



An
Bord
Pleanála

Inspector's Report ABP 304650 - 19.

Development	Extensions and Renovations and reconfigurations to internal layouts, to, new lower ground floor playroom and reception area, repairs to exterior of house and boundaries, a single storey extension detached structure for new detached gym plant room in gardens, parking layout to front garden landscaping and boundary treatment.
Location	No 2 Temple Gardens, Dartry, Dublin 6. (Protected Structure.)
Planning Authority	Dublin City Council.
P. A. Reg. Ref.	2028/19
Applicant	Aoife Nic An Coilligh
Decision	Grant Permission
Type of Appeal	Third Party
Appellant	Joseph Deasy
Observers	1. Stephanie Ryan, 2. Geraldine Feeney, 3. Tessa O'Connell 4. Barbara Deasy.
Date of Site Inspection	30 th August, 2019
Inspector	Jane Dennehy

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1.0 Site Location and Description

- 1.1. The site has a stated area of 1,112 square metres and is that of a late Victorian semi detached two storey over garden level house with a granite staircase and railings at the main entrance.
- 1.2. There is a garden screen wall in which there is a round headed entrance and timber door at the front building line which extends at the side towards the adjoining property at No 3 Temple Gardens. This door opens into a single storey extension constructed to the side and rear of the house off which access into the original house is via a door to the side.
- 1.3. The houses on Temple Gardens is a tree lined road that intersects with the Palmerston Road date from the late nineteenth century, most of the the larger houses on Palmerston Road itself being of earlier construction. On each side there are two storey over basement/garden level houses set being front gardens with cast iron railings on granite plinths along the frontage and with deep rear gardens.

2.0 Proposed Development

- 2.1. The application lodged with the planning authority indicates proposals for:
 - demolition of the existing extension, the stated floor area of which is 77 square metres and garden screen wall with the rounded headed entrance;
 - construction of a new extension with a stated floor area of 131 square metres to the side and to the rear across the entire width of the site, except for a one metre wide passage way from front to rear at the side;
 - internal reconfiguration at ground and lower ground level and breakouts into the proposed extension onto an external terrace area;
 - reconfiguration at first floor level providing for master bedroom and conversion of an existing to dressing room and en-suite and, refitting of existing bathroom;
 - reconfiguration and alterations at first floor level providing for dressing room and en-suite bedroom;

- a detached gym store building in the rear garden adjacent to the west side boundary and,
- a revised parking layout to the front with hard and soft landscaping and landscaping to the rear to include a new terrace.

The total floor area to be retained and the new build is 435 square metres.

- 2.2. A conservation report prepared by the applicant's architect is included with the application.
- 2.3. An additional information request was issued in respect of the issues raised in the initial Conservation officer report, details of which are set out under para 3.2.2 below.

3.0 **Planning Authority Decision**

3.1. **Decision**

By order dated, 14th May, 2019 the planning authority decided to grant permission subject to conditions of a standard nature which include requirements, under Condition No 3 for management and monitoring of the works by a conservation expert, and adherence to good conservation practice as provided for in, "*Architectural Heritage Protection: Guidelines for Planning Authorities*" (DOEHLG 2005) and application of measures for protection of original features during works.

3.2. **Planning Authority Reports**

3.2.1. **Planning Reports**

The planning officer having reviewed the original and further information submissions and the technical reports of the conservation officer indicated satisfaction with the proposed development and a recommendation for a grant of permission subject to standardised conditions.

3.2.2. **Other Technical Reports**

The report of the **Assistant Conservation Officer** on the original application dated, 26th February, 2019 indicates objections to:

- the removal of the garden wall and round headed doorway at the side to facilitate the construction of the proposed extension
- The proposed 'conservatory style,' glazed façade on the front elevation and new window to be inserted in the front elevation and to inappropriate design, materials and form selected . The reasons cited was that of incompatibility with and adverse impact on the existing historic architectural character of the dwelling and the streetscape owing to inappropriate design and materials, protected structure status being noted.

It is recommended in the report that the applicant be invited to review the proposals so that the garden wall is retained and that the additions reflect the prevailing materials and architectural character of Temple Gardens. A request for further clarification on proposed interventions to the party boundary wall with No 3 Temple Gardens is also recommended

3.2.3. The **Supplementary report of the Assistant Conservation Officer** dated, 3rd May, 2019 indicates a recommendation for a grant of permission subject to conditions which include the following requirements:

A sample of the proposed repointing to be agreed with the conservation officer.

Appointment of a conservation expert for management and monitoring of the implementation of the works.

Works to be carried out in accordance with the standards and recommendations in "*Architectural Heritage Protection: Guidelines for Planning Authorities*" (DOEHLG 2005) and protective measures for all existing historic features to be employed.

The report of the **City Archaeologist** indicates a recommendation for a condition with the requirement for notification of the planning authority to facilitate archaeological resolution of the site in the event of archaeological material being discovered during the course of the works.

The report of the **Drainage Division** indicates no objection subject to standard conditions.

3.3. Third Party Observations

Observations were lodged by residents of some of properties on Temple Gardens in which the issues of concern relate to design, form, materials and finishes for the proposed extension in its presentation toward the street frontage at the side of the existing house, and adjacent to No 3 Temple Gardens having regard to established architectural characteristics and as to potential for precedent for similar development.

4.0 Planning History

There is no record of planning history for the site according to the planning officer report.

5.0 Policy Context

5.1. Development Plan

The operative development plan is the Dublin City Development Plan, 2016-2022 according to which the site location is within an area subject to the zoning objective: 'Z2': *Residential Conservation Area*.

The house is included on the record of protected structures (Ref 5780) Also included are all of the houses on each side of the street on Temple Gardens.

Policy Objective CHC1 provides for preservation of the built heritage of the city.

Policy Objective CHC2 is reproduced below:

“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.*
- 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.”

These policies and objectives are elaborated on in detail in section 11.1.5.3 in which the reinstatement or protection of the original planform, retention of historic use where possible, securing long term viable use and avoidance of harmful extensions and modifications is encouraged.

6.0 The Appeal

6.1. Grounds of Appeal

- 6.1.1. An Appeal was received from Diarmuid O’Grada on behalf of Joseph Deasy of No 3 Temple Gardens on 7th June, 2019. It is requested that the planning authority decision to grant permission be overturned, having regard to the protected structure status of the properties on Temple Gardens, the location of Temple Gardens within an area subject to the zoning objective, ‘Z2’ (residential conservation area) within the CDP and the protection of residential amenities of adjoining properties. An outline of the objections follows:

- In view of the 'Z2' zoning objective permission should be refused because the proposed extensions will be overbearing and will diminish the residential amenities at No 3 Temple Gardens. The house is to be elongated into the garden over a distance of 21 metres adjacent to the party boundary with No 3 Temple Gardens and this is nine metres further than the existing extensions. The stated floor area of the new extension 131 square metres is considerably larger than the area to be demolished. (77 square metres.) The proposed development would also adversely affect the residential amenities of the raised terrace at the rear of the house at No 3 Temple Gardens.
- A substantial pitched roof portion is ten metres long which, along with the proposed zinc roof covering is too intrusive within the historic context. The four metres wide front window disrupts the streetscape and is at odds with the 'Z2' zoning objective.
- Details of the proposed treatment for the party boundary are unclear and clarification is required. Extensive demolition may be planned. The appellant has not given consent to any such intervention. Drawing 1846-PL-0100 indicates an increase in height and a 600 mm high trellis over a fourteen metres length on the wall.
- The revised proposals do not respond to the request for harmony and consistency in the additional information request including the retention of the original brick screen garden wall the significance of which is disregarded. It is a matching pair with the gate and wall at No 3 Temple Gardens. Permission should be refused on similar grounds to the reasoning for a refusal of permission for development involving intervention to original linkage between two dwellings following appeals under PL 208980. The revised proposals are excessive and intrusive in the context of No 3 Temple Gardens.
- The front elevation of the proposed extension at 7.2 metres in height is substantially higher than the five metres height of the existing side structure. A pitched roof at ground floor height is appropriate for the historic setting. An example is an open granular pediment with an oculus at No 21 Temple Gardens. The façade is increased by 63 percent in the revised proposal from

4.5 to 6.5 metres and the front window by 482 % from 1.95 square metre to 11.34 square metres.

6.2. Applicant Response

A submission was received from the applicant's architect on 8th July, 2019.

According to the submission, with regard to the planning considerations,

- It is intended to rebalance the visual amenities of Nos 1 and 2 Temple Gardens are semi-detached and form a single entity, No 1 having been renovated in 2007. No 3 (Appellant property) is detached and further away from No 2. There is no reference to No 1 Temple Gardens in the appeal.
- The proposed development conforms to the 'Z2' zoning objective and will not affect the architectural or residential amenities of the area.
- With regard to the contentions as to adverse impact on the streetscape context, the street level is on an incline and the uniformity suggested in the appeal would necessitate all ground floor extension being removed if they are on non-level residential streets.
- A three-storey extension at No 3 alters the streetscape and is visible on three sides. This includes two second and third floor window that overlook five houses on Temple Gardens, Cowper Road and Palmerston Road. The proposed development replaces an earlier single storey flat roof extension. The single storey hipped roof extension at the side of No 1 is replicated and the integrity of the streetscape is maintained.
- The existing pedestrian entrances at Nos 2 and 3 are not symmetrical in views from the street level in that they are separated and obscured by the hedge. The door at No 2 is not an original and along with the door at No 3, depart from the norm in that the other twenty properties on Temple Gardens have rectangular side doors of varying sizes and shapes. The reference in the appeal to a prior decision is irrelevant. (PL 208980 refers.)
- Further to the request for additional information from the planning authority investigations carried out showed that the side screen wall is a reconstruction,

possibly as part of the 1990s extension which the current proposal seeks to replace.

- It is reasonable from a design perspective to develop the side extension in a manner, in shape, mass and scale with a roof profile and height, similar to that at No 1 Temple Gardens given the symmetry of the pair of two semi-detached houses, given that the screen wall is not original. Its acceptability in relation to the adjoining houses and the streetscape is demonstrated in a contiguous elevation provided with the appeal and it is strongly in line with the planning authority objectives.
- The remarks in the appeal about the elevation and window opening sizes are rudimentary. The side elevation is not intrusive as the roof is set back and has a sloping profile away from the boundary with No 3. Zinc cladding for the roof replicates the cladding on the extension to No 1 and allows for a lower roof profile. The location of the side elevation cannot be regarded as an “invasive intrusion” because it is stepped back behind a high wall where there is no overlooking window. It is good practice to use modern materials in development at historic buildings.
- The existing extension extends to the party wall whereas the side passage way will be restored in the new proposal so that the garden at the rear can be maintained and accessed. The extension at 131 square metres in floor area is spread across the rear of the house as a ‘wraparound’ as well as outwards along the garden. It allows for light to enter the north facing property and it reduces intrusion by the introduction of new separation and privacy.
- A high-quality trellis to mitigate overlooking is to be added to the party wall. The wall is to be repaired on the side of the application site when the existing extension is removed.
- The raised terraces at the No 3 Temple Gardens are modern additions. A shadow analysis with the side extension proposed in places shows that there is no significant change in potential levels of light at this location. There is overlooking at the rear of Nos 2 and 3 from the patio of No 2 to the patio of No 3 and the glazed extension at No 3. Hard pruning has exacerbated this overlooking allowing for views to No 2.

- The extension to the rear is consistent with similar development at the rear of properties in the area as shown in Google Images.
- There is no relevance, for the appellant in a reference to an extension (a non-habitable garden store) at No 21 Temple Gardens carried out in 2000 (P. A. Reg. Ref. 1923/00 refers.)

In addition, it is requested that the validity of the appeal be verified having regard to timelines, it being contended that the date stamp on the appeal appears to have been modified.

6.3. Planning Authority Response

There is no submission on file from the planning authority.

6.4. Observations

6.4.1. Ms Stephanie Ryan, No 4 Temple Gardens

Ms Ryan in her submission objects to the height of the proposed extension above the house at the front, which she states is out of symmetry with the house. She objects to removal of the wall and front door and part demolition of a boundary wall without agreement from both parties. She also contends that the recommendations of the conservation officer were disregarded in the decision of the planning authority.

6.4.2. Ms Geraldine Feeney, No 15 Temple Gardens.

Ms Feeney states residents are seriously concerned about protection of the integrity of the protected structures at Temple Gardens and their residential amenities. She objects to the proposed extension's height, and glazing detail at the front and to the extent of its depth into the rear garden. She objects on grounds of adverse impact on the streetscape, undesirable precedent and she claims that the recommendations of the conservation officer were not addressed by way of the decision to grant permission.

6.4.3. Ms Tessa O'Connell, No 22 Temple Gardens.

According to Ms O'Connell the proposed front façade is incompatible with and is a departure from the architectural style of the houses on Temple Gardens which have not been altered. The proposed development would detract significantly from the

period character of Nos 2 and 3 Temple Gardens and the unique character of Temple Gardens which is unique entire road. It would set undesirable precedent.

6.5. Ms Barbara Deasy, No 3 Temple Gardens.

6.5.1. According to Ms Deasy, Nos 2 and 3 Temple Gardens are fine examples of Victorian, (not Edwardian) architecture, joinery having been carried out in 1889 and she refers to the good conservation principle to repair than rather replace damaged historic fabric. Ms Deasy strongly opposes the removal of the garden screen wall and rounded doorway and the proposed new build at the front.

- There is a lack of awareness of the building history in relation to the wall. By reusing salvaged bricks from an outhouse on the site the height of the garden screen wall was increased by nine inches so that visual impact on views from the public road of the existing extension (permitted in 1994) would be minimised. The original cornicing was removed, repaired and reinstated to facilitate the increase in height. Also, when that existing extension was constructed and built every effort was made to protect and preserve the original façade.
- The footprint of the proposed extension is significantly larger than that of the existing house. It is extensive and adjacent to the boundary it is seriously injurious to residential and visual amenities of both Nos 2 and No 3 Temple Gardens. The design intent was for rear gardens of the houses on Temple Gardens to support substantial planting and domestic privacy. Reference is made to the twenty-one metres' length.
- The proposed extension with its unacceptable bulk and scale is also overbearing relative to No 3 and overlooks its private space the level of which is 0.5 m lower than the existing at No 2. at the rear, especially from the four-pane kitchen window. The proposal to erect trellis on top of the wall is unacceptable.
- The proposed extension would set precedent for similar large-scale extensions in the area resulting in loss of the unique character of the streetscape and conflict with the Z2 zoning objective.

- There has been a gradual decline in the height to the party wall between Nos 2 and 3 Temple Gardens to 1.8 metres from two metres along the length of the extension and this highlights the bulk in views of the proposed extension from the gardens of No 3. The open end of the extension appears like a “misplaced carport”.
- The appellant’s agent will be willing to engaged in discussions for a revised proposal tin which a reduction in size and use of roof slates instead of zine and in which the extant wall and rounded headed doorway is retained at the front.

6.6. Further Submission of the Appellant.

6.6.1. A further submission was received from the appellant’s agent on 6th August, 2019. It is submitted that the proposed development could be rendered more in line with the Z2” zoning objective and other CDP policies and objectives by way of the following modifications which could be addressed by condition:

The length of the proposed extension to the rear to be reduced to the length of the existing extension at No 3.

Reduction of the height of the extension so that it does not exceed that of the stringcourse of the existing house.

Replacement of the zinc roof covering with slates.

Retention of the extant wall at the front.

The primary consideration is the CDP having regard to the inclusion of the houses on the record of protected structures and the “Z2” zoning objective from which there should be no deviation.

6.6.2. Accoridng to the submission:

- The extension at No 1, Temple Gardens, the property in respect of which there is notable emphasis in the response to the appeal, does not have as significant a projection into the rear garden as the proposed extension and the windows do not overlook to the east.

- The extension at No 3 Temple Gardens, which is flanked by Milltown Path, is confined to the rear of the house. It does not extend beyond it or project southward to the front and all windows face north. Therefore, it is sensitively designed and does not impinge on the streetscape.
- The widely held concern as to inappropriateness of the proposed development is demonstrated by the multiple observer submissions were made at application stage.
- The appellant maintains that the pair of side entrances at Nos 2 and 3 must be retained due to the contribution to the streetscape to which priority must be given notwithstanding the partial obstruction by the hedge at the front which is regarded as 'transient'. The appellant has previously stated, (in a submission in connection with the application) that the garden wall was reconstructed from bricks salvaged from an outhouse. The decision on the application under P. A. Reg. Ref. 1185/94 is pertinent in this regard.
- The dimensions of the perimeter fence are erroneous in the applicant's new submission. It is lower in height and the excessive length of the extension will impose onerously on the appellant's property. As in the case of the grant of permission under P. A. Reg. Ref. 1185/94 consent of the adjoining property owner is necessary for any proposal to build on the wall and it has not and will not be given. The rear section of the existing extension at No 2, to be demolished forms part of the party wall.
- The suggestion that the proposed extension is not excessive and is consistent with other developments at the rears of houses is not accepted. There is no projection of the rear building line at three of the houses at Nos 1-9 Temple Gardens and the extension at No 7 predates the designation of the houses as protected structures circa 2000 and is not a precedent, even though the proposed extension 'juts out' even further than the extension at No 7.

6.6.3. Some remarks in the applicant's submission as to abnormalities with regard to the date stamped for the receipt of the appeal are strongly refuted by the appellant's agent who also demands a retraction of various statements in the applicant's submission, in the interest of natural justice.

6.7. Further Submission of the Applicant.

6.7.1. A submission containing observations on the further submission of the Appellant party was received on 29th August, 2019 from the applicant's agent. In the submission it is requested that the decision of the planning authority be upheld and that confirmed that the modifications proposed in the submissions made on behalf of the appellant are not acceptable. According to the submission:

- The claim that the proposed development is sensitively designed with regard to the relationship with No 1 Temple Gardens and with regard to the impact on No 3 Temple Gardens is reiterated.
- The front extension proposal is in line with the requirements of the 'Z2' zoning objective. The existing front wall is not original and the proposed extension is in line with the extension at No 1 and it respects the independent nature of the detached house at No 3 with the smaller wall and side entrance. The streetscape does not feature any curved side doors as contended in the appellant submissions. The existing door is rectangular, permitted under P. A. Reg. Ref. 2507/02 and obscured from view by a 1.5 m high hedge.
- The concerns expressed by most of the parties who made submissions at application stage were confined to the design of the front side extension and not about the entire development proposal.
- Removal of the party boundary is not intended and it is to form the side wall to the passage at the side with the addition of a trellis to be erected on the inner side.
- The contentions in the submission made on behalf of the appellant as to excessive scale are deliberately misleading as the proposal is for a low height single storey extension and there is precedent for extensions into the rear gardens at No 7 Temple Gardens.

7.0 Assessment

7.1. There is an appeal by the occupant of the adjoining property at No 3 Temple Gardens and three observer submission on file in which the objections to the proposed development generally are similar and relate to consideration of the

impact of the proposed development on the integrity and character of the existing and adjoining buildings having regard to their inclusion on the record of protected structures, and the integrity and character of the streetscape and the residential amenities of adjoining properties having regard to the CDP's Z2 zoning objective, (residential conservation areas.)

7.2. In view of the foregoing, the various elements of the proposed development are considered under the following sub-headings which are set out below.

Demolition of existing extension and alterations to the existing house and to the planform.

Garden screen wall and front elevation – proposed extension.

Rear Extensions

Detached gym and storage shed

Demolition and construction stage.

Environmental Impact Assessment.

Appropriate Assessment Screening

7.3. Demolition of existing extension and alterations to the existing house and to the planform.

7.3.1. There is no objection to the proposed demolition and removal of the existing extensions, subject to good practice. Breakouts through the original fabric at lower ground floor level which are additional of the house to those incurred in constructing the existing extension to provide for interconnection with the proposed extension are required and shown on the lodged plan drawings, while undesirable, are accepted.

7.3.2. Alterations to provide for reconfiguration at first floor level to provide for the master bedroom en-suite with a dressing room is acceptable. The applicant should be required to reuse original historic fabric where possible having regard to the creation of new openings and blacking up of existing door openings and to ensure completion of ducting and mechanical and electrical works with minimal intervention under the direction of an architect or engineer with specialist expertise in historic building conservation.

7.4. Garden screen wall and front elevation - proposed extension.

- 7.4.1. Overall, the views of the conservation officer, the appellant and observer parties as to the desirability of the screen wall to the side in which there is a round headed entrance door and which is continued across the adjoining property should remain unaltered in terms of intervention to the structure itself and in terms of alterations to the presentation of the building at or forward of the line of the screen wall. The reconstruction of the screen wall, from materials salvaged from an outbuilding, further to the construction of the existing extension referred to in the submissions made on connection with the appeal, does not negate the case for the retention of this element in that it is a feature contributing to the integrity and presentation of house and the adjoining house at No 3 Temple Gardens, bearing in mind the inclusion of these structures on the record of protected structures.
- 7.4.2. Although the application site property is within a pair of semi-detached houses, with No 1 Temple Road, the contexts for additions to the side of each house are very dissimilar. No 1 Temple Gardens is a corner site property, at the junction with Palmerston Road and the plot which is perpendicular to the adjoining property on Palmerston Road whereas the application site on the inner side on the Temple Gardens frontage. The relatively low-profile garden screen wall linking Nos 2 and Temple Gardens, (the application and appellant properties) and the separation of the structures by way of the open sky back drop overhead in views from the street frontage in views from the street frontage are significant features contributing to the setting of both structures including the detached nature of No 3. Significant infill to one or other side would alter this characteristic considerably, leading to a grouped terraced effect which would be uncharacteristic and negative in impact on the established streetscape architectural characteristics of Temple Gardens.
- 7.4.3. In view of the foregoing, the proposed removal and replacement of the existing garden screen wall and with the front section of the proposed extension, in particular the glazing/fenestration detail and height is unacceptable. It is considered the footprint of a side extension should be set behind and predominantly screened from public views by the garden screen wall, and it is agreed with the third parties that it not to exceed the height of the stringcourse of the house. Furthermore, the

concerns about the front façade expressed in the conservation officer, appeal and observer submissions are also supported. The opes in the front bay element should mirror and carry the same proportions in length and width as those of the existing dwelling as is achieved in the extension constructed to the side of No 1 Temple Gardens.

7.5. Rear Extensions.

- 7.5.1. There is no objection to the proposed glazing at ground floor/lower ground floor extensions at the rear, which are contemporary in design with the exception of the east facing kitchen window which should be omitted in the interests of the amenities of the adjoining property as discussed in para 7.5.4 below.
- 7.5.2. Notwithstanding the significant size of the overall plot and the rear garden, it is considered that the depth behind the original building line of the house is excessive proportion when the projecting element is taken into consideration in conjunction with the five metres depth of the extension across the entire width of the existing dwelling and infill to the side. The footprint is considerable it is accepted that in entirety the proposed extension would give rise to a sense of invasiveness that adversely affects the amenities of the rear private open space of the adjoining property.
- 7.5.3. However, the proposal is for a single storey extension only and is at a separation distance of one metre from the party boundary, the proposed glazed passage being to the side of the existing structure only. The roof profile is not considered excessive or inappropriate and there is no objection to the proposed use of a zinc finish for the roof, subject to a compliance submission, by condition.
- 7.5.4. It is considered that sufficient amelioration, providing for a reasonable balance in accommodating the amenity potential of both application site property and the adjoining appellant party's property is for the depth of the extension to be reduced. This could be satisfactorily provided for by omission of the east elevation wall at the end of the projecting element of the proposed extension which encloses the outdoor dining area and, in addition, a reduction of the depth of the kitchen element by two metres from 7500 mm to 5500 mm, with the width of 4800 mm remaining unchanged.
- 7.5.5. This may necessitate minor revisions to the width and positioning of the 3.5 metres wide sliding panel door on the east elevation of this kitchen. In addition, it is

considered that the east facing window which gives rise to perceptions of overlooking of the adjoining rear outdoor space and gardens at the appellant's adjoining property should be omitted in entirety. The omission may render the requirement for trellis to be mounted on the boundary wall unwarranted and it would be a matter for either party to supplement the screening on either inner side of the boundary if required for which the consent of the other party would not be required.

7.6. Detached gym and storage shed

7.6.1. There is no objection to the proposed construction of a gym and storage shed in a single structure toward the end of the rear garden adjacent to the boundary with the adjoining property at No 1 Temple Gardens.

7.6.2. Demolition and construction stage.

7.6.3. While it is accepted that demolition and construction works are a source of inconvenience within residential areas, it is considered reasonable for such works to be allowed to proceed, subject to good demolition and construction practice, and it should be borne in mind that the period of construction for project such as that proposed is limited in duration. The hours of construction, permitted by condition attached to the planning authority, which allow for commencement at 7.00 hrs re considered reasonable and should facilitate completion of the project within a reasonable timeframe.

7.7. Environmental Impact Assessment.

7.7.1. Having regard to the nature of the proposed development and its location in a serviced urban area, removed from any sensitive locations or features, there is no real likelihood of significant effects on the environment. The need for environmental impact assessment can, therefore, be excluded at preliminary examination and a screening determination is not required.

7.8. Appropriate Assessment Screening.

7.8.1. Having regard to the small-scale nature of the proposed development and, to the serviced inner suburban location, no Appropriate Assessment issues proposed development would not be likely to have a significant effect individually or in combination with other plans or projects on a European site.

8.0 Recommendation

In conclusion, while it is considered that there is scope for the addition of modern extensions at No 2 Temple Gardens, some modifications to the current proposal are considered necessary to render the proposed development acceptable having regard to the inclusion of Nos. 2 and 3 Temple Gardens on the record of protected structures, to the location within an area subject to the zoning objective, 'Z2': "Residential Conservation Area" according to the CDP and, to protection of the residential amenities of No 3 Temple Gardens. However, the setbacks recommended, particularly to the front "DEN" element of the extension reduces its utility potential relative to that of the larger space shown for the DEN in the application. A draft order follows indicating a grant of permission, subject to conditions.

9.0 Reasons and Considerations

It is considered that, subject to the conditions set out below, the proposed development, would not seriously injure or adversely affect the, integrity, features of special interest, architectural character and setting of Nos 2 and 3 Temple Road which are included on the record of protected structures, would not adversely affect the visual and residential amenities of properties on Temple Gardens which is within an area subject to the zoning objective "Z2", residential conservation area according to the Dublin City Development Plan, 2016-2022 and, would 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 17th April, 2019 and An Bord Pleanala on 8th July, 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.

2. The front "DEN" element of the proposed extension shall be setback by a minimum distance of 1.5 metres from the line of the existing garden screen wall and the glazed passageway to the side shall be omitted. The pitched roof over the front "DEN" extension shall be replaced by a roof, the maximum height which does not exceed the height of the stringcourse of the main house.

Full details in plan section and elevation drawings of material and finishes, shall submitted and agreed in writing with the planning authority prior to the commencement of the development.

Reason: In the interests of the protection of the integrity and setting of the original houses and garden screen walls at Nos. 2 and 3 Temple Gardens, and the architectural character of the streetscape having regard to their inclusion on the record of protected structures and location within an area subject to the zoning objective, 'Z2': "Residential Conservation Area" according to the CDP.

3. The following amendments shall be made to the proposed extensions to the rear and side of the house:

- (a) The rear curved wall adjacent to the eastern side boundary enclosing the outdoor dining area shall be omitted in entirety

- (b) The depth of the kitchen in the projecting element of the proposed extension shall be reduced by two metres from 7500 mm to 5500 mm.

- (c) The window for the kitchen in the east facing wall of the proposed extension shall be omitted in entirety.

Full details in plan, section and elevation drawings of material and finishes, including samples of the zinc roof material, shall submitted and agreed in writing with the planning authority prior to the commencement of the development.

Reason: In the interests of protection of the residential amenities of the adjoining property at No 3 Temple Gardens and the amenities of the area having regard to the zoning objective “Residential Conservation area according to the CDP.

4. The proposed development shall be carried out under the direction of an architect with specialist expertise in historic building conservation and in accordance with the recommendations within: *Architectural Heritage Protection: Guidelines for Planning Authorities* issued by The Department of the Environment, Heritage and Local Government in 2005 and who, prior to the commencement of the development, shall be submit and agree in writing with the planning authority the following requirements:

- (a) A detailed schedule of works to for the proposed interventions and reconfiguration of the interior to include survey of existing historic fabric and proposed interventions and full details of all ventilation and duct work, fire upgrading work and service runs with continuous routing being used as a means of prevention of leakage and damage to historic fabric in concealed areas including associated necessary opening works to facilitate routes.

- (e) A methodology appropriate to the existing historic fabric for repointing works to existing elevations and for repairs and maintenance to chimneys and boundary walls.

- (f) All existing original features, internal and external to be retained shall be protected prior to and throughout the duration of the construction stage.

Reason: In the interest of clarity, and to ensure the protection of the historic fabric, character, integrity and special interest of the existing house and the feature within the curtilage having regard to the inclusion on the record of protected structures.

5. Hours of work shall be confined to 0700 to 1900 Mondays to Fridays inclusive, excluding bank holidays and 0800 to 1400 hours on Saturdays. Deviation from these times will only be allowed in exceptional circumstances subject to the prior written agreement of the planning authority.

Reason: In the interest of residential amenity.

6. 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.

- 7 The developer shall facilitate the preservation, recording and protection of archaeological materials or features that may exist within the site. In this regard, the developer shall -

- (a) notify the planning authority in writing at least four weeks prior to the commencement of any site operation (including hydrological and geotechnical investigations) relating to the proposed development,

- (b) employ a suitably-qualified archaeologist who shall monitor all site investigations and other excavation works, and

- (c) provide arrangements, acceptable to the planning authority, for the recording and for the removal of any archaeological material which the authority considers appropriate to remove.

In default of agreement on any of these requirements, the matter shall be referred to An Bord Pleanála for determination.

Reason: In order to conserve the archaeological heritage of the site and to secure the preservation and protection of any remains that may exist within the site.

- 8 All necessary measures shall be taken to prevent spillage or deposit of clay, rubble or other debris on adjoining roads during the course of the site works.

Reason: In the interest of public amenity orderly development and traffic safety.

Jane Dennehy,
Senior Planning Inspector
4th September 2019.