impact on the character or setting of the existing protected structure on site (part 3 storey/part 4 storey semi-detached dwelling) or any of the adjoining structures on site. The proposal would have no significant impact on the visual amenities of the area as the structure is not highly visible and as noted above is modest in scale and in keeping with the existing pattern of development.

7.2.4 The main issue appears to be the level of alteration proposed to the existing structure and its architectural heritage significance. The Council's Conservation Officer expressed concerns regarding the level of historic fabric being lost while the appellants Conservation Report questions the status of the structure as a protected structure while noting it is a structure within the curtilage of one and not one in itself. Based on the information on file the existing structure is not totally original with indication that the roof profile, window openings and the first floor level are later additions. The existing structure is in reasonable structural condition but there is room for improvement in such condition. The applicant/appellants have proposed a modified proposal which entails no increase in the ridge height and the existing roof retained with new roof lights installed. The existing structure will be mainly retained with the front and back walls, the northern gable and the existing roof retained. The existing windows openings are retained with new windows to be installed. I would consider that the modified proposal retains a significant amount of the existing structure and that such would be acceptable in context of architectural heritage. As noted above the new extension to the side is in keeping with the scale and character of the existing structure and the design of such also provides a distinction between the old and new, which is an acceptable manner in extending such. The modified proposal submitted by the applicants/appellants provides for a structure that is acceptable in the context of the visual amenities of the area, the amenities of adjoining properties and is acceptable in the context of architectural heritage. The proposed development would be acceptable in the context of the proper planning and sustainable development of the area.

7.3 Basement:

7.3.1 The proposal includes construction of an underground storage room in the rear garden area of the existing dwelling. The basement has a floor area of 29sqm and a finished floor level of 3.3m below ground level. Permission was refused on the basis that the proposal would entail excavation of a basement in close proximity to a protected structure with Section 16.10.15 of the Dublin Council development Plan 2016-2022 noted. 'It is the policy of Dublin City Council to discourage any significant

underground or basement development or excavation below ground level of, or adjacent to, residential properties in Conservations Areas or properties which are listed on the Record of Protected Structures'. The proposal is within the curtilage of a protected structure and within a conservation area, however I would consider the scale of the basement storage room to be modest relative to the adjoining structures on site. The basement level is modest in floor area and depth and is located in an open area (not under any existing structure). The applicants/appellant have included a report from a structural engineer indicating that the extent of works would not impact the structural stability of existing structures. The applicants/appellants have included details of extensive basement development allowed in conservation areas and I would consider that the level of excavation proposed is very modest in scale and in comparison to some of the permitted development cited by the appellants. I would consider that the proposed basement level would be acceptable in the context of Development Plan policy and would not be contrary to proper planning and sustainable development of the area.

7.4 Appropriate Assessment:

7.4.1 Having regard to the nature and scale of the proposed development and its proximity to the nearest European site, no Appropriate Assessment issues arise and it is not considered that the proposed development would be likely to have a significant effect individually or in combination with other plans or projects on a European site.

8.0 Recommendation

8.1. I recommend a grant of permission subject to the following conditions.

9.0 Reasons and Considerations

Having regard to the design and scale of the proposed development, the modified design proposal submitted and subject to the following conditions, the proposed development would be acceptable in the context of the visual amenities of the area, the amenities of adjoining properties and would have no adverse impact on the

character and setting of the existing protected structure on site, those on adjoining sites or the wider Architectural Conservation Area the site is located in. The proposed development, would, therefore be satisfactory in the context 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 to An Bord Pleanála on the 27th day of February 2019, 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.

3. Water supply and drainage arrangements, including the attenuation and 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.

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

Reason: In the interest of visual amenity.

4.

- (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 Environment, Heritage and Local Government in 2004. 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.

5. Site development and building works shall be carried out 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.

Colin McBride
Planning Inspector

28th May 2019