



An  
Bord  
Pleanála

## Inspector's Report ABP-308664-20

---

<b>Development</b>	Demolition of existing extension and construction of a new single-storey rear extension with attic accommodation. The proposed works are to a protected structure.
<b>Location</b>	8 Pembroke Cottages, Booterstown, Co. Dublin.
<b>Planning Authority</b>	Dun Laoghaire-Rathdown County Council.
<b>Planning Authority Reg. Ref.</b>	D20A/0243
<b>Applicant(s)</b>	Tanja Narancic
<b>Type of Application</b>	Permission
<b>Planning Authority Decision</b>	Refuse Permission
<b>Type of Appeal</b>	First Party
<b>Date of Site Inspection</b>	24 <sup>th</sup> February 2021
<b>Inspector</b>	Paul O'Brien

## 1.0 Site Location and Description

- 1.1. The subject site comprises of No. 8 Pembroke Cottages a single-storey semi-detached house, on a site of 0.0109 hectares, in Booterstown, Co. Dublin. No. 8 is a protected structure (RPS No. 78 as listed in the Dun Laoghaire-Rathdown County Development Plan 2016 – 2022). The site is also located within the Pembroke Cottages Architectural Conservation Area (ACA).
- 1.2. Pembroke Cottages is a development of single-storey, semi-detached houses located to the western side of Booterstown Avenue and to the north of Rosemount Terrace, approximately 450 m to the south of the Rock Road, Booterstown. No. 8 is located on the western side of the public street. A single-storey rear extension to this house has removed nearly all of the available private amenity space. Car parking is provided on-street.
- 1.3. I was unable to access the house on the day of the site visit but was able to assess the current situation.

## 2.0 Proposed Development

- 2.1. The proposed development consists of the following:
  - The demolition of a single-storey extension to the rear of the house, with a stated floor area of 31 sq m.
  - Lowering of existing floor level.
  - Construction of a rear extension including attic accommodation. This will provide for 33 sq m at ground floor level and 31 sq m at first floor, off the attic space. The converted attic will have a stated floor area of 35 sq m.
  - Alterations to the existing layout and ancillary works.

The proposed works are to a protected structure. A Planning Report which includes photographs and additional plans was submitted in support of the planning application.

## 3.0 Planning Authority Decision

### 3.1. Decision

The Planning Authority decided to refuse permission subject to the following reason:

‘The proposed link at first floor level fails to preserve the architectural legibility of the Protected Structure and is detrimental to its overall character. The proposal adversely affects the roof profile and therefore visually detracts from the appreciation of the Protected Structure. In this regard, the proposal does not accord with Section 8.2.11.2(i) (Works to a Protected Structure) and Section 8.2.11.3 (Architectural Conservation Areas) of the Dún Laoghaire-Rathdown County Development Plan 2016-2022. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area’.

### 3.2. Planning Authority Reports

#### 3.2.1. Planning Report

The Planning Authority Case Officer’s report reflects the decision to refuse permission for this rear extension. Further information was sought in relation to the provision of a revised first floor extension, such that the link to the existing house can be improved. Secondly, the house is served by a private water supply and the extension will be constructed over the water supply pipe. A concurrent application at no. 7 Pembroke Cottages (P.A. Ref. D20A/0257 refers) provides an opportunity for a combined approach to be taken to allow for the provision of an access chamber. The response in relation to the revised extension was not acceptable to the Planning Authority and a refusal of permission was issued. The submitted details in relation to the water supply pipe/ access chambers was acceptable.

#### 3.2.2. Other Technical Reports

**Municipal Services Department – Drainage Planning:** No objection to this development. The increase in footprint is minimal and there is no opportunity to provide for suitable SUDs measures.

**Transportation Planning:** No objection.

**Conservation Officer:** Further information requested in relation to the bulk/ design of the extension in relation to the rear roof profiled. Further information was sought and a refusal of permission was recommended on receipt of the further information response.

### 3.2.3. **Prescribed Bodies**

**Irish Water:** Further information requested in relation to the provision of access/ chambers to the private water network serving this house/ Pembroke Cottages. On receipt of the further information, Irish Water reported no objection to the proposed development.

### 3.2.4. **Objections/ Observations**

None received.

## 4.0 **Planning History**

None on site.

**P.A. Ref. D19A/0003/ ABP Ref. 304002-19** refers to a July 2019 decision to refuse permission for the dormer window only element of a development described as 'works to protected structure consisting of partial demolition of existing pitched single storey rear extension and enclosure to side passage; replacement with an enlarged rear ground floor kitchen extension with partial flat roof incorporating larger kitchen/dining space; partial renovation of side passage accommodation with new flat roof and Velux rooflight; new glazed opening in bathroom gable wall; new dormer roof window to mezzanine accommodation to replace existing rooflight; new larger Velux to replace existing rooflight to living room; together with all associated site works at 4 Pembroke Cottages, Booterstown, County Dublin'. The appeal was considered under Section 139 of the Planning and Development Act, 2000 as amended and the dormer window was omitted by way of condition.

**P.A. Ref. D20A/0257** refers to a November 2020 decision to grant permission for the refurbishment and extension of No. 7 Pembroke Cottages, including the demolition of internal partitions, part of the rear wall of the cottage and existing extensions to rear, installation of two new rooflights to rear of existing roof, construction of a single

storey extension to the side, 1.5 storey extension to the rear and the creation of a vehicular gateway onto Rosemount Terrace and all associated site works.

## 5.0 Policy and Context

### 5.1. Development Plan

- 5.1.1. Under the Dun Laoghaire-Rathdown County Development Plan 2016 – 2022, the subject site is zoned A, 'To protect and/ or improve residential amenity'. Residential development is listed within the 'Permitted in Principle' category of this zoning objective.
- 5.1.2. The site is located within the Pembroke Cottages Architectural Conservation Area (ACA) and No. 8 is listed in the Record of Protected Structures, RPS no. 78, 'House', refers.
- 5.1.3. Chapter 8 of the Dun Laoghaire-Rathdown County Development Plan 2016 – 2022 refers to 'Principles of Development' and the following are relevant to the subject development:

8.2 'Development Management' – with particular reference to section 8.2.3 'Residential Development', 8.2.3.1 'Quality Residential Design' and 8.2.3.4 'Additional Accommodation in Existing Built-up Areas' with particular reference to 8.2.3.4(i) 'Extensions to Dwellings' and the following is relevant to this development:

'Roof alterations/expansions to main roof profiles - changing the hip-end roof of a semi-detached house to a gable/'A' frame end or 'half-hip' for example – will be assessed against a number of criteria including:

- Careful consideration and special regard to the character and size of the structure, its position on the streetscape and proximity to adjacent structures.
- Existing roof variations on the streetscape.
- Distance/contrast/visibility of proposed roof end.
- Harmony with the rest of the structure, adjacent structures and prominence.

8.2.11 refers to 'Archaeological and Architectural Heritage' and 8.2.11 (i) 'Works to a Protected Structure' is relevant to this development and the following are noted:

'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.
- Appropriately scaled extensions should complement, and be subsidiary to, the main structure be positioned generally to the rear elevation or less prominent elevation. Full width extensions will not normally be permitted.
- 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.
- In considering proposals to meet Part M regard should be had to the Department of Art, Heritage and the Gaeltacht advice series 'Access: Improving the Accessibility of Historic Buildings and Places' (2011).
- The retention of original features will be encouraged'.

## 5.2. Guidelines

- Architectural Heritage Protection - Guidelines for Planning Authorities (2011, DoAHG)

## 5.3. Natural Heritage Designations

None.

## 6.0 The Appeal

### 6.1. Grounds of Appeal

The applicant has engaged the services of Robin Mandal Architects to prepare an appeal against the decision of Dun Laoghaire-Rathdown County Council to refuse permission for the demolition of an existing extension and the construction of a new extension to the rear of No. 8 Pembroke Cottages.

The Following points are made in support of the appeal:

- The proposed development increases the legibility of the protected structure in comparison to what is currently in situ.
- There is a need for a link between the attic and the proposed rear bedroom, in order to provide for the third bedroom and therefore to provide for a family home.
- The existing extension is a mono-pitch roofed structure finished with slate. The original rear roof of the house no longer exists through the design of the existing extension.
- The applicant has proposed a reduced width of link between the rear of the house and the proposed extension, this exposes a greater area of the rear roof profile. The applicant would prefer if the original proposal submitted to the Planning Authority be proposed but failing that the revised proposal would be acceptable.

### 6.2. Planning Authority Response

- 6.2.1. The grounds of appeal do not raise any new matters, so no additional comment is made by the Planning Authority.

## 7.0 Assessment

- 7.1. The main issues that arise for consideration in relation to this appeal can be addressed under the following headings:

- Nature of Development
- Impact on the Residential Amenity of the Area

- Impact on the Protected Structure/ Architectural Conservation Area
- Other Issues
- Appropriate Assessment Screening

## **7.2. Nature of Development**

- 7.2.1. The proposed development consists of the demolition of an existing single storey extension, the lowering of the rear ground/ floor level and the construction of an extension to the rear of the house. The existing extension provides for a bedroom, kitchen/ dining area and a bathroom. Private open space is stated to be 24 sq m, though the useability of this is very limited through the layout and depth of space.
- 7.2.2. The ground/ floor level is to be lowered by 510 mm. The extension to the rear is a two-storey structure but will not project above the roof ridgeline. The extension will provide for a large master bedroom, small bathroom, and stairs access from the ground floor. The existing attic space is converted for use as a bedroom with en-suite attached. The ground floor provides for a large kitchen/ dining room. A courtyard area of 20 sq m is proposed to the northern side of the house.
- 7.2.3. The applicant has submitted a copy of the revised layout which was submitted to the Planning Authority as part of the further information response. The link between the converted attic and the extension is reduced such that more of the original rear plane is exposed. To clarify, this is not the original roof as it has been removed to provide for the existing rear extension, but the development as submitted by way of further information provides for a restored form of the rear roof profile.

## **7.3. Impact on the Residential Amenity of the Area**

- 7.3.1. The proposed development will provide for an improved level of residential amenity and the additional bedroom will allow for the use of this house as a two-bedroom family home with ground floor study, which has the potential for use as a bedroom. The proposed room sizes are acceptable and will provide for a good quality of residential amenity. There is a reduction in private amenity space from 24 sq m to 20 sq m; this is not significant as the existing provision does not provide for a high quality of amenity space and the revised layout allows for the amenity space to form part of the living dining space and is a partially covered space.



7.3.2. The Planning Authority raised no issues of concern in relation to impact on adjoining properties. Side windows in the upper floor are to be fitted with obscured glazing and additional light is provided by the proposed rooflight over. The extension through its location on site and being stepped below the existing roof ridgeline will ensure that it does not give rise to overshadowing leading to a loss of daylight/sunlight of adjoining properties.

7.3.3. I am satisfied that the development will not have a negative impact on the residential amenity of the area. Pembroke Cottages provide for limited accommodation/ private amenity space and it is therefore to be expected that these houses will have been extended over time to improve the available habitable area.

#### **7.4. Impact on the Protected Structure/ Architectural Conservation Area**

7.4.1. I noted from the site visit that other houses in the area have been extended to the rear and the proposed development is not out of character with these. The existing rear extension resulted in the loss of the original rear roof profile and it is not possible to therefore restore this to its original state but only to a replica form. I have read the reports of the Planning Authority A/ Conservation Officer and in general she does not oppose the extension of this house. I appreciate that the preference is to restore the original roof profile. The opportunity was afforded to the applicant to revise the development, which the applicant did, through the proposed provision of a glass link between the converted attic and the new rear extension. This was following discussion between the applicant's agent and the A/ Conservation Officer. The A/ Conservation Officer did not accept this revision and permission was subsequently refused.

7.4.2. I note the submitted reports and have full regard to the 'Architectural Heritage Protection - Guidelines for Planning Authorities'. The existing extension incorporate the entire rear roof profile and I consider that either of the proposed extensions would be a significant improvement in terms of restoring the roof. I consider that the version submitted with the appeal – Drawing No. 1922-FI-201, provides for a good solution. This version provides for a significant restoration of the rear roof profile and ensures that a good level of habitable floor area is provided at first floor level. There is a reduction in storage area, but overall, I consider this to be a good proposal. The restoration of a significant section of the original roof plane is a significant

improvement on the current situation. In the event that permission is recommended, a suitable condition should be provided to clearly state that it is the extension indicated on Drawing No. 1922-FI-201 that should be constructed. The proposal as originally submitted to the Planning Authority does not restore as much of the roof profile.

7.4.3. It has to be restated, that the more significant impact to this house was the provision of the existing single storey extension to the rear of this house. This resulted in the removal of the entire rear roof profile. The alterations as proposed will not increase the impact on the protected structure.

7.4.4. The proposed alterations are to the rear of No. 8 and will not be easily visible from the public street. Some views will be possible from Rosemount Terrace to the south, but this will be at a distance of circa 18 m. Overall, I do not foresee any negative impact to the Pembroke Cottages Architectural Conservation Area. The improvement and continued habitation in this house will ensure the vitality of the area is protected.

## 7.5. Other Issues

7.5.1. I note the comments of the Municipal Services Department, Drainage Planning Section in relation to surface water drainage. The Irish Water reports are also noted and the proposed measures to provide access to the private water main are acceptable.

7.5.2. Car parking for the residents of Pembroke Cottages is provided on street. Paid on-street parking is in place here. The Transportation Planning Section of Dun Laoghaire-Rathdown County Council reported no objection to the proposed development.

7.5.3. I have commented on the reduced open space provision and that it is generally acceptable. It is appropriate that any development falling within Class 1 or Class 3 of Schedule 2, Part 1 of the exempted development provisions of the Planning and Development Regulations, 2001 as amended, shall require the submission of a planning application to determine acceptability and a suitable condition will be recommended. I noted from the site visit that there is a pigeon loft to the side of the house, and this is to be retained in this development, it does not form part of this planning application.

## 7.6. Appropriate Assessment Screening

- 7.6.1. Having regard to the modest nature and scale of the proposed development and the location of the site in a serviced urban area and the separation distance to the nearest European site, no Appropriate Assessment issues arise, and it is not considered that the development would be likely to give rise to 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 for the proposed development,

## 9.0 Reasons and Considerations

- 9.1. Having regard to the provisions of the Dun Laoghaire-Rathdown County Development Plan 2016 - 2022 and the zoning for residential purposes, to the provisions of the 'Architectural Heritage Protection - Guidelines for Planning Authorities (2011)', to the location of the site in an established residential area and to the nature, form, scale and design of the proposed development, it is considered that permission be granted for the proposed development subject to conditions.

## 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 8<sup>th</sup> day of October 2020 and by the further plans and particulars received by An Bord Pleanála on the 16<sup>th</sup> day of November 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><b>Reason:</b> In the interest of clarity.</p>
----	--

2.	<p>The extension to the rear of No.8 Pembroke Cottages shall be carried out in full as indicated on Drawing No. 1922-FI-201.</p> <p><b>Reason:</b> In the interest of clarity.</p>
3.	<p>All works to the protected structure, shall be carried out under the supervision of a qualified professional with specialised conservation expertise.</p> <p><b>Reason:</b> To secure the authentic preservation of this protected structure and to ensure that the proposed works are carried out in accordance with best conservation practice.</p>
4.	<p>The external finishes of the proposed extension (including roof tiles/slates) shall be the same as those of the existing dwelling in respect of colour and texture. Samples of the proposed materials shall be submitted to, and agreed in writing with, the Planning Authority prior to commencement of development.</p> <p><b>Reason:</b> In the interest of visual amenity.</p>
5.	<p>Notwithstanding the exempted development provisions of the Planning and Development Regulations, 2001 as amended, and any statutory provision replacing or amending them, no development falling within Class 1 or Class 3 of Schedule 2, Part 1 of those Regulations shall be erected on the site/within the rear garden area, without a prior grant of planning permission.</p> <p><b>Reason:</b> In the interest of the amenities of the area.</p>
6.	<p>That all necessary measures 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><b>Reason:</b> To protect the amenities of the area.</p>
7.	<p>Site development and building works shall be carried out only between the hours of 0800 to 1900 Mondays to Fridays inclusive, between 0800 to 1400</p>

	<p>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><b>Reason:</b> In order to safeguard the residential amenities of property in the vicinity.</p>
--	--

---

Paul O'Brien  
Planning Inspector

14<sup>th</sup> April 2021