



An
Bord
Pleanála

Inspector's Report

ABP-317107-23

Development	Heritage style glazed screen/door to front porch of dwelling, and alterations to rear vehicular access to allow separate pedestrian access to rear
Location	28, Belmont Avenue, Donnybrook, Dublin 4, which is in an Architectural Conservation Area (ACA)
Planning Authority	Dublin City Council South
Planning Authority Reg. Ref.	WEB1127/23
Applicant(s)	Oisín and Niamh Smith
Type of Application	Permission
Planning Authority Decision	Split Decision
Type of Appeal	First Party
Appellant(s)	Oisín and Niamh Smith
Observer(s)	None
Date of Site Inspection	13 th July 2023
Inspector	Joe Bonner

1.0 Site Location and Description

- 1.1.1. The site of the proposed development is a mature mid-terrace red brick house in a terrace of 6 no. 2-storey dwellings located on the southern side of Belmont Avenue that connects Donnybrook Road to Sandford Road.
- 1.1.2. The front garden extends to c6m in depth and like all houses on the terrace, the front boundaries are marked by decorative metal railings and pedestrian gates, with parallel on-street parking provided along the public road frontage. The existing front door is recessed c1m from the front building line to create an open porch. Five of the six houses on the terrace have open porches, while No. 32, two houses to the south-west, has a similar door arrangement to that proposed in this application.
- 1.1.3. A new slate roof has been installed on the house.
- 1.1.4. Private off-street parking is also provided at the rear of the house and is accessed via a cul-de-sac laneway that provides rear access to the site and other houses on Belmont Avenue and Belmont Villas. The current rear access takes the form of a splayed double vehicular gate arrangement, with a c4.3m wide opening that previously served as two separate access doors to a shed and a garage that have both been recently demolished, on foot of a grant of permission.

2.0 Proposed Development

- 2.1.1. The proposed development consists of the following:
 - A heritage style glazed screen/door to front porch of existing dwelling,
 - Alterations to rear vehicular access to allow separate pedestrian access to rear and all associated site works
- 2.1.2. The site is located within an Architectural Conservation Area (ACA).

3.0 Planning Authority Decision

3.1. Decision

- 3.1.1. On the 17th of April 2023, Dublin City Council issued a split decision and decided to grant permission for '*Alterations to rear vehicular access to allow separate*

pedestrian access to rear and all associated site works' subject to seven conditions including that the driveway entrance will not have outward opening gates.

- 3.1.2. DCC also decided to refuse permission for '*A heritage style glazed screen/door to front porch of existing dwelling*' for a single reason, which stated:

The proposed front porch screen would have a negative impact on the special historical and architectural character of the dwelling and the Belmont Avenue/Mount Eden Road & Environs Architectural Conservation Area and contravene the provisions of Policy BHA9 of the Dublin City Development Plan 2022-2028. These works would set a highly undesirable precedent for inappropriate works within an ACA, and therefore, would not accord with the proper planning and sustainable development of the area.

3.2. Planning Authority Reports

3.2.1. Planning Report

- 3.2.2. The Planning Officer's Report is the basis for the Planning Authority decision and includes the following:

- The key concerns relate to compliance with development standards and impact on the ACA.
- Reference is made to several Sections and Policies of the Dublin City Development Plan 2022-2028, being:
 - Section 7.2 – 'Problems and Pressures', and Section 8.3 – 'Guidance for Works to Particular Elements of Buildings' of the ACA Framework.
 - Section 14.7.2 – 'General Objective for Conservation Areas' of the Development Plan.
 - Policy BHA9 – Policy regarding Conservation Areas
 - Appendix 18 – Section 3.0 – 'Porches'
 - Appendix 5 – Transport and Mobility
- There is an existing porch to the front of No. 32 Belmont Avenue however, the other dwellings in this terrace of buildings retain their original entrance details. Given

the special character of the dwellings on Belmont Avenue, it is considered that the further erosion of architectural details should be resisted.

3.2.3. **Other Technical Reports**

Drainage Planning Division – No objection subject to conditions

Transportation Planning Division – No objection subject to conditions

3.3. **Prescribed Bodies**

None

3.4. **Third Party Observations**

None

4.0 **Planning History**

Appeal Site

4.1. **P.A. Ref. WEB1780/22** Permission granted by DCC on 29th November 2022 for:

Demolition of kitchen/wc annex to rear and construction of a single storey extension circa 38 sq.m to rear, internal alterations, demolition of disused shed/garage spaces provision of new vehicular access with gate and all associated site works to rear.

4.1.1. Condition No 3 limited the width of the vehicular access to 3.5m

5.0 **Policy Context**

5.1. **Dublin City Development Plan 2022-2028**

5.1.1. The relevant Development Plan is the Dublin City Development Plan 2022-2028, which came into effect on 14th December 2022.

5.1.2. The site is zoned 'Z2' with a stated objective '*to protect and / or improve the amenities of residential conservation areas*' and is also located within the boundary of the 'Belmont Avenue/Mount Eden Road & Environs Architectural Conservation Area.

5.1.3. Section 11.5.2 'Architectural Conservation Areas' provides: -

While the purpose of ACA designation is to protect and enhance the special character of an area, it should not be viewed as a means of preventing new development but rather to help guide and manage change to ensure developments are sympathetic to the special character of the ACA.

5.1.4. Policy BHA7 is the relevant policy with respect to developments in 'Architectural Conservation Areas' and can be summarised as stating that:

- Development within or affecting an ACA must contribute positively to its character and distinctiveness, shall not harm buildings or features, which contribute positively to the ACA, shall have full regard to the guidance set out in the Character Appraisals and Framework for each ACA, will be complementary and/or sympathetic to their context, sensitively designed and appropriate in terms of materials. Contemporary design which is in harmony with the area will be encouraged.

5.1.5. Policy BHA9 applies to development in Z2 'Conservation Areas' is similar to BHA7 and provides that development within a Conservation Area must contribute positively to its character and distinctiveness and take opportunities to protect and enhance the character and appearance of the area and its setting, wherever possible.

5.1.6. Section 3.0 of Appendix 18 refers to Porches and provides that:

Porches will be considered where the design complements the existing building and provides for simple proportions and materials.

5.1.7. Appendix 5 'Transport and Mobility: Technical Requirements' sets out the technical requirements for vehicular openings.

5.2. **Belmont Avenue/Mount Eden Road & Environs Architectural Conservation Area**

5.2.1. The 'Belmont Avenue/Mount Eden Road & Environs Architectural Conservation Area: Report Character Appraisal and Policy Framework' was published on the 2nd of February 2015 and an amended version was published on 11th January 2016.

5.2.2. It states that 'planning permission for development proposals within or adjacent to an Architectural Conservation Area will be granted provided that they preserve or enhance the character or appearance of the ACA.'

5.2.3. Section 7.2 identifies 'Problems & Pressures', to include:

- Porches, extensions, roof alterations which have an impact on the frontages of buildings in the area and an adverse impact on its character.

5.2.4. Section 7.3 sets out a ‘List of Objectives’ including:

- To ensure that any development, modifications, alterations, or extensions affecting a structure within an ACA are sited and designed appropriately, comply with development standards and are not detrimental to the general character of the ACA.

5.2.5. Section 8.1 – ‘Guidelines to Homeowners in Architectural Conservation Areas’ requires that:

- Development will be sympathetic in design and/or materials to the original building and/or ACA area as a whole.

5.2.6. Section 8.2 – ‘General Alterations and Domestic Extensions’ provides that:

- Alterations that would be considered to materially affect the character of the ACA would require permission. The works set out in Classes 5 and 7 of the Planning and Development Regulations 2001 are not exempted development.

5.2.7. With respect to ‘Windows and Doors’ section 8.3 states: -

- Door and window openings establish the character of an elevation; they should not generally be altered in their proportions or details.
- Doorways form an important element of historic buildings and can add to the character of conservation areas. Together with the door surround, fanlight, steps and original door furniture, doors can provide a significant and prominent feature.

5.2.8. The following works are deemed to require planning permission:

- Replacement of historic front doors with modern doors of inappropriate materials and design

5.3. **Natural Heritage Designations**

5.3.1. None relevant.

6.0 The Appeal

6.1. Grounds of Appeal

6.1.1. The main issues raised in the appeal included the following:

- The proposed works are limited in nature and will involve minimum intervention that is demountable and entirely reversible.
- The proposed half panel half glazing doors are traditional in the immediate area for many decades, do not detract from or disguise the architectural authenticity of the houses in the ACA and serve a valued and sustainable function.
- The works will reduce wind and noise nuisance and will improve thermal and energy efficiency in tandem with other works ongoing at the house, will be consistent with good building conservation practices by balancing sensitivity with progression towards a low carbon society in line with the 'Built & Architectural Heritage Climate Change' Sectoral Adaptation Plan – National Adaptation Framework 5.1.3.2, Objective 2, development Management and Conservation Approaches for changing Environments'.
- The need for these doors and their prevalence throughout the ACA have contributed to the evolution of the character of buildings and consideration needs to be given to innovations such as the proposed doors, that follow good conservation principles and have made a positive contribution to the integrity of the homes in the ACA.
- Policy BHA21 refers to the Council encouraging and supporting works to upgrade the environmental performance of existing buildings that incorporate good standards of design and appearance, while Policy BHA9 also support the proposed development and the proposed doors are consistent with both policies.
- Photographs are provided of precedents for similar door arrangements at six houses on Belmont Avenue, one house on Belmont Park and fourteen houses on Mount Eden Road, all of which are located within the ACA and within c180m of the site.

6.2. **Planning Authority Response**

- None received

6.3. **Observations**

- None

7.0 **Assessment**

7.1. **Introduction**

7.1.1. I note that the appeal focuses entirely on the refusal element of the Planning Authorities split decision that refers to the proposed heritage style porch door. No issues arise in relation to the proposed alterations to the rear of the house that will provide separate pedestrian and vehicular access gates. I am satisfied that the main issues in the appeal can be dealt with under the following headings: -

- Heritage Style Glazed Screen/Door
- Appropriate Assessment

7.2. **Heritage Style Glazed Screen/Door**

7.2.1. The site is located within the Belmont Avenue and Mount Eden Road & Environs ACA which has an attractive streetscape with a range of house types including a terrace of six houses, of which this house is a mid-terrace house.

7.2.2. The key issue in this application and the subject matter of the refusal element of the decision and consequently this appeal, is whether or not the proposed heritage style glazed screen/door would have a negative impact on the Belmont Avenue/Mount Eden Road & Environs ACA.

7.2.3. It was noted in the appeal and observed on the site visit that heritage style doors similar to that proposed in this application are prevalent right throughout the ACA. Photos have been provided in the appeal of twenty one such doors on similar red brick houses and they are generally consistent in design, each with two doors consisting of solid wood on the bottom half and glazing in the top half, with glazing

placed in the arched area above the doors. One of the doors is located at No 32, which is located c10m to the south-west of this proposed door.

7.2.4. Many other examples of porch doors of a more modern design and with pvc or metal finishes were noted on other houses within the ACA.

7.2.5. While the doors that are already in place at other houses entirely enclose the porches, as is proposed in this application, the original doors have not been affected and are still partially visible when observed from the public footpath in front of the houses. It was also observed that the now enclosed porches have a range of different patterned tiled and stone or concrete surfaces, and these have not been affected by the addition of the heritage style screens/doors.

7.2.6. I am satisfied that the integrity of the existing houses, where similar doors are installed, have not been affected, and I am also satisfied that the proposed doors can be installed without any damage being caused to the integrity of the house, which is not a protected structure.

7.2.7. A photograph in Section 2 of the Architectural Conservation Area Report (Northern end of Belmont Avenue) includes an image of two houses with enclosed front porches of a similar form to that which is proposed in the current application, while a second image on page 4 titled 'View north along Mount Eden Road' shows another such door, all indicating that this form of front door arrangement was part of the character of the ACA at the time that it was first incorporated into the City Development Plan in 2015.

7.2.8. Prior to being designated as an ACA the application site and houses in the ACA were protected structures in the Dublin City Development Plan 2011-2017 before being de-listed when the ACA was designated. There are no records of planning applications being made or grants of permission having been issued for any of the existing enclosed porch doors on the twenty-one properties for which photographs have been provided in the grounds of appeal. This indicates that they may have been in situ prior to the coming onto effect of the ACA or the Record of Protected Structures.

7.2.9. I am satisfied on the basis of information available, that similar heritage style doorways enclosing porches were an integral element of the character of the ACA at the time it was first designated in 2015. While heritage style porch doors may not be

part of the original character of the area, they are nevertheless part of the established character of the area and the proposed door would be consistent with the prevailing architectural pattern that is a significant part of the established streetscape. Therefore, I am satisfied that the enclosure of the porch is consistent with and would not have an adverse impact on the character of the ACA.

- 7.3. I am also satisfied that the proposed door is complementary and sympathetic to its context as required by section 11.5.2 of the Development Plan. The proposed door would also be consistent with Policy BHA7, which requires that new development shall not harm buildings or features, which contribute positively to the ACA, while the design and material finishes are sensitive to and consistent with the guidance set out in the Character Appraisals and Framework for each ACA.
- 7.3.1. The applicant is seeking to replicate a pattern of development that is prevalent right throughout the ACA and the 'Belmont Avenue/Mount Eden Road & Environs ACA Character Appraisal and Policy Framework states that planning permission for development proposals within or adjacent to an Architectural Conservation Area will be granted provided that they preserve or enhance the character or appearance of the ACA. As the type of door seeking permission in this application was prevalent in the ACA at the time that it was designated as an ACA, it would preserve the character of the area and does not constitute a problem or pressure as described in Section 7.2 of the ACA Policy Framework because even though it would have an impact on the frontage of the house, I am satisfied that the door would not have an adverse impact on its character. Furthermore, the door is consistent with Section 8.1 of the ACA report that required that development will be sympathetic in design and/or materials to the original building and/or ACA area as a whole.
- 7.3.2. The appeal states that the proposed door would reduce wind and noise nuisance and will improve thermal and energy efficiency in the house. It refers to BHA21, where it is the policy regarding Retrofitting Sustainability Measures to have regard to a number of publications regarding Energy Efficiency in Traditional Buildings and Improving the Energy Performance of Historic Buildings (2017) when assessing proposed works on heritage buildings. Best practice retrofitting includes draught-proofing of doors, and I am satisfied that the proposed door would improve the thermal efficiency of the house, as it would make it possible to open the existing front

door without directly exposing the internal spaces including the ground floor hallway and first landing areas to outside elements, thereby retaining heat in the house.

7.4. **Appropriate Assessment**

- 7.4.1. Having regard to the nature and scale of the proposed development within a serviced urban area and separation distance to the nearest 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 the conservation objectives of any European site.

8.0 **Recommendation**

- 8.1. I recommend permission be GRANTED for the following reasons and considerations and subject to the following conditions.

9.0 **Reasons and Considerations**

Having regard to the zoning objective of the area, the design, layout and scale of the proposed development and the pattern of development in the area, it is considered that, subject to compliance with conditions below, the proposed development would not seriously injure the visual amenities, the character of the Belmont Avenue/Mount Eden Road & Environs Architectural Conservation Area or built heritage of the area and would not endanger public safety or convenience by reason of traffic hazard. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

10.0 **Conditions**

1.	The development shall be carried out and completed in accordance with the plans and particulars lodged with the application as amended by the further plans and particulars submitted to the planning authority on the 20th day of February 2023, 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
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	<p>details in writing with the planning authority prior to commencement of development and the development shall be carried out and completed in accordance with the agreed particulars.</p> <p>Reason: In the interest of clarity.</p>
2.	<p>The glazing in and above the proposed door shall be permanently clear and shall not be textured, coloured or embossed.</p> <p>Reason: In the interest of visual amenity and architectural harmony.</p>
3.	<p>Site development and building works shall be carried out only between the hours of 0800 to 1900 Mondays to Fridays inclusive, between 0900 to 1400 hours on Saturdays and not at all on Sundays and public holidays.</p> <p>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 amenities of property in the vicinity.</p>

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.

Joe Bonner
Senior Planning Inspector

3rd August 2023