



An
Bord
Pleanála

Inspector's Report

ABP-307566-20

Development	Demolition of extension and construction of three storey extension to rear of a Protected Structure and associated works.
Location	7 Prince Edward Terrace Lower, Blackrock, Co. Dublin
Planning Authority	Dun Laoghaire Rathdown County Council
Planning Authority Reg. Ref.	D19A/1015
Applicant(s)	Ann Treacy and Neville Cotterell
Type of Application	Permission
Planning Authority Decision	Grant
Type of Appeal	First-Party
Appellant(s)	Ann Treacy and Neville Cotterell
Date of Site Inspection	1 st December 2020
Inspector	Suzanne Kehely

1.0 Site Location and Description

- 1.1. The appeal site relates to a large 4-bay mid-terraced two-storey over basement Georgian house on the south side of Carysfort Avenue a few hundred metres south of Blackrock village.
- 1.2. The house originally backed onto Brookfield Terrace, but the site has been subdivided and like the majority of properties along this part of Prince Edward Terrace the Brookfield frontage has been developed a pair of two storey houses.
- 1.3. The rear of the property is not visible from surrounding roads due to a combination of terraced housing and high boundary walls. It is only visible from the recently constructed dwellings to the rear and adjacent gardens. A large stand of trees has been planted at the end of the garden.
- 1.4. The house façade is finished with the original unpainted render and also retains single glazed timber sash windows to the front. The entrance has been widened and original gates and sections of railings are stored in back garden. There are old concrete steps that lead to basement level to the front and rear and the outdoor basement level is partly defined by low concrete walls which do not appear original.
- 1.5. The house has been extended to the rear with a raised single storey which is accessed internally from the main hall. There is also a small rear extension at basement level. Garden access is from the first floor extension and basement level.
- 1.6. The house is asymmetrical with wider accommodation and double windows on one side of the entrance and a single bay of windows on the other. The house footprint and plan are irregular to the rear. The original footprint is L shaped and then the small single storey over an undercroft extends to the rear. The rear elevation has a variety of window opening shapes some of which have been fitted with coated aluminium replacements. The rear facade on the northern side of the house proper has no windows on the first floor. One window at ground level and the basement opening has been previously widened to provide for a small extension. The Heritage Impact Report sets out the building history.

2.0 Proposed Development

- 2.1.1. The proposed development comprises the following:

- Demolition of non-original extensions
- Construction of a contemporary styled 3- storey pitch roofed extension to rear
 - Basement: 53sq.m. extension for large open plan living/ kitchen area and internal works to include subdivision of an original room for utility. Works involve new openings and alteration of openings.
 - Ground void over kitchen
 - First Bedroom 17sq.m. extension over the void to provide for bedroom and ensuite. This involves a new opening from the hall and rear bedroom wall.
 - Other works: Insulation, damp proofing, new bathroom, Roof light and new rear window opening, painting of facade, reinstatement of granite steps and railings , landscaping/patio extension. Repairs of windows and replacement of non-original.

2.2. Revised Plans

As part of further information, the proposed extension was remodelled by way of roof profile, window design and external cladding – it introduces vertical zinc cladding and a mono-pitched pitched roof . Details also show proposed windows and impact of internal insulation of window frame profiles and joinery detail. Architraves are to be refitted.

3.0 Planning Authority Decision

3.1. Decision

- 3.1.1. The planning authority sought further information in relation to the design, windows and finishes. Notwithstanding the redesign, the 3-storey height was considered incongruous, however , the details were otherwise acceptable, and the Planning Authority decided to grant permission subject to conditions. Condition 2 restricts the extension to basement level only. It states:

The planning authority considers that the proposed works to the ground and first floor level to the rear would unduly detract from the architectural design, integrity and composition of the dwelling. Prior to commencement of development the applicant shall submit to the planning authority for written

agreement revised drawings which clearly show the ground and first floor rear extension omitted.

3.2. Planning Authority Reports

3.2.1. Planning Reports

The report notably refers to :

- Precedence and its practice of restricting upper floor extension in this terrace.
- Preplanning meeting (details in pouch at back of file)
- The concerns of the Conservation Officer and concurrence with the objections.
- No AA or EIA issues.

3.2.2. Other Technical Reports

- Conservation office:
 - No objection to demolition of rear extension but opposed in principle to first floor extension along the terrace as it would set an undesirable precedent and detract from the architectural design integrity and composition of the dwelling.
 - No objection to insulation subject detailed information on method.
 - No objection to windows subject to details
 - Opposed to painting of front elevation where the window mouldings and joinery are traditionally the only painted elements of the façade. No objection to painting of rear elevation.
 - Further information required.
- Conservation office (16th April 2020): In a subsequent report following the FI submission it is stated that the upper floor extension is unacceptable
- Drainage Division - Engineering Department - No objection
- Transportation Planning Division – No objection

3.3. Prescribed Bodies

- No reports

3.4. Third-Party Observations

- None.

4.0 Planning History

4.1. The site

- 4.1.1. D02A/0720 refers to permission for alteration to railings and vehicular gates.

4.2. Adjacent sites

- 4.2.1. An Bord Pleanála ref. PL 248605 (2017) refers to an overturning of the planning authority decision to refuse permission for alterations and extension to 3 Prince Edward Terrace Upper. As part of the grounds of appeal the design was modified and the first-floor element was removed.
- 4.2.2. PA refs. D17A/1105 and D19A/0248 and refer to permissions for refurbishment works at 8 and 9 Prince Edward Terrace Lower respectively.

5.0 Policy & Context

5.1. Development Plan- Dun Laoghaire Rathdown Development Plan 2016-2022

- 5.1.1. The site is governed by the objective 'to protect and/or improve residential amenity' (Zone A)
- 5.1.2. The following conservations polices apply .

- Policy AR1 -

It is Council policy to:

- Include those structures that are considered in the opinion of the Planning Authority to be of special architectural, historical, archaeological, artistic, cultural, scientific, technical or social interest in the Record of Protected Structures (RPS).
- Protect structures included on the RPS from any works that would negatively impact their special character and appearance.
- Ensure that any development proposals to Protected Structures, their curtilage and setting shall have regard to the Department of the Arts,

Heritage and the Gaeltacht 'Architectural Heritage Protection Guidelines for Planning Authorities' (2011).

iv. Ensure that new and adapted uses are compatible with the character and special interest of the Protected Structure.

- Section 8.2.11.2 refers to Architectural Heritage – Protected Structures

- (i) Works to a Protected Structure

In assessing works (inclusive of extensions/alterations/ change of use etc.) to a Protected Structure, the Planning Authority will seek to ensure that:

- Alterations and interventions to Protected Structures shall be executed to the highest conservation standards and shall not detract from their significance or value.
- Original features of architectural and historic interest will be retained. Interventions proposed should be minimised in order to retain the legibility of the existing floor plan.
- All works should be carried out to the highest possible standard, under supervision of a qualified professional with specialised conservation expertise. On-site operatives/contractors should have experience dealing with historic buildings.
- Good conservation practice recommends that extensions should be 'of their time' (i.e. clearly distinguishable from the original) and to a high standard of design using material that both respect and are complimentary to the existing building.

5.2. **Architectural Heritage Protection, Guidelines for Planning Authorities, DoEHLG, 2011**

- Chapter 6 refers to Development Control.
- Section 6.8.1 refers to extensions.

6.0 The Appeal

6.1. Grounds of Appeal

6.1.1. John Spain and Associates have submitted an appeal on behalf of the applicants against condition 2 which omits the proposed ground and first floor extension over basement level. It is argued that, by reference to the development plan criteria for the house extensions and the Architectural Heritage Guidelines the proposal is acceptable. This case is supported by the following statements:

- The proposed extension does not give rise to overlooking. There are no additional impacts on amenity of adjacent dwellings consequent on the development.
- The extension is discreet and fits neatly into a void space between the house and the gable wall of no.9 and completes the building line. The ground floor extension is built to the concrete boundary wall.
- The Heritage Impact Assessment and supplementary report by the Architects in addition to a statement by Fintan Duffy, conservation architect, confirm that the proposed extension is in keeping with the spirit and principles of carrying out works to a Protected Structure.
- All Works will be supervised by the architects (Grade III conservation) to ensure the highest possible standard.
- The light silver zinc finish complements the protected structure and the internal void space mitigates overlooking.
- Extension design is of high quality and sympathetic to the historic character while providing a modern home without increasing the footprint.
- The extension is within the building lines to the rear in the terrace.
- There is a variety of layouts and sizes in the terrace due to the various construction dates. There is no established form or character to the rear of the terrace
- The extension provides a 4th bedroom at first floor level which with the modified layout provides for a functioning family home by today's standards. The proposed

family kitchen living space is in the extended basement and the double height void brings light into this space.

- There are no third party objections lodged.
- The extension is not visible from Brook field Terrace – It is only visible from the mews to the rear.
- Other first floor extensions have been permitted in the county area.
- The Board is requested to consider the proposal on its merits as provided for in the development plan and to remove condition 2

Conservation architect grade 1 appended states:

- There is a natural void in the line of the terrace which is being used to create additional floor space and this done within the limits of the existing wall and parapet lines of the terrace.
- The proposed design completes the terrace's intention as a unified whole. The proposal will complement the existing form and context while strengthening its functional integrity and for these reasons is consistent with best conservation practice. The proposal is a well-considered intervention respectful of its time and place.

Design architect's addendum statement on design rationale.

- The roof profile has been reduced at ground at upper floor level
- The changes in materials and windows are more sympathetic
- The 2.2m floor ceiling height at basement demands a double height void. This will not interfere with the dual aspect reception room at ground level which is lit by two windows in the front.
- The frameless glazing creates an unhindered visual connection to the rear.

6.2. Planning Authority Response

- 6.2.1. The Board is referred to the Planner's Report . The grounds of appeal are not considered to raise any new matters to justify a change of attitude in relation to the proposed development.

7.0 Natural Heritage Designations

- 7.1.1. The nearest European sites are South Dublin Bay and River Tolka Estuary SPA (site code 004024) and South Dublin Bay SAC (site code 00210) at around 600m to the north of the site.

8.0 Environmental Impact Assessment - Preliminary Examination

- 8.1.1. Having regard to the limited nature and scale of the proposed development and the absence of any connectivity to any sensitive location, 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.

9.0 Assessment

9.1. Issues

- 9.1.1. This appeal relates to a proposal for demolition of a mid-20th century extension and replacement with a three-storey extension in addition to internal and external works to upgrade a family home. There is no dispute in relation to the basement level extension or the internal and external works generally subject to conditions. The issue under dispute relates to the upper-level extension to the rear as restricted by condition Number 2. Accordingly this can I consider be dealt with under section 139. I inspected the site from the back garden and based on my detailed observation and review of the file, the issue is based on impact of an upper floor extension on the integrity of a Protected Structure.

9.2. Impact on a Protected Structure

- 9.2.1. The planning authority refers in its reports to concern about the precedent for upper floor extensions in this terrace and would appear in principle to be opposed to upper floor extensions in this terrace.
- 9.2.2. The terrace however is quite varied in styles and given this lack of uniformity and also having regard to the variety of styles and dates of extensions to the rear of the

terraced property I do not consider the principle of an upper floor extension can be ruled out. The statutory guidance for best conservation practice provides for a principled approach based on quality design, reversibility and legibility of the original building and it is within this framework that the proposal should accordingly be assessed on its individual merits.

- 9.2.3. In the first instance the merits of the overall development are noteworthy. The proposal is for an enhanced family home for its continued domestic use. The layout and ordering of space focus on a large space at garden level for daily family living. The refurbishing works include restoration of the windows and replacement of pvc windows, restoration of granite steps and the railings which will have a positive impact on the integrity of the structure and the streetscape.
- 9.2.4. The case for penetration of light by a double height space is I consider, supported by the low floor to ceiling height at basement level at 2.2m. and the understandable need to relieve and balance this confined space and in a manner proportionate to the scale of the house.
- 9.2.5. While the effective layering of a glazing void to the original rear facade at ground level (first floor) will obscure the views of a section of the rear elevation which includes one of three windows in a principal reception room, it is clearly a modern intervention. It is also modest at 17 sq.m , in floor area. The proposed layout will not interfere with the original room plan at ground floor level. Nor will it unduly impact on the quality of light due to the dual aspect and orientation – the principal ground floor reception room has a pair of windows in the front elevation.
- 9.2.6. The case for a fourth bedroom is perhaps weakened by the extensive floor area and possibility of additional bedroom accommodation at other floor levels. I do however consider that the particular design of the original house and its juxtaposition with the adjoining house to the south does lend itself to a modest extension. The recessed blank gable wall is bleak and detached from the garden. The addition of an opening from the hall will not alter the internal layout and is a clearly legible intervention. The principal rooms remain relatively intact in form and layout. I consider that in the context of the nature of the existing elevation, that the addition of a relatively unobtrusive extension is less harmful than dividing an original bedroom and serves to protect the integrity of the structure. The plumbing for an extension is also less

intrusive. Accordingly I consider in this case the principle of an upper floor extension is not unreasonable subject to a quality design.

- 9.2.7. In its efforts to seek a more compatible design the planning authority sought further information . I concur that the original design, particularly by reason of the roof design and general elevational treatment is not sympathetic. The revised design and palette of materials is however much more rationalised . The simplified and lowered roof vertically subordinates the extension and maintains the dominance of the original roof profile. The tall narrow and horizontally aligned windows, while modern, defer to the verticality of the original openings and the simplicity is a foil to the elaborate arched headed window to be restored. The silvered cladding is distinctly modern but its mid tone will harmonise rather than jar with the rear façade whether painted or unpainted. While I understand the argument for a translucent layering I would consider the framing at each end of the expansive void glazing at ground floor (first floor level) would anchor the top floor to the basement and result in a more unified design. I also consider a marginal stepping back from the southern boundary by about 900mm to be appropriate as it would reveal the original rear elevation and would retain the legibility of the original house design.
- 9.2.8. In terms of impacts on neighbouring properties, I consider the recessed building lines together with the layer of the additional ground floor glazing would serve to protect amenities of the adjacent properties. The overall upgrading of the elevations both front and back and boundary treatment in overall terms will I consider contribute positively to the visual amenity and character of the terrace particularly as viewed from the street. I do however consider a condition requiring the overseeing by a Grade 2 or higher conservation specialist/architect would ensure a high-quality standard of development and protection of the integrity of this protected structure.
- 9.2.9. In conclusion, having regard to the layout and expansive blank elevation of the southern end of rear of the house and its juxtaposition with the adjacent property together with the nature of the extension and the pattern of development along the terrace and to the provisions of Architectural heritage Guidelines and the Dun Laoghaire Rathdown County Development Plan 2016-2022, I consider that, subject to compliance with the amended conditions, the proposed development would not detract from the character or setting of the protected structure or terrace of which it forms a part , would integrate in a satisfactory manner with the existing built

development in the area, and would be acceptable in terms of protecting residential amenity of adjacent properties. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

10.0 **Appropriate Assessment**

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

11.0 **Recommendation**

Having regard to the nature of the condition, the subject of the appeal, I am satisfied that the determination by the Board of the relevant application as if it had been made to it in the first instance would not be warranted and, based on the reasons and considerations set out below, I recommend that the Board directs the said Council under subsection (1) of section 139 of the Planning and Development Act, 2000 to AMEND condition number 2 and to attach a 7th condition so that they shall be as follows for the reasons set out.

Conditions

2. The proposed development shall be modified as follows:

- The rear extension at ground and first floor levels (as proposed in drawings submitted on 2nd day of April 2020 to the planning authority as further information) shall be steeped back from the southern boundary by 900mm.

Revised drawings showing compliance with these requirements shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of visual amenity.

7. Prior to commencement of development, the developer shall provide for the following:-

(a) The appointment of a conservation expert (RIAI Grade 2 or higher), who shall manage, monitor and implement works on the site and ensure adequate protection of the historic fabric during those works.

(b) The submission of details of all finishes and of all existing original features to be retained and reused where possible, including interior and exterior fittings/features, joinery, fenestration, plasterwork, features (cornices and ceiling mouldings), roofs, staircases including balusters, handrail and skirting boards.

All repair/restoration works shall be carried out in accordance with best conservation practice as detailed in the application and the “Architectural Heritage Protection Guidelines for Planning Authorities” (Department of Arts, Heritage and the Gaeltacht, 2011). The repair/restoration works shall retain the maximum amount possible of surviving historic fabric in-situ including structural elements, plasterwork and joinery and shall be designed to cause minimum interference to the building structure and/or fabric.

Reason: To ensure that the integrity of the historic structures is maintained and that the structures are protected from unnecessary damage or loss of fabric.

Reasons and Considerations

Having regard to the existing layout and use of this Protected Structure, the juxtaposition of the rear elevation with adjoining development and to the modest scale of upper floor extension, it is considered that the modifications and extension to facilitate the continued use of house as single dwelling would not significantly detract from the overall architectural integrity or character of this protected structure or the terrace of which it forms a part and would not seriously injure the amenities of the area or of property in the vicinity. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area

Suzanne Kehely
Senior Planning Inspector

17th December 2020