



An
Bord
Pleanála

Inspector's Report

ABP-304547-19

Development	A PROTECTED STRUCTURE: Demolition of non-original two-storey extension to the rear and construction of extension to rear.
Location	22, Ranelagh Road, Dublin 6 , D06 ED96
Planning Authority	Dublin City Council South
Planning Authority Reg. Ref.	4599/18
Applicant(s)	Eddie Fitzgerald
Type of Application	Permission.
Planning Authority Decision	Refuse Permission
Type of Appeal	First Party
Appellant(s)	Eddie Fitzgerald.
Observer(s)	Martin & Mary Thornton.
Date of Site Inspection	18 th August 2019
Inspector	Brid Maxwell

1.0 Site Location and Description

- 1.1. The appeal site has a stated area of .235ha and is located on the western side of Ranelagh Road and immediately south at the junction with Mountpleasant Terrace. The site comprises No 22 a two storey over basement end of terrace dwelling, which is Protected Structure Ref 6968. The dwelling was constructed around the mid 1860's and is set back from Ranelagh Road with its front boundary defined by black iron railing with pedestrian and vehicular gate. To the rear is a mews dwelling (1 Clifton Mews) constructed in the 1980s. Application details indicate that the house had been subdivided to use as flats and was reinstated as a single family dwelling circa 2011. The extension to the rear of the house predates 2011 although it was apparently also significantly altered at the time of these works.
- 1.2. No 22 is an end of terrace two storey over semi basement level historic structure. It has a classically arranged 2 bay facade with parapet. The dwelling includes red brick laid in Flemish bond with modern cement pointing while basement level is rendered. A painted granite string course separates the basement elevation from the upper floors. A flight of granite steps leads up to the front entrance door, flanked by wrought iron railings with cast iron decorative elements. There are decorative plaster mouldings around the entrance with nail head moulding, barley twists and chevrons. There is a decorative cornice over the door with a plain fanlight over. The rear elevation is a two bay two storey over basement rendered elevation. There is modern two storey extension to the southern bay at basement and ground floor level. This extension is a rendered structure with a hipped and pitched roof and a short flight of steps to garden level. There is a round headed timber sash window above the extension with coloured glass margin lights.

2.0 Proposed Development

- 2.1. The proposal as set out in public notices involves demolition of the existing non original two storey rear extension and construction of a part three storey and part two-storey extension to rear.

2.2. Application details outline that the proposed works are intended to meet modern family requirements. The detail of the proposal is set out in the drawings and documentation accompanying the application which includes a Report on the Architectural / Historic Significance of No 22 Ranelagh Road and Observations on the impact of the proposed Rear Extension compiled by David Slattery, Architect and Historic Building Consultant. The report notes that the proposal retains the *piano nobile* as the main living accommodation and the front door as the main entrance which it is suggested is a more satisfactory approach than current trend of extending basements and providing living space at this level.

3.0 Planning Authority Decision

3.1. Decision

3.1.1 By order dated 29th April 2019 Dublin City Council issued notification of its decision to refuse permission for the following reasons:

“The proposed extension would sever the relationship between the rear principle rooms and the curtilage of the protected structure. The proposal would result in an unacceptable loss of historic fabric including the loss of the original round headed window at the staircase. The proposal would therefore contravene section 11.1.5.1 CHC2 (a)(b)(d) of the Dublin City Council Development Plan 2016-2022.

The proposed extension would not relate sensitively to the architectural detail and character of the original structure. By virtue of its scale and width, this extension would have an over-dominant and overbearing impact on the rear and side elevation of the Protected Structure and would seriously injure the architectural character of the rear façade by detracting from the legibility of the traditional building typology. 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

3.2.1.1 Initial Planning report notes that original round headed window at the staircase is a significant feature and its loss is not supported. Proposal to take it out and reuse is not an acceptable form of conversation practice. Risk of coloured glass being damaged in the move. Proposed extension by reason of its scale and design not appropriate for the protected structure as it would overwhelm the rear façade, obscure its legibility and detract from a significant building typology and classical facade. Additional information was requested.

3.2.1.2 Second planning report concludes that the proposed extension would adversely affect the character and setting of the protected structure and recommends refusal.

3.2.2. Other Technical Reports

3.2.2.1 Engineering Department drainage division report indicates no objection subject to compliance with Greater Dublin Regional Code of Practice for drainage works. Separate foul and surface water system design with combined final connection discharging to the existing combined sewer systems. Incorporation of SUDS in management of surface water. Private drainage within the site boundary.

3.2.2.2 Conservation Officer's report sought additional information to include revised drawings incorporating the retention of original historic round headed windows in its original location. The first floor element of the rear extension to be reduced in width such that it does not extend the entire plot width. A 3D study to be provided. Subsequent report following submission of additional information notes serious concerns regarding the loss (in terms of removal and relocation) of the original round headed window. Proposed relocation is considered disingenuous and poor conservation practice. The extension extending the entire width of the building plot would overwhelm the rear facade and obscure its legibility and internalise the rear rooms. Connection of the proposed historic façade to the new glazed element through a newly lowered window opening of the principal reception room to the rear is inappropriate from a conservation standpoint as it would result in the loss of original historic fabric and would remove the relationship between this principle reception room and the rear garden. The extension at basement level and ground floor level removes natural daylight and ventilation from the basement and ground floor plan. Proposal is considered over fussy. Various volumes including brick

wrapped element at basement level and upper ground level enclosing the glazed element is of poor architectural quality. Two storey brick wall to the side of the extension would result in a sheer element that will seriously detract from the architectural character of the house. Alteration of historic floor plan at basement level is considered poor conservation practice. Refusal recommended.

3.3. Third Party Observations

3.3.1 Submission from neighbouring residents of 1 Clifton Mews, the mews house to the rear of the appeal site. Objects to the proposal on basis that it will create a dominating overbearing and overwhelming adverse impact on 1 Clifton Mews. Proposal compromises the rear elevation of the protected structure.

4.0 Planning History

2639/11 Permission granted for the conversion of the existing bathroom extension at the rear into a living room with a new pitched roof and additional glazing, the reinstatement of the stairs to the basement, the conversion of a first-floor bedroom to a bathroom and the provision of off-street parking at front accessed off Ranelagh Road in association with reinstating the premises as a single family residence.

3924/10 Permission refused for demolition of the existing two storey extension and the construction of a new two storey extension (7.5m above garden level) to the rear and the provision of off-street parking at the front, accessed off Ranelagh Road, in association with reinstating the premises as a family residence. Other works include enlarging existing attic bathroom and associated window, 2 no skylights and alterations to the basement. Refusal reason on grounds of scale and design being inappropriate for protected structure.

5.0 Policy Context

5.1. Development Plan

5.1.1 The Dublin City Development Plan 2016-2022 refers.

The site is zoned Residential Neighbourhoods (Conservation Areas) Z2. The 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 the local streetscape and the sustainable development of the city.

CHC4 To protect the special interest and character of Dublin’s Conservation Areas.

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

CHC4 To protect the special interest and character of all Dublin’s Conservation Areas.

Section 16.10.12 of the Development Plan “Extension and Alterations to Dwellings”.

5.2. Natural Heritage Designations

5.2.1 The site is not within a designated area. The closest European sites are those located in the coastal area of Dublin including the South Dublin Bay SCA (Site Code 000210) and South Dublin Bay and River Tolka Estuary SPA (Site Code 004024).

5.3. EIA Screening

5.3.1. Having regard to the nature and scale of the proposed development, and to the nature of the receiving environment, 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.

6.0 The Appeal

6.1. Grounds of Appeal

6.1.1 The appeal is submitted by John O Neill & Associates Architects and Interior Designers Ltd on behalf of the first party. Grounds of appeal are summarised as follows:

- Proposal is intended to meet the family need for enlarged living accommodation and an additional bedroom on the same level as existing bedrooms.
- Appeal dwelling is remarkable in that it is being used in the manner originally intended with main access up the flight of steps to hall door and main living / dining /kitchen taking place in the original main rooms of the house unlike the more typical modern use of these houses where the basement is transformed into the main living area and hall level rooms become unused trophy rooms.
- Alterations were carefully considered in association with David Slattery Conservation Architects and Historic Buildings Consultants.
- Continued use of historic buildings is the best recipe for survival, Proposal seeks to use the historic structure in a manner that is appropriate to its heritage with sensitive alterations.
- Planning Authority played little consideration to the need to adapt the house to modern family needs.
- Interior layout of the building has been improved by removal of bathroom from the top floor bedroom and reinstatement of the original layout of the top floor. Alterations are confined to the rear of the building which cannot nor ever was considered great architecture.
- Works designed to maintain the visual integrity of the original building and also improve the current dour rear façade.
- Basement is projected to the rear garden to form a 'belvedere' overlooking the garden. Improves the scale of the rear elevation by articulating the main two storey upper levels.

- The extension to the hall level is a transparent volume, subservient to the main elements of the house, maintaining architectural integrity.
- Alternative proposals do not provide practical use of the house. Alternative provision of living accommodation at basement level was considered however the inevitable resulting relegation of the *piano nobile* to trophy room status is not appropriate.
- Importance of the landing window to the house in terms of daylight and architecture is acknowledged. Proposal involves removal of the window and retention of structural opening which will provide access to the new bathroom with semi-circular glazed fan light over the door which will be inserted into the opening. This fan light will allow light from the glazing in the roof of the proposed bathroom to penetrate into the house much as the existing window does.
- Proposal includes reuse of the window in the bathroom directly in line with the existing opening. The alignment and historical reference are further emphasised the form of the vaulted roof which directly refers the window back to its original position.
- Although less important than the front elevation and interior of the house the significance of the integrity of the rear elevation is acknowledged. To reflect this, a glass box is proposed. This will provide the required additional space while allowing the original rear elevation to be visible. The side of the glass box along the adjacent laneway has been made solid to protect the amenity of the house from users of the laneway. Rear elevations of these houses were only ever viewed individually separated by protruding returns from each back garden and never intended to form a contiguous vista like the front elevations.
- In the reliance solely on the views of the conservation department Dublin City Council has failed to consider the need to modernise the building to ensure its survival into the future as a viable family home.

6.2. Planning Authority Response

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

6.3. Observations

6.3.1 Observations submitted by neighbouring residents Martin and Mary Thornton, 1 Clifton Mews are summarised as follows:

- Notably no evidence provided of alternative solutions.
- Photos attached to appeal do not depict the current rear elevation.
- Scale, mass and incongruous design would create a dominating overwhelming and overbearing bulk when viewed from 1 Clifton Mews.
- Gross oppressive overlooking giving rise to adverse impact on privacy. Inappropriate glazed wall exacerbates the loss of privacy.
- Loss of daylight.
- Proposal compromises the rear elevation of the protected structure and would be out of keeping with other houses on the terrace setting and undesirable precedent.

7.0 Assessment

7.1. As regards the principle of development, the site is zoned Residential Conservation Area. The objective is "To protect and or improve the amenities of residential conservation areas." The Plan notes that Residential conservation areas have extensive groupings of buildings and associated open spaces with an attractive quality of architectural design and scale. The overall quality of the area in design and layout terms is such that it requires special care in dealing with development proposals which affect structures in such areas, both protected and non-protected. The general objective for such areas is to protect them from new developments or works that would have a negative impact on the amenity or architectural quality of the area. The principal land use in residential conservation areas is housing but can include a limited range of other uses. The guiding principle is to enhance the architectural quality of the streetscape and the area and to protect the residential character of the area. In considering the policy context regard must also be had to the status of the existing dwelling as protected structure ref 6968.

7.2. I consider that the principle of the proposed development involving demolition of the existing non-original extension and construction of an extension in its place which is

intended to enhance the established residential use on the site and provide for modern level of family accommodation into the future is acceptable in principle and in accordance with the Z2 zoning objective. I note in relation to the Protected Structure status of the site the Architectural Heritage Protection Guidelines for Planning Authorities notes that it will often be necessary to permit appropriate new extensions to protected structures in order to make them fit for modern living and to keep them in viable economic use. The first party has outlined a requirement for additional accommodation to meet their current family requirements and this is a significant consideration in terms of the proper planning and sustainable development of the appeal site. The key matter arising is the question of whether the detailed design of the proposal has due regard to the architectural heritage and conservation requirements having regard to the status of the dwelling as a protected structure within a designated residential conservation area.

- 7.3. The application is accompanied by a report on the architectural / historic significance of 22 Ranelagh Road by David Slattery Architect and Historic Building Consultant. The report asserts that the significance of the house is based on its external appearance and contribution to the historic architectural character of Ranelagh Road and Clifton Terrace. Interiors at ground floor and first floor levels retain original form and fabric while the arrangements at basement level are recent interventions. Internal features such as decorative plasterwork, surviving original joinery and fireplaces are also of architectural significance. As regards an assessment of the architectural heritage impact of the proposals the report asserts that the proposed works will have minimal impact on the character of the house. The extension will be clearly differentiated from the house and will clearly delineate the extent of the historic structure. The report notes that the character of the rear setting has already been significantly altered by the earlier rear extension house and the development of a mews house to the rear. It is acknowledged that the impact of the proposed new bathroom extension is not ideal but will be mitigated by the salvage and reuse of the existing window and window ope, the introduction of an over light and inclusion of skylight in the new extension.
- 7.4. The proposal involves demolition of the existing structure 14m² which provides accommodation at basement and ground floor level and its replacement with a

structure extending to 48m² which will provide accommodation at basement, ground and first floor levels. The existing extension which while being of no particular architectural merit is clearly subordinate to the existing dwelling in terms of its scale and design. The proposed extension by contrast is a far more expansive structure extending the full width of the plot. I would tend to concur with the views of the Dublin City Council Conservation Architect and Planner that the proposal by reason of its scale and width would overwhelm the rear façade of the existing structure and obscure its legibility. As regards the proposal to relocate the original round headed window which includes the original coloured glass, within the extension this is a risky strategy and is clearly not in accordance with good conservation practice. As regards materials and detailed finish and form I note the proposed mix of brick finish to Mountpleasant Terrace and basement level with glass box and vaulted roof to upper floor levels. I consider that the proposal is unduly elaborate and gives rise to an abrupt inappropriate intervention to the protected structure.

- 7.5. On the issue of impact on established residential amenity, I note that the 17m separation distance between back to back measurement from the proposed extension to the existing rear elevation of No 1 Clifton Mews where the current separation distance is c21m. I consider that the proposal which provides for the second floor glass box living space would give rise to a significantly increased actual and sense of overlooking and overbearing impact, thereby impacting negatively on the outlook and amenity of the observers dwelling.

7.6 Having regard to the nature and scale of the proposed development and the nature of the receiving environment together with the 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 and projects on a European site.

8.0 Recommendation

Refuse permission for the proposed development in accordance with the plans and particulars as lodged based on the reasons and considerations set out below:

9.0 Reasons and Considerations

Having regard to the to the zoning objective, Z1 ;”*to protect, provide for and improve residential amenities*”, according to the Dublin City Development Plan, 2016-2022, to the character of the existing protected structure and to the established pattern, scale and architectural character of the area, it is considered that the proposed extension, by way of its scale and design would fail to integrate satisfactorily with the existing building. As a result, the proposed development would be obtrusive and overbearing in impact and would set undesirable precedent for similar development in the area. The proposed development would result in an unacceptable loss of historic fabric contrary to the Architectural Heritage Protection Guidelines Department of Arts Heritage and the Gaeltacht 2011 and Policy CHC2 of the Dublin City Development Plan 2016-2022. The proposed development would therefore be contrary to the proper planning and development of the area.

The site of the proposed development is located within a designated residential conservation area to which the zoning objective Z2 of the Dublin City Development Plan 2016-2022 applies. It is considered that the proposed extension, by reason of its design and detailing would have an overbearing impact on the established dwelling to the west and would seriously injure the residential amenity of the adjacent property. The proposed development fails to respect the established pattern of development in the vicinity and would thereby seriously injure the residential

amenity of the area and would therefore be contrary to the proper planning and sustainable development of the area.

Bríd Maxwell
02 September 2019