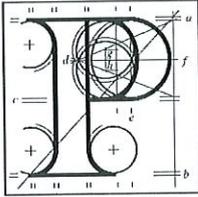


# Inspector's Report

**ACP323556-25**



An  
Coimisiún  
Pleanála

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<b>Development</b>	Alterations and attic dormer extension to Protected Structure.
<b>Location</b>	No. 5 Synge Street, Dublin 8.
<b>Planning Authority</b>	Dublin City Council
<b>Planning Authority Reg. Ref.</b>	WEB2370/25
<b>Applicant(s)</b>	Josip Dujmovic.
<b>Type of Application</b>	Permission.
<b>Planning Authority Decision</b>	Refusal.
<b>Type of Appeal</b>	First Party
<b>Appellant(s)</b>	Josip Dujmovic.
<b>Observer(s)</b>	(1) Philip O'Reilly.
<b>Date of Site Inspection</b>	13/11/2025.
<b>Inspector</b>	Anthony Abbott King

## 1.0 Site Location and Description

- 1.1. No. 5 Synge Street is a two-bay single storey over garden level villa style house located in a terrace of nine similar houses built circa 1850 (1843 OS) on the west side of the street. The house is a protected structure - RPS Ref. No. 7922.
- 1.2. The subject terrace forms the eastern boundary of the city block defined by Synge Street, Pleasant Street, Heytesbury Street and Grantham Street.
- 1.3. The terrace comprises nos.1-9 Synge Street. Nos. 9-7 Synge are distinct in elevation and roof structure to nos. 1-6 Synge Street. Nos. 9-7 have a pronounced granite capped parapet concealing a double (M shaped) roof structure. Nos. 1-6 Synge Street have a single roof span and have exposed eaves. All are protected structures.
- 1.4. The site area is given as 0.012 hectares.

## 2.0 Proposed Development

- 2.1. The proposed development will consist of alterations and attic dormer extension to the existing house to include:
  - A new rear dormer window to replace two existing rooflights in the non-original pitched roof;
  - A new staircase from first floor level to the previously converted attic space;
  - Two new conservation grade rooflights to the front roof slope;
  - Replacement of the existing non-original cement type roof slates with a natural slate roof finish.

## 3.0 Planning Authority Decision

### 3.1. Decision

Refuse permission for the following reason:

- (1) *The proposed installation of a dormer window to the rear and proposed rooflights to the front of the Protected Structure would cause serious inquiry to the character of the Protected Structure and the adjoining protected structures on*

*the terrace. The proposed internal alterations would result in an unacceptable loss of original historic fabric and special character. The proposed works would therefore contravene Policy BHA2 (Development of Protected Structures) of the Dublin City Development Plan 2022-2028 and Section 9.2.7, 9.4.22 and 11.2.1 of the Architectural Protection Guidelines (DHLGH 2011) and would set an undesirable precedent for further developments of this type which would be contrary to the proper planning and sustainable development of the area.*

## **3.2. Planning Authority Reports**

### **3.2.1. Planning Reports**

- The decision of the CEO of Dublin City Council reflects the recommendation of the planning case officer.

### **3.2.2. Other Technical Reports**

- The conservation division of the planning authority recommends a refusal of planning permission. The conservation report notes the following:
  - The submitted conservation report is limited and does not contain a method statement for the proposed works;
  - No. 5 Synge Street was built as part of a terrace of six houses all with the same single-pile roof. None of the houses in the terrace have dormers to the rear.
  - The proposed replacement of rooflights with a larger dormer is not considered an appropriate intervention within the terrace upsetting the balance and symmetry of the rear elevations of the houses in the terrace.
  - The proposed metal clad dormer would not respect the line and proportion of the existing openings on the rear of the protected structure or the adjoining protected structures in the terrace.
  - The proposed metal clad dormer cheeks and flat roof would be visible from the public realm at St. Kevin's Cottages to the north and would become a dominant feature in the roofscape.

- The installation of the proposed dormer would seriously injure the character of the protected structure and the adjoining protected structures and would set an undesirable precedent within the area.
- The proposed installation of rooflights to the front elevation would seriously injure the character of the protected structure and the adjoining protected structures and would set an undesirable precedent within the area.
- The proposal is contrary to Section 9.2.7 and Section 9.4.22 of the Architectural Protection Guidelines for Planning Authorities (2011), Policy (b), (d) and (e)(e) of the Dublin City Development Plan 2022-2028.
- The replacement of the existing non-original cement type roof slates with Blue Bangor slates is supported by the conservation division. However, a method statement is required.
- The removal of historic fabric including the removal of cornice and the significant impact on the existing stair balustrade is not good conservation practice. The removal of historic fabric together with the insertion of a new internal staircase to access the attic level would have a significant negative impact on the special character of the entrance and stair halls.

### 3.3. Prescribed Bodies

No responses received.

### 3.4. Third Party Observations

One third party submission objecting to the proposal in principle and in detail is recorded on file. The matters outlined in the submission are repeated in the observation on this appeal.

## 4.0 Planning History

### 4.1. The following planning history is relevant:

Under Reg. Ref. 3858/23 retention permission was granted for alterations and extension of no. 5 Synge Street (a protected structure), including *inter alia* a single-storey rear extension and partial removal of existing rear wall at ground floor level,

replacement of existing windows with new sash windows and the retention of the existing converted attic storage area with two rooflights to the rear roof slope.

Condition 3 is relevant:

*The attic space hereby approved shall not be used for human habitation unless it complies with the current building regulations.*

**Reason:** *To provide for an adequate standard of development.*

## 5.0 Policy Context

### 5.1. Development Plan

The following policy objectives *inter alia* of the Dublin City Development Plan 2022-2028 are relevant:

The relevant land-use zoning objective of the Dublin City Development Plan 2022-2028 (Map E) is Z2 (Residential Conservation): *To protect and/or improve the amenities of residential conservation areas.*

The proposed development is a permissible use.

- **Residential conservation area designation**

The rationale for residential conservation area designation is that the overall quality of an area in design and layout terms is such that it requires special care in dealing with development proposals, which would affect structures both protected and non-protected in such areas. The objective is to protect conservation areas from unsuitable new developments or works that would have a negative impact on the amenity or architectural quality of the area. In this regard development standards in conservation areas, Chapter 15 (Development Standards) of the Dublin City Development Plan 2022-2028 states:

All planning applications for development in Conservation Areas shall:

- *Respect the existing setting and character of the surrounding area.*
- *Be cognisant and/ or complementary to the existing scale, building height and massing of the surrounding context.*
- *Protect the amenities of the surrounding properties and spaces.*

- *Provide for an assessment of the visual impact of the development in the surrounding context.*
- *Ensure materials and finishes are in keeping with the existing built environment.*
- *Positively contribute to the existing streetscape. Retain historic trees also as these all add to the special character of an ACA, where they exist.*

Policy BHA9, Chapter 11 (Archaeology & Built Heritage), Dublin City Development Plan 2022-2028 *inter alia* states:

*Development within or affecting 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.*

*Enhancement opportunities may include:*

- *Replacement or improvement of any building, feature or element which detracts from the character of the area or its setting.*
  - *Re-instatement of missing architectural detail or important features.*
  - *Improvement of open spaces and the wider public realm and reinstatement of historic routes and characteristic plot patterns*
  - *Contemporary architecture of exceptional design quality, which is in harmony with the Conservation Area.*
  - *The repair and retention of shop and pub fronts of architectural interest.*
  - *Retention of buildings and features that contribute to the overall character and integrity of the conservation area.*
  - *The return of buildings to residential use.*
- **Protected Structure**

Policy BHA2, Chapter 11 of the Plan states in the matter of the development of protected structures:

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

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

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

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

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

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

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

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

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

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

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

- **Dormer Extension**

Appendix 18, Section 5 (Attic Conversions / Dormer Windows) of the Dublin City Development Plan 2022-2028 *inter alia* states:

*The conversion of attic spaces is common practice in many residential homes. The use of an attic space for human habitation must be compliant with all of the relevant design standards, as well as building and fire regulations. Dormer windows, where proposed should complement the existing roof profile and be sympathetic to the overall design of the dwelling. The use of roof lights to serve attic bedrooms will be considered on a case-by-case basis.*

*Dormer windows may be provided to the front, side or rear of a dwelling. Guidelines for attic conversions and the provision of dormer windows is set out as follows:*

	
Use materials to complement the existing wall or roof materials of the main house.	Do not obscure the main ridge and eaves features of the roof, particularly in the case of an extension to the side of a hipped roof.
Meet building regulation requirements.	Avoid extending the full width of the roof or right up to the gable ends.
Be visually subordinate to the roof slope, enabling a large proportion of the original roof to remain visible.	Avoid dormer windows that are over dominant in appearance or give the impression of a flat roof.
Relate to the shape, size, position and design of the existing doors and windows on the lower floors.	Avoid extending above the main ridge line of the house.

Be set back from the eaves level to minimise their visual impact and reduce the potential for overlooking of adjoining properties.	Side dormer windows shall not be located directly on the boundary of adjoining/ adjacent property.
In the case of a dormer window extension to a hipped/ gable roof, ensure it sits below the ridgeline of the existing roof.	
Where a side dormer is proposed, appropriate separation from the adjoining property should be maintained.	
Side dormers should be set back from the boundary.	

**Table 18.1 Dormer Window Guidance**

## 5.2. Relevant National or Regional Policy / Ministerial Guidelines

- The Architectural Heritage Protection Guidelines for Planning Authorities (2011) published by the Department of Culture, Heritage and the Gaeltacht.

## 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.

## 7.0 The Appeal

### 7.1. Grounds of Appeal

The grounds of appeal, prepared by Comaskey Architects, on behalf of the appellant are summarised below:

- The appeal statement is accompanied by an Architectural Heritage Impact Statement, prepared by Dermot Nolan Grade 2 Conservation Architect, and revised drawings providing for the modification of the development proposal (DRG. AP01 & AP02).
- The proposed internal staircase and rear dormer is to make the converted attic, previously granted retention permission, more accessible and to provide additional space for the appellant. It is claimed that the proposed works are largely sympathetic and the timely investment of a natural slate roof finish will future proof the building.
- It is claimed that the development is modest in scale, will have a limited impact on the building fabric and on the surrounding environment. Furthermore, the appellant has submitted minor amendments of the proposal to address the concerns of the conservation officer.
- The appellant asks the Commission to consider the following proposed amendments: the removal of the rooflights to the front roof slope; the reduction of the rear dormer width by 365mm and the reduction in height by 100mm of the dormer structure to a position below the roof ridge height; the removal of one of the three windows in the dormer to complement the existing rear elevation window arrangement and; the use of a dormer cladding that will match the colour of the proposed selected natural slate roof finish.
- No. 5 Synge is a protected structure. However, it is not listed in the National Inventory of Architectural Heritage (NIHA). It is noted adjoining houses in the terrace no. 1 and nos. 7-9 Synge Street are listed in the inventory, which are houses that have retained much of their original fabric and features.
- It is claimed that houses nos. 2-5 Synge Street, omitted from the Inventory, have undergone significant alterations and changes with a loss to the overall composition of the terrace of protected structures.
- No. 5 Synge Street has undergone many upgrades and renovations, at unknown dates, resulting in the loss of historic fabric with nearly all of the original features removed and replaced. The original facade has been replaced by modern red brick with a cement bond.

- It is claimed that it is unlikely that the original roof was retained in situ. given that the front elevation has been rebuilt. It is claimed it is likely that the existing roof is a reconstruction. The natural slate finish has been removed and is replaced with a manufactured roof material.
- The original sash windows have been removed and have been replaced by timber casement windows of poor quality. The original window shutters and linings have been removed and have been reinstated by the appellant.
- The appeal statement lists other material alterations to the original house fabric including internal changes, the reconfiguration of the ground floor and the interconnection of rooms, and the render of the rear elevation with a sand cement plaster finish.
- The appellant has only recently addressed the unsympathetic alterations previously undertaken and has reinstated original features where possible.
- The appellant notes the conservation officer concern in relation to the balance of the overall architectural composition, as the rear of the terrace is publicly viewed from Kevin Street Cottages.
- It is claimed that the rear elevation of the terrace is “largely unseen” from the public realm given the backland location and the level of recent development in the area. A terrace of modern two-storey houses directly opposite the rear of no. 5 Synge Street directly blocks the view of the rear elevation of no.5
- There is a stepped roof profile between houses no. 6 and house no. 7 Synge Street where there is a transition from a single-pitched roof to a double-pitched roof resulting in a break in the terrace ridge line and roof profile.
- The appellant notes the conservation officer comments regarding incorrect information submitted in relation to the location of the existing attic hatch. The appellant clarifies that the attic hatch was incorrectly located on the submitted drawings and conforms the relocation of the attic hatch to the entrance hall, which it is claimed is a more appropriate location. The hall location of the attic hatch is as submitted under Reg. Ref. 3858/23.

- However, it is claimed that the relocation of the attic hatch to the entrance hall is not an optimal location. The most appropriate location for attic access is through the rear hall stairwell facilitated by a new stairwell from hall level to attic level. A new stairs has been designed in a contemporary style to access the attic located directly over the existing stairs to the lower ground floor, which would gently contrast with the existing stairs.
- The existing stairs is to remain in place with the minimum loss of fabric restricted to the section of balustrading at the end of the stair only.

## 7.2. Planning Authority Response

The planning authority have not responded to date.

## 7.3. Observations

There is one observation on this appeal. The observation is summarised below:

- The reason for refusal is just and valid given that the protected structure(s) in the subject terrace (nos.1-9 Synge Street), constructed in two separate developments in the nineteenth-century, are significantly unaltered. The later houses (nos. 1-6 Synge Street) exhibit design variations in the front elevations and roof profiles. The earlier houses (7-9 Synge Street) have double pitched-roof profiles.
- None of the houses in the terrace have dormer windows whether or not the attic space is converted. Synge Street is a composition of Victorian houses of different periods reflecting different architectural styles. None of the traditional historical houses had dormer windows in any roof profile. The proposal is not modest in scale and would disrupt the originality and historical character of the subject terrace (nos. 1-9 Synge Street).
- The intention to build a staircase to the converted attic space, which cannot be achieved without punching through the original roof plane to form a dormer to attain the requisite head height, confirms the incompatibility of the development proposal.
- The dormer will have serious negative consequences on the original later nineteenth-century house design, existing roof structure and the character and

setting of the historical neighbourhood, as evidenced in the planning authority refusal of permission.

- Notwithstanding the design, size and material finish of the dormer, it would set an undesirable precedent for a broad range of dormer structures in the area, including roof level changes of houses listed on the NIAH data base resulting in radical alteration especially to the double roofs of ns. 7-9 Synge Street. The development proposal could be enhanced by amendment providing for the elimination of the rear dormer ensuring the integrity of the terrace.
- Existing alterations to the original house design and fabric and alteration of neighbouring houses is not a justification for the erection of a dormer in an historical area of the city where no dormers are to be found. The observer notes that the front elevations and roof profiles of nos. 2-5 Synge Street are all original while the front elevation of no.6 Synge Street has been rendered. The houses have been subjected to poor maintenance practices in the past, which can be repaired.
- The visibility of the dormer in the public realm is irrelevant (including screening of the development to the rear by two-storey houses at Kevin's Cottages), as the house(s) are designated protected structures, which should ensure their integrity against inappropriate alteration. The change in roof profile in the terrace, which is the result of the development evolution of the streetscape, is not a justification for the dormer structure.
- The hatch in the ceiling of the main reception room or more lately in the hall to access the attic area shows that the proposal is not compatible with the small structure, low and small roof profile and the historical internal arrangement of the house.
- The introduction of a new stairwell will be a major structural intrusion and will adversely impact historical fixtures and fittings. There will be a loss of historic fabric with the removal of 3 ft of original balustrade, the loss of ceiling coving and the cutting of joists. The material alterations and interventions will not have a positive or neutral impact on the fabric of the protected structure.

- The attic is denoted as a restricted space in the conservation documentation submitted (written by Dermot Nolan), thus making the case that the proposal is untenable and destructive. Furthermore, the attic space will be too restricted for acceptable human habitation and will not qualify as residential space rather it can only be considered for incidental storage use. Why are the dormer and sophisticated staircase required?

## 8.0 Assessment

8.1. I have examined the application details and all other documentation on file, including all of the submissions received in relation to the appeal, the reports of the local authority, and having inspected the site, and having regard to the relevant planning policies and guidance, I consider that the substantive issues in this appeal to be considered are as follows:

- Principle of development
- Dormer structure
- Works to s protected structures
- Development in a conservation area
- Other matters

8.2. The appeal statement is accompanied by an architectural impact assessment prepared by Dermot Nolan Conservation architect. The appeal statement includes amendments of the proposed development (DRG. AP01 & AP02).

8.3. The appellant asks the Commission to consider the following proposed modifications: the removal of the rooflights to the front roof slope; the reduction of the rear dormer width by 365mm and the reduction in height by 100mm of the dormer structure to a position below the roof ridge height; the removal of one of the three windows in the dormer to complement the existing rear elevation window arrangement and; the use of a dormer cladding that will match the colour of the proposed selected natural slate roof finish.

8.4. I do not consider that the proposed modification is material to the development as advertised. The proposed amendments would reduce the impact of the proposed works on the protected structure and adjoining protected structures. I advise the Commission that the modification can be considered in the assessment of the development proposal.

#### Principle of Development

- 8.5. The proposed development is located in an area zoned Z2 (Residential Conservation) in the Dublin City Development Plan 2022-2028, which seeks *to protect and/or improve the amenities of residential conservation areas*.
- 8.6. The appellant proposes to carry out internal and external alterations and to construct a dormer structure to the rear roof plane. I note the appellant proposes on appeal to omit the proposed rooflights to the front roof plane.
- 8.7. I consider that the proposed development is acceptable in principle subject to satisfying the overall policies and objectives of the Dublin City Development Plan 2022-2028, including the policy framework regulating works to protected structures and their setting.

#### Dormer Extension

- 8.8. The substantive matter under appeal is the construction of a dormer structure to the rear roof plane of the house. The dormer structure would facilitate the use of the converted attic previously granted planning permission as a non-habitable space under Reg. Ref. 3858/23. The attic storage area is presently lit by two rooflights and accessed by a retractable ladder located in the entrance hall (as clarified on appeal).
- 8.9. The dormer structure would represent an extension of the attic space providing the headroom for a dedicated new stairwell from the first floor (entrance level) to the attic. The dormer would be clad in a material finish to match the colour of the proposed natural slate roof, which would replace an existing non-original 'fibrous cement' slate roof.
- 8.10. I would concur with the planning case officer that there are no overlooking concerns in terms of impacts on adjoining residential amenities, including potential overlooking of the modern terrace of two-storey houses to the rear of the site given the separation

distances between the terraces and the proposed insertion of stained glass in the lower panes of the dormer structure windows.

- 8.11. The Dublin City Development plan 2022-2028, Appendix 18, Section 5 (Attic Conversions / Dormer Windows) *inter alia* states that dormer windows, where proposed should complement the existing roof profile and be sympathetic to the overall design of the dwelling. The development plan provides guidance for the provision of dormer windows to the rear of existing houses.
- 8.12. The dept of the originally submitted dormer was given as 2800mm projecting from the top of the existing roof ridge line. Appendix 18 guidance seeks to avoid extending above the ridge roof line. I note the appellant has reduced the height of the dormer structure by 100mm to position the dormer marginally below the roof ridge line. The dormer structure would be positioned significantly above the roof eaves line.
- 8.13. The appellant by amendment would reduce the width of the dormer by 365mm and would rationalise the fenestration to reduce the number of window openings in the dormer to two openings. The original dormer submitted to the planning authority has a given width of 3565mm. The amended width of the dormer would be 3200mm.
- 8.14. The Guidance provided stipulates that dormer windows should relate to the shape, size, position and design of doors and windows at the lower level of the house. The proposed dormer extension as modified on appeal would have two vertical emphasis window openings symmetrically placed within the dormer structure that would reflect the verticality of the two first floor window openings below.
- 8.15. I conclude that the dormer as modified exhibiting a reduced width and height would in general satisfy the Guidance provided in Appendix 18. However, the projection of the dormer would be significant. The structure would project approximately 2800mm from the existing rear roof plane and would exhibit side profiles and a flat roof.
- 8.16. The dormer structure would have significant visibility above the rear roof plane within a sensitive conservation context. It would disrupt the rear roof plan of the terrace (nos.1-9 Synge Street), which is uninterrupted other than by rooflight and chimney stack punctuations that are a characteristic of the exiting historic roofscape.
- 8.17. I interrogate below the impact of the rear dormer structure on the character and integrity of no. 5 Synge Street, a protected structure. I also interrogate the impact of

the proposed development within the immediate conservation area comprising the terrace of protected structures (1-9 Synge Street).

#### Protected Structure Status

- 8.18. No. 5 Synge is a protected structure (Reg. Ref: 7922). The conservation officer reports significant concerns *inter alia* in the matter of the proposed dormer, internal works to facilitate access to the attic and the insertion of roof light to the front plane of the roof.
- 8.19. The conservation report notes that the original application is limited and does not include a method statement for the proposed works, including replacement of roof slates. The conservation officer recommends the submission of a full and complete Architectural Heritage Impact Assessment (AHIA). I consider that the appellant has discharged this requirement.
- 8.20. The Architectural Heritage Impact Assessment includes the application of ICOMOS standards, providing an individualised assessment of the proposed amended interventions to the protected structure (See Section 4.3 of the Architectural Heritage Impact Assessment). It is claimed that the proposed amendments would result in a net diminution of the negative aspects of the original proposal.

#### External interventions

- 8.21. The appellant's conservation architect claims that the proposed development as amended on appeal would significantly improve the original design specifically as it relates to matters of heritage and conservation.
- 8.22. The appellant has omitted the front rooflights by way of amendment, which were a significant concern, as expressed by the conservation officer, in terms of their adverse impact on the Synge Street streetscape. I would concur with the conservation officer in this matter.
- 8.23. In the matter of the proposed rear dormer structure, Section 9.2.7 of the Architectural Heritage Protection Guidelines for Planning Authorities (2011) is relevant. Section 9.2.7 *inter alia* states that roofs of protected structures should retain their original form and profile and should not be radically altered, for example, to provide additional accommodation in the form of a mansard roof.

8.24. I consider that the replacement of the existing roof light with a dormer extension measuring 2800mm in dept and 3200mm in width would represent a significant alteration of the rear roof plane of no. 5 Synge Street. I would concur with the planning case officer that the dormer structure would become a dominant feature in the roofscape.

8.25. I consider that the projection, height and flat roof profile of the dormer extension as originally submitted to the planning authority and as modified on appeal would seriously injure the character of the protected structure itself and the adjoining protected structures in the terrace, introducing a discordant element into the rear roofscape of the terrace, inconsistent with Section 9.2.7 and Section 9.4.22 of the Architectural Heritage Protection Guidelines for Planning Authorities (2011).

#### Plan-form

8.26. I note that the Architectural Heritage Impact Assessment states that the alteration of the plan form would be significant. I would concur with that statement given that the introduction of a staircase to access the attic would compromise the spatial integrity of the existing staircase hall.

8.27. The mitigation provided by the appellant cites the general requirement to make adaption to domestic structures and the nature of the intervention, which should read of recent provenance in modern material and contemporary form.

8.28. Section 11.2.2 (Considerations of Proposals Affecting Plan-Form) of the Architectural Heritage Protection Guidelines for Planning Authorities (2011) *inter alia* states where alterations are essential for the continued viability of a building with an interior of value attempts should be made to keep works to a minimum and preferably confined to areas of secondary importance.

8.29. I acknowledge that the appellant wishes to minimise works to the protected structure. However, the insertion of a new staircase to make the attic accessible would result in a significant intervention to plan form.

8.30. Furthermore, the justification of the proposed intervention would not satisfy the stated criteria namely the viability of the building and / or the preferred secondary location of intervention. The proposed staircase insertion would be located in the rear staircase hall in one of the principal spaces within the house.

- 8.31. Section 11.2.1 of the Architectural Heritage Protection Guidelines for Planning Authorities (2011) *inter alia* states that the plan form of a building is one of its most important characteristics and where the original plan form remains intact it should be identified and respected.
- 8.32. No. 5 Synge Street is a single-storey over garden level “villa” type house. This type of house which were constructed in many parts of Dublin initially at seaside locations and more generally city wide in the nineteenth-century. The house type is a characteristic domestic typology of the Dublin inner suburbs and in coastal locations.
- 8.33. These houses have two principle reception rooms at first floor entrance level with an internal stairwell leading to the lower ground floor containing kitchen and bedrooms. The first floor entrance hall accessed by a flight of external steps at street level extends into a rear staircase hall. The first floor rear hall is in form and purpose a first floor landing.
- 8.34. I note that significant alteration of the house has been carried out at garden level to integrate a rear extension into an open plan living / kitchen space with the removal of the back wall of the building. However, I consider that the original plan form of the house at no. 5 Synge Street is readily discernible.
- 8.35. Section 11.2.3 of the Architectural Heritage Protection Guidelines for Planning Authorities (2011) *inter alia* requires where possible alterations to plan form should not change the interrelationship or the proportions of prominent spaces such as entrances, staircases or principal rooms.
- 8.36. I consider that the introduction of a staircase into the first floor rear hall to access a third floor at attic level would significantly alter the internal spatial arrangement of the house, including the alteration of the entrance / rear hall, which is one of the principal spaces within the interior of the house.
- 8.37. Notwithstanding the mitigation proposed by the appellant, I conclude that the significant disruption to the historic plan form, resulting from the insertion of a staircase to the attic from the first floor rear hall, would have an adverse impact on the special character and integrity of the protected structure inconsistent with the Architectural Heritage Protection Guidelines (2011),

8.38. Finally, I would concur with the planning case officer that the proposed significant change to the plan form of the house would be inconsistent with Policy BHA2 of the Dublin City Development Plan 2022-2028 in specific sections (b), (d) and (f), *inter alia* providing for the protection of the special interest of the interior, including plan form and hierarchy of spaces.

#### Removal of historic fabric

8.39. The insertion of the staircase would result in the alteration and removal of part of the original first floor landing balustrade and the removal of part of the original cornice in the rear hall. The appellant argues that the amount of fabric to be removed is limited.

8.40. I consider that the loss of original cornice and the removal of 900mm of the stair balustrade are significant given the level of intervention to the house documented by the appellant to date, which has resulted in the removal of historic features and fittings at unspecified dates. I note that the appellant has replaced and reinstated certain missing features including window treatment.

8.41. I do not consider that the loss of historic fabric in combination with the disruption to the internal plan form, which would result from the staircase insertion, as having a minimal effect on the interior of the house as suggested in the Architectural Heritage Impact Assessment (submitted with the appeal).

8.42. Section 9.4.22 of the Architectural Heritage Protection Guidelines for Planning Authorities (2011) *inter alia* states where it is proposed to install new dormers or rooflights the extent of the potential damage to historic roof structures should be considered.

8.43. I note that the replacement of the existing rooflights with the dormer extension would result in further loss of historic fabric. The Architectural Heritage Impact Assessment quantifies the loss as circa 6 number timber rafters noting that this area of the roof is already altered by the earlier insertion of rooflights.

8.44. I conclude that the proposed insertion of the staircase to attic level would be inconsistent with Section 9.4.22 of the Architectural Heritage Protection Guidelines for Planning Authorities (2011) and would be inconsistent with Policy BHA2 of the Dublin City Development Plan 2022-2028 in specific sections (b), (d) and (f), which *inter alia*

seeks to respect the historic fabric ensuring the protection of architectural detail, fixtures and fittings and materials.

#### Conservation Area Designation

- 8.45. Section 9.4.22 of the Architectural Heritage Protection Guidelines for Planning Authorities (2011) *inter alia* states if a building is part of a terrace the proposed addition of new dormers or rooflights may upset the balance of the whole architectural composition. New rooflights and dormers on minor or concealed slopes may be considered acceptable in some cases.
- 8.46. The planning case officer considered that the proposed replacement of rooflights with a larger new dormer within the terrace (nos.1-6 Synge Street) would impact on the balance and symmetry of the rear elevations of the houses in the terrace. I would concur with the planning case officer notwithstanding the reduction in the height and width of the dormer structure.
- 8.47. I note that the two-storey return extensions to nos. 6 & 7 Synge Street are visible from the rear of the terrace. I concur with the appellant that they introduce elements into the rear elevation of the terrace disrupting the rhythm of the terrace. However, the two-storey returns indicatively respect the eaves height of the terrace.
- 8.48. I acknowledge that the rear roof plane of the terrace in the location of no. 5 Synge Street can be seen obliquely from the rear backlands, as demonstrated by the appellant given the location of a modern two-storey terrace to the rear of the streetscape on Synge Street.
- 8.49. However, I consider that the introduction of a dormer extension to the rear of no. 5 Synge Street would provide an undesirable precedent for dormer extension of the adjoining protected structures in the terrace, including the rear roof planes of houses to the north of no. 5 Synge Street publicly visible from the access lane known as "Kevin's Cottages".
- 8.50. I consider the proposed dormer extension would introduce a discordant element into the rear roof plan of no. 5 Synge Street out of character with the adjoining houses in the protected terrace. I do not consider that the proposed dormer structure would make a positive contribution to this residential conservation area.

- 8.51. Therefore, the proposed dormer extension as submitted to the planning authority and as modified on appeal would be inconsistent with Policy BHA9, which provides that development within or affecting 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.
- 8.52. I conclude that the dormer extension would have a significant adverse impact on the setting of the protected structures in the terrace inconsistent with Section 9.4.22 of the Architectural Heritage Protection Guidelines for Planning Authorities (2011) and inconsistent with Policy BHA9 and with the conservation zoning objective, which seeks to protect and/or improve the amenities of residential conservation areas.

#### Other Matters

- 8.53. The appellant cites the omission of no.5 Synge Street from the National Inventory of Architectural Heritage (NIAH). Where nos. 1, 7, 8 and 9 Synge Street are included in the inventory. These entries are given regional importance. Nos. 2-6 Synge Street are not included in the Inventory.
- 8.54. The conservation impact statement, prepared by Dermot Nolan Conservation architect, submitted with the appeal statement, states that of the 42 number houses in the city block, formed by Synge Street, Pleasant Street, Heytesbury Street and Grantham Street, only the 5 houses without original brick facades (nos. 2-6 Synge Street inclusive) are absent from the inventory. The conservation architect suggests these houses (nos. 2-6 inclusive) were considered by the NIAH to be of local rather than regional importance.
- 8.55. I note the distinction between regional and local importance. I also note that this is a speculation on the part of the appellant. The relevant matter is the protected structure status of no. 5 Synge Street (no. 7922) and the protected structure status of the adjoining houses. I do not consider the omission of the subject house in the NIAH relevant to this appeal.

## 9.0 **AA Screening**

I have considered the proposed development in-light of the requirements S177U of the Planning and Development Act 2000 (as amended).

The subject site is located within an established suburban area and is connected to piped services and is not immediate to a European Site. The proposed development comprises alteration of an existing building at roof level.

No significant nature conservation concerns were raised in the planning appeal.

Having considered the nature, scale and location of the project, I am satisfied that it can be eliminated from further assessment because it could not have any effect on a European Site given the small-scale nature of the development.

I conclude 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.

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

## 10.0 Water Framework Directive

10.1. The site is located in an inner city location. It is not proximate to a visible watercourse.

The proposed development comprises alteration of an existing building at roof level.

No water deterioration concerns were raised in the planning appeal.

I have assessed the development and have considered the objectives as set out in Article 4 of the Water Framework Directive which seek to protect and, where necessary, restore surface & ground water waterbodies in order to reach good status (meaning both good chemical and good ecological status), and to prevent deterioration. 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 surface and/or groundwater water bodies either qualitatively or quantitatively.

The reason for this conclusion is the small scale and nature of the development.

I conclude based on objective information, the proposed development will not result in a risk of deterioration of any water body (rivers, lakes, groundwaters, transitional and coastal) either qualitatively or quantitatively or on a temporary or permanent basis or otherwise jeopardise any water body in reaching its WFD objectives and consequently can be excluded from further assessment.

## 11.0 Recommendation

11.1. I recommend a refusal of planning permission based on the reasons and considerations set out below.

## 12.0 Reasons and Considerations

Having regard to the Z2 residential conservation zoning objective, the policy framework provided by the Dublin City Development Plan 2022-2028, for the regulation of protected structures and their setting, and the Architectural Heritage Protection Guidelines for Planning Authorities (2011), it is considered that the proposed rear dormer structure, and as amended on appeal, and associated new internal stairwell to attic level, would result in a discordant element in the rear roofscape of the protected terrace (nos. 1-9 Synge Street), would significantly alter the plan form of the house and would result in the loss of historic fabric, which would have a significant adverse impact on the special character and integrity of no. 5 Synge Street a protected structure inconsistent with Policy BHA2 of the Dublin City Development Plan 2022-2028, in specific Sections (b), (d) and (f), and Section 9.2.7, Section 9.4.22 and Section 11.2.1 of the Architectural Protection Guidelines (2011) and, as such, would set an undesirable precedent for further developments of this type which would be inconsistent with the proper planning and sustainable development of the residential conservation area.

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.



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Anthony Abbott King  
Planning Inspector

26 November 2025

## Appendix 1: Form 1 EIA Pre-Screening

<b>Case Reference</b>	
<b>Proposed Development Summary</b>	Dormer extension
<b>Development Address</b>	No. 5 Synge Street, Dublin 8.
<b>IN ALL CASES CHECK BOX / OR LEAVE BLANK</b>	
1. Does the proposed development come within the definition of a 'Project' for the purposes of EIA?	<input checked="" type="checkbox"/> Yes, it is a 'Project'. Proceed to Q.2
	<input type="checkbox"/> No, No further action required.
<p>(For the purposes of the Directive, "Project" means:</p> <ul style="list-style-type: none"> <li>- The execution of construction works or of other installations or schemes,</li> <li>- Other interventions in the natural surroundings and landscape including those involving the extraction of mineral resources)</li> </ul>	
2. Is the proposed development of a CLASS specified in Part 1, Schedule 5 of the Planning and Development Regulations 2001 (as amended)?	
<input type="checkbox"/> Yes, it is a Class specified in Part 1. <b>EIA is mandatory. No Screening required. EIAR to be requested. Discuss with ADP.</b>	State the Class here
<input checked="" type="checkbox"/> No, it is not a Class specified in Part 1. Proceed to Q3	

<p><b>3. Is the proposed development of a CLASS specified in Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended) OR a prescribed type of proposed road development under Article 8 of Roads Regulations 1994, AND does it meet/exceed the thresholds?</b></p>	
<p><input checked="" type="checkbox"/> No, the development is not of a Class Specified in Part 2, Schedule 5 or a prescribed type of proposed road development under Article 8 of the Roads Regulations, 1994.</p> <p><b>No Screening required.</b></p>	
<p><input type="checkbox"/> Yes, the proposed development is of a Class and meets/exceeds the threshold.</p> <p><b>EIA is Mandatory. No Screening Required</b></p>	<p><b>State the Class and state the relevant threshold</b></p> <p>N/A</p>
<p><input type="checkbox"/> Yes, the proposed development is of a Class but is sub-threshold.</p> <p><b>Preliminary examination required. (Form 2)</b></p> <p><b>OR</b></p> <p><b>If Schedule 7A information submitted proceed to Q4. (Form 3 Required)</b></p>	<p><b>State the Class and state the relevant threshold</b></p> <p>N/A</p>
<p><b>4. Has Schedule 7A information been submitted AND is the development a Class of Development for the purposes of the EIA Directive (as identified in Q3)?</b></p>	
<p>Yes <input type="checkbox"/></p>	<p>Screening Determination required (Complete Form 3)</p>
<p>No <input checked="" type="checkbox"/></p>	<p>Pre-screening determination conclusion remains as above (Q1 to Q3)</p>

Inspector: A. B. H. Lj

Date: 26/11/2025