



An
Bord
Pleanála

Inspector's Report

ABP314541-22

Development	Demolition of the majority of the existing property, construction of 5 No. dwellings, all ancillary works.
Location	Shamrock Lodge, Barnhill Avenue, Dalkey, Co Dublin.
Planning Authority	Dun Laoghaire-Rathdown County Council
Planning Authority Reg. Ref.	D22A/0415
Applicant(s)	David and Evelyn Coulson
Type of Application	Permission
Planning Authority Decision	Refusal
Type of Appeal	First Party
Appellant(s)	David and Evelyn Coulson
Observer(s)	Irish Georgian Society RHL Planning (on John, Mary and Francis Hanlon, 23 Barnhill Avenue)
Date of Site Inspection	8 th September 2023
Inspector	Vanessa Langheld

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1.0 Site Location and Description

The site, measuring 0.19 ha, is located on Barnhill Avenue, Dalkey, County Dublin. This is an established residential area characterised mainly by semi-detached and some detached housing, generous front and back gardens, grass verges and significant amounts of planting. The site is located opposite the entrance to Hillside, another road of similar semi-detached housing. Barnhill Road is approximately ten minutes' walk to the centre of Dalkey Village.

The site is largely screened from Barnhill Avenue by a metre high wall, gates and by tall mature trees and hedges. It is occupied by Shamrock Lodge, a large single storey villa style Victorian Dwelling (242 sq m). There are a number of other buildings on the site as follows:

- A mews to the front of the site and adjoining the boundary to Barnhill Avenue (84 sq. m)
- An 'annex' to the rear to the rear of Shamrock Lodge, currently operating as a separate dwelling (100 sq m).
- A number of storage buildings, including a covered area for boat storage and restoration, a covered dining area and outdoor bar.

The property is accessed by a single vehicular access onto Barnhill Avenue. The mews has a separate pedestrian access onto Barnhill Avenue.

Within the property, the garden and driveway are divided largely by planting to provide visual separation for the vehicular access to Shamrock Lodge (the frontal house) and to its annex (noted on the day of the site visit to be independent of the frontal house).

The driveway divides internally to provide parking for Shamrock Lodge and the mews to the front, and to provide parking and access to the 'annex' to the rear.

The outbuildings appear to be ancillary to the main villa house, Shamrock Lodge. As noted above, these include a covered bar area, a separate dining area, a covered boat storage / restoration area, and some other small outbuildings and walls.

The main house, Shamrock Lodge, appears to be in very good condition. Visually it is very attractive and appears well maintained. Likewise with the gardens and other

outdoor buildings. The 'annex' to the rear and mews building also appear to be in good condition.

2.0 Proposed Development

- 2.1. The Application provides for the demolition of the majority of Shamrock Lodge (i.e. the main house), the associated mews, out houses and the front (east) boundary wall to Barnhill Avenue. The gross floor area of the floor space to be demolished is 242 sq m of a total existing gross area of 342 sq m.
- 2.2. Construction of 5 No. dwellings (935 sq m) comprising 4 no. semi-detached 3-bedroom dwellings, 1 detached four-bedroomed dwelling) - all three storey dwellings to include front dormers on the semi-detached houses and gable apex roof accommodation in the detached dwelling.
- 2.3. The remaining stated annex building is to be kept as the Applicants' home (100 sq m), to be accessed by the existing entrance and driveway.
- 2.4. The development also provides for
 - Five new double width (6 m wide) vehicular entrances from Barnhill Avenue, to provide for 10 No. parking spaces (2 No. per house).
 - Private amenity back garden space for each dwelling.
 - Landscaping, tree planting and boundary treatments.
 - SUDs' surface water drainage, foul water connections.
 - All ancillary works necessary to facilitate the development.

3.0 Planning Authority Decision

3.1. Decision

Dun Laoghaire-Rathdown County Council issued a decision to refuse permission on the 10th of August 2022 for the following reason:

'1. The application site is located in an area to which the 'A' land use zoning objective applies 'To provide residential amenities', in the Dun Laoghaire – Rathdown County Council Development Plan, 2022-2028. Having regard to the

existing 'Shamrock Lodge' period dwelling on site, the proposed demolition of the majority of this dwelling would be contrary to the Policy Objective HER20: Buildings of Vernacular and Heritage Interest, of the Dun Laoghaire–Rathdown County Development Plan, 2022-2028. Furthermore, the proposed development, which includes the removal of almost the entire roadside frontage of the application site, would be injurious to the visual amenities of the Barnhill Avenue streetscape, and would depreciate the value of property in the vicinity.

The proposed development would, therefore, be contrary to the provisions of the Dun Laoghaire–Rathdown County Development Plan, 2022-2028, and to the proper planning and development of the area.'

3.2. Planning Authority Reports

3.2.1. Planning Reports

The Planner's Report is the basis for the Planning Authority decision to refuse permission. The key items from the Planner's Report can be summarised as follows:

- The site has a complex planning history of refusal of permission for the provision of additional houses on the site. The Report notes, however, that the overall design and reconfigured layout and position is considerably different to previous applications refused on this site.
- The proposed development conflicts with the following policies as set out in the Development Plan:
- Policy Objective HER20: Buildings of Vernacular and Heritage Interest which seeks where appropriate the retention, rehabilitation and reuse of existing older buildings / structures / features which make a positive contribution and appearance of the area and streetscape in preference to their demolition and redevelopment;
- Policy Objective HER21: Nineteenth and Twentieth Century Buildings and Estates and Features to encourage the retention and reinstatement of features that contribute to the character of exemplar nineteenth and twentieth

century buildings, and estates such as roofscapes, boundary treatment and other features considered worthy of retention; and

- Policy Objective CA6: Retrofit, Reuse of buildings – which provide for retrofitting and reuse of old buildings where possible rather than demolition and reconstruction; and
- Conflict with Section 12.2.7.7.7: Existing housing stock – adaptation, infill development. It is stated in the Development Plan that ‘this shall particularly apply to those areas that exemplify Victorian era to early-mid 20th century suburban ‘Garden City’ planned settings and estates that do not otherwise benefit from ACA status or similar’.

The Report states that in addition to the above, there is concern by the Planning Authority regarding the overall height and massing of the proposed houses, and in particular their separation from the side of the existing remaining annex (dwelling) which is single storey to their rear.

In addition, the layout, design and size of the houses and removal of the boundary wall to Barnhill Avenue would have a negative impact on the streetscape of Barnhill Avenue. (In particular, concern is noted regarding the roof height and bulk in comparison to that of the adjoining house and its impact on the streetscape.)

The substantial removal of the roadside boundary wall and its replacement with a double width driveway to each of the five proposed houses is further considered to impact negatively on the streetscape. The proposed roadside boundary does not sufficiently integrate with the existing houses, compounded by the removal of the existing long grass verge onto Barnhill Avenue.

3.2.2. **Other Technical Reports**

Drainage Planning

No objection subject to 2 No. conditions.

Transportation Department

Applicant is required to submit revised drawings reducing the width of the entrances to the maximum of 3.5 metres as set out in the Development Plan (12.4.8 :Vehicular Entrances and Hardstanding Areas 12.4.8.1) and front boundary treatments to a maximum height of 1.1 metres.

The provision of Electric Vehicle Charging Points needs to be demonstrated.

The provision of Cycle Parking needs to be demonstrated.

A detailed Construction Management Plan is required.

A memorandum from the Transportation Department relating to the ESB network column in front of the development states that this should be retained within 3m of the development.

Housing Department

The proposal to transfer one unit to the Council is deemed unsuitable due to the size and cost of the unit, therefore the Applicant is required to submit an alternative proposal.

Environmental Health Department

A detailed Demolition Management Plan and Construction Management Plan to reduce any adverse impacts on the environment are required.

Uisce Eireann (Irish Water)

Request Conditions attaching to permission if granted.

4.0 Planning History

D18A/0027 – Permission refused for a two storey, 3 bed detached dwelling to the north portion of the site with a single storey return to the rear, for two reasons:

1.0 Scale, height and location within the site relative to the existing single storey Shamrock Lodge, the proposed house would be visually obtrusive and

overbearing. Non-compliance with Development Plan (2016-2022) Corner / Side Garden Sites' Policy.

2.0 Design, height and location would be visually prominent and overbearing on the adjoining residential amenities particularly to the north, and visually discordant to the streetscape. Set a poor precedent and harm the character of the streetscape.

D14A/0682 (PL06D.244384) – Permission was refused by Dun Laoghaire-Rathdown County Council and the Board for the demolition of the existing house and detached mews and for the construction of 2 No. detached two storey 4 bed houses (189 sq m) and 2 No. semi-detached two storey 4 bed houses (181 sq m) and 3 vehicular entrances onto Barnhill Avenue.

The Board decision stated as follows:

'Having regard to the Dun Laoghaire-Rathdown County Development Plan, Ministerial Guidelines for Planning Authorities on 'Sustainable Residential Development in Urban Areas', to the pattern of development in the area and the arrangement of the site the board is not satisfied that a higher density could not be achieved on the site and that the proposed development therefore would therefore be contrary to the proper planning and sustainable development of the area. In deciding not to accept the Inspector's recommendation to grant permission, the Board considered that the site layout and the house design did not present a satisfactory approach having regard to national density guidelines and the County Development Plan and would therefore would therefore be contrary to the proper planning and sustainable development of the area.'

For clarity it is noted that the Dun Laoghaire-Rathdown decision to refuse permission related largely to the same issues as the Board decision above i.e. to a lack of density and unit mix.

D11A/0299 – permission refused for removal of a 50 sq m section of the existing dwelling to facilitate construction of 2 No. semi-detached dwellings (each 175 sq m), alterations to entrance to provide two new entrances. Refused for two reasons: (1) having regard to scale, height, positioning and proximity to Shamrock Lodge it is considered that the proposed development would be visually obtrusive and

overbearing; and (2) height, positioning and proximity to the neighbouring house, 23 Barhill Avenue, would be overbearing; and give rise to overshadowing.

D09A/0466 – Outline permission refused for new 208 sq m two storey detached dwelling. Refused for two reasons (1) having regard to scale, height, positioning and proximity to Shamrock Lodge it is considered that the proposed development would be visually obtrusive and overbearing and (2) height, positioning and proximity to the neighbouring house, 23 Barhill Avenue would be overbearing and give rise to overshadowing.

D04A/1205 – Permission granted for two new detached dwellings, demolition of existing house and mews. This permission was not implemented.

D07/1636 – Permission refused for extension to and remodelling of the mews to include new first floor extension and pitched roof, Velux rooflights to front (1 No.) and back (3 No.), screened first floor terrace to the front for three reasons, summarised as follows: (1) building line, scale and bulk of the proposed development, effect on Shamrock Lodge and No. 31 Barnhill Avenue, visually obtrusive and visually dominant at this location and incongruity with established pattern of development; (2) limited separation distances from existing house and boundaries would be of character with the surrounding pattern of development; (3) the limited provision of open space for the extended mews would constitute substandard development and thereby contravene the Development Plan open space requirements. (2004.)

D97A/0648 (PL06D.109416) – refusal of permission by Planning Authority and the Board for alterations to existing workshop (mews) due to non-conforming use in a residential area.

D97A/0914 (ABP-307639-20) nearby site, No. 34 Barnhill Road – grant on appeal (originally split decision) excluding ex-service garage conversion to one single storey two-bedroom house, demolition of all other buildings on site and for construction of 3 No. three storey five bed detached house, 9 No. vehicular parking spaces and all ancillary works.

5.0 Policy and Context

5.1. Development Plan

The site is zoned A *'To provide residential development and to improve residential amenity while protecting the existing residential amenities'* in the Dun Laoghaire-Rathdown Development Plan, 2022-2028.

The following policy is relevant to this type of development.

'3.4.1.2 Policy Objective CA6: Retrofit and reuse of Buildings 'it is a Policy Objective to require the retrofitting and reuse of existing buildings rather than their demolition and reconstruction where possible recognising the embodied energy in existing buildings and thereby reducing the overall embodied energy in the construction as set out in the Urban Design Manual (DOE Heritage and Local Government,2009). (Consistent with RPO 7.40 and 7.41 of the RSES).

4.3.1.2 Policy Objective PHP19: Existing Housing Stock – Adaptation. It is a Policy Objective to Conserve and Improve existing housing stock through supporting improvement and adaptation of homes consistent with NPO 34 of the NPF.

Densify existing built-up areas in the County through small scale infill development having regard to the amenities of existing established residential neighbourhoods.

Policy Objective HER 20: Buildings of Vernacular and Heritage Interest

11.4.3.2 Policy Objective HER20: Buildings of Vernacular and Heritage Interest: It is a Policy Objective to:

- i. Retain, where appropriate, and encourage the rehabilitation and suitable reuse of existing older buildings/structures/features which make a positive contribution to the character and appearance of the area and streetscape in preference to their demolition and redevelopment and to preserve surviving shop and pub fronts of special historical or architectural interest including signage and associated features.*
- ii. Encourage the retention and/or reinstatement of original fabric of our historic building stock such as windows, doors, roof coverings, shopfronts, pub fronts and other significant features.*
- iii. Ensure that appropriate materials be used to carry out any repairs to the historic fabric.*

Many of the older buildings and structures in the County, whilst not strictly meeting the criteria for inclusion in the Record of Protected Structures, are often modest buildings which make a positive contribution to the historic built environment of DLR. Vernacular architecture is generally classified as structures built by local people using local materials. These buildings tended to be constructed using traditional materials such as lime, stone, mud, thatch, slate and timber. The retention and reuse of these buildings adds to the streetscape, rural landscape and sense of place and has a role in the sustainable development of the County.

11.4.3.3 Policy Objective HER21: Nineteenth and Twentieth Century Buildings, Estates and Features: It is a Policy Objective to:

- i. Encourage the appropriate development of exemplar nineteenth and twentieth century buildings, and estates to ensure their character is not compromised.*
- ii. Encourage the retention and reinstatement of features that contribute to the character of exemplar nineteenth and twentieth century buildings, and estates such as roofscapes, boundary treatments and other features considered worthy of retention.*
- iii. Ensure the design of developments on lands located immediately adjacent to such groupings of buildings addresses the visual impact on any established setting. Some urban and suburban areas within the County contain groupings of nineteenth and twentieth century buildings that are recognised for their distinctive planned layout and collective interest, as determined by the Planning Authority.*

12.3.7.7 Infill: In accordance with Policy Objective PHP19: Existing Housing Stock – Adaptation, infill development will be encouraged within the County. New infill development shall respect the height and massing of existing residential units. Infill development shall retain the physical character of the area including features such as boundary walls, pillars, gates / gateways, trees, landscaping, and fencing or railings. This shall particularly apply to those areas that exemplify the Victorian era to early mid 20th century suburban ‘Garden City’

planned settings and estates that do not otherwise benefit from ACA status or similar.'

5.2. EIA Screening

Having regard to nature of the development comprising a small infill residential scheme 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 and a screening determination is not required.

6.0 The Appeal

6.1. Grounds of First Party Appeal

The appeal, submitted by Hughes Planning Consultants on behalf of the Applicant, is summarised below:

- It is considered that the application complies with the Dun Laoghaire-Rathdown County Development Plan 2022-2028 Policy HER20, in that it doesn't involve the removal of buildings or structures that contribute to the streetscape and it provides for the increased efficiency of serviced lands.
- The large site 0.19 ha is located in an area principally comprising two-storey semi-detached houses. The existing house, owing to a number of extensions, is 341 sq m.
- The development provides for the retention of part of the existing house and the removal all the other buildings on the site. The application provides for the construction of 4 No. three-storey high-quality semi-detached and a detached house, all of which meet Development Plan standards.
- The existing house, Shamrock Lodge is screened from Barnhill Road by substantial trees and a wall, and therefore its demolition will have no real impact on Barnhill Avenue. Therefore, there is no conflict with Policy

Objective HER20. (The Applicant refers to the photos of Barnhill Avenue showing the wall and trees screening Shamrock Lodge from view.)

- The Applicants have commissioned an Architectural Impact Assessment Report as part of the appeal. The findings of the assessment were that there have been multiple extensions to the original house, modern finishing works of pastiche design and the movement of original architectural features from previously demolished properties. These additions, include the 100 sq. m annex, the entrance lobby, entrance hall, inner door, living room fireplace, windows, coving, ceiling rose and the granite portico, all date from a refurbishment carried out by the Applicants in the 1990s.
- The proposed development will provide an efficient use of serviced land in a mature residential area, close to all amenities, and it is therefore in compliance with the National Planning Framework.
- It also complies with the Urban Development and Building Heights Guidelines for Planning Authorities and the Regional Spatial and Economic Strategy for the Eastern and Midland Region.
- Addressing the specific issues raised in the Planning Officer's Report, the Applicant's Agent states the following:
 - The 11 to 13 m separation between the remaining single storey house and the proposed back of the new houses is adequate because the new wall which will separate the properties adjoins the side of the remaining annex / dwelling and not its front or back.
 - In this regard, the living quarters of this annex / dwelling will face the open space to its other side and not that adjoining the boundary to the proposed new dwellings. There are therefore no directly opposing windows at first floor level.
 - It is considered that Barnhill Avenue has sufficient capacity to absorb new infill development.
 - It is contended that the Planning Authority is seeking to protect the visual amenity of an entirely non-descript suburban avenue which has no

particular amenity value, as opposed to supporting the densification of development at this appropriate location.

- New Drawings are submitted as part of the appeal, which provide for a reduction in the proposed width of the vehicular accesses to each house (from 6 m to 3.5 m). This addresses the issues raised by the Dun Laoghaire-Rathdown County Council Transportation Department in their assessment of the Application. These changes will also address the Planner's concerns with the streetscape changes.
- The proposed development has been designed to the highest standards. It has taken into account the existing adjoining houses and will provide a very high standard of accommodation with no negative impact on adjoining houses.

6.2. Planning Authority Response to First Party Appeal

Notwithstanding the changes to the proposed front curtilage and public road, grass, trees, it is still considered that the application is contrary to proper planning and development for the following reasons:

- The effect on the character and layout of the area, in terms of its setting and the receiving environments relationship to the proposed development in terms the relative scale, height and bulk of the houses.
- Proximity to boundaries and surrounding dwellings.
- Impact on frontage and streetscape grass verges and trees.
- The removal of most of the existing house, conflict in this regard with Policy HER 20, buildings of Vernacular and Heritage interest.
- Conflict with Policy CA6 – retrofit and reuse of buildings, PHP Existing housing stock adaptation, NP30 Retrofit retention etc, as opposed to demolition.
- And noting building age overall (or part of), to be one of the oldest in the near vicinity and that the existing house contributes to the built stock variation in the area (having regard for Development Plan policy for heritage and new development integration).

Overall, it is considered that the above concerns have not been addressed by the grounds of appeal.

6.3. Observations

6.3.1. Irish Georgian Society Response to First Party Appeal

The Observations of the Irish Georgian Society refer to the Report on Shamrock Lodge by the Historic Building Consultants, Rob Goodbody (as attached to the Observations on the First Party Appeal by No. 23 Barnhill Road).

The findings of this Report were that the house was built in 1814 for Richard Toucher who it is noted played a key role in construction of the Dun Laoghaire Harbour. It noted that while the building is not a Protected Structure or located with an ACA, it is considered to be of architectural interest contributing to the character of the local area by way of its composition, form, traditional materials / finishes.

Given the above findings, the Irish Georgian Society recommends refusal of the application.

6.3.2 The Observation by RML Planning for neighbours John, Mary and Francis Hanlon, 23 Barnhill Avenue, including Report by Rob Goodbody Historic Building Consultants

The Observation is summarised as follows:

- The building is of historic importance and should be retained in accordance with the Development Plan Policy.
- The proposed new houses will impact negatively on the residential amenity of the remaining annex / house and the proposed development does not accord with minimum standards in this regard.
- The 73 cm distance from the 2m high rear boundary wall of the proposed new houses to the side (bedroom window) of the existing annex / remaining house is inadequate.
- The rear of the proposed houses would be 11 m from retained annex / dwelling and would they would be overbearing. The annex / remaining house

will effectively become a backland development. In this regard, the Development Plan states that minimum of 15 m separation distance is required from the back of the frontal house to the backland house. This is not achieved in the development now under appeal.

- The proposed development provides for the unnecessary demolition of a habitable home in good condition and there is precedent to refuse a similar proposal for demolition of a habitable home by the Board (PL06D.249389) where a decision was made to refuse a similar development for this reason, albeit that this was not an historic property. The Board decision in this case stated that there was a 'lack of sufficient justification for its demolition rather than the potential to extend, alter and upgrade the existing house' and that this was contrary to the policy of the Development Pan.
- Design issues around parking, separation distances and frontage. The proposed parking spaces will access the dwellings over the footpath close to the junction of Hillside on the other side the road. The requirement that each vehicle can independently access the spaces cannot be achieved. The minimum garden requirements to the front of the houses is not provided for and the development as proposed as amended. This will result in a surface car park appearance, wholly inconsistent with the surrounding area. Separation distances of 90 cm between the semi-detached houses in inadequate (particularly when you add a gate which will reduce the space further). There is also no provision for bin storage shown.
- There is no Bat Survey and/or Arboriculture Assessment, and no cognisance of existing infrastructure on the verge included in the application.
- There is an absence of Construction and Demolition Plan, Cycle Plan, Solar provision, lack of Heat Pump and EV Charging points.
- There is also a failure to get consent from Third Parties regarding the proposed removal of footpath, grass verges and a lighting pole.
- It is stated that should the Board issue a decision to Grant Permission, Conditions regarding boundary planting, landscaping and parking redesign are sought in order to protect the residential amenity of the Observers property, No. 23 Barnhill Avenue.

This Observation includes an Historic Building Report by Rob Goodbody, which is summarised as follows:

This Consultant has been studying the history of Dalkey and Dun Laoghaire for nearly 50 years. Three issues of significance were identified as pertaining to Shamrock Lodge:

1. Its age. The Year 1720 is identified as the date for the construction of Shamrock Lodge by the Applicants. If this is correct it makes the building extremely important locally as few buildings in the area are this old. This is not diluted by past interventions as the original house (the central part) survives. The Consultant suggests that on this basis it should be added to the Record of Protected Structures.
2. Its historical association with Richard Toucher is identified by the Applicants and there are compelling reasons why this is exceptionally important in the context of Dun Laoghaire. Richard Toucher is in all likelihood the most important historical figure associated with the Dun Laoghaire area and his significance in the area, while now fully recognised, is not commemorated by any monument. He was the founder of Dun Laoghaire Harbour and also the Town of Dun Laoghaire. It is noted in the Goodbody Report that the 1720 date stated by the Applicants as the date in which the house was built appears to be incorrect, indeed out by c. a Century. This is evident from the style of the building, a style which became popular in the second decade of the 19th Century. The Report states that the house was in fact built in 1814 by Richard Toucher and there is a sworn affidavit from 1824 as to the expenditure on the house. Very few houses remain that have this detail of their construction expenditure. It is wholly inappropriate to demolish a house with such strong association to this very important character.
3. The condition of the house and the survival of original features are shown in photographs to be in excellent condition.

6.4. Further Response by the First Party to the Observations on their appeal

The Applicant's Historic Building Consultants, John Cronin and Associates, (Archaeology / Conservation/ Heritage / Planning), findings conclude that despite

Shamrock Lodge's historic relationship with Richard Toucher, the historic core of building is quite modest, unremarkable, and devoid of authentic / original fabric. In the absence of a significant historic conservation based reasoning the application is appropriate.

The Applicants note that they do not provide a replacement building but rather 6 No. replacement buildings and that therefore Policy Objective CA6 is not relevant. The separation distance between the proposed dwellings and the retained annex / dwelling is adequate given the layout and orientation of the retained annex / dwelling wherein the principal living areas are concentrated to the west.

The separation distances and revised parking layout are adequate.

The Planning Authority did not raise any issue regarding Bat or Tree surveys. These issues, along with the provision of Construction and Waste Management Plans, Cycle Parking, Solar Panel, Heat Pumps, EV Provision and Third Party Consents can all be addressed by Condition attaching to a Grant of Planning Permission.

7.0 **Assessment**

7.1. I have read the documentation attached to this file including the Appeal, the report of the Planning Authority and further responses received. In addition, I have visited the site.

7.2. I consider the main issues in this appeal are as follows:

- The principle of the development, the zoning and policy provisions of the Dun Laoghaire-Rathdown County Development Plan, 2022-2028.
- Suitability of the design, in terms of Residential Design Standards and residential amenity of the existing adjoining housing including the annex / dwelling which will be retained on the site.

The principle of the development, the zoning and policy provisions of the Dun Laoghaire-Rathdown County Development Plan, 2022-2028.

- 7.3. The proposed development provides for the total demolition of the existing house, Shamrock Lodge, and the mews house to the front of the site. It provides for the retention of the existing annex / dwelling and the construction of 5 No. new houses (four semi-detached and one detached house).
- 7.4. The site is zoned A *'To provide residential development and improve residential amenity while protecting the existing residential amenities'*. Accordingly, the retention of one dwelling and the provision of five new houses is acceptable in principle in land use zoning terms. Having regard to the size of the site and its location along a road of established low density semi-detached housing, I am satisfied with the mix of uses proposed.
- 7.5. The Planning Authority contend that the removal of the existing house, Shamrock Lodge, and the mews house is in conflict with the policies set out in the Development Plan in particular Policy Objective HER20 that applies to buildings of vernacular interest. The Development Plan states that these buildings should be retained where possible because they make a positive contribution to the character and appearance of an area and streetscape.
- 7.6. Shamrock Lodge is clearly of some architectural merit (although it is not a Protected Structure). It is a Victorian house, and one of kind along Barnhill Avenue. This road is otherwise characterised by low density semi-detached housing. Although Shamrock Lodge is not presently visible along Barnhill Avenue due to a wall, hedges and trees along its boundary, it is part of the built heritage of this area and were the boundary planting removed, it would contribute hugely to the character and appearance of this section of the road.
- 7.7. Buildings such as Shamrock Lodge contribute to our understanding of our built heritage and contribute enormously to the character of areas.
- 7.8. Furthermore, there is evidence on file from Rob Goodbody, a noted Historical Building Consultant, and expert in the Dun Laoghaire Area, that Shamrock Lodge is a very significant building. The application documentation states that it was constructed in 1720. If this is the case, it is possibly one of the oldest in the County.

- 7.9. The findings of the Goodbody Report show, however, that the house was actually built by Richard Toucher in 1814 and not 1720 as stated by the Applicants. It was once Richard Toucher's home, and he is a very important historic character in the County. He was not only the founder of Dun Laoghaire Harbour, but is also reputed to be the founder of the modern town of Dun Laoghaire itself.
- 7.10. In this regard, the Goodbody Report states that there are very compelling reasons why Shamrock Lodge is very important in the context of the Dun Laoghaire area, and accordingly it would be a great loss for the town of Dun Laoghaire-Rathdown if its demolition to was permitted.
- 7.11. Furthermore, Shamrock Lodge is one of the only buildings in the County of which there is documentary evidence of its costs / the timings of its construction and this very interesting historically.
- 7.12. On the other hand, the Applicants Historical Building Consultant, John Cronin, states that there is very little of the original building surviving and that much of what we see now has been added to house during its refurbishment in the 1990s.
- 7.13. Conclusion
- 7.14. Notwithstanding that that there is little of the original house remaining, I consider that its removal would be a loss to the area and would consider that any development of this site should involve the retention of this historically important, attractive and well-maintained house.
- 7.15. In addition to conflict with Policy Objective HER20, the removal of Shamrock Lodge is also in conflict with Policy Objective CA6, which relates to the reuse of existing housing rather than its removal, through its conservation and adaptation.
- 7.16. The Development Plan provides for infill development, densification of existing areas including development within the boundary of larger houses but it also recognises the importance of retaining habitable houses both for their intrinsic value and in terms of the environmental significance of their removal and replacement.
- 7.17. On the above basis, I concur with the Planning Authority that the proposed demolition of Shamrock Lodge conflicts with the objectives set out in the Development Plan and should not be permitted. I acknowledge, however, that there

is a strong case for the provision of additional housing and that infill development and densification of existing areas is in compliance with the Development Plan policy and objectives and with National Policy.

- 7.18. Should the Board consider it appropriate to permit the demolition of Shamrock Lodge, I will therefore assess the suitability or otherwise of the proposed development for five houses and the retention of one annex / dwelling below:

Suitability of design in terms of Residential Design Standards and residential amenity of the existing adjoining housing including the annex / dwelling to be retained on the site

- 7.19. The Planning Authority has stated in the second part of the Refusal Reason that the removal of almost all of the roadside frontage of the application site would be injurious to the residential amenities of the Barnhill Avenue streetscape and depreciate the value of property in the vicinity.
- 7.20. Barnhill Avenue is the main road through a relatively low density established area of mainly two storey semi-detached houses. There is a long wall with trees and hedges behind which the house, Shamrock Lodge is located. The house is not visible from Barnhill Avenue. There is nothing particularly attractive about this section of streetscape, and in fact it is largely non-descript. The removal of the boundary wall, hedges and trees and their replacement by an appropriate housing scheme may in fact improve the streetscape subject to the suitability or otherwise of the design.

Design - height and bulk of the proposed dwellings.

- 7.21. The Observers and the Planning Authority have raised the issue of height and bulk of the proposed dwellings relative to the adjoining housing and the retained annex / dwelling to the rear.

Height and Bulk

The proposed semi-detached houses provide three floors of accommodation, whereby the third floor is attic accommodation with a frontal dormer window. There is a gable end adjoining the neighbouring two storey property No. 23 Barnhill Road.

I concur with the Planning Authority's assessment that the design is bulky relative to the surrounding houses. This is particularly evident on the eastern elevation where the existing 3m high granite wall, which separates No. 31 Barnhill Avenue from the adjoining proposed house will be retained, but where no boundary planting will be provided. The effectively 3 storey (9.5m high building) is less than 1m from the boundary with this property. It is considered that the design could have provided a more appropriate transition between the existing house at No. 31 and the proposed adjoining house in terms of height and bulk.

The proposed development consists of the demolition of all onsite buildings except the single storey annex / dwelling to the rear and the construction of 5 No. effectively three storey houses. The height to eaves is the order of 5.5m and to the ridge is 9.5m.

The adjoining houses have mainly hipped roof profiles and are lower, ridge height of 8-8.5m. The proposed semi-detached houses are gable-ended so they will appear bigger beside the existing houses. The single detached house has a hipped roof profile and is also separated from the adjoining existing house by the driveway to the back land annex / dwelling so its impact will not be as obvious.

From the rear there is a 1m separation between the boundary wall of the back of the proposed dwellings and the side of the existing annex / dwelling. The gardens vary across the site from 9m in length to 11m in length from the back of the ground floor of the houses. The first floor is set back to provide distances of 16-17m from the side of the existing annex / dwelling. These are considered adequate separation distances from the side of the annex / building. The open space for the existing annex is mainly on its southern and western elevation so it will not be overlooked or overshadowed by the proposed dwellings.

On balance, it is considered that the residential amenity of the existing adjoining house, No. 31 Barnhill Avenue will be negatively impacted by the bulk and height of the adjoining proposed semi detached house, the annex / dwelling will on balance not be negatively impacted by the proposed new houses.

Building line and parking provision

The Planning Authority is concerned with the removal of the entire roadside frontage of the Application site. It is proposed to retain the existing entrance and to provide five additional entrances to Barnhill Avenue. The proposed houses are designed along the same building line as the existing houses.

Their impact may not have been so excessive had they been set back on the site with one entrance and internal parking and boundary planting. This would also have reduced the negative impact on the streetscape and have been safer from a traffic perspective. This, however, would not have facilitated the retention of the existing annex / dwelling to the rear of the site but would have lessened the impact of the development on the streetscape to Barnhill Avenue.

Overall, I concur with the Planning Authority assessment that the design, involving the removal of the entire boundary wall and planting of the site and the provision of five additional double space driveways would detract visually from the existing streetscape. The First Party appeal includes a drawing that shows narrower entrances to each house and the provision of extra planting to the front of each house. This goes some way towards improving the streetscape, however the narrower driveways would not be wide enough for two cars to enter without reversing the other car on to Barnhill Avenue, which is not appropriate from a traffic safety viewpoint.

Conclusion

As stated above, I concur with the Planning Authority decision that the design, involving the removal of the entire existing site boundary (wall and trees) and its replacement with five independent driveways, each for two cars and with limited planting, would negatively impact the streetscape. On this basis, the application should be refused as it is not therefore in the best interests of the proper planning and sustainable development of the area.

8.0 Recommendation

- 8.1. I recommend that the Dun Laoghaire–Rathdown decision to refuse permission be upheld.

9.0 Reasons and Considerations

Having regard to the Dun Laoghaire–Rathdown Development Plan, 2022 – 2028, Policy HER 20, which seeks to preserve buildings of Vernacular and Heritage interest, and Policy Objective CA6 which seeks the retrofitting and reuse of existing buildings rather than their demolition and reconstruction, it is considered that Shamrock Lodge is both of historic interest and is in good condition. Its demolition would therefore fail to accord with the proper planning and sustainable development of the area. In addition, the replacement of the entire site boundary with 5 No. effectively three-storey houses and 5 No. vehicular entrances would negatively impact the streetscape along this section of Barnhill Avenue.

I confirm that this report represents my professional planning assessment, judgement and opinion on the matter assigned to me and that no person has influenced or sought to influence, directly or indirectly, the exercise of my professional judgement in an improper or inappropriate way.

Vanessa Langheld
Planning Inspector

29th September 2023