



An
Bord
Pleanála

Inspector's Report ABP 306732-20

Development	Partial demolition and construction of two storey over half basement flat roof extension to the side of existing property. Refurbishment and renovation of property inclusive of all associated landscaping and site works.
Location	41 Grosvenor Road, Rathgar, Dublin 6.
Planning Authority	Dublin City Council.
Planning Authority Reg. Ref.	2984/19
Applicant	Fiona McHugh
Type of Application	Permission
Planning Authority Decision	Grant Permission with Conditions
Type of Appeal	Third Party
Appellants	Phillip O'Reilly
Observer(s)	Rathgar Residents Association
Date of Site Inspection	16 th June 2020
Inspector	Brendan Coyne

1.0 Site Location and Description

- 1.1. The site (0.02 ha) is located on the northern side of Grosvenor Road in Rathgar, Dublin 6. The site contains a two-storey semi-detached 4-bedroom dwelling with a single storey extension and recessed three-storey annex to its side. The main roof profile of the dwelling is hip-ended, and its main front elevation comprises red brick finish. Features on its front elevation include a fanlight over the main entrance door and brick quoining over the sash windows. The original architrave over the door fanlight appears to have been removed. The front elevation finishes of the single storey side extension is rendered and painted white in colour and the recessed annex comprises rendered brickwork. The garden to the front of the dwelling is gravelled and its front boundary is defined with a decorative iron railing, black in colour. The character of the surrounding area is predominantly residential and comprises a mixture of house styles dating from the 1850's.

2.0 Proposed Development

- 2.1. Application as lodged on the 14/05/2019 - Permission sought for the following;

(A) Demolition of:

- (i) External front façade to the side extension of the property at ground, first and second floor level.

(B) Construction of:

- (i) Two storey extension over the existing single storey side extension. This extension would provide a double height bedroom with ensuite w.c. at first floor level and plant room at second floor
- (ii) Architrave surround to the front door to be re-instated,
- (iii) Enlargement of two number existing openings to the rear of the property at first and second floor level,
- (iv) Refurbishment and renovation of the existing property,
- (v) Associated landscaping and site works.

2.1.1. Further Information submitted on the 08/01/2020 includes;

- Briefing document prepared by ODOS Architects detailing the following;
 - Example of a precedent project that guided the architectural intent of the proposal.
 - Outline of the existing site condition.
 - Outline of the architectural intent of the proposal.
 - Photorealistic images of the proposal in the streetscape.
 - Details of proposed materials.
- Samples and brochure details of proposed metal cladding to be used on the front elevation of the proposal.

3.0 Planning Authority Decision

3.1. Decision

3.1.1. Dublin City Council granted permission for the proposed development subject to 7 no. Conditions. Noted Condition includes:

Condition No. 2 Prior to commencement of development, revised drawings shall be submitted for the written agreement of the Planning Authority showing the following modifications;

a) The front elevation of the proposed extension shall be setback so that the flap elements when fully opened do not surpass the existing building line.

b) A revised sample of the perforated panels, showing the holes interspaced in a random manner in line with the sketches as submitted by additional Information.

Reason: In the interest of orderly development and visual amenity

3.2. Planning Authority Reports

3.2.1. *Initial Planning Report (09th July 2019)*

- The subject dwelling, while not a Protected Structure, is located within a Conservation Area of significant architectural merit.
- The proposed internal works and works to the rear elevation are minor in scale and would not adversely impact on the character of the property.
- The demolition of the existing side extension is acceptable in principle, by reason that it is not an original part of the dwelling and its elevations comprise a rendered finish.
- The area of private amenity space (47 sq.m.) maintained to the rear of the dwelling would be acceptable in this instance, given the pattern of development in the surrounding area, the substantial garden to the front of the property and its proximity to nearby public open spaces.
- The proposed extension would fill in the area between the subject dwelling and neighbouring dwelling No. 42 Grosvenor Road.
- The proposed extension would not impact on the residential amenity of neighbouring property No. 42.
- The proposed extension would be contemporary in appearance and would form a distinctive contrast to the predominantly red-brick Victorian properties along the road.
- The elevation drawings submitted do not provide an accurate representation of the proposal to determine how its scale and design would form an acceptable contrast to the existing historic streetscape.

3.2.2. Further information was requested requiring the following:

- a) A colour photomontage / 3-D images of the front elevation of the proposed development, showing its context with adjoining properties.
- b) Details of materials, colours and textures of all external finishes, including samples.

3.2.3. **Second Report (31st January 2020)**

- The contemporary design of the proposed extension would form an acceptable contrast to the traditional red-brick architecture of Grosvenor Road.
- The form of the proposed extension and its use of metallic flaps would give an overly dominant appearance, which would be incongruous to the streetscape. A condition should be imposed requiring that the proposed extension is sufficiently setback to ensure that the proposed flaps when fully opened would not protrude past the existing front elevation.
- The perforated panel as submitted by way of Additional Information indicates holes interspaced in a uniform manner. This does not correspond with the photomontages provided or the drawings initially submitted, which indicate the perforated holes to be interspaced in a more random manner.
- The perforated panel provided by way of Additional Information submission is unacceptable as it results in a more industrial design which dilutes the quality of the proposal.

3.3. **Other Technical Reports**

Engineering Dept. - Drainage Division

No objection subject to Conditions.

4.0 **Planning History**

None for subject site.

5.0 **Policy and Context**

5.1. **Development Plan**

Dublin City Council Development Plan 2016-2022 is the statutory plan for the area. The following provisions are considered relevant:

Zoning: The site is located in an area zoned objective 'Z2: Residential Neighbourhoods (Conservation Areas)' which seeks 'to protect and/or improve the amenities of residential conservation areas'.

Conservation Areas - Relevant policy includes:

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.

Development will not:

1. Harm buildings, spaces, original street patterns or other features which contribute positively to the special interest of the Conservation Area
2. Involve the loss of traditional, historic or important building forms, features, and detailing including roofscapes, shopfronts, doors, windows and other decorative detail
3. Introduce design details and materials, such as uPVC, aluminium and inappropriately designed or dimensioned timber windows and doors
4. Harm the setting of a Conservation Area
5. Constitute a visually obtrusive or dominant form.

Section 11.1.5.5: Conservation Area – Policy Rationale

Section 11.1.5.6: Conservation Area – Policy Application

Guidance for Residential Extensions: General guidance for residential extensions in all zones throughout the city are set out in;

Section 16.2.2.3 - Alternations and Extensions,

Section 16.10.12 - Extensions and Alterations to Dwellings and

Appendix 17 - Guidelines for Residential Extensions set down the requirements for domestic extensions.

5.2. **Natural Heritage Designations:**

None

6.0 **The Appeal**

6.1. **Grounds of Appeal**

6.1.1. An appeal was received from Phillip O'Reilly against the decision made by the Planning Authority to grant permission for the proposed development. The appellant resides at No. 18 Grosvenor Place in Rathmines, Dublin 6. The following is a summary of the grounds of appeal.

- The proposal is an inappropriate form of development given its location in a Zone 2 Residential Conservation Area which has the objective 'to protect and/or improve the amenities of residential conservation areas'.
- The proposal would be visually obtrusive in the middle of a continuous streetscape of red bricked 19th century residential buildings.
- The metal flat roofed proposal would destroy the setting and character of the streetscape and surrounding area.
- The proposal takes its inspiration from a Sam Stephenson type extension to the side of No. 16 Grosvenor Road, which was approved by An Bord Pleanála. The appellant sees this extension as visually obtrusive which negatively impacts on the original building, the neighbouring Baptist Church and the surrounding area.

- Recently permitted developments in the area are debasing the Z2 conservation zoning of the area.
- The appellant puts forward that it is entirely possible for an extension to be built with an appropriate design and materials to ensure that the unique character and setting of the area is respected and maintained.

6.2. Applicant Response

6.2.1. The applicant did not respond to the grounds of appeal.

6.3. Planning Authority Response

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

6.4. Observations

6.4.1. An observation was received from the Rathgar Residents Association. Issues raised are summarised as follows;

- Grosvenor Road consists of a series of detached, semi-detached and terraced houses. All houses are alike in scale with red brick, pitched slate roofs, sash windows and distinguishing features on door and window surrounds.
- The subject dwelling No. 41 has had a modern single storey extension added to its setback annex.
- The application proposes to replace the single storey extension and to build out the existing set back at ground, first and second floor level.
- The proposed new build will be black metal clad, in part perforated and will have opening glazed windows to the rear of the cladding.
- The proposed development is completely out of character with the adjoining houses and would be contrary to the zoning objective of the area.
- The proposal would be incompatible with the architectural setting of the area.

- The development, if permitted, would present an incongruous streetscape and would seriously compromise the integrity of this conservation area.

7.0 Assessment

I have reviewed the proposed development and the correspondence on the file. I note the Planning Authority is satisfied that the proposed internal works and works to the rear elevation of the dwelling are minor in scale and would not adversely impact on the character of the property. I am satisfied that the proposed development is acceptable in principle, subject to compliance with relevant Development Plan policies and guidance principles for residential development within Z2 zoned lands. Having regard to the Grounds of Appeal, the main issue for consideration is the design and visual impact of the proposal and its impact on the surrounding streetscape which is located within a Residential Conservation Area. This is addressed below.

7.1. Design and Visual Impact

- 7.1.1. The appellant objects to the proposed development on the grounds that the proposed extension would be visually obtrusive and would detract from the character of the surrounding streetscape. The appellant puts forward that the proposal is an inappropriate form of development within the context of the Z2 zoning objective of the area.
- 7.1.2. The proposed development provides for the demolition of the front facades of the existing single storey side extension and recessed 3-storey annex and the construction of a first-floor extension (double height) over the existing single storey side extension, to the side of the dwelling. This extension would essentially fill in the existing void space to the side of the dwelling and present a new metal façade to its front elevation.
- 7.1.3. The front building line of the existing single storey extension is set back 0.3m behind the front building line of the main dwelling and adjoining dwelling No. 42 Grosvenor Road, to which it is attached. Its front elevation is rendered and painted white. The front building line of the recessed 3 storey annex is set back 4.6m behind the front

building line of both dwellings. Its front elevation comprises rendered brickwork. The adjoining dwelling to the east No. 40 has a similar single storey extension and recessed 3 storey annex to its side.

7.1.4. The front elevation of the proposed extension would be setback 0.3m behind the front building line of the main dwelling and neighbouring dwelling No. 42, to which it would be attached. The proposal would have a width of 3.1m and height of 7.2m., with a parapet ridgeline aligning with the roof eave of the main dwelling. The roof profile of the proposal is flat incorporating a large skylight.

7.1.5. Original Drawings submitted on the 14th May 2019 detail that the materials and finishes on the front elevation of the proposal would comprise the following;

Ground Floor Level:

- 1 row of openable 'awning' type black metal panels (c. 1.5 tall) which swing outwards from the top.
- The provision of 1.5m tall window ope glazing behind the panels.

Upper Floor Level:

- 2 rows of openable 'awning' type black metal panels (each c. 1.1 tall) on top of each other, which swing outwards from the top.
- The provision of 2.2m tall window ope glazing behind the openable panels.
- A 1.6m tall section of black metal cladding over the 2 rows of openable panels.
- A 1.6m tall section of perforated black metal cladding at the upper section of the front elevation of the proposal, with window ope glazing behind.

7.1.6. The Briefing document submitted by way of Further Information on the 08th January 2020 details that the proposed materials would comprise black oxide perforated metal at the upper level and black oxide metal cladding for the remainder of the front elevation. The document states that the proposed materials are of high quality and durability. I note that the samples submitted to the Planning Authority have not been submitted with the appeal.

7.1.7. Having regard to the pattern of development in the surrounding area, I noted during site inspection that similar pairs of dwellings further to the east along the northern side of Grosvenor Road have built two storey extensions to their side, of various form and

design. These side extensions have front elevations comprising red brick finish and heights which are set down significantly below the roof eave line of their respective main dwelling.

- 7.1.8. The proposed development under the subject appeal provides a significant departure from the pattern of development in the surrounding area by reason of its height, elevation finishes and design. I note and have inspected the precedent project referred to by the applicant at No. 16 Grosvenor Road which is stated as having guided the architectural intent of the proposal. This precedent is substantially different to the proposed development under the subject application by reason of its site context, scale and design.
- 7.1.9. The appeal site is located in an area zoned 'Z2: Residential Neighbourhoods (Conservation Areas)' with the objective 'to protect and/or improve the amenities of residential conservation areas'. The subject dwelling is not a Protected Structure. Having reviewed the drawings and documentation submitted, I consider that the architectural form and design of the proposed extension would provide an improvement of the existing single storey side extension and recessed 3-storey annex, which are not of architectural merit or contribute to the character of the area.
- 7.1.10. It is my view that the front elevation design treatment of the proposal is modern, exceptional and bold, providing an acceptable contrast with the Victorian features of the main dwellings to its either side. However, I concur with the Planning Authority that the openable metal panels would be incongruous and intrusive in the streetscape by reason that they would extend forward of the established street building line by c.0.6 metres. Such infringement of the building line would detract from the architectural features of the main dwellings to either side and the character of the surrounding streetscape and residential conservation area. As dealt with by the Planning Authority, this issue can be addressed by way of Condition requiring that the front elevation of the proposed extension be setback so as to ensure the metal panels when fully opened do not extend forward of the front building line of the main dwelling.
- 7.1.11. The proposed re-instatement of the architrave over the front door fanlight would contribute to restoring the original character of the dwelling. These architraves are distinctive features present on neighbouring dwellings to the east along Grosvenor Road.

7.1.12. Having regard to the above, it is my view that subject to conditions, the proposed development would not detract from the architectural quality or amenity of the main dwellings to its either side and would not detract from the character of the surrounding streetscape and residential conservation area. I recommend, therefore, that the appeal should not be upheld in relation to this issue.

7.2. Screening for Appropriate Assessment

7.2.1. Having regard to the nature and modest scale of the proposed development, to the location of the site within a fully serviced urban environment, and to the separation distance and absence of a clear direct pathway to any 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 that permission be granted subject to conditions, for the reasons and considerations below.

9.0 Reasons and Considerations

9.1.1. Having regard to the scale, form and design of the proposed development, it is considered that, subject to compliance with the Conditions set out below, the proposed development would not adversely impact on the residential amenity of neighbouring property or detract from the character and visual amenity of the surrounding streetscape and Residential Conservation Area. The proposal would, therefore, be in accordance with the proper planning and sustainable development of the area.

10.0 Conditions

1.	<p>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 the 08th day of January 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.</p> <p>Reason: In the interest of clarity.</p>
2.	<p>The front elevation of the proposed extension shall be set back so as to ensure the projecting metal panels when fully opened do not extend forward of the front building line of the dwellings to either side.</p> <p>Revised drawings demonstrating same, shall be submitted for the written agreement of the Planning Authority, prior to commencement of development.</p> <p>Reason: In the interest of the visual amenities of the area.</p>
3.	<p>Details [including samples] of the materials, colours and textures of all the external finishes to the proposed building shall be submitted to, and agreed in writing with, the Planning Authority prior to commencement of development.</p> <p>Reason: In the interest of the visual amenities of the area.</p>
4.	<p>Water supply and drainage arrangements, including the disposal of surface water, shall comply with the requirements of the planning authority for such works and services.</p> <p>Reason: In the interest of public health.</p>
5.	<p>Site development and building works shall be carried out only between the hours of 0800 and 1900 from Mondays to Fridays inclusive, between 0800</p>

	<p>and 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.</p> <p>Reason: In order to safeguard the residential amenities of property in the vicinity.</p>
6.	<p>All necessary measures shall be taken by the contractor to prevent the spillage or deposit of clay, rubble or other debris on adjoining roads during the course of the works.</p> <p>Reason: To protect the amenities of the area.</p>

Brendan Coyne
 Planning Inspector

19th June 2020