



An  
Bord  
Pleanála

## Inspector's Report ABP 306586-20.

### Development

Single storey extension at ground floor level to the rear, including removing window to rear reception room and return and forming new opening, (b) removing window to lower floor rear room and fitting new French doors, (c) demolishing existing unstable chimney to rear return and inserting a new window to the rear return at first floor level, (d) forming a light well/adequate headroom between the first floor return bedroom and new extension, (e) repointing the blockwork to the main building rear and the rear return structure.

### Location

125 South Circular Road, Dublin 6

### Planning Authority

Dublin City Council

### Planning Authority Reg. Ref.

306586-20

### Applicant(s)

Kevin Cahill and Susanna Frost

### Type of Application

Permission

### Planning Authority Decision

To Refuse Permission.

### Type of Appeal

First Party

### Appellant(s)

Kevin Cahill and Susanna Frost

|                                |              |
|--------------------------------|--------------|
| <b>Observer(s)</b>             | No observers |
| <b>Date of Site Inspection</b> | 14.03.2020   |
| <b>Inspector</b>               | Erika Casey  |

## 1.0 Site Location and Description

1.1 The subject site is located on the southern side of the South Circular Road. It accommodates a 2 bay, 2 storey over basement period property. The dwelling forms part of a terrace of similar houses that date back to the early 1800's. It is understood that the house currently on site was substantially refurbished following serious damage by fire. Permission for these works were granted in 2008. There is a large garden to the rear.

## 2.0 Proposed Development

2.1 The proposed development comprises:

- Single storey extension at ground floor level to the rear with a floor area of 13 sq. metres, including:
  - (a) removing window to rear reception room and return and forming new opening;
  - (b) removing window to lower floor rear room and fitting new French doors;
  - (c) demolishing existing unstable chimney to rear return and inserting a new window to the rear return at first floor level;
  - (d) forming a light well / adequate headroom between first floor return bedroom and new extension;
  - (e) re-pointing of the brickwork to the main building rear and the rear return structure.

## 3.0 Planning Authority Decision

### 3.1. Decision

3.1.1 To Refuse Permission:

*“The proposed upper ground floor extension which is built over the lower ground floor level on a supporting wall and extends approximately 5.5 metres from the rear boundary wall at upper level, would result in a poor quality of residential amenity to the existing family room at lower ground floor as little or poor light penetration would be received in this room. It is, therefore, considered that the proposed extension*

*would be seriously injurious to the residential amenity of this property. The proposed works do not relate sensitively to the architectural detail and character of the original structure and would, therefore, contravene Policy CH22 a), (b), (c) of the Dublin City Council Development Plan 2016-2022, and contrary to the proper planning and sustainable development of the area.”*

## **3.2. Planning Authority Reports**

### **3.2.1. Planning Report**

- Note that the applicants state that the layout is disjointed and that the single storey ground level extension is proposed to connect the rear reception rooms and the kitchen to provide a family dining room.
- Due to the difference in floor level between the main body of the building and the 3 storey return, the applicants intend to remove a small section of the 1<sup>st</sup> floor return flooring to create a light well and to accommodate adequate headroom and access from the new extension to the existing kitchen. These works will involve removing the existing window and part of the rear wall to the rear reception rooms, removing the 2 side windows to the side wall of the ground floor return to the kitchen and altering 2 windows.
- The PA has concerns regarding the residential amenity of the lower ground floor rooms. The applicant is intending to build what is an upper ground floor extension which would be built over the lower basement on a supporting wall. The extension would extend approximately 5.5 metres from the rear boundary wall at upper ground level.
- This would create a dark tunnel area at lower ground floor providing a poor quality of residential amenity to the existing family room and bathroom at lower ground floor as little or poor light penetration would be received in these rooms.

### **3.2.2. Other Technical Reports**

**Drainage Division (04.12.2019):** No objection subject to conditions.

## **3.3. Prescribed Bodies**

- No submissions received.

### 3.4. Third Party Observations

3.4.1 No observations received.

## 4.0 Planning History

4.1 There have been a number of previous applications on the site which can be summarised below:

### **Application Reference 2561/19**

4.2 Planning permission granted in May 2019 for the use of the entire property as a single-family dwelling including the below ground level floor, the insertion of a new stairs between the ground floor and below ground floor level and associated works to enclose new stairs at ground floor level.

### **Application Reference 2807/09**

4.3 Planning permission granted in July 2009 for a two storey over basement protected structure. The development will consist of the following works at entrance level; the creation of a double-leaf door opening within the gable wall of the return opening onto a new steel-framed timber deck with steps leading down to the rear garden level and the insertion of an under-stair toilet. Proposed garden level works include the removal of the central section of stairwell wall to the rear room, the omission of a recently approved stair flight (planning ref. 4429/08), the reinstatement of a stairwell wall removed by previous owners to the front room, the installation of a new bathroom within the return and a bin store to the underside of the proposed deck/stair flight. A 2m x 1.5m solar panel will be fixed onto the inner pitch of the roof.

### **Application Reference 4429/08**

4.4 Planning permission in November 2008 for the refurbishment of existing vacant structure to provide two residential units: one bedroom apartment at basement level and a three bedroom residential unit at ground & first floor levels. Cleaning & re-pointing of front facade with lime based tuck pointing; replacement of existing poor condition timber sash windows, insertion of historically accurate timber door set to front; carry out repair works to cast-iron elements; creation of an additional door opening at basement level under the existing front steps; the provision of an insulated concrete slab at basement level; insertion of en-suite bathrooms to

proposed bedrooms; enlargement of existing door openings between middle landing and rear return area at all levels; apply lime based plaster to internal walls; insertion of historically accurate open string timber staircase in place of the existing temporary timber staircase; insertion of internal timber door sets where missing; insertion of M&E services throughout.

## 5.0 Policy Context

### 5.1. Development Plan

5.1.1 The operative Development Plan is the Dublin City development Plan 2016-2022. The site is zoned *Objective Z1: to protect, provide and improve residential amenities.*

5.2 Section 16.10.12 of the plan addresses Extensions and Alterations to Dwellings and Appendix 17 of the Plan deals with Guidelines for Residential Extensions.

5.3 Applications for planning permission to extend dwellings will only be granted where the Planning Authority is satisfied that the proposal will:

- Not have an adverse impact on the scale and character of the dwelling.
- Not adversely affect amenities enjoyed by the occupants of adjacent buildings in terms of privacy, access to daylight and sunlight.

5.4 The subject dwelling is a protected structure. Chapter 11 sets out guidance regarding protected structures. **Policy CHC2** states:

*“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.”*

## **5.2. Natural Heritage Designations**

5.2.1 There are no Natura 2000 sites in the vicinity of the site.

## **5.3 EIAR Screening**

5.3.1 Having regard to nature of the development comprising a domestic extension and the urban location of the site 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**

- The application involves extending the rear reception room at ground floor level with a modern, historically recognisable extension and connecting it in a free flowing way with the kitchen located in the return. This will have the effect of the original previously refurbished and reinstated rooms being clearly identifiable as such playing against the new structure contemporary extension.
- Permission has been received to use the entire property as a single family dwelling. As it will be used as a single family dwelling, there is plenty of good quality, well lit large family rooms throughout the house on the upper levels.

- It is intended that the room at basement level will be used as a play room/games room. Submit that this use is consistent with the original functional design of the period house, where living spaces are situated at the upper floor levels.
- Revised drawings submitted. To assist greater light penetration into the playroom, propose setting the rear wall of the proposed extension back off the face of the existing return by 1200mm. Other measures to enhance light into the room include:
  - Painting and rendering the surrounding walls white.
  - Creating double French doors to replace the window.
  - Landscaping the ground with use of white gravel/stone.
  - Planning has been granted for a new stairway between the ground and lower ground resulting in greater light being transferred from the hallway above.
- In relation to the works not being sensitive to the architectural detail and character of the original structure, note that the property was burned to the ground and extensively refurbished. Therefore, the only original features remaining is the external envelope. There are no original ceilings, cornices, architraves, skirtings or joinery.
- The new structure will be in a form and design clearly showing the period of construction. The extension will be clad in zinc cladding to distinguish it from the original building.
- The lower ground floor rear window presently has no detail or shutters and will be replaced by a Georgian proportioned set of French doors by conservation joiners.
- The proposed newly created opening from the ground floor rear reception room to the proposed extension will be lined with Georgian proportioned timber linings to match existing replaced linings.



## 6.2. **Planning Authority Response**

- No response received.

## 6.3. **Observations**

- No observations.

## 7.0 **Assessment**

### 7.1 **Introduction**

7.1.1 The main issues are those raised in the grounds of appeal and it is considered that no other substantive issues arise. Appropriate Assessment also needs to be addressed. The issues can be dealt with under the following headings:

- Residential Amenity.
- Impact on the Protected Structure.
- Appropriate Assessment.

### 7.2 **Residential Amenity**

7.2.1 The proposed development comprises a single storey extension to the rear of the existing house. At present the ground floor layout comprises two reception rooms in the main body of the house and a kitchen located in the rear return. As highlighted by the applicant, the current layout is disjointed. The purpose of the extension is to connect the rear reception room and the kitchen to provide a more usable and functional kitchen/dining/sitting room.

7.2.2 The proposed extension will effectively site on a new support wall along the eastern boundary. The principle concern of the Planning Authority is that this arrangement will result in poor light penetration to the rooms located beneath at lower ground floor level which comprise a bathroom, store/utility and a further family room.

7.2.3 I note the concerns raised by the Planning Authority regarding the proposed development and that it will reduce the amenity of the lower ground level due to loss of light. I accept that some light will be lost to the lower level, but also consider that the amenity of the overall dwelling must be considered as well as the need to provide a modern and functional family home. I note that the applicant has converted a multi

unit dwelling back into a family home which is welcomed. The applicant states that the accommodation at lower ground level will be used as a play room and thus would not require as high a level of daylight as living accommodation. This argument is accepted and I note that the development will provide a number of high quality living and dining spaces at ground floor level. During the site visit, it was noted that the existing room at lower ground floor has a relatively low floor to ceiling height and would be most suited to a use such as a play room or snug.

7.2.4 Furthermore, in support of their appeal, the applicant has made some further modifications to the development to enhance light penetration to the lower ground floor level by reducing the length of the proposed extension and setting it back from the rear wall of the existing return by 1200mm. This coupled with other measures including clever use of materials and landscaping and double doors to replace the window at the lower level will improve the level of daylight afforded to this room. I am satisfied that overall, the proposed development will provide for an enhanced level of amenity for the dwelling. I do not consider that the other ancillary accommodation at lower ground floor including the existing bathroom or utility area require a high level of daylight.

### 7.3 **Impact on the Protected Structure**

7.3.1 The existing house, whilst a protected structure retains little original material of any conservation value. It is understood that prior to its purchase by the current owners, the property was vacant for some time and was substantially damaged by fire. Permission was granted in 2008 to refurbish the dwelling and convert it into flats. Permission was sought in 2019 by the current owners to convert the property into a family home. The main contribution, therefore, that the dwelling makes in conservation terms is the external envelop and the fact that it forms part of a similar terrace of dwellings.

7.3.2 In this context, I do not consider that the works proposed detract from the architectural quality or character of the existing dwelling. I consider that the extension is contemporary and clearly distinguishable from the original dwelling house which is in accordance with good conservation practice. I am satisfied that the development will have no material adverse impacts on this protected structure. I

consider the additional works proposed are sympathetic to the character of the original building.

#### **7.4 Appropriate Assessment**

7.4.1 Having regard to the nature and scale of the proposed development, a domestic extension, within an established urban area, and the distance 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. It is recommended that permission be granted subject to conditions for the reasons and considerations set out below.

#### **9.0 Reasons and Considerations**

9.1. Having regard to the provisions of the current Dublin City Development Plan 2016-2022, the location of the site in an established residential area and its zoning for residential purposes, to the nature, form, scale and design of the proposed development, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the residential or visual amenities of the area, would not adversely affect the features of special interest, architectural character and setting of No. 125 South Circular Road which is included on the record of protected structures and would be acceptable in terms of pedestrian and traffic safety. The proposed development 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 to An Bord Pleanála on the 5th day of February, 2020, 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. 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.

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. The site and building works required to implement the development shall be carried out only between the hours of 0800 to 1800 Monday to Fridays, between 0800 to 1400 hours on Saturdays and not at all on Sundays and Public Holidays. Deviation from these times will 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 adjoining property in the vicinity.

5. All public service cables for the development, including electrical and telecommunications cables, shall be located underground throughout the site.

**Reason:** In the interest of visual amenity.

6. The proposed works to the existing historic fabric of the dwelling 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 and who, prior to the commencement of the development, shall be submit and agree in

writing with the Planning Authority a conservation method statement appropriate for the works to the existing historic fabric of the dwelling.

**Reason:** In the interest of clarity, and to ensure the protection of the historic fabric, character, integrity and special interest of features within the site curtilage.

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**Erika Casey**

**Senior Planning Inspector**

**16<sup>th</sup> March 2020**