



An
Bord
Pleanála

Inspector's Report

ABP-311008-21

Development	Demolition of existing extension and construction of new extension
Location	9 Clifton Terrace & Clifton Lane, Monkstown, Co. Dublin (A Protected Structure)
Planning Authority	Dun Laoghaire Rathdown County Council
Planning Authority Reg. Ref.	D21A/0444
Applicants	Yves Carnac & Aine Coffey
Type of Application	Permission
Planning Authority Decision	Grant Permission
Type of Appeal	Third Party
Appellant	Noel McGloin
Observers	None
Date of Site Inspection	19 th January 2022
Inspector	Margaret Commane

1.0 Site Location and Description

- 1.1. The area surrounding the subject site is a mature residential area and there is a mix of two and three storey dwellings and 2 storey mews dwellings in the vicinity of the site. Many of the mews dwellings featuring in the immediate surrounds have been previously extended and there is a great variety of different types of extensions and external finishes.
- 1.2. The subject site comprises of a 0.048Ha parcel of land at the western end of Clifton Lane, a cul-de-sac mews lane and to the rear of No. 9 Clifton Terrace. More specifically, the site is located on the southern side of the lane. It comprises of a c. 145sqm double storey, semi-detached mews dwelling with single storey extension and associated garden, known as No. 9 Clifton Lane, and a c. 60sqm single storey pitched roof garage accessible off Clifton Lane and a garden area, serving No. 9 Clifton Terrace. No. 9 Clifton Terrace, to the north of the subject site fronting Seapoint Avenue, is a Protected Structure (RPS. No. 578). The subject site also falls within the Monkstown Architectural Conservation Area.
- 1.3. To the immediate east of the site is No. 10 Clifton Lane, a two storey mews dwelling. The subject site's northern, southern and western boundaries are flanked by the rear gardens associated with No. 9 Clifton Terrace, Nos. 60 and 62 Monkstown Road and Santa Maria, Seapoint Avenue, respectively (all Protected Structures).

2.0 Proposed Development

- 2.1. Permission is sought for the (i) demolition of a 48 sqm existing single storey side extension at 9 Clifton Lane; the boundary wall and entrance gate to 9 Clifton Lane; a 60 sqm single storey garage structure fronting Clifton Lane serving 9 Clifton Terrace; and walls within the curtilage of the site; (ii) partial demolition of south & west elevations, and internal modifications and refurbishments to ground and first floor levels, including the removal of partition walls and velux style rooflight, of existing mews dwelling at 9 Clifton Lane; (iii) construction of an 11sqm single storey side extension 9 Clifton Lane; a new boundary wall and entrance gate to Clifton Lane; a new 36 sqm single storey shed structure serving 9 Clifton Terrace; new first floor windows to south & west elevations of 9 Clifton Lane; and (iv) all associated site and landscaping works, including new paving.

3.0 **Planning Authority Decision**

3.1. **Decision**

3.2. The Planning Authority issued a notification of a decision to grant permission for the proposed development, subject to 8 conditions. These conditions are generally of a standardised format and relate to issues including construction traffic management, vehicular entrance specifications and subdivision of the dwelling.

3.3. **Planning Authority Reports**

3.3.1. ***Planning Reports***

- The planner's report had no objection to the proposed demolition and extension/new garage and considered the proposed works would not adversely impact on the Protected Structure at No. 9 Clifton Terrace, the character of the Monkstown Architectural Conservation Area, the character of the area or the residential amenities of neighbouring properties.

3.3.2. ***Other Technical Reports***

Drainage Planning: No objection.

Transportation Planning: No objection, subject to conditions.

Conservation Officer: No objection.

3.4. **Prescribed Bodies**

None.

3.5. **Third Party Observations**

2 third party observations were submitted to the Planning Authority. The main issues raised therein are as follows:

- Removal of mature trees by the Applicant in advance of the planning application being lodged and the resultant loss of screening/natural windbreaker.
- Conflicts between landscaping proposals and the proposed garage.
- Inconsistencies across the plans lodged with the planning application.
- Inadequacy of the no. of/positioning of the site notices erected.

- Overlooking of adjacent amenity space areas from south facing first floor windows and resulting loss of privacy.
- Possible impacts on walls and piers of neighbouring properties resulting from the proposed development.
- Possible impacts on the structural integrity of neighbouring properties resulting from the proposed development.

4.0 Planning History

PA Reg. Ref. D20A/0345 (No. 9 Clifton Terrace)

Permission granted on 11th November 2020 for: (i) demolition of existing two storey rear return and non-original portico structures and construction of a replacement single storey glazed return structure to rear, which will include an external terrace at roof level; (ii) removal of an existing bridge link from kitchen to terrace, an existing basement level cellar below rear terrace and the construction of new external steps from basement level to proposed restored rear terrace; (iii) internal modifications and refurbishments to basement, ground and first floor levels to include part removal of partitions, provision of new internal openings, replacement of existing concrete slab, tanking and damp proofing of basement, relocation of kitchen, removal of non original fabric and fixtures, modifications to existing drainage works, with all associated conservation works and repair of original historic fabric as required; (iv) all associated site and landscaping works to front and rear of property to include removal of existing non-original pergola structure, paved terrace and concrete balustrades and provision of a new paved rear terrace with clear glazed balustrades; (v) expansion of existing roof light open above existing ensuite and the provision of a new roof light above at first floor level; (vi) necessary repair and refurbishment works to existing roof, parapet and chimney structures and to the front, rear and gable rendered elevations; and (vii) repair and refurbishment of existing original windows to front and rear elevations and the replacement of non original windows to front and rear elevations to match design of original window sections.

PA Reg. Ref. D13A/0587 (No. 9 Clifton Lane)

Permission granted 15th January 2014 to: (i) demolish a single storey extension of 39sq.m to the side of No. 9 Clifton Lane; (ii) reduce the size and configuration of its garden; (iii) remove its existing front boundary wall; (iv) provide one on-site parking space to serve No. 9 Clifton Lane; (v) demolish a shed adjoining the garage for the adjoining 9 Clifton Terrace, which is a Protected Structure, and to square off its rear boundary with the new site; and (vi) construct a 191sqm two storey four bedroom detached dwelling house to the side of No. 9 Clifton Lane served by 2 no. off street parking spaces. The duration of this permission was subsequently extended to 19th February 2024, under PA Reg. Ref. D13A/0587/E.

PA Reference D07A/1183 (Appeal Reference PL06D.226355) (No. 9 Clifton Terrace and No. 9 Clifton Lane)

This application involved a proposal for the demolition of a 1 storey mews lane annex, garage and store; alterations to existing 2 storey mews lane house, and construction of four new two storey mews lane houses and replacement garage.

Concerns were raised by the Inspector regarding the character and appearance of the proposed dwellings, impact on the Protected Structure at No. 9 Clifton Terrace, overlooking, poor quality of amenity space and adequacy of vehicle turning arrangements and the development was refused in June 2008 for the following reasons:

- 1. It is considered that, by reason of the design (in particular, the mansard style roof), bulk and height of the new dwellings, the proposed development would be overly dominant and intrusive, resulting in an unacceptably adverse impact on the character and setting of 9 Clifton Terrace, which is a protected structure, and would detract from the visual amenity of the mews lane. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.*
- 2. The rear balconies in the proposed dwellings 9a, b and c would result in unacceptable overlooking and the limited depth of the rear gardens for all the proposed dwellings and the existing dwelling at 9 Clifton Lane would give rise to a substandard form of residential development. The proposed development would, therefore, seriously injure the residential amenities of existing and future*

residents and would be contrary to the proper planning and sustainable development of the area.

3. *It has not been demonstrated that adequate provision would be made for vehicles to turn and leave the lane in a forward gear. The proposed development would, therefore, endanger public safety by reason of traffic hazard.*

5.0 Policy Context

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

5.1.1. The proposed development involves works within the curtilage of a protected structure and the subject site is within the Monkstown Architectural Conservation Area. Therefore, the '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.

5.1.2. 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 or within an Architectural Conservation Area. The guidelines seek to encourage the sympathetic maintenance, adaption and reuse of buildings of architectural heritage.

5.1.3. 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 or an Architectural Conservation Area.

5.2. Dún Laoghaire Rathdown County Development Plan, 2016-2022

5.2.1. Land Use Zoning

The site is zoned Objective 'A' in the Dun Laoghaire Rathdown County Development Plan 2016-2022 with a stated objective '*to protect and/or improve residential amenities.*'

5.2.2. Other Relevant Sections/ Policies

No. 9 Clifton Terrace is a Protected Structure (RPS. No. 578) and the subject site also falls within the Monkstown Architectural Conservation Area.

The following policies are considered to be relevant to the consideration of the subject proposal:

Section 6.1.3.1 - Policy AR1: Record of Protected Structures:

"It is Council policy to:

- i. 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).*
- ii. Protect structures included on the RPS from any works that would negatively impact their special character and appearance.*
- iii. 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 6.1.4.1 - Policy AR12: Architectural Conservation Areas:

"It is Council policy to:

- i. Protect the character and special interest of an area which has been designated as an Architectural Conservation Area (ACA).*

- ii. *Ensure that all development proposals within an ACA be appropriate to the character of the area having regard to the Character Appraisals for each area.*
- iii. *Seek a high quality, sensitive design for any new development(s) that are complimentary and/ or sympathetic to their context and scale, whilst simultaneously encouraging contemporary design.*
- iv. *Ensure street furniture is kept to a minimum, is of good design and any redundant street furniture removed.*
- v. *Seek the retention of all features that contribute to the character of an ACA including boundary walls, railings, soft landscaping, traditional paving and street furniture.”*

Section 6.1.4.2 - Policy AR13: Demolition within an Architectural Conservation Areas
“It is Council policy to prohibit the demolition of a structure(s) that positively contributes to the character of the ACA.”

Section 8.2.3.4: Additional Accommodation in Existing Built-up Areas: (i) Extensions to Dwellings

“Side extensions will be evaluated against proximity to boundaries, size and visual harmony with existing (especially front elevation), and impacts on residential amenity.”

Section 8.2.3.4: Additional Accommodation in Existing Built-up Areas: (iv) Detached Habitable Room

“This can provide useful ancillary accommodation such as a playroom, gym or study for the main residence. It should be modest in floor area and scale, relative to the main house and remaining rear garden area. The applicant will be required to demonstrate that neither.”

Section 8.2.3.4: Additional Accommodation in Existing Built-up Areas: (x) Mews Lane Development:

“Where the Planning Authority accepts the principle of residential development on a particular laneway, the following standards will generally apply:

- *Development will be confined to single units in one or two storeys of modest size and the separation distance between the rear façade of the existing main*

structure (onto the front road) and the rear mews structure should normally be a minimum of 20 metres and not less than 15 metres, or not less than 22 metres where first floor windows of habitable rooms directly face each other.

- *Setting back of dwellings and boundary walls may be required dependant on existing building lines, lane width, character and parking/access.*
- *Dwellings and boundary walls may be required to reflect the scale, height, materials and finish of existing walls and buildings, particularly where old coach houses and two storey structures are involved.*
- *All parking provision in mews laneways should be in off-street garages, integral garages (car ports), forecourts or courtyards, and conditions to 'de-exempt' garage conversions will normally be attached. At least one off-street parking space per dwelling will generally be required. Where two spaces can be reasonably accommodated these should be provided. Part set-backs of frontage for on-street parallel parking may be considered depending on lane width and structure types.*
- *Each dwelling shall generally have a private open space area of not less than circa 48 sq.m. exclusive of car parking area. A financial contribution in lieu of public open space provision may be required.*
- *Where dwellings are permitted on both sides of a lane, habitable room windows must be set out to minimise direct overlooking of each other where less than 9 metres apart.*
- *Vehicular entrance widths shall be a minimum but sufficient to provide for proper vehicular turning movements allowing for laneway width and for pedestrian visibility."*

Section 8.2.3.5: Residential Development – General Requirements

Section 8.2.11.2: Architectural Heritage – Protected Structures: (iii) Development in the Proximity to a Protected Structure:

"Any proposed development within the curtilage, attendant grounds or in close proximity to a Protected Structure has the potential to adversely affect its setting and amenity. The overall guiding principle will be an insistence on high quality in both materials and design which both respects and compliments the Protected Structure and its setting. Innovative design in accordance with international best practice is

encouraged. Pastiche design should be avoided as it confuses the historical record of the existing building and diminishes its architectural integrity.

Any proposal for development will be assessed in terms of the following:

- The proximity and potential impact in terms of scale, height, massing and alignment on the Protected Structure, to ensure that harmony produced by particular grouping of buildings and the quality of spaces and views between them is not adversely affected.*
- The quality and palette of materials and finishes proposed.*
- Works to the Protected Structure should take place in tandem with the proposed development to ensure a holistic approach to the site.*
- Impact on existing features and important landscape elements including trees, hedgerows and boundary treatments.*
- Impact of associated works including street furniture, car parking, hard landscaping finishes, lighting and services.”*

Section 8.2.11.3: Architectural Conservation Areas: (i) New Development within an ACA:

“The guiding principle of ACAs is to protect the special external expression of the buildings and the unique qualities of the area to ensure future development is carried out in a manner sympathetic to its distinctive character.

In order to preserve and enhance the character of ACAs the Planning Authority seeks to:

- Retain original features including windows, doors, roof coverings, boundary treatments (such as stone walls, hedges and railing) and other features of interest that contribute to the streetscape character.*
- Encourage the reinstatement of lost architectural and boundary treatments detailing (where there is physical or documentary evidence) to buildings of interest and townscape value.*
- Retain any surviving kerbing/paving and items of street furniture that contributes to the character of the ACA in line with Policy AR15, Section 6.1.4.4.”*

5.3. Natural Heritage Designations

5.3.1. The proposed development is not located within or immediately adjacent to any European site. The nearest European sites are South Dublin Bay and River Tolka Estuary SPA (Site Code 004024) and South Dublin Bay SAC (Site Code 000210), both located c. 125 metres north.

6.0 The Appeal

6.1. Grounds of Appeal

The grounds of appeal can be summarised as follows:

- The south facing first floor windows proposed are immediately proximate to the amenity space area serving No. 10 Clifton Lane and will result in overlooking and noise pollution of this area.
- In only considering the impact of these windows on No. 65 Monkstown Road and failing to have regard to the potential impacts on No. 10 Clifton Lane as raised in the Appellants observation, the Planning Authority have acted contrary to the requirements of Section 34(3)(b) of the Planning and Development Act, 2000 (as amended).

6.2. Applicant Response

- None.

6.3. Planning Authority Response

- The Board is referred to the previous planner's report. It is considered that the grounds of appeal do not raise any new matter which in the opinion of the Planning Authority, would justify a change of attitude to the proposed development.

6.4. Observations

- None were received within the prescribed time.

6.5. Further Responses

- None.

7.0 Assessment

From my reading of the file, inspection of the site and assessment of the relevant policy provisions, I conclude that the key matters for consideration are:

- Principle of Development
- Overall Design and Layout / Visual Impact
- Residential Amenity
- Impact on Architectural Heritage
- Appropriate Assessment

7.1. Principle of Development

7.1.1. As previously discussed, the development site lies within an area of suburban residentially zoned land. Under this land use zoning objective, residential development is generally acceptable in principle subject to the proposed development being acceptable in terms of its impact on the visual amenities of the area and the established residential amenities of properties in its vicinity. These matters are considered in turn below.

7.2. Overall Design and Layout / Visual Impact

7.2.1. The proposed development includes the demolition of an existing single storey side extension and the boundary wall/entrance gate to No. 9 Clifton Lane and a garage fronting Clifton Lane; construction of a single storey side extension and new boundary wall/entrance gate to No. 9 Clifton Lane and a new garage structure; and external alterations to the southern & western elevations and internal refurbishment works to No. 9 Clifton Lane. The proposed side extension and garage structure will be finished in timber cladding and sand & cement render, respectively.

7.2.2. Clifton Lane features a mix of single and double storey mews buildings, used for residential and storage purposes, and infill double storey houses in a variety of architectural styles. Side extensions, both single and double storey, are common within the streetscape. Irrespective of this, the proposed side extension garage structure, will be located behind a 2.6-2.75 metre high wall and will not be visible from the streetscape. Therefore, I am satisfied that the overall design of the proposed side extension and garage is acceptable and will not significantly detract or otherwise seriously injure the character or visual amenities of the wider area.

7.2.3. The alterations proposed to No. 9 Clifton Lane's and No. 9 Clifton Terrace's boundary walls and the western elevation of No. 9 Clifton Lane will be visible within the Clifton Lane streetscape. However, given the limited nature of the proposed work and the use of materials matching the existing structures or consistent with the character of the immediate surrounds, these aspects of the proposed development are considered acceptable and will not significantly detract or otherwise seriously injure the character or visual amenities of the wider area.

7.3. Residential Amenity

Appellant's House (10 Clifton Lane)

7.3.1. The appellant has raised concerns in relation to the potential of the proposed south facing first floor windows, if permitted, to give rise to serious injury to their established residential amenities. More specifically, the appellant is concerned that the windows will result in overlooking of and noise pollution to their private amenity space area.

7.3.2. It is proposed to install 2 first floor windows to southern façade of the existing mews dwelling, one serving the third bedroom and one serving an ensuite bathroom. The window serving the third bedroom is located c. 3.2 metres from the common boundary with No. 10 Clifton Lane. I do not consider the third bedroom window would result in any significant or undue overlooking impacts of No. 10 Clifton Lane's private amenity space as only oblique views are provided by the applicable window due to its offset from the common boundary and the boundary wall currently featuring along the common boundary restricts views of this amenity space. The window to the ensuite

bathroom is in closest proximity to No. 10 Clifton Lane's private amenity space area. To restrict potential overlooking from this window and also to provide users of this ensuite bathroom with an appropriate level of privacy, it is recommended that the Board, if so minded to grant permission, include a condition requiring that this window incorporate obscure glazing.

- 7.3.3. With regards to concerns raised in relation to noise from these new windows, given the mews building is being used for residential purposes, it is not anticipated that the addition of these 2 windows will result in an unreasonable increase in noise pollution to the surrounding area, including No. 10 Clifton Lane's private amenity space area.
- 7.3.4. With regards to the potential overbearing impact on the dwelling to the east, it is not considered that the proposed development will have an unreasonable overbearing impact as there are no changes proposed to the building footprint/size of the original mews building, changes to the mews building extension will be imperceptible given they are single storey/shielded from view by the stone wall featuring along the common boundary and a separation distance of 14.8 metres is provided between the proposed garage and No. 10 Clifton Lane's western boundary.
- 7.3.5. With regards to potential overshadowing, due to the orientation of the subject site to the west of No. 10 Clifton Lane and the single storey nature of the proposed extension/garage, no significant overshadowing issues arise in the context of the neighbouring property to the east.

Other Adjacent Houses

- 7.3.6. The site is adjoined to the south by Nos. 60 and 62 Monkstown Road which feature 2 detached two storey over basement period dwellings. These 2 dwellings are Protected Structures. I do not consider the proposed development, in particular the first floor windows being added to the southern façade of the existing mews building, would result in any significant or undue overlooking impacts on these properties due to the boundary wall currently featuring along the common boundary and the c. 35 metre separation distance provided between the proposed south facing first floor windows and opposing first floor windows associated with No. 62 Monkstown Road.

- 7.3.7. With regards to the potential overbearing impact on the dwelling to the south, it is not considered that the proposed dwelling will have an unreasonable overbearing impact on the properties to the south as there are no changes proposed to the building footprint/size of the original mews building and changes to the mews building extension/the new garage will be imperceivable given they are single storey/shielded from view by the stone wall featuring along the common boundary.
- 7.3.8. With regards to potential overshadowing, due to the orientation of the subject site to the north of Nos. 60 and 62 Monkstown Road and the single storey nature of the proposed extension/garage, no significant overshadowing issues arise in the context of the neighbouring properties to the south.

The site is currently adjoined to the west by Santa Maria, Seapoint Avenue, which features a detached single storey over basement period dwelling. This dwelling is a Protected Structure. I do not consider the proposed development will result in significant or undue overlooking, overshadowing or overbearing impacts on this property due to the existing boundary wall featuring along the common boundary and the single storey nature of the proposed garage and extension to the mews dwelling.

Nos. 7 and 8 Clifton Lane are located north of the mews dwelling on the opposite side of Clifton Lane. I do not consider the proposed development will result in significant or undue overlooking, overshadowing or overbearing impacts given it is not proposed to alter the building footprint/height of or the north-facing windows currently featuring in the existing mews building, the single storey nature of the proposed extension and garage structure and the existing boundary wall featuring to the front of the mews building.

No. 9 Clifton Lane

- 7.3.9. The dwelling resulting from the proposed extension and internal modifications will have a total floor area of c. 108sqm across the 2 floors. Having reviewed the proposed floor plans, I am satisfied that the resulting house is suitably designed and adequately sized internally to provide an adequate level of residential amenity to future residents.

- 7.3.10. Section 8.2.8.4 of the Development Plan requires that 3 bedroom houses are provided with a minimum of 60sq.m private open space. Although part of No. 9 Clifton Lane's existing private amenity space is being given over to No. 9 Clifton Terrace, a large private open space well in excess of the 60sqm requirement is provided to residents of the mews dwelling. It is noted that there are inconsistencies in the size of the mews dwelling private open space detailed in the ground floor plan - proposed and roof plan – proposed, included on Drawing No. 2004 L(--)-100* submitted with the application. In the interest of clarity, it is recommended that the Board, if so minded to grant permission, include a condition requiring that the plans be updated to accurately detail the size of the private open space area.
- 7.3.11. Residents of the mews dwelling continue to be provided with 2 car parking spaces accessible via Clifton Lane. Works proposed to the existing northern boundary wall/pedestrian and vehicular gates, including the installation of a sliding gate, will make access/egress easier from this front courtyard.

No. 9 Clifton Terrace

- 7.3.12. The site layout drawing indicates that part of No. 9 Clifton Lane's existing private amenity space (c. 170sqm) is being given over to No. 9 Clifton Terrace and will be incorporated into their existing rear private open space area. I consider the resulting rear garden would be more than adequate to serve the needs of the existing dwelling, should permission be granted.
- 7.3.13. Car parking for No. 9 Clifton Terrace is currently provided in a 60sqm single storey garage accessible off Clifton Lane. The subject proposal includes the demolition of this garage currently serving No. 9 Clifton Terrace. A generously sized hard standing area is proposed in and adjacent to the area previously occupied by the garage which will adequately accommodate car parking requirements of the existing dwelling. It is also proposed to construct a 36sqm single storey garage structure adjacent to the southern boundary which will provide suitable storage for residents of No. 9 Clifton Terrace.

7.3.14. With regards to potential overlooking, there are no new first floor windows to the mews dwelling that sit opposite No. 9 Clifton Terrace's first floor south-facing windows and overlooking of their rear private open space area will be appropriately restricted via proposed boundary fencing.

7.3.15. With regards to potential overshadowing, due to the single storey nature of the proposed extension to the mews dwelling and the garage, no significant overshadowing issues arise from the subject proposal in the context of No. 9 Clifton Terrace.

7.4. Impact on Architectural Heritage

7.4.1. The Dún Laoghaire Rathdown County Development Plan 2016-2022, at Policy AR1 and Policy AR12, seeks to protect protected structures from any works that would negatively impact their special character/appearance and ensure that all development proposals within an Architectural Conservation Area are appropriate to the character of the area, respectively. Sections 8.2.11.2 and 8.2.11.3 provide guidance regarding development in proximity to a Protected Structure and within an Architectural Conservation Area, respectively.

7.4.2. The subject site is within the Monkstown Architectural Conservation Area and comprises part of the rear garden of No. 9 Clifton Terrace, RPS. No. 578. In accordance with the Planning & Development Act, 2000 as amended, a protected structure includes the interior, land lying within the curtilage and any other structures lying within that curtilage and their interiors and all fixtures and features which form part of the interior or exterior of any structure. The proposed development is confined to the southernmost part of No. 9 Clifton Terrace's rear garden, a non-original garage which serves No. 9 Clifton Terrace accessible off Clifton Lane and an existing mews dwelling located south-east of No. 9 Clifton Terrace's rear garden, at No. 9 Clifton Lane. The Board will note that the proposal does not involve works to the main house at No. 9 Clifton Terrace.

7.4.3. I note the comments of the Dún Laoghaire Rathdown's Conservation Officer in relation to the proposed works which conclude that '*the new works will be clearly legible as*

later additions and in this respect accords with the policy contained within the CDP 2016-2022 and the objectives set out in the Monkstown ACA Character Appraisal.' They also deemed the proposed development to be located 'a sufficient distance from the protected structures of No. 9 Clifton Terrace and Nos. 60 & 62 Monkstown Road that it will not adversely affect their setting and visual amenity.'

7.4.4. The Planning Authority, agreeing with the recommendations of the Conservation Officer, was satisfied that the proposed works are sympathetic to the character of the ACA and the Protected Structures located within its attendant grounds and immediate surrounds.

7.4.5. Having regard to the limited nature/scale of the proposed works, their proximity to adjoining protected structures and the limited views available from the Clifton Lane streetscape, I would concur with the conclusions reached by the Planning Authority and Dún Laoghaire Rathdown's Conservation Officer. I, therefore, have no objections to the proposed development in terms of potential impacts on the protected structure or architectural heritage. I consider the proposed development would be consistent with Policies AR1 and AR12 and Sections 8.2.11.2 and 8.2.11.3 of the Development Plan as the attractive and distinctive features of the Protected Structure on the site and the Monkstown Architectural Conservation Area would not be negatively affected.

7.5. Appropriate Assessment

7.5.1. Having regard to the nature and scale of the proposed development (an extension and garage within an established urban area), the availability of public services, the nature of the receiving environment, and the proximity of the lands in question to the nearest European site), it is my opinion that no appropriate assessment issues arise and that the proposed development would not be likely to have a significant effect, either individually or in combination with other plans or projects, on any Natura 2000 site.

8.0 Recommendation

- 8.1. Having regard to the foregoing, it is recommended that permission be granted for the proposed development for the reasons and considerations, and subject to the conditions, set out below.

9.0 Reasons and Considerations

Having regard to the provisions of the Dun Laoghaire Rathdown County Development Plan 2016-2022, the pattern of development in the area, and the scale and design of the proposed development, it is considered that subject to compliance with the conditions set out below, the proposed development would not seriously injure the visual amenities of the area or residential amenity of property in the vicinity, would not be detrimental to the integrity, character and setting of the protected structure or other protected structures in the vicinity and would not adversely impact on the character of the Monkstown Architectural Conservation Area. 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, 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) Drawing No. Drawing No. 2004 L(--) 100* shall be updated to accurately detail the size of the private open space area serving the mews dwelling.

	<p>Revised drawings showing compliance with these requirements shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.</p> <p>Reason: In the interests of clarity.</p>
3.	<p>Prior to the commencement of development, details of the materials, colours and textures of all external finishes including samples, shall be submitted to and agreed in writing by the Planning Authority.</p> <p>Reason: In the interests of orderly development and the visual amenities of the area.</p>
4.	<p>The landscaping scheme shown on Drawing No. Drawing No. 2004 L(--) 100*, as submitted to the planning authority with the planning application shall be carried out within the first planting season following substantial completion of external construction works.</p> <p>All planting shall be adequately protected from damage until established. Any plants which die, are removed or become seriously damaged or diseased, within a period of five years from the completion of the development, shall be replaced within the next planting season with others of similar size and species, unless otherwise agreed in writing with the planning authority.</p> <p>Reason: In the interest of residential and visual amenity.</p>
5.	<p>The flat roofed areas shall not be used or accessed as a roof garden/patio.</p> <p>Reason: In the interest of residential amenity.</p>
6.	<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>
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 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>
8.	<p>All necessary measures shall be taken by the Applicant and Contractor to avoid conflict between construction traffic/activities and traffic/road users, particularly pedestrians, on Clifton Lane during construction works.</p> <p>Reason: In the interest of pedestrian and traffic safety, and to protect the amenities of the area.</p>
9.	<p>The Applicant shall prevent any mud, dirt, debris or building material being carried onto or placed on the public road or adjoining properties as a result of the site works and repair any damage to the public road arising from carrying out the works.</p> <p>Reason: In the interest of pedestrian and traffic safety, and to protect the amenities of the area.</p>
10.	<p>In accordance with Chapter 8.2.4.9 Vehicular Entrances and Hardstanding Areas of the current County Development Plan (2016-2022), for a single residential dwelling - the width of the proposed widened/new vehicular entrance shall be a maximum of 3.5m and the footpath shall be dished and strengthened at the Applicant's own expense including any moving / adjustment of any water cocks /chamber covers and all to the satisfaction of the appropriate utility company and Planning Authority. With regards to the dishing and strengthening of the footpath the Applicants shall contact the Road Maintenance & Roads Control Sections to ascertain the required specifications for such works and any required permits.</p> <p>Reason: In the interest of pedestrian and traffic safety.</p>

Margaret Commane
 Planning Inspector

26th January 2022