



An
Bord
Pleanála

Inspector's Report

ABP-321856-25

Development

Erection of a flat roof, ancillary outbuilding to serve as home office & gym.

Location

4 Vesey Mews, Dún Laoghaire, Co. Dublin A96 K651.

Planning Authority

Dún Laoghaire-Rathdown County Council.

Planning Authority Reg. Ref.

D24A/0943/WEB.

Applicant(s)

Tara Justin.

Type of Application

Permission.

Planning Authority Decision

Grant Permission.

Type of Appeal

Third Party.

Appellant(s)

Andrew Jones.

Observer(s)

Eamon Galligan.
Jane Dane.

Aoife and Xavier van den Brande.

Date of Site Inspection

17th April, 2025

Inspector

Aiden O'Neill

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1.0 Site Location and Description

- 1.1. The proposed development site, c. 0.0235ha in area, is located at no. 4 Vesey Mews, Dún Laoghaire, Co. Dublin. Vesey Mews is accessed via a relatively narrow private gravelled lane off Vesey Place to the north. Vesey Mews in the vicinity of no. 4 is generally characterised by two-storey semi-detached dwellings.
- 1.2. No. 4 Vesey Mews is 102.5m² in area. The southern boundary with the lane is characterised by a wall and piers, with vehicular access gate and a separate pedestrian door. The western elevation of the dwelling has a glazed porch entrance which faces onto a side gravelled area, and side and rear private open space, and also includes French doors at ground floor level, and a first floor circular window and French dormer windows. As is the case with adjoining Mews dwellings, the northern elevation is characterised by a recessed arch at ground floor level with a rectangular recessed feature at first floor level, separated by a narrow linear band. There is no fenestration on this elevation.
- 1.3. The dwelling is located c. 8.5m from the northern stone boundary wall that separates it from no. 4 Vesey Place to the north. A c.1.85m stone boundary wall also separates no. 4 Vesey Mews with no. 3 Vesey Mews to the west and no. 5 Vesey Mews to the east. No. 3 Vesey Mews has a single-storey extension to the side and rear, permitted under PA Ref. No. D05B/0763 on 27th January, 2006, the pitched roof of which extends above the stone boundary wall.

2.0 Proposed Development

- 2.1 The proposed development seeks permission for the erection of a flat roof, ancillary outbuilding to serve as a home office & gym. It is proposed to be located to the north of the existing dwelling, aligned with the building line of the western elevation of the existing dwelling. There remains ample private space to serve the existing dwelling.
- 2.2 The plans that accompany the application also indicate a raised rainwater harvesting planter between the existing dwelling and the proposed single-storey detached home office/gym.
- 2.3 The proposed timber-framed outbuilding is c.3.15m maximum in height, c. 30m² in area, c. 5m by 7.03m, and is located c.0.85m and c.0.35m from northern and western boundaries plan

includes a layout of the proposed gym/office, with separate toilet/shower facilities.

Fenestration is shown on the western and southern elevation of the proposed structure, with a door on the western elevation. A low flat fiberglass roof is proposed, as well as rendered plaster and high quality alu-clad joinery.

- 2.4 It is stated that the applicant requires an ancillary space to use as home office and gym/physiotherapy for an elderly relative living in the house.

3.0 Planning Authority Decision

3.1. Decision

The Planning Authority decided to grant permission on 27th January, 2025 subject to 5no. conditions.

Permission was granted in the context of the Objective A zoning of the site, and the policies and objectives as set out in the 2022-2028 Dún Laoghaire-Rathdown County Development Plan. It is considered that the development would not detract from the amenities of the area and is consistent with the provisions of the current Development Plan, and is therefore considered to be in accordance with the proper planning and sustainable development of the area subject to conditions.

3.1.1. Conditions

2. The proposed garden room/shed shall not be used to provide residential accommodation for a family member/ granny flat shall only be used for the incidental enjoyment of the house as such, and shall not be sub-divided, sold, let, conveyed or otherwise used as a separate dwelling unit or for non-residential purposes.

REASON: To prevent unauthorised development.

3.2. Planning Authority Reports

3.2.1. Planning Reports

- The report of the Senior Executive Planner dated 27th January, 2025 notes that the proposed development complies with the objective A zoning and is acceptable.
- The proposed development should have regard to the use of materials and climate action long-term.

- The proposals have been assessed by the Council's Conservation Department who have raised no objection, noting that it is independent of the original mews, is reversible in nature, and the scale and design is not considered to detract from the architectural character of the ACA or of neighbouring structures.
- The proposed garden room will be set back from the rear and side elevations.
- It will have a contemporary architectural finish consistent with the mews dwelling, with render and cornice detailing.
- The overall design is acceptable and will not have any significant negative impact on the visual amenity of the existing house or neighbouring properties.
- It is subordinate in scale to the existing mews dwelling and there is c. 50m² rear garden space remaining.
- Having regard to its nature and extent, and the site character and context, it is not considered that there is any potential for negative overshadowing/overlooking impacts to neighbouring property, being flat-roofed and single storey in height.
- It accords with the provisions of section 12.3.7.4 Detached Habitable Rooms of the Dún Laoghaire-Rathdown County Development Plan 2022.
- The proposed development will not result in any traffic impacts and there are no drainage issues.
- The Senior Executive Planner's report is the basis for the Planning Authority's decision to grant planning permission.

3.2.2. Other Technical Reports

- The report of the Senior Executive Conservation Officer dated 13th December, 2024 states that the dwelling is a two-storey mews dwelling now in separate ownership from no.4 Vesey Place, which forms part of a terrace a Protected Structures. The mews dwelling is contemporaneous with the terrace and is part of a row of similar mews dwellings along Vesey Mews. There is no objection in principle to the works as proposed. The proposed structure is independent of the original mews building and while it is reversible in nature, the scale and design is not considered to detract from the architectural character of the existing mews or the main dwelling on Vesey Place. It is considered the proposed

development would not be detrimental to the setting of the nearby protected structures and would not adversely impact on the character of the Architectural Conservation Area.

- The report of the Executive Engineer, Drainage Planning Municipal Services Department dated 6th January, 2025 states no objection and recommends permission subject to conditions.

3.3. Prescribed Bodies

- None on file.

3.4. Third Party Observations

5no. third-party observations were received by the Planning Authority. These observations, which are reflected in the grounds of appeal, generally include commentary on the following matters:

- Permission for 4 Vesey Place was received in February 2024 under PA Ref. No. D23A/0708) for the removal of a two-storey extension, authorised in 1994 and the reinstatement of windows and doors to match existing windows /doors; etc.
- The subject development in this case is, not reconcilable with the protection of the setting of 4 Vesey Mews as a Protected Structure and the area's status as a designated Architectural Conservation Area.
 - No:4 Vesey Mews is outside the curtilage of No:4 Vesey Place but is immediately proximate to it and is within the Architectural Conservation Area.
 - The Council's publication on the Vesey Place, De Vesce Terrace and Willow Bank Architectural Conservation Area Character Appraisal and Recommendations indicates that the coach houses to the rear of Nos. 1 to 10 Vesey Place are of particularly good quality in design and finish.
 - The nature of the relationship between Vesey Place and Vesey Mews was examined in detail by the Board in ABP Ref. No. PL 06D 248378.
 - The ornate gable wall of the mews, which has a plastered finish and has a pedimented façade with a recessed arch, a narrow linear band and a rectangular recessed feature, was designed to provide visual interest when viewed from the main house, and therefore provides a coherent design motif along Vesey Mews which also contributes to the character, form and setting

of the Victorian terrace dwellings along Vesey Place which are all designated Protected Structures.

- The rear i.e. northern elevation of No. 4 Vesey Mews replicates that of No. 2 Vesey Mews represents a coherent design motif along Vesey Mews which was intended to provide visual interest when viewed from the main house and to provide a positive contribution to the character, form, and setting of the Victorian terrace dwellings, all of which are Protected Structures, along Vesey Place.
 - It appears that the building will project c.1.3m above the boundary wall.
 - the building, as proposed, could not be reasonably described as modest relative to the house or remaining area of the garden. It is quite clearly excessive in terms of its size and is not compatible with sub-section 12.3. 7.4 of the Plan. The residual garden area will be reduced to approximately 41 square metres which will be less than the area stipulated in the Plan as being appropriate to service a mews house.
- The Board decision in 2017 (ABP Ref. No. PL 06D248378) established a very important principle that any development should not break the established building line and should not interfere with the views of the original ornate gable wall from the Protected Structure.
 - The conservation principle established by that decision must now be given greater weight in respect of the relatively recent Conservation Area designation adopted since that decision.
 - Reference is made to sections 13.8.1-13.8.3 of the Architectural Heritage Protection Guidelines 2011.
 - The importance of assessing the application in accordance with the 2011 Guidelines is emphasised in the Dún Laoghaire-Rathdown County Development Plan, specifically policy objective HER8: Work to Protected Structures.
 - Permission would set a very damaging precedent and would greatly weaken the protection afforded by the ACA designation.
 - Knapton Lawn, a very narrow road, is not to be used to facilitate the development, which has been used for previous construction projects causing considerable disruption and distress.

4.0 Planning History

- D95A/0158: Permission was granted on 16th August, 1995 for the conversion of existing coach house to mews dwelling, subject to a total of 6 no: conditions, including condition no. 1, which required that the development be carried out in its entirety, to ensure that the development shall be in accordance with the permission and that effective control be maintained; condition no. 2, which required that each proposed house be used as a single dwelling unit, to prevent unauthorised development; and condition no. 6, which required that a screen wall in block or similar durable materials, 2 metres high, suitably capped and rendered, be provided along the rear site boundary so as to screen the rear gardens from public view, in the interest of residential amenity.
- There is no record of any enforcement files pertaining to no. 4 Vesey Mews.

5.0 Policy Context

Development Plan

- The applicable Plan is the Dún Laoghaire-Rathdown County Development Plan 2022-2028
- The proposed development site is zoned A, which seeks to provide residential development and improve residential amenity while protecting the existing residential amenities. Home Based Economic Activities and Sports Facility are listed as open for consideration uses in Table 13.1.2 of the Plan.
- The proposed development site is also located within the boundary of the proposed Dún Laoghaire Local Area Plan.
- Section 12.3.7.4 of the Plan sets out the policies applicable to a Detached Habitable Room. This can provide useful ancillary accommodation such as a playroom, gym, or study/home office 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 the design nor the use of the proposed structure will detract from the residential amenity of adjoining property or the main house. Any such structure shall not be to provide residential accommodation for a family member/granny flat nor shall the structure be let or sold independently from the main dwelling.

- Section 12.3.7.9 of the Plan sets out the policies applicable to Mews Lane Development, including that 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
- No. 4 Vesey Mews is not identified as a Protected Structure in the Dún Laoghaire-Rathdown County Development Plan 2022, nor is it listed on the NIAH. The terraced dwellings that characterise Vesey Place to the north are Protected Structures. It is located in the Vesey Place, De Vesci Terrace, and Willow Bank Architectural Conservation Area (ACA).
- Objective HER13 in relation to Architectural Conservation Areas, states that 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. Ensure that any new development or alteration of a building within an ACA or immediately adjoining an ACA is appropriate in terms of the proposed design, including scale, height, mass, density, building lines and materials.
- Section 12.11.4 of the Plan in relation to New Development within an ACA states that: A sensitive design approach is required for any development proposals in order to respect the established character and urban morphology. Where development is appropriate, the Planning Authority are supportive of contemporary design that is complementary and sympathetic to the surrounding context and scale. All planning applications for development within an ACA shall have regard to the following criteria:

When considering the development of a site within an ACA (including backland sites), proposals should be sympathetic to the existing character of the area and reflect or refer to the established environment in terms of design, massing, scale, established plot layouts and their relationship to historic streetscape pattern.
- Vesey Place, De Vesci Terrace and Willow Bank Architectural Conservation Area Character Appraisal and Recommendations prepared by Dún Laoghaire-Rathdown County Council states that many of the coach houses to the south of the dwellings on Vesey Place retain their original form, despite having been separated from the main dwelling. These mews buildings are of particularly good design quality and finish and are for the most part in use as separate dwellings. They are constructed in pairs of semi-

detached buildings, with the principal elevations at right angles to the laneway. It is further stated that the mews buildings to the rear of the main houses in De Vesci Terrace and Vesey Place are of significance, firstly, as part of the overall nineteenth-century composition and as they contain original built fabric. They were generally constructed to a lower standard than the houses, but those to the rear of Nos. 1 to 10 Vesey Place are of particularly good quality in design and finish.

5.1. Relevant National or Regional Policy / Ministerial Guidelines (where relevant)

Section 13.8 of the Architectural Heritage Protection, Guidelines for Planning Authorities, 2011 refers to development affecting the Setting of a Protected Structure or an Architectural Conservation Area. It advises that applications for development outside the curtilage of a Protected Structure or ACA and which have the potential to impact upon the character of same, similar consideration should be given as for proposed development within the attendant grounds. In addition, new development could also have an impact when it is detached from the Protected Structure and outside the curtilage and attendant grounds but visible in an important view of or from the Protected Structure. It is further advised that the extent of potential impacts of proposals will depend on the location of the new works, the character and quality of the Protected Structure and its setting.

5.2. Natural Heritage Designations

The proposed development site is c.0.583km to the south-west of the South Dublin Bay and River Tolka Estuary SPA (Site Code: 004024); and 0.747km to the south-west of the South Dublin Bay SAC (Site Code: 000210), and the South Dublin Bay pNHA (Site Code: 000210).

6.0 EIA Screening

The proposed development is not a class for the purposes of EIA, as per the classes of development set out in Schedule 5 of the Planning and Development Regulations 2001, as amended. No mandatory requirement for EIA therefore arises and there is also no requirement for a screening determination. Refer to Form 1 in Appendix 1 of report.

7.0 The Appeal

7.1 Grounds of Appeal

- The Third Party appeal by the owners of 5 Vesey Place makes the following points:
 - After 2022, the title of no. 4 Vesey Place was split allowing the main house and its ancillary mews to be sold separately. Nevertheless, 4 Vesey Place and 4 Vesey Mews remain Protected Structures within the ACA.
 - The proposed development would break the established building line; negatively impact the existing built form and character between the Mews and the main house; interferes with the views of the original ornate gable wall; and will result in a loss of visual amenity and privacy enjoyed by the surrounding residents.
 - The appeal cites the report of the Senior Executive Conservation Officer, dated 13th December, 2024 which states that the proposed structure is independent of the original mews building and while it is reversible in nature, the scale and design is not considered to detract from the architectural character of the existing mews or the main dwelling on Vesey Place. It is considered the proposed development would not be detrimental to the setting of the nearby protected structures and would not adversely impact on the character of the Architectural Conservation Area.
 - This fails to respond to the points made in the original submission to Dún Laoghaire-Rathdown County Council, which was guided by the Board's split decision (PL 06D.248378) on the proposed internal and external works to no. 2 Vesey Place, where the proposed extension to the 'side' fronting the rear elevation of no. 2 Vesey Place would break the established building line, negatively impact upon the existing built form and character which exists between the Mews dwelling and the main house, and interfere with the views of the original ornate gable wall.
 - It is considered that there is no material difference between the proposal for no. 2 Vesey Mews and what is proposed for no. 4 Vesey Mews. Both propose an undesirable third structure between the principal dwelling and its ancillary mews.
 - Together, nos. 4 and 5 Vesey Mews form a semi-detached pair of remarkably intact mews cottages, with original walls and cobbled courtyard intact, directly visible from Vesey Place to the north.

- A refusal of permission is requested on grounds that the proposed development would break the established building line; negatively impact the existing built form and character between the Mews and the main house; interferes with the views of the original ornate gable wall; would seriously injure the visual amenities of the area; and would be contrary to the proper planning and sustainable development of the area.

7.2 Applicant Response

- The applicant's response dated 10th March, 2025 states as follows:
 - No. 4 Vesey Mews is not a Protected Structure. The response includes a letter from a firm of solicitors dated 27th June, 2024 and a letter (undated) from Dún Laoghaire-Rathdown County Council stating that no. 4 Vesey Mews is not listed as a Protected Structure in the Dún Laoghaire-Rathdown County Development Plan 2022. The letter also states that no. 4 Vesey Mews is not located in an ACA.
 - There is no cobbled yard.
 - Rather than proposing an extension to the Mews, which would cause a permanent alteration to the fabric and appearance of the Mews and an irreversible loss, an independent building has been proposed.
 - The timber frame structure is erected away from the rear building line, and the external finishes are sympathetic to the adjacent Mews and will mirror the period design.
 - Care has been taken to not cause any undue overlooking nor overshadowing. All windows face into the owner's garden.

7.3 Planning Authority Response

- The Planning Authority's response dated 17th February, 2025 states 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.

7.4 Observations

- Eamon and Sheelagh Galligan
 - There is no real engagement by the Council's Conservation Officer nor the Senior Executive Planner with the observations made in its decision, in particular, no reference is made to the decision of the Board in 2017 (ABP Ref. No: PL 06D 248378).
 - The Board decision in 2017 (ABP Ref. No. PL 06D248378) established a very important principle that any development should not break the established building line and should not interfere with the views of the original ornate gable wall from the Protected Structure.
 - The conservation principle established by that decision must now be given greater weight in respect of the relatively recent Conservation Area designation adopted since that decision; and that no. 5 Vesey Mews, being located within the curtilage of no. 5 Vesey Place, is itself a Protected Structure, the setting of which will be detrimentally affected by the proposed development, in circumstances where both structures were designed as a pair of mews houses and form an architectural composition in that regard.
 - Reference is made to sections 13.8.1-13.8.3 of the Architectural Heritage Protection Guidelines 2011 which state that applications for development outside the curtilage of a Protected Structure or ACA and which have the potential to impact upon the character of same, similar consideration should be given as for proposed development within the attendant grounds; and any new development could also have an impact even when it is detached from the protected structure and outside the curtilage and attendant grounds but is visible in an important view of or from the protected structure.
 - The importance of assessing the application in accordance with the 2011 Guidelines is emphasised in the Dún Laoghaire-Rathdown County Development Plan, specifically policy objective HER8: Work to Protected Structures.
 - Permission would set a very damaging precedent and would greatly weaken the protection afforded by the ACA designation.
- Aoife & Xavier van den Brande

- Permission for 4 Vesey Place was received in February 2024 under PA Ref. No. D23A/0708) for the removal of a two-storey extension, authorised in 1994 and the reinstatement of windows and doors to match existing windows /doors; etc.
- The subject development in this case is, not reconcilable with the protection of the setting of 4 Vesey Place as a Protected Structure and the area's status as a designated Architectural Conservation Area.
 - No. 4 Vesey Mews would have previously been a coach house for no. 4 Vesey Place.
 - No:4 Vesey Mews is outside the curtilage of No:4 Vesey Place but is immediately proximate to it and is within the Architectural Conservation Area.
 - The Council's publication on the Vesey Place, De Vesce Terrace and Willow Bank Architectural Conservation Area Character Appraisal and Recommendations indicates that No 4 Vesey Mews is one of a number of coach houses which are to the rear of Nos. 2 to 10 Vesey Place, and that the mews buildings to the rear of the main houses in De Vesce Terrace and Vesey Place are of significance, firstly, as part of the overall nineteenth century composition and as they contain original built fabric. They were generally constructed to a lower standard than the houses, but those to the rear of Nos. 1 to 10 Vesey Place are of particularly good quality in design and finish.
 - They also have a very special relationship with their original parent houses on Vesey Place. The nature of the relationship was examined in detail by the Board in ABP Ref. No. PL 06D 248378, which related to the construction of an extension to the rear i.e. the northern elevation of the coach house at No. 2 Vesey Mews, which considered:
 - The two properties are separated by a boundary wall and are in separate ownership, this however does not irrevocably dissociate their historical context or the formal relationship between the buildings.

- The ornate gable wall of the mews which has a plastered finish and has a pedimented façade with a recessed arch, a narrow linear band and a rectangular recessed feature was designed to provide visual interest when viewed from the main house, and therefore provides a coherent design motif along Vesey Mews which also contributes to the character, form and setting of the Victorian terrace dwellings along Vesey Place which are all designated Protected Structures.
- the proposed single storey extension to the north of the wall and between the gable wall and the rear of No. 2 Vesey Place would negatively impact upon the built form and character which exists between the Mews dwelling and the main house and would break the established building line and would interfere with the views of original ornate gable wall from the Protected Structure.
- The rear i.e. northern elevation of No. 4 Vesey Mews replicates that of No. 2 Vesey Mews represents a coherent design motif along Vesey Mews which was intended to provide visual interest when viewed from the main house and to provide a positive contribution to the character, form, and setting of the Victorian terrace dwellings, all of which are Protected Structures, along Vesey Place.
- It appears that the building will project c.1.3m above the boundary wall.
- The proposed new building will have a serious disruptive impact on the formal relationship between the mews and the main house at No. 4 Vesey Place.
- the development as proposed, given that it will detract from the locational setting and character will accordingly be in conflict with the Guidelines.
- It will represent the introduction of an inappropriate intrusive feature in terms of its design and scale, which will be in conflict with the established character of this part of the ACA.

- the building is quite clearly excessive in terms of its size and is not compatible with sub-section 12.3. 7.4 of the Plan.
- The residual garden area will be reduced to approximately 41 square metres which will be less than the area stipulated in Sub-section 12.3.7.9 of the Plan as being appropriate to service a mews house.
 - The proposed development of 4 Vesey Mews includes the addition of a new bathroom and toilet. Currently the drainage comes through 4 Vesey Place, where there have been two sewage/drainage overflows onto the back patio where the main access point is to the drains for 4 Vesey Mews only. The drainage arrangements as it currently stands do not support the current needs of the property, let alone the additional toilet and bathroom.
- Jane & Tom Dane
 - Knapton Lawn, a very narrow road, is not to be used to facilitate the development, which has been used for previous construction projects causing considerable disruption and distress.
 - No. 4 Vesey Mews is a key element of the visual link between the mews and the main house at no. 4 Vesey Place.
 - The proposed development would diminish the aesthetic and historic value of the mews houses and their context.
 - The architectural rhythm of the Mews is in keeping with Vesey Place.
 - The proposed development undermines the historic layout and disrupts the critical relationship between the main house and the mews.
 - 4 and 5 Vesey Mews should be preserved in their original form.
 - The statue alcove will be completely blocked.
 - The precedent at no. 3 Vesey Mews predates the decision on no. 2 Vesey Mews and is not a precedent.
 - The original consent to convert 4 Vesey Mews included a condition for a 2m high screen wall along the rear boundary while retaining the original granite rubble wall. However, the original wall was demolished in 2022 and a new wall was constructed using granite blocks.

- The proposed development could lead to the inappropriate addition of a third dwelling.

7.5 Further Responses

- None on file.

8.0 Assessment

8.1 Having examined all the application and appeal documentation on file, and having regard to relevant policy, I consider that the main issues which require consideration in this appeal are those raised in the grounds of appeal, and I am satisfied that no other substantive issues arise. I note the reference made in one of the observations on an alleged unauthorised demolition of the original northern boundary wall between no. 4 Vesey Mews and no. 4 Vesey Place, however, there is no further information available. I note there is no comment on this matter by the Council, and there is no enforcement file. I note that this matter is outside the scope of this appeal. I, therefore, do not propose to consider this matter further.

8.2 The main issues are as follows:

- Principle of the proposed development
- Impact on architectural heritage.
- Impact on residential amenities.

8.3 Principle of the proposed development

8.3.1 The application seeks permission to erect a detached single-storey flat room structure to be used as a home office/gym as an ancillary use to no. 4 Vesey Mews.

8.3.1 I note Section 12.3.7.4 of the Plan in relation to a Detached Habitable Room, which acknowledges the function such ancillary spaces can have, including a gym or home office, for the principal residence, as is proposed in this instance. Aligned with Section 12.3.7.4, the proposed development is modest in floor area and scale, relative to the main house and remaining rear garden area. In the event that the Board is minded to grant planning permission, a condition is recommended restricting the use of the proposed development for residential accommodation, restricting the letting or selling of the structure independently from the main dwelling.

- 8.3.2 Section 12.3.7.9 of the Plan in relation to Mews Lane Development notes that each dwelling shall generally have a private open space area of not less than circa 48 sq.m. exclusive of car parking area. In this respect, it is noted there is a residual rear garden space of c. 50m², in compliance with Section 12.3.7.9 of the Plan.
- 8.3.3 Having regard to the Objective A zoning objective that applies to the site, and to the fact that Home Based Economic Activities and Sports Facilities are open for consideration uses, as well as its single-storey modest scale, subordinate to the principal dwelling on site, the proposed development, which will facilitate an ancillary home office/gym use for no. 4 Vesey Mews, is acceptable in principle, subject to other relevant planning considerations, including the impact of the proposed development on the architectural heritage of the area and residential amenities of surrounding properties.
- 8.4 Impact on architectural heritage
- 8.4.1 The primary concerns raised by the Third Party and observers, both on the original application as lodged with Dún Laoghaire-Rathdown County Council, and on appeal, are the visual impact of the proposed development on the northern façade of no. 4 Vesey Mews, and the impact on the visual amenities of the properties along Vesey Place to the north.
- 8.4.2 A key influencing factor is the split decision by both Dún Laoghaire-Rathdown County Council under PA Ref. No. D23A/0708 and the Board under ABP Ref. No. PL 06D 248378 on a proposed development at no. 2 Vesey Mews, which included the refusal of permission for a proposed extension to the side fronting the rear elevation on grounds that it would break the established building line, negatively impact upon the existing built form and character which exists between the Mews dwelling and the main house and interfere with the views of original ornate gable wall.
- 8.4.3 The northern gable wall of no. 4 Vesey Mews which has a plastered finish and has a pedimented façade with a recessed arch, a narrow linear band and a rectangular recessed feature was designed to provide visual interest when viewed from no. 4 Vesey Place. There is a coherent design motif along Vesey Mews which also contributes to the character, form and setting of the Victorian terrace dwellings along Vesey Place which are Protected Structures.
- 8.4.4 Noting that while the proposed development site is not a Protected Structure, nor is it listed on the NIAH, it is nonetheless located in the Vesey Place, De Vesci Terrace and Willow Bank Architectural Conservation Area.

- 8.4.5 As noted by one of the observers, Dún Laoghaire-Rathdown County Council's publication on the Vesey Place, De Vesce Terrace and Willow Bank Architectural Conservation Area Character Appraisal and Recommendations states that the mews buildings are of particularly good design quality and finishes, and are constructed in pairs of semi-detached buildings, with the principal elevations at right angles to the laneway. It is further stated that the mews buildings are of significance, firstly, as part of the overall nineteenth-century composition and as they contain original built fabric, and that they were generally constructed to a lower standard than the houses, but those to the rear of Nos. 1 to 10 Vesey Place are of particularly good quality in design and finish.
- 8.4.6 It is noted that the ancillary home office/gym is a stand-alone single-storey building that is detached from the existing Mews building.
- 8.4.7 In this regard, I note the report of the Council's Senior Executive Conservation Officer who, in stating that there was no objection in principle to the works as proposed, having regard to the nature of the proposed structure as being independent of the original mews building and that, while it is reversible in nature, the scale and design is not considered to detract from the architectural character of the existing mews or the main dwelling on Vesey Place. The Conservation Officer also considered that the proposed development would not be detrimental to the setting of the nearby protected structures and would not adversely impact on the character of the Architectural Conservation Area. This recommendation was relied upon in the report of the Senior Executive Planner.
- 8.4.8 I also note that no. 3 Vesey Mews has implemented a permitted extension to the northern elevation.
- 8.4.9 However, I do consider it necessary to have regard to the decision by both Dún Laoghaire-Rathdown County Council under PA Ref. No. D23A/0708 and the Board under ABP Ref. No. PL 06D 248378, in setting a precedent on maintaining the established northern building line and avoid interference of the northern gable wall.
- 8.4.10 Notwithstanding that the proposed development is independent of the northern gable wall, and its single-storey height and quality design, it is the case that it does break the established building line and does interfere with the full designed view of the original ornate gable wall on the northern elevation.
- 8.4.11 While I note the permitted revised application (ABP Ref. No. ABP-301374-18, PA Ref. No. D18A/0044) for no. 2 Vesey Mews, which omitted the stairwell to the northern elevation and

its relocation internally within the proposed extension, did permit the provision of a lightwell, but did so on the basis that, while projecting beyond the northern building line, its design and use of materials (glass) has cognisance of the importance of the northern (rear) elevation of the mews dwelling and would not form a discordant feature as its impact would be imperceptible from outside the site.

8.4.12 This would not be the same in this instance.

8.4.13 For this reason, in the event that the Board is minded to grant permission, I recommend that the proposed development, the principle of which is acceptable, is relocated to the west of the existing Mews, and does not extend beyond the northern building line. This may necessitate a revised design to the proposed development.

8.4.14 In my opinion, this would be a better location in any event, as it would provide a better connection, as an ancillary home office/gym, with the existing Mews building to the east.

8.4.15 It would also avoid any negative visual impact on the northern gable wall and on the character and setting of the Protected Structures in the vicinity, and would, therefore, be consistent with the provisions of the Architectural Heritage Protection, Guidelines for Planning Authorities, 2011

8.4.16 I note that the no. 5 Vesey Mews previously had the benefit of permission for a single-storey glazed extension to serve as a car port (PA Ref. No. D18A/0086, which, albeit this was not constructed (and, in fact omitted under PA Ref. No. D21A/0838)) was located to the east of no. 5 Vesey Mews, behind the building line. This establishes an acceptable precedent for the proposed revised location of the ancillary home office/gym.

8.5 Impact on residential amenities

8.5.1 I note the concerns raised by the Third Party and observers to the appeal, and observers on the original application in respect of impacts on residential amenity.

8.5.2 However, in my opinion, given its single-storey height, modest scale, and overall design, the proposed development is not considered to result in adverse impacts on the residential amenities in the area in terms of overshadowing and overlooking.

8.5.3 As discussed in Section 7.3.1 of this report, the proposed development is aligned with the provisions of Section 12.3.7.4 of the Plan in relation to a Detached Habitable Room.

8.5.4 The recommended relocation to the courtyard to the west of the Mews will further ensure no negative impact on residential amenities and will also protect the amenities of the applicant.

- 8.5.5 I note the concerns raised in relation to the impact of construction traffic in the vicinity of the site. In the event of a grant of permission, I recommend the attachment of a condition requiring the submission of a Construction Traffic Management Plan in the interests of residential amenity.
- 8.5.6 I also note the reference to drainage issues at no. 4 Vesey Place. I note the report of the Executive Engineer, Drainage Planning Municipal Services Department dated 6th January, 2025 stating no objection. I also note the existing residential use of no. 4 Vesey Mews and that there is no additional residential unit being created so no additional loading is proposed. In the event that the Board is minded to grant planning permission, I recommend the attachment of a condition requiring drainage arrangements to comply with the requirements of the Planning Authority.

9.0 AA Screening

- 9.1 See Appendix 2 attached to this report. I have considered the permission for the erection of a flat roof, ancillary outbuilding to serve as home office & gym in light of the requirements S177U of the Planning and Development Act 2000 as amended.
- 9.2 The proposed development site is c.0.583km to the south-west of the South Dublin Bay and River Tolka Estuary SPA (Site Code: 004024) and 0.747km to the south-west of the South Dublin Bay SAC (Site Code: 000210).
- 9.3 The proposed development consists of permission the erection of a flat roof, ancillary outbuilding to serve as home office & gym at 4 Vesey Mews, Dún Laoghaire, Co. Dublin A96 K651.
- 9.4 No nature conservation concerns were raised in the planning appeal.
- 9.5 Having considered the nature, scale and location of the project, I am satisfied that it can be eliminated from further assessment because there is no conceivable risk to any European Site. The reason for this conclusion is as follows:
- The modest scale of the development and lack of impact mechanisms that could significantly affect a European Site
 - Distance from the nearest European site.
- 9.6 I conclude that on the basis of objective information, that the proposed development would not have a likely significant effect on any European Site either alone or in combination with other plans or projects.

9.7 Likely significant effects are excluded and therefore Appropriate Assessment (stage 2) (under Section 177V of the Planning and Development Act 2000) is not required.

10.0 Recommendation

10.1 I recommend that permission for the development be granted for the following reasons and considerations.

11.0 Reasons and Considerations

Having regard to the provisions of the Architectural Heritage Protection Guidelines for Planning Authorities [DAHG, 2011] and the policies of the Dún Laoghaire-Rathdown County Development Plan 2022-2028, including the objective A zoning, Section 12.3.7.4 in relation to a Detached Habitable Room, Section 12.3.7.9 in relation to Mews Lane Development, Objective HER13 in relation to Architectural Conservation Areas, Section 12.11.4 in relation to New Development within an ACA, and to the nature and scale 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 character of the area or the amenities of property in the vicinity, would not adversely impact on the character or setting of the Vesey Place, De Vesci Terrace, and Willow Bank Architectural Conservation Area (ACA) or any Protected Structure in the vicinity of the site. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

12.0 Conditions

1.	The development shall be carried out and completed in accordance with the plans and particulars lodged with the application on 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.
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	Reason: In the interest of clarity.
2.	<p>Prior to the commencement of development, revised drawings shall be submitted to, and agreed in writing with, the planning authority within three months of date of the grant of permission illustrating the relocation of the flat roof, ancillary outbuilding to serve as home office & gym to the courtyard area to the west of no. 4 Vesey Mews, at a position that is behind the existing building line.</p> <p>Reason: In the interest of clarity and visual amenity</p>
3.	<p>Details of the materials, colours and textures of all the external finishes to the proposed development shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.</p> <p>Reason: in the interest of visual amenity and to ensure an appropriate high standard of development.</p>
4.	<p>(a) The proposed development shall be restricted to a home office & gym use that is incidental to the occupation of the adjacent dwelling house, as specified in the lodged documentation, unless otherwise authorised by a prior grant of planning permission.</p> <p>(b) The existing dwelling house and the flat roof ancillary outbuilding building the subject of this grant of planning permission, shall be occupied as a single residential unit, and the flat roof, ancillary outbuilding shall not be used, sold, let or other transferred or conveyed, save as part of the dwelling house, as extended.</p> <p>Reason: In the interests of orderly development.</p>
5.	<p>Drainage arrangements including the attenuation and disposal of surface water, shall comply with the requirements of the planning authority for such works and services.</p> <p>Reason: in the interests of public health and surface water management.</p>
6.	<p>A Construction Traffic Management Plan shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. The plan shall include details of arrangements for routes for</p>

	construction traffic, parking during the construction phase, the location of the compound for storage of plant and machinery and the location for storage of deliveries to the site. Reason: in the interests of residential amenity.
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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.

30th April, 2025

Aden O'Neill

Inspector: _____ **Date:** _____

Appendix 1 - Form 1
EIA Pre-Screening
[EIAR not submitted]

An Bord Pleanála Case Reference	ABP-321856-25		
Proposed Development Summary	Erection of a flat roof, ancillary outbuilding to serve as home office & gym.		
Development Address	4 Vesey Mews, Dún Laoghaire, Co. Dublin A96 K651		
1. Does the proposed development come within the definition of a 'project' for the purposes of EIA? (that is involving construction works, demolition, or interventions in the natural surroundings)		Yes	Proceed to Q2.
		No ✓	No further action required
2. Is the proposed development of a CLASS specified in Part 1 or Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended)?			
Yes			Proceed to Q3.
No			No further action required
3. Does the proposed development equal or exceed any relevant THRESHOLD set out in the relevant Class?			
Yes			EIA Mandatory EIAR required
No			Proceed to Q4
4. Is the proposed development below the relevant threshold for the Class of development [sub-threshold development]?			

Yes			Preliminary examination required (Form 2)
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5. Has Schedule 7A information been submitted?			
No √	Tick/or leave blank	Screening determination remains as above (Q1 to Q4)	
Yes	Tick/or leave blank	Screening Determination required	

Inspector: *Ad onull*

30th April, 2025.

_____ Date: _____

Appendix 2 - AA Screening Determination Test for likely significant effects

AA Screening where no screening report was submitted, and no significant AA issues arise.

Screening for Appropriate Assessment Test for likely significant effects				
Step 1: Description of the project and local site characteristics Case file: ABP-321856-25				
Brief description of project	Normal Planning appeal Erection of a flat roof, ancillary outbuilding to serve as home office & gym.			
Brief description of development site characteristics and potential impact mechanisms	The proposed development site is located at 4 Vesey Mews, Dún Laoghaire, Co. Dublin A96 K651 There are no watercourses or other ecological features of note on the site that would connect it directly to European Sites in the wider area.			
Screening report	No Dún Laoghaire-Rathdown County Council screened out the need for AA.			
Natura Impact Statement	No			
Relevant submissions	None			
Step 2. Identification of relevant European sites using the Source-pathway-receptor model				
European Site (code)	Qualifying interests Link to conservation objectives (NPWS, date)	Distance from proposed development	Ecological connections	Consider further screening Y/N
South Dublin Bay and River Tolka Estuary SPA (Site Code: 004024)	14 no. bird species	0.583km	No direct connection	Y
South Dublin Bay SAC (Site Code: 000210)	14no. habitats	0.747km	No direct connection	Y

The proposed development site is located c.0.583km to the south-west of the South Dublin Bay and River Tolka Estuary SPA (Site Code: 004024) and c. 0.747km to the south-west of the South Dublin Bay SAC (Site Code: 000210).

Further Commentary / discussion

Due to the location of the development site and the distance between the site and the nearest designated site, I consider that the proposed development would not be expected to generate impacts that could affect anything but the immediate area of the development site, thus having a very limited potential zone of influence on any ecological receptors.

Step 3. Describe the likely effects of the project (if any, alone or in combination) on European Sites

AA Screening matrix

Site name	Possibility of significant effects (alone) in view of the conservation objectives of the site*	
	Impacts	Effects
Site South Dublin Bay and River Tolka Estuary SPA (Site Code: 004024) Light-bellied Brent Goose (<i>Branta bernicla hrota</i>) [A046] Oystercatcher (<i>Haematopus ostralegus</i>) [A130] Ringed Plover (<i>Charadrius hiaticula</i>) [A137] Grey Plover (<i>Pluvialis squatarola</i>) [A141] Knot (<i>Calidris canutus</i>) [A143] Sanderling (<i>Calidris alba</i>) [A144] Dunlin (<i>Calidris alpina</i>) [A149] Bar-tailed Godwit (<i>Limosa lapponica</i>) [A157] Redshank (<i>Tringa totanus</i>) [A162] Black-headed Gull (<i>Chroicocephalus ridibundus</i>) [A179] Roseate Tern (<i>Sterna dougallii</i>) [A192] Common Tern (<i>Sterna hirundo</i>) [A193]	Direct: none Indirect: localized, temporary, low magnitude impacts from noise, dust and construction related emissions to surface water during operation	The contained nature of the site (defined site boundaries, no direct ecological connections or pathways) and distance from receiving features connected to the SPA make it highly unlikely that the proposed development could generate impacts of a magnitude that could affect habitat quality within the SPA for the SCI listed. Conservation objectives would not be undermined.

Arctic Tern (<i>Sterna paradisaea</i>) [A194] Wetland and Waterbirds [A999]		
South Dublin Bay SAC (Site Code: 000210) Mudflats and sandflats not covered by seawater at low tide [1140] Annual vegetation of drift lines [1210] Salicornia and other annuals colonising mud and sand [1310] Embryonic shifting dunes [2110]	Direct: none Indirect: localized, temporary, low magnitude impacts from noise, dust and construction related emissions to surface water during operation	The contained nature of the site (defined site boundaries, no direct ecological connections or pathways) and distance from receiving features connected to the SAC make it highly unlikely that the proposed development could generate impacts of a magnitude that could affect habitat quality within the SAC for the SCI listed. Conservation objectives would not be undermined.
	Likelihood of significant effects from proposed development (alone): No	
	If No, is there likelihood of significant effects occurring in combination with other plans or projects? No	
	Likelihood of significant effects from proposed development (alone): No	
	If No, is there likelihood of significant effects occurring in combination with other plans or projects? No	
Step 4 Conclude if the proposed development could result in likely significant effects on a European site I conclude that the proposed development (alone or in combination with other plans and projects) would not result in likely significant effects on a European Site. No mitigation measures are required to come to these conclusions.		
Screening Determination Finding of no likely significant effects In accordance with Section 177U of the Planning and Development Act 2000 (as amended) and on the basis of the information considered in this AA screening, I conclude that the proposed development individually or in combination with other plans or projects would not be likely to give rise to significant effects on the South Dublin Bay and River Tolka Estuary SPA (Site Code: 004024), the South Dublin Bay SAC (Site Code: 000210) or any other European site, in view of the sites Conservation Objectives, and Appropriate Assessment (and submission of a NIS) is not therefore required. This determination is based on:		

- The relatively minor scale of the development and lack of impact mechanisms that could significantly affect a European Site
- Distance from the nearest European site

Ad onull

30th April, 2025

Inspector: _____ **Date:** _____