



An
Bord
Pleanála

Inspector's Report

ABP-313297-22

Development	PROTECTED STRUCTURE. Attic extension, construction of a metal lattice screening and all associated site works
Location	Swanbrook House, Bloomfield Avenue, Doonybrook, Dublin 4, D04 K3V9
Planning Authority	Dublin City Council
Planning Authority Reg. Ref.	3122/22
Applicant(s)	Madeleine Sheridan and Pat O'Neill
Type of Application	Planning Permission
Planning Authority Decision	Refused Permission
Type of Appeal	First Party Appeal
Appellant(s)	Madeleine Sheridan and Pat O'Neill
Observer(s)	None
Date of Site Inspection	13 th February 2023
Inspector	Susan Clarke

1.0 Site Location and Description

1.1. The rectangular shaped site (measuring 0.1576ha) is located on Bloomfield Avenue (cul-de-sac), Donnybrook, Dublin 4, approx. 500m northwest of Donnybrook village, on the north side of Morehampton Road. The property comprises an 19th century, two storey, detached period dwelling, Swanbrook House (Protected Structure - Ref. 834), with a large side garden. The house fronts onto the communal open space of a residential infill development (Edward Square) and backs onto Broomfield Avenue, where it is bound by a high stone wall containing pedestrian and vehicular entrances.

2.0 Proposed Development

2.1. The proposed development consists of:

- Internal alterations at first floor level to provide for a new attic room (ensuite bedroom), replace a smaller bedroom at first floor level with an ensuite shower room, and ancillary spaces including a new stairway over the existing lower returns to the rear of the house (36 sq m). The extension would have a metal roof with a shallow pitch and eaves line located c.0.7m above the main house.
- Erection of a 25m long metal lattice screen above the boundary wall facing Bloomfield Avenue. The screen would have an overall height of 4.41m above ground level (1.2m above the top of the existing wall).

3.0 Planning Authority Decision

3.1. Decision

Dublin City Council issued a Notification of Decision to Refuse Permission on 16th March 2022 for the following reason:

The proposed attic extension would, by reason of its size and height relative to the existing house, and its impact on historic features including the main stairwell bay and principal eaves line of the house, seriously injure the architectural character and special interest of the building, a Protected Structure. Furthermore, it is considered that the proposed metal lattice screen along the southern boundary of the property would, due to its

height and location, constitute an unnecessary and visually discordant feature on the streetscape and detract from the setting of the Protected Structure. As such, the proposed development would be contrary to Policy CHC2(d) of the Dublin City Development Plan 2016-2022, which requires new development to relate to and compliment the special character of Protected Structures and not cause harm to the curtilage of the structure. The proposed development would, therefore, seriously injure the amenity of the area and be contrary to proper planning and sustainable development.

3.2. Planning Authority Reports

3.2.1. Planning Reports (16th March 2022)

3.2.2. Basis of Planning Authority's decision.

The Officer stated that the proposed attic extension would obscure the original stairwell bay and, owing to its width and height, dominate the rear elevation of the main house, appear out of proportion with the lower rear bays, and breach the eaves line of the main roof and so would seriously injure the architectural character of the house. The Officer advised that a more modest extension does not appear to be feasible given the position of the proposed access stairs and the low level of the eaves line of the main roof. In terms of the proposed metal screen, the Officer stated that the area that would be screened is not unduly overlooked at present and could be afforded further privacy by way of soft landscaping. The Officer recommended permission be refused as per the refusal reason outlined above.

3.2.3. Other Technical Reports

Conservation Officer (14th March 2022): The Officer stated that "*whilst the proposed alterations at first floor level to provide an enlarged bedroom and en-suite facility would not give rise to any particular concerns, the proposed attic extension gives rise to very significant concerns regarding the adverse impacts arising as a result of the proposed works. The proposed puncturing of the rear wall of the upper and front bay of the house to form a new staircase, the significant direct impacts arising on the roof fabric of the two lower rear returns and the central upper return to install the new structural arrangement to support the large attic extension and the internalisation of the high level window above the staircase would give rise to an unacceptable loss of historic*

fabric and architectural character. In addition, the height, scale and massing of the proposed attic extension would be overly dominant and would seriously injure the architectural character and setting of the Protected Structure, and would be considered to be overdevelopment. The visual impact of the proposed extension is amply illustrated in the 3D visualisations and elevation drawings provided”.

In terms of the metal screen, the Officer raised concerns that the posts “*could give rise to an adverse impact on and destabilise the historic boundary wall structure. It is not clear whether or how the proposed screen would impact the existing trees adjacent to the wall. In addition, although the decorative screen is indicated as a filigree-type arrangement, I am of the opinion that the additional 1.2m height above the 3.21m high historic wall would give rise to an unacceptable visual impact”.* Accordingly the Officer recommended that permission be refused for the proposed development.

Drainage Division: No objection, subject to condition.

Transportation Planning Division: No comments received.

3.3. Prescribed Bodies

Irish Water: No comments received.

Development Applications Unit (Dept. TCAGS&M): No comments received.

The Heritage Council: No comments received.

An Taisce: No comments received.

Fáilte Ireland: No comments received.

An Chomhairle Ealaíon: No comments received.

3.4. Third Party Observations

No Third-Party observations were received in respect to the development.

4.0 Planning History

DCC Reg. Ref. 3669/13: Retention permission granted in March 2014 for (1) minor alterations to the south boundary wall at Swanbrook House, including embedding an ESB mini pillar into the wall (2) minor modification to the external steps and (3)

formation of a raised terrace at the East Elevation of the house and all associated works as previously approved in planning application reference 3322/12.

DCC Reg. Ref. 3322/12: Planning permission granted in January 2013 for the proposed change of use from existing institutional / part accommodation use to residential use and associated works to Swanbrook house.

DCC Reg. Ref.3038/11: Planning permission granted in November 2011 for the proposed change of use from existing institutional / part accommodation use to residential use and associated works to Swanbrook house.

5.0 Policy Context

5.1. Dublin City Development Plan 2022-2028

5.1.1. Since the Local Authority issued a Notification of Decision to Grant Permission for the proposed development, a new development plan has been prepared and adopted for the City. The relevant development plan to this assessment is the Dublin City Development Plan 2022-2028, which was adopted on 2nd November 2022 and came into effect on 14th December 2022.

5.1.2. The site is zoned Z1 (Sustainable Residential Neighbourhoods) which aims: *To protect, provide and improve residential amenities*. Residential is listed as a permissible use under this zoning objective.

5.1.3. Swanbrook House is a designated Protected Structure (Ref. 834).

5.1.4. Chapter 11 of the Development Plan relates to Built Heritage and Archaeology.

5.1.5. Policy BHA2¹ (Development of Protected Structures) states:

That development will conserve and enhance protected structures and their curtilage and will:

(a) Ensure that any development proposals to protected structures, their curtilage and setting shall have regard to the Architectural Heritage Protection Guidelines for Planning Authorities (2011) published by the Department of Culture, Heritage and the Gaeltacht.

¹ I note that the lettering of the various sections of this Policy are mislabelled in the Development Plan.

(b) Protect structures included on the RPS from any works that would negatively impact their special character and appearance.

(c) Ensure that works are carried out in line with best conservation practice as advised by a suitably qualified person with expertise in architectural conservation.

(d) Ensure that any development, modification, alteration, or extension affecting a protected structure and/or its setting is sensitively sited and designed, and is appropriate in terms of the proposed scale, mass, height, density, layout and materials.

(c) Ensure that the form and structural integrity of the protected structure is retained in any redevelopment and ensure that new development does not adversely impact the curtilage or the special character of the protected structure.

(d) Respect the historic fabric and the special interest of the interior, including its plan form, hierarchy of spaces, structure and architectural detail, fixtures and fittings and materials.

(e) Ensure that new and adapted uses are compatible with the architectural character and special interest(s) of the protected structure.

(f) Protect and retain important elements of built heritage including historic gardens, stone walls, entrance gates and piers and any other associated curtilage features.

(g) Ensure historic landscapes, gardens and trees (in good condition) associated with protected structures are protected from inappropriate development.

(h) Have regard to ecological considerations for example, protection of species such as bats.

National Guidance - Architectural Heritage Protection – Guidelines for Planning Authorities

This guidance, which is a material consideration in the determination of applications, sets out comprehensive guidance for development in conservation areas and affecting protected structures. It promotes the principal of minimum intervention (Para.7.7.1)

and emphasises that additions and other interventions to protected structures should be sympathetic to the earlier structure and of quality in themselves and should not cause damage to the fabric of the structure, whether in the long or short term (7.2.2).

5.2. Natural Heritage Designations

The Grand Canal Proposed Natural Heritage Area is located c. 1km to the north of the site. The nearest Natura 2000 sites are the South Dublin Bay and River Tolka Estuary SPA and the South Dublin Bay SAC, both located c. 2.5km to the east of the site.

5.3. EIA Screening

Having regard to the nature and scale of the development and the urban location 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 stage and a screening determination is not required.

6.0 The Appeal

6.1. Grounds of Appeal

6.1.1. A First-Party Appeal, which included 3D visualisations of the proposal, was submitted to An Bord Pleanála on 12th April 2022 by the Applicant opposing the Local Authority's decision. The grounds of appeal can be summarised as follows:

- The reason for refusal does not take into account that the extension is to the rear of the main house which faces onto Edward Square.
- The scale and proportion of the extension in the context of the house is small in area, and through the use of a conservation led structural solution would not impact excessively upon the existing structure.
- The proposed form of the extension matching recent interventions continues the format of cascading copper roofs already established successfully at the rear of the house.
- Given the history of the house, the reason for refusal is a subjective view.

- The Applicant is prepared to relinquish the laser cut metal lattice screen at the boundary wall.
- The appeal provides a brief overview of the site's history and includes a number of examples of attic extensions.
- The proposed extension is finished with a shallow pitched copper roof, matching those applied in works of 2012-2014 and providing a stepped cascading effect of new structure over the central rear bay of the house, while sitting well back from the paired gable chimneys, which form such a strong visual element against the skyline of the rear elevation.
- The extension will be visible from the street, the retention of all the existing main perimeter and ridge lines as well as the stepped back nature of the design proposal will mean that the visual implication will be minimal and the key skyline of the house will be unaffected.
- It is proposed that the new structure, framed in stells, will only contact the existing house below at a few locations so as to minimise the interventions to the house. The roof over the stairwell will be lost, including timbers, however, the roof structure and timbers/slates to the two returns will be retained as the proposed new extension "floats" above these. The external wall line of the extension is behind the ridge line of these two retained forms. A cast iron rooflight over the entry lobby to the small self-contained unit is to be replaced by stolen light from above in approx. an identical locations, retaining the roof opening as found.
- The existing south facing clerestory window will be retained, but encapsulated into the new works. It is intended to backlight this window to augment the sense of light into the stairwell. A new rooflight with laylight under will be fitted to provide additional daylight into the stairs.
- A discreet new stairs is proposed to rise alongside the existing main stairs, but located off the top landing, following the tradition for attic stairs in Dublin. In order to comply with Fire regulations, it is perforce enclosed within a small space currently in use as a shower room. A new access point will need to be

formed at the head of the stairs to allow access; however this has been kept to a minimum size allowable. Ceilings below will be unaffected.

- The attic extension, while visible, will not dominate the rear elevation of the dwelling. The primary entrance, facing onto Edward Square will be unaffected visually, and there will be only tangential visual affect and no sun shading on adjoining properties to the west of the site.
- The extension will be visible from Bloomfield Avenue, but not to those passing along the footpath on the northern side of the street.
- It is accepted that the proposed extension will be visible from the southern side of the footpath but this needs to be taken in the context of the overall mass and scale of Swanbrook House, its location as a free-standing villa on its own grounds, and that the proposal relates to the rear elevation of the structure.
- The proposed attic extension continues many of the visual themes adopted in the earlier works and seeks to add this required additional space with a light touch minimising intervention and retaining (albeit enclosed) most of the existing fabric affected allowing for reversibility in the future.

6.2. Planning Authority Response

No response received.

6.3. Observations

None.

6.4. Further Responses

None.

7.0 Assessment

7.1. The issues of the appeal can be dealt with under the following headings:

- Principle of development, and
- Built Heritage.

7.2. Principle of Development

- 7.2.1. The proposed development includes for internal alterations at first floor level to provide for a new attic room, replacement of a smaller bedroom at first floor level with an ensuite shower room, and ancillary spaces including a new stairway over the existing lower returns to the rear of the house; and the erection of a 25m long metal lattice screen above the boundary wall facing Bloomfield Avenue. The site is zoned for residential development in the current Development Plan and therefore subject to complying with other planning requirements as addressed in the following sections, the principle of the proposal is acceptable.

7.3. Built Heritage

- 7.3.1. The subject site is a detached two storey villa style dwelling, which is designated a Protected Structure in the Development Plan. The dwelling previously formed part of the Bloomfield Mental Hospital. Following the vacation of the site by the Society of Friends, the house was restored and refurbished by the Applicants in 2012 in line with the planning history outlined above.

- 7.4. As outlined in the Historic Building Report and Impact Assessment (December 2021) that was submitted with the planning application, the removal of the wall between rooms F003 and F004 to provide for an enlarged ensuite, would reinstate the original form and proportion of these rooms. I concur with the Local Authority's Conservation Officer that these works would not give rise to any particular concern.

- 7.4.1. The provision of the new staircase would require puncturing the rear wall of the upper and rear bay of the house, which as highlighted by the Conservation Officer would result in an unacceptable loss of historic fabric and adversely impact on the architectural character of the original dwelling. It would directly impact on the two lower rear returns and the central upper return and internalise the high-level window. The First-party Appeal explains how the proposed extension would match and would continue the format of cascading copper roofs already established at the rear of the house. However as illustrated on Dwg. No. 909(P-)031, the proposed attic extension significantly breaches the dwelling's original eave height, by c1.9m. It would sit c.0.7m below the ridge height of the dwelling. In addition to this and its overall width at c8.5m (including the eaves), it would visually dominate the rear elevation of the dwelling and obscure the view of the original roof. Furthermore, I concur with the Planning Officer

that the proposal would appear out of proportion with the lower rear bays. The visual dominance of the proposed extension is clearly illustrated in the 3D visual submitted with the appeal (see Dwg. No. 909(P-)0032 also). I note that the Applicant argues that the extension would not be visible from the northern side of the footpath on Bloomfield Avenue, and that the works are to the rear of the dwelling. In my opinion, this does not detract from the negative impact the proposal would have on the historical form of the dwelling. Notwithstanding that the proposed extension would not result in any adverse overlooking or overshadowing impacts on any neighbouring properties, in my opinion, the proposed extension would have a negative overbearing impact on the rear returns of the dwelling, which would be clearly visible when viewed from the southern side of Bloomfield Avenue. In conclusion, in my opinion, the proposal is unsympathetic to the character and form of the Protected Structure.

- 7.4.2. In terms of the proposed erection of a 25m long metal lattice screen above the boundary wall facing Bloomfield Avenue, I similarly agree with the Conservation Officer that it would have an unacceptable visual impact on the setting of the Protected Structure. Whilst the screen would be reversible, its overall height of 4.41m above ground level (1.2m above the top of the existing wall) would negatively impact upon the character of the Protected Structure. I concur with the Planning Officer that additional privacy if necessary to the property could be afforded by way of soft landscaping.
- 7.4.3. Having regard to the foregoing, I consider the Local Authority's reason for refusal still stands and I recommend that permission is refused for the proposed development.

8.0 Appropriate Assessment

- 8.1.1. Having regard to the nature and scale of the development proposed and to the nature of the receiving environment, namely a suburban and fully serviced location remote from and with no hydrological pathway to any European site, no appropriate assessment issues arise and it is not considered that the proposed development would be likely to have a significant effect individually or in combination with other plans or projects on a European site.

9.0 Recommendation

9.1. I recommend that the planning application be refused for the following reasons and considerations.

10.0 Reasons and Considerations

The proposed attic extension would, by reason of its size and height relative to the existing house, and its impact on historic features including the principal eaves line of the house, seriously injure the architectural character and special interest of Swanbrook House, a Protected Structure. Furthermore, it is considered that the proposed metal lattice screen along the southern boundary of the property would, due to its height and location, constitute an unnecessary and visually discordant feature on the streetscape and detract from the setting of the Protected Structure. As such, the proposed development would be contrary to Policy BHA2 of the Dublin City Development Plan 2022-2028, which requires *that any development, modification, alteration, or extension affecting a protected structure and/or its setting is sensitively sited and designed, and is appropriate in terms of the proposed scale, mass, height, density, layout and materials, and that the form and structural integrity of the protected structure is retained in any redevelopment and ensure that new development does not adversely impact the curtilage or the special character of the protected structure.* The proposed development would, therefore, seriously injure the amenity of the area and be contrary to proper planning and sustainable development.

Susan Clarke

Planning Inspector

14th February 2023