



An
Bord
Pleanála

Inspector's Report ABP-308066-20.

Development	Permission for works to a residential property – Protected Structure.
Location	87 Heytesbusy Street, Dublin 8.
Planning Authority	Dublin City Council.
Planning Authority Reg. Ref.	2895/20.
Applicant(s)	Peter MacNamara.
Type of Application	Permission.
Planning Authority Decision	Grant with Conditions.
Type of Appeal	Third Party
Appellant(s)	Fiachra Martin.
Observer(s)	Mary Martin.
Date of Site Inspection	23/10/2020.
Inspector	A. Considine.

1.0 Site Location and Description

- 1.1. The subject site is located approximately 500m to the south west of Stephen's Green in the south area of Dublin City Centre. The area includes a variety of developments including a mixture of uses. The area includes terraced housing including single storey over basement, such as the subject site, and two storey over basement houses towards the south of Hetyesbusy Street. The residential properties on this street comprise continuous terraces which include cast iron railings along the street with lowered front yards and granite steps to the main front doors at upper ground level. Many of the houses retain the steps from the street to the lower yard areas, while some, including the subject site, have been lost over time. The area comprises a residential conservation area with the terraced houses on Hetyesbusy Street all identified as protected structures in the Dublin City Council Development Plan 2016-2022, PS no. 3813.
- 1.2. The site has a stated area of 190m² and comprises a mid-terraced house with accommodation provided over two floors. The terrace was constructed in brown brick between 1830 and 1880 with granite steps to the front door, while the rear of the house includes painted random rubble stone with brick trims around the windows at lower ground floor level.
- 1.3. The lower ground floor currently comprises a bedroom to the front, with a kitchen and utility to the rear. Access to the rear garden is provided at this level. To the street, there is a sunken front yard. The original external stairs to the lower area have been removed. The front of the house includes doors at lower and upper ground floor level with a sash window also on each level. The upper ground floor area comprises an entrance hall and living room to the front of the house with a second bedroom to the rear and a bathroom.

2.0 Proposed Development

- 2.1. Permission is sought, as per the public notices for Permission for:
 - a) Demolition of existing modern lean-to to rear;
 - b) Construction of new lower ground floor single storey extension to rear;

- c) Construction of new upper ground floor rear return extension with metal cladding;
- d) Replacement of lower ground floor solid ground with new geo-cell and limecrete floor build-up;
- e) Revised layout to lower ground floor front room;
- f) Upgrading of existing building services;
- g) Enlarge opening to rear wall at lower ground floor;
- h) Block up modern door opening to front elevation to create new window;
- i) Re-pointing original brickwork and granite steps;
- j) Replacement of non-original cement render to front elevation at lower ground floor with lime render;
- k) Structural repair works to rear garden north boundary wall;
- l) Repair and redecoration of cast iron railings

at 87 Heytesbury Street, Dublin 8, a protected structure (RPS no. 3813).

2.2. The application included a number of supporting documents including as follows;

- Plans, particulars and completed planning application form
- Cover letter
- Architectural Heritage Impact Assessment Report

3.0 Planning Authority Decision

3.1. Decision

The Planning Authority decided to grant planning permission for the proposed development subject to 10 conditions.

3.2. Planning Authority Reports

3.2.1. Planning Reports

The Planning report considered the proposed development in the context of the details submitted with the application, internal technical reports, third party submissions and the City Development Plan policies and objectives. The report also includes a section on Flood Risk and Appropriate Assessment Screening.

The planning report concludes that proposed development is acceptable subject to the reduction in the depth of the proposed first floor level extension to be in line with the rear extension of the adjacent property. The Planning Officer recommends that permission be granted for the proposed development, subject to 10 conditions.

This Planning Report formed the basis of the Planning Authority's decision to grant planning permission.

3.2.2. Other Technical Reports

Engineering Department: No objection subject to compliance with conditions.

Conservation Officer: Report notes that the existing building on the site is a protected structure RPS No. 3813 and is located within an area zoned Z2. The Conservation Officer's report raises concerns in terms of the two proposed parallel rooflights as well as the proposed first floor extension to the rear return. In addition, concerns are raised in relation to the boundary wall work.

The Conservation Officer recommends a number of conditions.

3.2.3. Prescribed Bodies

TII: The proposed development falls within the area for an adopted Section 49 Supplementary Development Contribution Scheme – Luas Cross City (St. Stephen's Green to Broombridge Line) under S.49 Planning and Development Act, as amended.

If the application is successful and not exempt – where the levy does not apply – a condition should include for the Section 49 Contribution Scheme Levy.

3.2.4. **Third Party Submissions**

There are 2 no. third party objections/submissions noted on the planning authority file. The issues raised are summarised as follows:

- Impact of development on adjacent property, 88 Heytesbusy Street, in terms of the scale of the extension.
- The development will cut off natural light to the yard.
- It is not clear what is proposed with the boundary wall. It is requested that it be kept as is.
- Inaccuracies in the submitted planning documents.
- Loss of light and overshadowing considered significant.
- Issues relating to proposed guttering and the impact on the party wall.

4.0 **Planning History**

There is no relevant planning history pertaining to the subject site.

5.0 **Policy and Context**

5.1. **Architectural Heritage Protection Guidelines for Planning Authorities (Department of Arts, Heritage and the Gaeltacht 2011).**

The proposed development involves works to a protected structure and as such, *'Architectural Heritage Protection, Guidelines for Planning Authorities'* are considered relevant. These guidelines are issued under Section 28 and Section 52 of the Planning and Development Act 2000. Under Section 52 (1), the Minister is obliged to issue guidelines to planning authorities concerning development objectives:

- a) for protecting structures, or parts of structures, which are of special architectural, historical, archaeological, artistic, cultural, scientific, social, or technical interest, and
- b) for preserving the character of architectural conservation areas.

The guidelines provide guidance in respect of the criteria and other considerations to be taken into account in the assessment of proposals affecting protected structures. The guidelines seek to encourage the sympathetic maintenance, adaption and re-use of buildings of architectural heritage.

Chapter 13 deals with Curtilage and Attendant Grounds and Section 13.5 relates to Development within the Curtilage of a Protected Structure and Section 13.8 of the Guidelines relate to Other Development Affecting the Setting of a Protected Structure.

5.2. Development Plan

- 5.2.1. The Dublin City Development Plan 2016 – 2022, is the relevant policy document relating to the subject site. Under the Plan, the subject site is zoned Z2, where it is the stated objective ‘To protect and/or improve the amenities of residential conservation areas’.
- 5.2.2. Chapter 11 of the CDP deals with Built Heritage and Culture and Section 11.1.5.4 deals with Architectural Conservation Areas and Conservation Areas where it is stated that DCC will seek ‘to ensure that development proposals within all Architectural Conservation Areas and Conservation Areas complement the character of the area, including the setting of protected structures, and comply with development standards’.
- 5.2.3. The following policies are relevant in the context of the proposed development site:
- Policy CHC1:** To seek the preservation of the built heritage of the city that makes a positive contribution to the character, appearance and quality of local streetscapes and the sustainable development of the city.
- Policy CHC2:** It is the policy of Dublin City Council 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.”

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
5. The repair and retention of shop- and pub-fronts of architectural interest.

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, shop-fronts, 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.

Changes of use will be acceptable where, in compliance with the zoning objective, they make a positive contribution to the character, function and appearance of Conservation Areas and their settings.

The Council will consider the contribution of existing uses to the special interest of an area when assessing change of use applications and will promote compatible uses which ensure future long-term viability.

5.2.4. Volume 2 of the City Development Plan includes appendices. Appendix 17 of the CDP provides guidelines for residential extensions. Section 17.10 deals with contemporary extensions while Section 17.11 deals with roof extensions, including dormers. Section 17.11 provides that 'when extending in the roof, the following principles should be observed:

- The design of the dormer should reflect the character of the area, the surrounding buildings and the age and appearance of the existing building.
- Dormer windows should be visually subordinate to the roof slope, enabling a large proportion of the original roof to remain visible.
- Any new window should relate to the shape, size, position and design of the existing doors and windows on the lower floors.
- Roof materials should be covered in materials that match or complement the main building.

- Dormer windows should be set back from the eaves level to minimise their visual impact and reduce the potential for overlooking of adjoining properties.

5.3. **Natural Heritage Designations**

The site is not located within any designated site. The closest Natura 2000 site is the South Dublin Bay SAC (& pNHA)(Site Code: 000210) and the South Dublin Bay and River Tolka Estuary SPA (Site Code: 004024) which is located approximately 3.67km to the east of the site.

The Grand Canal pNHA (Site Code 002104) lies approximately 650m to the south while the North Dublin Bay pNHA, (Site Code 000206), is located approximately 3.4km to the north east of the site.

5.4. **EIA Screening**

Having regard to nature and scale of the development, together with the brownfield nature 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**

This is a third-party appeal against the decision of the Planning Authority to grant planning permission for the proposed development. The issues raised reflect those raised with the PA during their assessment of the proposed development and are summarised as follows:

- Inaccuracies in planning documents relating to adjacent property:
 - Bathroom window at ground floor level omitted.
 - Window shown rather than patio doors
 - Location of doors appear to be incorrect.

- Red line boundary should straddle the boundary wall and pass through the midpoint of the chimney stack
- Sections submitted differ.
- Light loss and overshadowing
 - Loss of light to lower ground floor east facing patio doors / bedroom and bathroom window of adjacent house.
 - The 12sq.m upper ground floor extension will result in a significant loss of light.
 - The proposed ground floor extension will result in significant loss of natural sunlight and warmth
 - Second bedroom at lower ground floor level of adjacent house.
 - The two windows serving this bedroom face directly south and will be directly obstructed by the proposed extensions. The upper floor extension will result in a significant reduction in visible skyline and loss of light.
 - The proposed ground floor extension will result in significant loss of natural sunlight and warmth
 - Patio
 - The existing patio area is the primary outdoor living space for 88 Heytesbusy Street and includes furniture, BBQ and vegetable garden. There are also mature shrubs along the party wall.
 - The development will create a tunnel effect with significant loss of natural light and direct sunlight to this area.
- Party wall
 - The party wall is a natural stone and mortar wall with significant character, at least 2 stones wide.
 - It requires maintenance and no consent for its removal is given.

- It is essential that a gap is maintained between the wall and the proposed extension to allow maintenance of the stonework on the 87 Heytesbusy Street side.
- Gutters
 - It is difficult to appreciate from current plans how water run off from the extension roof will be managed.
 - Any proposed gutter overhanging the party wall is not appropriate as any overflow will fall onto the wall and into the adjacent property.

It is requested that due consideration be given to these issues.

6.2. Applicant Response

The first party submitted a response to the third-party appeal. The submission is summarised as follows:

- It is submitted that the proposed extension falls below the 40sqm exempted development limits.
- The application for the extension is made due to the fact that the building is a protected structure, and the extension is designed to minimise its impact on the protected structure and neighbouring residences.
- A sun path study is submitted showing that the proposed extension does not change the shadow path over No. 88 Heytesbusy Street to any significant extent.
- The roofs of the extensions are designed to minimise visual impact.
- The external ground floor extension wall is set back from the shared garden boundary wall to avoid the rainwater goods overhanging this shared wall.
- The application included a structural repair works to the historic garden wall due to its poor condition. The works proposed the dismantling of the random rubble stone wall and the rebuild using the salvaged stones which were to be reset and pointed with a natural hydraulic lime mortar. It is understood that the neighbours will not give consent for these works.

- The applicant will stabilise and re-point the wall on the 87 Heytesbusy Street side only and will apply best conservation practice.

6.3. **Planning Authority Response**

None.

6.4. **Third party response to First Party response to third party appeal**

The appellant submitted a response to the first party's response to the appeal as follows:

- The shadow paths submitted are inadequate to address the issues in contention. The loss of light will be between 09.00 and 14.00 and hourly shadow paths for these times should be submitted to give an adequate representation of the degree of overshadowing.
- Clarification is sought on the height of the proposed extension.
- Photos submitted showing existing levels of overshadowing at 10.30am on days in October.
- The shadow plan does not address the loss of visual sky component as previously presented.
- It is unclear how the party wall will be maintained on the applicants' side.

6.5. **Observations**

There is one observation submitted from adjacent property owner. It is requested that the protected structure status of the adjacent property would be taken into account. Concern is raised that full permission was passed as there are grave concerns in terms of loss of natural light to downstairs rooms and to the courtyard. It is requested that changes are made to the extension so that the impacts will not happen.

7.0 Assessment

Having undertaken a site visit and having regard to the relevant policies pertaining to the subject site, the nature of existing uses on and in the vicinity of the site, the nature and scale of the proposed development and the nature of existing and permitted development in the immediate vicinity of the site, I consider that the main issues pertaining to the proposed development can be assessed under the following headings:

1. Principle of the development
2. Impacts to Protected Structure & Design
3. Residential Amenity impacts
4. Other Issues
5. Appropriate Assessment

7.1. Principle of the development

7.1.1. The proposed development seeks to extend a terraced house which is a protected structure. The proposed extension includes the following elements:

- a) Demolition of existing modern lean-to to rear;
- b) Construction of new lower ground floor single storey extension to rear;
- c) Construction of new upper ground floor rear return extension with metal cladding;
- d) Replacement of lower ground floor solid ground with new geo-cell and limecrete floor build-up;
- e) Revised layout to lower ground floor front room;
- f) Upgrading of existing building services;
- g) Enlarge opening to rear wall at lower ground floor;
- h) Block up modern door opening to front elevation to create new window;
- i) Re-pointing original brickwork and granite steps;

- j) Replacement of non-original cement render to front elevation at lower ground floor with lime render;
- k) Structural repair works to rear garden north boundary wall;
- l) Repair and redecoration of cast iron railings

at 87 Heytesbusy Street, Dublin 8, a protected structure (RPS no. 3813)

7.1.2. Having undertaken a site inspection, I would note that the general terrace in which the subject site sits has generally maintained its character within the streetscape. I gained access to the rear of the property where I observed that the general character of the terrace is also maintained in this elevation.

7.1.3. Having regard to the location of the subject site within the city centre and in an area zoned Z2 -Residential Neighbourhoods (Conservation Areas). As such, the following objective is applicable; 'To protect and/or improve the amenities of residential conservation areas.'. Residential is a permissible use within this zoning category. As such the proposal is acceptable in principle, subject to the detailed considerations below.

7.2. Impacts to Protected Structure & Design

7.2.1. It is the stated policy of Dublin City Councils Development Plan, Policy CHC1 refers, to seek the preservation of the built heritage of the city that makes a positive contribution to the character, appearance and quality of local streetscapes and the sustainable development of the city. In addition, Policy CHC2 seeks to ensure that the special interest of protected structures is protected. The Board will note that all houses in the terrace on Heytesbusy Street are protected structures. Therefore, it is necessary to consider the impact of the proposed development on the subject building, as well as adjacent protected structures.

7.2.2. Policy CHC2 sets out a number of criteria for works to protected structures. The proposed development seeks to carry out works to the historic fabric of the building which includes structural repairs to the rear garden wall, repair and decoration of cast iron railings, replacement of non-original cement render to front elevation at lower level with lime render and repointing of original brickwork and granite steps. I note the comments of the Dublin City Conservation Officer in this regard and would

conclude that there is no objection to these elements of the works, subject to compliance with the requirements of the Conservation Officer.

- 7.2.3. In addition to the above, the development proposes to block up a modern lower ground floor door opening and replace it with a window. While there is no objection in principle to this, the Board will note that DCC included Condition 5(d) which requires that the design of the new window shall match that of the existing windows in terms of proportions, glazing pattern and frame thickness. As this element affects the front elevation of the building, I consider this to be a reasonable requirement. A condition to this effect should be included in any grant of permission.
- 7.2.4. The proposed development includes a number of works to the protected structure as well as the proposed extensions to the rear of the building. At the rear of the house, at lower ground floor level, it is proposed to increase the existing window opening to create a double door opening. This opening will provide flow into the new extension. In enlarging this opening, there will be an impact to the fabric of the protected structure. In addition, the development will see the existing flagstones being lifted in order to facilitate the installation of a lime screed with integrated heating pipes on a recycled foam glass layer to increase insulation. It is proposed that the flagstones will be reinstated once these ground works are completed.
- 7.2.5. The proposed extension is to be set back 100mm from the party wall to the north and I note that the applicant submits that it was the intention to dismantle the wall and rebuild it. This is not agreed by the appellant and therefore, the applicant, as per the response to the third party appeal submitted to An Bord Pleanála on the 28th September 2020, intends to stabilise and re-point the random rubble wall, whilst applying best conservation practice.
- 7.2.6. Appendix C of the Architectural Heritage Impact Assessment submitted with the planning application sets out a number of method statements in terms of the works proposed. Of note, there is no method statement submitted in relation to the party wall in the rear garden. The third-party appellant has raised concerns in relation to this wall, and I note the comments of Dublin City Council's Conservation Officer also. DCC included condition 5(e) which seeks the retention of the rubble wall. Should the Board be minded to grant permission in this instance, I recommend that the requirements of the Conservation Officer be included by condition, including the

submission of a method statement for the raking out and re-pointing of the stone work. Details of junction / flashing between the new construction and the shared boundary wall should also be provided for agreement with the CO.

- 7.2.7. In terms of the proposed extensions, the Board will note that the houses in this terrace include a rear return over two floors, and the houses on either side of the subject site, as well as the subject site, have a single storey flat roofed structure tagged on to the return. The two storey return features comprise the original form and character of the protected structures in this terrace and contributes to the architectural heritage value of the houses. It is proposed to demolish the single storey element in order to facilitate the 'L' shaped lower ground floor extension, which extends to 33m². The single storey structure will extend 8.4m from the rear wall of the existing house, and 4.55m from the wall of the two storey rear return, and will extend the width of the site, while retaining 100mm between the extension and the northern boundary wall.
- 7.2.8. The extension proposes a contemporary design with a roof height of between 2.4m along the northern boundary to 2.7m where it meets the existing two storey return. The design proposes two parallel rooflights which will increase the overall height of this structure to 3.1m. The extension is to be metal clad with extensive glazing to the rear.
- 7.2.9. The proposed upper ground floor extension, a room with a floor area of 5.5m², is proposed to be installed beyond the wall of the historic rear return, with access proposed through the family bathroom. It is noted that it will be used as a wardrobe and will require the creation of an opening in the original fabric of the house for access. This element is also proposed to be clad in metal. The design of this element proposes a mono pitched roof with a high wall facing south and the roof slope facing north. 2 roof lights are proposed to light this room.
- 7.2.10. In terms of the overall proposed design of the extensions, I would have no great objections in principle. However, and while I acknowledge the comments of the DCC planning officer, I would be inclined to agree with the Conservation Officer in regard to the proposed upper ground floor extension. I do not consider that this element would adequately accord with the requirements of Policy CHC2 or CHC4 which seek to protect the special character of protected structures and Conservation Areas. I do

not accept that the upper ground floor extension, comprising a wardrobe, complements the character or architectural features of the protected structure on the site, or adjacent to the site, and suggest that it would negatively impact the fabric, form and character of the original house, a protected structure. Should the Board be minded to grant permission for this development, this element should be omitted.

7.2.11. In terms of the lower ground floor extension, I have no objections to the proposed design or scale. I would, however, concur with the Conservation Officer with regard to the proposed rooflights rising above the roof level. Should the Board be minded to grant permission in this instance, I recommend that a condition be included requiring the amendment of these rooflights to in-roof windows which will minimise the visual impact of the overall development.

7.3. Residential Amenity

7.3.1. The Board will note that the third-party appellant has raised a number of concerns in terms of the proposed extension. The appellant is the owner of the property to the north and has raised concerns in terms of the impact of loss of light and overshadowing of the development on their property. I have raised concerns in terms of the proposed upper ground floor extension above, and I would consider that the omission of this element would significantly lessen the impact of overshadowing of the property to the north.

7.3.2. In addition, the omission of this element will reduce the impact of the development on the property to the south of the subject site. A grant of permission would result in a high blank metal clad wall facing into the rear garden of the property which would impact negatively on the general and visual amenity this private open space, as well as the original form and character of the adjoining property, a protected structure.

7.3.3. I have noted the submission of the sun path study by the first party, and the comments of the third party appellant in this regard. Overall, I am generally satisfied that the proposed development, subject to the amendments discussed above, is an acceptable form of residential development at this location and if permitted, would not significantly impact on the existing residential amenity of adjacent properties.

7.4. Other Issues

7.4.1. Site Boundary Issue

The Board will note that the pertinent issue arising in the third-party appeal relates to works to the party wall boundary. Information in relation to the proposed works to the boundary wall suggests the original intention of the applicant to demolish and reconstruct this rubble stone wall. No consent is given from the third party. I note the amended proposal in relation to the party wall and have recommended the inclusion of a condition requiring a method statement be submitted to the PA for agreement.

I would be satisfied that the provision of Section 34(13) of the Planning & Development Act, 2000 as amended, which states 'A person shall not be entitled solely by reason of a permission under this section to carry out any development' is sufficient to ensure that the civil issue, if relevant, is rectified prior to the commencement of development on the site.

7.4.2. Inaccuracies in plans

The Board will note that the appellants have raised concerns regarding inaccuracies in the planning documents, including the omission of a bathroom window, the inclusion of a window rather than patio doors, the red boundary line encroaching into third party property and issues with sections submitted which include disparities.

In the context of the omission of the bathroom window, this is a high level small round window which serves a bathroom of the adjacent house. While the plans indicate a window where the patio doors are, I am satisfied that overall the plans have presented the detail of adjacent properties to a level which has not hampered my assessment of the proposed development and the potential impacts on the adjacent properties.

With regard to the disparities in the sections submitted, I would note that the perceived disparity seems to relate to where the sections were taken. The B-B section runs through the building in an east west direction, but between the proposed rooflights. It is the rooflight elements which increase the height of the extension to the level of the window ledge identified.

7.4.3. **Gutters**

I am satisfied that the issue of gutters and downpipes can be addressed by way of condition.

7.4.4. **Development Contribution**

The subject development is not liable to pay a S48 development contribution as it relates to a development which falls below 40m², and to a protected structure.

In terms of the S49 Luas Cross City Supplementary Development Contribution Scheme, section 11 of the scheme sets out the categories of development which will be exempted from the requirement to pay development contributions under the scheme. Domestic extensions and works to protected structures are exempt and therefore, no contribution is payable in this instance.

7.4.5. **Appropriate Assessment**

The site is not located within any designated site. The closest Natura 2000 site is the South Dublin Bay SAC (& pNHA)(Site Code: 000210) and the South Dublin Bay and River Tolka Estuary SPA (Site Code: 004024) which is located approximately 3.67km to the east of the site.

Overall, I consider it is reasonable to conclude on the basis of the information available that the proposal individually or in combination with other plans or projects, would not adversely affect the integrity of a Natura 2000 site having regard to the nature and scale of the proposed development and separation distances involved to adjoining Natura 2000 sites. It is also not considered that the 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**

I recommend that planning permission be granted for the proposed development for the following stated reason and subject to the following stated conditions.

9.0 Reasons and Considerations

Having regard to the pattern of permitted development in the area, to the provisions of the Dublin City Development Plan 2016-2022, and to the layout and design as submitted, the Board considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the residential or visual amenities of adjoining properties and would not seriously injure or affect the character of the Conservation Area or Protected structures. The proposed development would, therefore, 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 particulars submitted to An Bord Pleanála on the 28th day of September 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. The proposed development shall be amended as follows:
 - (a) the upper ground floor extension, comprising a wardrobe, shall be omitted.
 - (b) the 2 proposed rooflights shall be omitted and replaced with an alternative design which reduces the visual impact on the protected structures both on site and adjacent sites.

- (c) the design of the window in the front lower ground level elevation shall have regard to the proportions of the original windows in terms of its proportions, glazing pattern and frame thickness.

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

Reason: In the interest of clarity and the protection of the fabric, form and character of the original house, a Protected Structure.

3. A schedule and appropriate samples of all materials to be used in the external treatment of the extension to include metal cladding, roofing materials, windows, and doors shall be submitted to and agreed in writing with, the planning authority prior to commencement of development.

Reason: To ensure an appropriate standard of development / conservation.

4. Prior to the commencement of any development on site, a method statement for the raking out and re-pointing of the stonework in the historic boundary walls, including a full photographic record and schedule of any repairs, shall be submitted for the written agreement of the Dublin City Council Conservation Officer. Details of junction / flashing between the new construction and the shared boundary wall shall also be provided for agreement.

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

5. The developer shall comply with the following requirements in relation to the proposed works to the protected structure, which shall be carried out in accordance with the document: "Architectural Heritage Protection –

Guidelines for Planning Authorities” (Department of Arts, Heritage and the Gaeltacht, 2011):

- (a) the replacement of any brickwork or any works of re-pointing shall be undertaken so that it matches the original existing wall finish and shall be in accordance with current Conservation Guidelines issued by the Department of Arts, Heritage and the Gaeltacht,
- (b) the existing roof slates, chimney stacks and pots shall be retained, any replacement roof slates shall match the existing,
- (c) where possible the remaining rainwater goods and bargeboard shall be repaired and reused, the replacement rainwater goods and bargeboard shall match the original in terms of design and materials,
- (d) replacement windows shall be modelled on surviving windows and shall match them in dimensions, opening mechanism, profiles and materials;

Detailed elevation drawings to a scale of not less than 1:50, showing these amendments, shall be submitted to, and agreed in writing with, the planning authority and Dublin City Council Conservation Officer prior to commencement of development.

Reason: In order to ensure an appropriate standard of restoration works for this protected structure.

- 6. (a) A conservation expert shall be employed to manage, monitor and implement the works on the site and to ensure adequate protection of the retained and historic fabric during the works. In this regard, all permitted works shall be designed to cause minimum interference to the retained building and facades structure and/or fabric.
- (b) All repair works to the protected structure shall be carried out in accordance with best conservation practice as detailed in the application and the Architectural Heritage Protection Guidelines for Planning Authorities issued by the Department of Arts, Heritage and the Gaeltacht in 2011. The repair works shall retain the maximum

amount of surviving historic fabric in situ, including structural elements, plasterwork (plain and decorative) and joinery and shall be designed to cause minimum interference to the building structure and/or fabric. Items that have to be removed for repair shall be recorded prior to removal, catalogued and numbered to allow for authentic re-instatement.

- (c) All existing original features, including interior and exterior fittings/features, joinery, plasterwork, features (including cornices and ceiling mouldings) staircases including balusters, handrail and skirting boards, shall be protected during the course of refurbishment.

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

- 7. 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.

Reason: In the interest of public health.

A. Considine

Planning Inspector

20th November 2020