



An
Coimisiún
Pleanála

Inspector's Report

ACP PL-500561-DS-26

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| Development | Refurbishment and extension of existing annex building to provide habitable accommodation within the curtilage of a Protected Structure. |
| Location | Cranford, 125 Rathgar Road, Rathgar, Dublin D06 W2C3 |
| Planning Authority | Dublin City Council |
| Planning Authority Reg. Ref. | WEB5345/25 |
| Applicants | Hannan Mullett and Jane Colville |
| Type of Application | Permission |
| Planning Authority Decision | Refuse permission |
| Type of Appeal | First Party v. decision |
| Appellants | Hannan Mullett and Jane Colville |
| Observers | None |
| Prescribed Bodies | Department of Housing, Local Government and Heritage |

Date of Site Inspection

27 February 2026

Inspector

B. Wyse

2.0 Site Location and Description

- 2.1. Cranford is a two-storey villa style period house set within substantial gardens. The house is sited well back from Rathgar Road and is accessed via a long treelined avenue. The house features an external stairs to the main first floor entrance. There is a modern single storey extension to the rear. There is a two-storey detached structure to the northern side of the main house. This is the structure referred to as the annex, the subject of the application. It is currently in use for storage and as a games room. There is a shed to the rear of the annex. The rear garden extends to a laneway that provides rear access to properties in the vicinity, though not currently to Cranford. The subject property as outlined in red in the application has a total stated site area of 0.197has (1970sqm).
- 2.2. There is gate lodge at the entrance to the property. While it is indicated as outside the application red line it is within an area outlined in blue indicating that it is within the applicants ownership. It appears to be currently vacant.
- 2.3. The surrounding area is generally characterised by large, mature and mostly period residential properties. Immediately adjacent properties include Albany House to the north, also accessed via a long avenue from Rathgar Road. This access also serves two modern two-storey town houses located to the rear of Albany House and that are immediately adjacent to the northern boundary of the subject site in the vicinity of the annex. Adjacent to the south Auburn Villas is a cul-de-sac of a mix of period and modern houses.

3.0 Proposed Development

- 3.1. The proposed development is for the refurbishment and extension of the annex structure, that includes the demolition of the small shed to its rear. The main work elements of the development are as follows:
- Reconfiguration of the floorspace within the annex from existing single rooms on both levels to two bedrooms and a bathroom at ground floor level and an open plan kitchen/living room at first floor level.
 - A two storey extension to the rear of the annex to provide for a study, bathroom and storage area at ground floor level and a walled open to air roof garden at

first floor level. The extension would include a curved wall to the rear garden of the property with openings at first floor level.

- A glazed link between the annex and the extension providing for the main entrance and circulation space.
- External finishes to include retention of render to annex, brick to the extension with timber louvres detailing.
- By reference to the drawings the completed development would comprise a total internal floor area of 110sqm, 71sqm at ground floor level and 39sqm at first floor level.

3.2. The statutory notices refer to the proposed development *all to accommodate living space*. The Planning and Design Statement submitted with the application includes the following in relation to the current use of the annex and the purpose of the proposed development:

- *Over the years, the annexe building to the north of the main house at Cranford has been used as a gym and games room however, these, ancillary uses have given way to the building being used for storage. The applicants seek to make better use of the annexe and, with a growing family approaching college going age and with student accommodation in short supply, their aim is to repurpose it to give their children some of the independence of student life within the curtilage of the family property and without adding to the demand for student accommodation.*
- *Combined with its refurbishment, the proposed extension to the annexe will breathe new life into this neglected structure while retaining its use as ancillary to that of the main house. The extended annexe will provide a very high standard of living, studying and sleeping accommodation with its own screened, high quality private open space.*
- *From a planning and development perspective, the development should be considered to be an extension to an existing detached residential structure on a corner/side garden site.*

3.3. The application documentation includes an Architectural Heritage Impact Assessment and Photographic Survey and a Planning Report and Design Statement.

4.0 Planning Authority Decision

4.1. Decision

The decision to refuse permission refers to two reasons as follows:

1. *Having regard to the proposal to provide bedroom accommodation within an ancillary structure that is not a fully independent dwelling and is not physically attached to the main house, it is considered that the development would conflict with the provisions of the Dublin City Development Plan 2022-2028, specifically Appendix 18, Section 2.0 (Detached Habitable Structures) and Section 7.0 (Ancillary Family Accommodation), which seek to ensure such development is appropriately integrated and subordinate to the main dwelling. The proposal would, therefore, by itself and the precedent it would set for similar undesirable development, be contrary to the proper planning and sustainable development of the area.*
2. *Having regard to the Z2 residential conservation zoning objective, the Protected Status of the main house, the height, scale bulk and massing and positioning in relation to the historic coach house structure of the proposed development, it is considered that the proposed development would be visually dominant and would cause serious injury to the historic fabric and special architectural character of the Protected Structure and its setting. The development would therefore be contrary to Policy BHA2 which seeks to ensure development conserves and enhances Protected Structures and their curtilage and Policy BHA9 of the City Development Plan 2022-2028 which seeks to protect the special interest and character of all Dublin's Conservation Areas. The proposed development is therefore considered contrary to the proper planning and sustainable development of the area.*

4.2. Planning Authority Reports

4.2.1. Planning Report

Basis for planning authority decision. Includes:

- *Although the (application) covering submission refers to the standards set out in the development plan for housing on infill and corner sites, these standards are for independent dwelling units, while the proposal provides for accommodation which would be ancillary to the main house, without subdivision of the site or provision of independent access or street frontage.*
- *Section 7.0 of Appendix 18 of the development plan defines ancillary accommodation as a subdivision or extension of a single-family dwelling unit to accommodate an immediate family member for a temporary period, or where an immediate relative with a disability, illness or temporary housing need may need to live in close proximity to family.*
- *It is stated that ancillary family accommodation should be contained within the existing unit or provided as an extension to the main dwelling, preferably have a direct connection to the main home, not be let as a separate unit of accommodation, not be a separate detached dwelling unit and be reintegrated back into the original unit when no longer occupied by a member of the family. Conditions will be attached to the permission limiting the use of the accommodation for ancillary family use only on a temporary basis.*
- *Section 2.0 of Appendix 18 refers to detached habitable structures and states that these are backland development within the curtilage of an existing dwelling, without a separate vehicular access point. The purpose of such rooms is to provide additional space within the garden of the existing dwelling for uses such as study/home office, additional living space or a childrens' playroom. These rooms should only be used as ancillary residential accommodation and may not be sold or rented separately from the main dwelling unit, with conditions to be attached in this regard.*
- *In order to be considered as ancillary family accommodation the structure should be attached to the house. Separate private open space would not be required. A detached habitable structure could also be considered, with accommodation such as home office, den/games room or additional livingroom, but not sleeping accommodation. In the format proposed, the extension would*

not comply with the standards and policies for either ancillary family accommodation or for a detached habitable room.

- *Having regard to the setback of the main house from Rathgar Road and the location of the proposed extension behind the existing annexe building, it is not considered that the proposed extension would unduly impact on the visual amenities of the residential conservation area.*
- Agreement with the recommendation of the planning authority Conservation Officer in relation to the impact on the Protected Structure (see below).
- No requirement for appropriate assessment or environmental impact assessment.

4.2.2. Other Technical Reports

Archaeology, Conservation and Heritage (Conservation Officer)

Includes:

- *... it would be important that an appropriately accredited conservation expert, such as a RIAI GI or GII Conservation Architect or equally experienced conservation structural engineer or conservation surveyor be employed in the required analysis, assessment, design and specifying of works to Protected Structures.*
- *The submitted drawings are poorly annotated, with many of the annotations obscured and illegible.*
- *As set out in Chapter 11 of the Dublin City Council Development Plan 2022-2028, "all planning applications relating to protected structures shall contain the appropriate level of documentation in accordance with Article 23 (2) of the Planning and Development Regulations, 2001 (as amended) and Chapter 6 and Appendix B of the 'Architectural Heritage Protection Guidelines for Planning Authorities' (2011), or any variation thereof including where relevant an Architectural Heritage Impact Assessment." The submission does not meet these requirements.*
- *The submitted Conservation Report is limited and does not contain a method statement, beyond a description of the scope of the proposed works. Limited*

photographs have been included, and none from the rear garden. There are few clear photographs of the curtain wall which is proposed for demolition. Limited information on the existing former coach house/annexe has been provided.

- *Generally, an Architectural Heritage Impact Assessment (AHIA) should provide sufficient detail, appropriate to the nature and scale of the proposed works and significance of the Protected Structure, to allow the Conservation Officer to make an assessment on their appropriateness.*
- *The existing garden shed is a 20th century addition. The proposed demolition of the existing garden shed would not represent a loss of historic fabric and is acceptable in principle.*
- *The existing annexe was constructed in the mid-late 19th century and is extant on the 1864 and 1886 Ordnance Survey maps. Given its location in relation to the house, it was likely built as a stable or coach house. A coach house, stable and harness room are recorded in the 1911 census.*
- *While a modestly scaled extension which is subservient to and respects the protected structure would be acceptable, the proposed extensions are considered excessive.*
- *The bulk and massing of the proposed glazed link and extension would dominate the historic forms and render them incongruous to the special character of the protected coach house/annexe.*
- *Additionally, the proposed extension would result in the demolition of the east elevation wall of the former coach house/annexe. While the elevation was altered in the mid-20th century, the proposed demolition would result in a significant loss of historic fabric and would adversely impact the original form of the coach house/annexe.*
- *The proposed glazed link and brick wall to the west would be higher than the eaves of the east elevation. The eaves of the coach house/annexe would be demolished to accommodate the glazed link, further eroding the east elevation and form of the coach house/annexe.*
- *The proposed development would consist of the refurbishment of the of the coach house/annexe, which was previously refurbished in the 1960's. New*

softwood ceiling joists/tie are proposed to the structure. However, the CO notes that original roof timbers may be concealed behind the existing hardboard panelling to the interior.

- *The proposal to install dry lining boards to the interior does not constitute best conservation practice and would likely lead to interstitial condensation and mould growth to the historic interior.*
- *At ground level, a new concrete slab with underfloor heating is proposed. Given the original use of the building as a coach house, stable and harness room, there is potential that the existing timber flooring may conceal original stone cobbles, stone setts, or historic paving underneath.*
- *It is proposed to replace the existing casement windows with triple glazed aluminium framed casement windows in the existing openings. From a conservation perspective, the use of aluminium would generally not be considered acceptable as they are considered to be unsympathetic and inappropriate to the special architectural character of Protected Structures. Where replacement of existing casements are proposed, timber or steel would be more acceptable from a conservation perspective.*
- *A rooflight is proposed at the apex of the roof of the coach house/annexe. The hipped and slated roof and clay ridge tiles would appear to be original. The proposal roof light would have an adverse impact on the form and legibility of the roof and would detract from the Protected Structure. Where additional light is required, the installation of a conservation rooflight located below the ridge line of the structure would be a more appropriate solution from a conservation perspective.*
- *It is noted that the coach house/annexe is set back from the road behind trees. When viewed from the road, the proposed panels would be on a side elevation and would not be visible from the public realm.*
- *Recommends refusal of permission (generally as per planning authority reason for refusal number 2).*

4.3. **Prescribed Bodies**

All relevant bodies under Article 28(1)(c) of the Regulations (possible effects on a protected Structure etc.) notified and no responses received.

Uisce Eireann – no response received.

4.4. **Third Party Observations**

None received.

5.0 **Planning History**

PA Ref. 2569/18

This is the 2018 permission for the rear extension to the main house.

PA Ref. 2213/14, ABP Ref. 243339

This is a 2014 refusal of permission for a new boundary wall and vehicular access to Cranford from Auburn Villas. The reason for refusal referred to the development removing the main house from the tree lined avenue and gate lodge thus seriously impacting the character and setting of the Protected Structure and the Architectural Conservation Area.

PA Ref. 5561/05, ABP Ref. 217165

This is a 2006 grant of permission for two town houses in the front garden of Cranford and including a new vehicular access to Cranford from Auburn Villas. The development was not carried out.

6.0 **Policy Context**

6.1. **Development Plan**

Dublin City Development Plan 2022-2028

Zoning Z2 – Residential neighbourhoods (Conservation Areas): *To protect and/or improve the amenities of residential conservation areas.*

Cranford is a Protected Structure – RPS Ref. 7093.

Chapter 11 – Built Heritage and Archaeology

Section 11.5.1 – The Record of Protected Structures; includes:

All planning applications relating to protected structures shall contain the appropriate level of documentation in accordance with Article 23 (2) of the Planning and Development Regulations, 2001 (as amended) and Chapter 6 and Appendix B of the 'Architectural Heritage Protection Guidelines for Planning Authorities' (2011), or any variation thereof including where relevant an Architectural Heritage Impact Assessment.

Policy BHA2 – Development of Protected Structures; includes:

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.

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

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

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

Policy BHA9 – Conservation Areas

To protect the special interest and character of all Dublin's conservation areas – identified under Z8 and Z2 zoning objectives and denote by red line conservation hatching on the zoning maps. 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.

Appendix 18 – Ancillary Residential Accommodation

Section 2.0 – Detached Habitable Structures

Detached habitable rooms refer to backland development within the curtilage of an existing dwelling that does not contain a separate vehicular access point. In this respect, access to the individual room to the rear of the existing dwelling will be provided by way of side passage/ access but with shared entranceway.

The purpose of these rooms is to provide for additional space within the rear garden of an existing dwelling for study/ home office use or additional living/ children's play room. These rooms shall only be used as ancillary residential accommodation.

All planning applications for detached habitable rooms will be subject to a condition to restrict the use of the room as ancillary living space to the main dwelling. The room may not be sold or rented separately from the main dwelling unit.

Section 7.0 – Ancillary Family Accommodation

Ancillary family accommodation refers to a subdivision or extension of a single family dwelling unit to accommodate an immediate family member for a temporary period (e.g. elderly parent) or where an immediate relative with a disability illness or specific temporary housing need may need to live in close proximity to their family.

Generally, the purpose of ancillary family accommodation is to provide an amenable living area offering privacy, manoeuvrability and independence while maintaining a direct connection to the main dwelling. Usually, there is no exterior difference in appearance between an extension and ancillary family accommodation and is still considered a single residential unit.

Ancillary family accommodation should:

- *Be contained within the existing unit or provided as an extension to the main dwelling (exempted development principles for residential extensions can apply where applicable. Where an extension is not exempt, planning permission is required).*
- *Preferably have a direct connection to the main home.*
- *Not be let separately for the purpose of rental accommodation.*
- *Not be a separate detached dwelling unit.*
- *Be reintegrated back into the original unit when no longer occupied by a member of the family.*

Conditions will be attached to the permission limiting the use of the accommodation for ancillary family use only on a temporary basis.

6.2. Relevant Ministerial Guidelines

Architectural Heritage Protection Guidelines for Planning Authorities – Department of Arts, Heritage and Gaeltacht, 2011

Chapter 6 Development Control

Paragraph 6.4.3 includes;

The level of documentation required to accompany a planning application works to a protected structure will depend on the scale, extent or complexity of the works involved. For example, works proposed to a confined area of a protected structure or works within the curtilage should not normally require extensive documentation regarding unaffected parts of the structure.

Paragraph 6.4.5 includes:

As indicated in the 2001 Regulations, a planning application for works to a protected structure must include (in addition to the normal requirements to supply maps and drawings) ‘such photographs, plans and other particulars as are necessary to show how the development would affect the character of the structure.

Paragraph 6.4.7 includes:

Additional drawings to those required under Article 23 (1) of the 2001 Regulations may be necessary to describe proposed works to a protected structure, or proposed protected structure.

Paragraph 6.4.8 includes:

The drawn information accompanying a planning application should concentrate on describing those parts or elements of the structure which will be impacted upon by the proposed development. The drawings should clearly indicate the location of works and the extent of alteration of the existing fabric.

Paragraph 6.4.9 includes:

Ideally, in the case of a protected structure buildings and other features of interest within the curtilage should also be indicated on elevational drawings.

Paragraph 6.4.11 includes:

While some general photographs will be necessary to set the context for the proposals, the photographs accompanying a planning application should concentrate on describing those parts or elements of the structure which will be impacted upon by the proposed development rather than provide an exhaustive survey of the development site.

Paragraph includes:

Article 23 (2) requires planning applications to be accompanied by 'other particulars as are necessary to show how the development would affect the character of the structure'. These other particulars are not specified but, depending on the circumstances and the nature of the proposed development, may include one or more of the following:

Written Statement – advised that a brief statement is a useful tool to explain the rationale for the proposed development. An outline of the type of information that could be included in such an assessment is provided in Appendix B.

Architectural heritage impact assessment – advised that for more extensive or complex works with the potential to have a major impact on the architectural heritage, a planning authority may require a more detailed impact statement.

Method statement and specification – advised that these could be required for works that affect character and special interest.

Paragraph 6.7.2 includes a number of conditions that could be attached to a permission relating to a protected structure, including:

(a) agreement in writing with the planning authority of particular specifications which would be required in order to carry out a development in accordance with good conservation practice;

(j) monitoring of the works by an architect with conservation expertise and certification on completion that the works have been carried out in accordance with good conservation practice...;

Paragraph 6.8.1 includes:

It will often be necessary to permit appropriate new extensions to protected structures in order to make them fit for modern living and to keep them in viable economic use.

Paragraph 6.8.2 includes:

If planning permission is to be granted for an extension, the new work should involve the smallest possible loss of historic fabric and ensure that important features are not obscured, damaged or destroyed. In general, principal elevations of a protected structure (not necessarily just the façade) should not be adversely affected by new extensions.

Paragraph 6.8.3 includes:

The architectural style of additions does not necessarily need to imitate historical styles or replicate the detailing of the original building in order to be considered acceptable..... Extensions should complement the original structure in terms of scale, materials and detailed design while reflecting the values of the present time.

Chapter 7 Conservation Principles

Section 7.7 – Promotes minimum intervention.

6.3. Natural Heritage Designations

None relevant.

7.0 Environmental Impact Assessment

- 7.1. 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.

8.0 The Appeal

8.1. Grounds of Appeal

The main grounds can be summarised as follows:

- The refusal of permission arises primarily from a difference in interpretation and application of planning policy rather than from any inherent conflict between the proposed development and the objectives of the development plan. Insufficient weight has been afforded to the specific context of the site as part of the curtilage of a protected structure and to the deliberate design approach adopted to avoid physical intervention to the main house, to minimise visual impact, and to ensure the continued primacy of the Protected Structure within its setting.

Reason for refusal Number 1

- The conclusion that the proposed accommodation could not be considered ancillary to the main dwelling by reason of the absence of a physical connection to the protected structure is in error. The proposed use is clearly ancillary in functional, planning and ownership terms. It does not constitute an independent dwelling unit and is capable of being controlled by condition consistent with Appendix 18 of the development plan. The absence of a physical link is a deliberate and appropriate conservation-led response to the protected status of the main house and does not undermine the ancillary nature of the accommodation.
- The proposal does not involve the creation of a separate planning unit, subdivision of the site or the provision of independent access or servicing and the annex will remain in the same ownership and curtilage as the main house.

- The development plan does not preclude ancillary residential accommodation within a detached structure in all circumstances. The assessment of 'integration' and 'subordination' must be informed by conservation principles and the factual circumstances of the site.
- The refusal reason turns solely on whether physical attachment is the only acceptable means by which ancillary use may be achieved.
- Appendix 18 states that ancillary family accommodation should *preferably* have a direct connection to the main home. It does not say that it must be provided in all cases. This anticipates that there may be site specific circumstances where an alternative arrangement may be more appropriate, provided the accommodation remains ancillary and subordinate in planning terms. This appeal concerns such a site specific circumstance.
- Requiring a physical connection between the annex and the protected structure would necessitate additional intervention affecting the protected structure and/or its curtilage. The proposal deliberately avoids such intervention. The absence of a physical link is not a mechanism to evade policy but a conservation led design informed by the protected status of the main house.
- The attachment of a condition limiting the use of the accommodation, and as provided for in Appendix 18, would provide for appropriate control and address the planning authority concern about precedent.

Reason for Refusal Number 2

- The conclusion that the scale, bulk and massing of the proposed development would be visually dominant or would cause serious injury to the protected structure and its setting is not supported when the proposal is assessed in its proper context. The development is sensitively sited within the curtilage, remains subordinate to the protected structure and the existing annex and accords with Policies BHA2 and 9 and the Z2 residential conservation zoning objective. The proposal represents a conservation led and proportionate form of development.
- The planning authority assessment does not sufficiently distinguish between the architectural significance of the protected structure itself and the status of

the annex building within its curtilage. It does not fully consider the extent to which the proposed development has been deliberately sited and designed to avoid material intervention to the protected structure.

- The proposed development represents a sensitive and proportionate form of change within the curtilage of a protected structure. The design approach, specifically the avoidance of a physical link to the main house, is an appropriate conservation response consistent with best practice and does not give rise to the level of visual or heritage impact asserted in the refusal.
- The annex has never been described or recorded as a coach house in any previous planning application, decision or assessment relating to the site, including the planning history of the protected structure.
- The annex is not listed in the Record of Protected Structures and it has not been identified as being of special architectural, historical or heritage interest in its own right.
- The historic maps included in the application indicate that the annex was not part of the original design for the house. It is shown as a later addition and this is reflected in its fabric and form.
- The design approach proposed is fully aligned with Policy BHA2 in being a reasoned design response rather than a design omission.
- The proposed extension is to the rear of the annex and is predominantly single storey in form with a roof terrace at first floor level. There is no material increase in perceived height when viewed in the context of the annex nor does it compete with the scale or prominence of the protected structure.
- The extension is clearly designed so that the annex remains the dominant built element and the new development reads as subordinate in both scale and massing.
- The proposed development remains clearly subordinate to the protected structure in terms of height, bulk and visual presence. The main house continues to read as the primary architectural element on the site and there is no detracting from its primacy, legibility or setting.

- The proposal does not introduce a scale or form of development that is out of keeping with the character of the wider area. It is well removed from the public realm.
- The proposed development complies with Policy BHA9.
- An amended design is also submitted for the Commission's consideration to address the issues raised in Reason for Refusal Number 2. This provides for;
 - Reducing the parapet height of the extension by 810mm and a reduction in the height of the glazed link so that the totality of the existing eaves on the annex is retained.
 - The proposed apex rooflight will retain existing rafters using a system where the glazing bars sit on top of the existing rafters.
 - A vertical section of the east faced of the annex, aligning with the existing first floor window opening, is to be retained.
 - Painted hardwood windows to the existing annex window openings in lieu of aluminium windows.

Drawings and CGI of the alternative design included.

8.2. Planning Authority Response

None received.

8.3. Observations

None received.

8.4. Prescribed Bodies

8.4.1. Department of Housing, Local Government and Heritage

Includes:

- The refurbishment of the annex and extension to same is acceptable in principle.
- Acknowledgement that the annex appears to have been significantly altered.

- The Department concurs with the planning authority that the submitted conservation report does not provide adequate details or definitive clarification in relation to the potential survival, or indeed lack thereof, of any remaining historic fabric and/or detailing that may exist under modern coverings.
- It is noted that the applicants, by way of revised drawings to An Coimisiún Pleanála, have reduced the height of the proposed extension, which has assisted in addressing height concerns as they relate to the existing annex.
- The Department considers the extension in its own right to be of a good quality architectural design. It is also acknowledged that the use of brick in the new extension does relate in terms of material and colour to the front façade of the main dwelling. However, this singular design element does not in and of itself appear to have overcome the cumulative impact of unconnected architectural styles with alternating forms, proportions detailing and materials, within a historic setting that is visually interconnected.
- The appellants planning report argues against a physical connection between the annex and the protected structure to avoid intervention and alteration to the historic fabric. While acknowledging the applicability of the development plan requirements, the Department notes that sections 6.8.1-6.8.7 and 7.7 of the Architectural Heritage Protection Guidelines set out the general principle of minimal intervention.
- Presents options around conditions that could be attached if permission is being considered. These include a condition requiring further investigation and survey of the annex that might or might not trigger a requirement for revised design proposals or a condition requiring an overall reduction in the footprint and/or the height of the extension. In either case the relevant actions to take place prior to the commencement of works.

9.0 **Assessment**

- 9.1. The main issues in this appeal are those arising from the planning authority reasons for refusal and I am satisfied that no other substantive issues arise. The issues can be addressed by reference to each of these reasons in turn.

9.2. Reason for Refusal Number 1

- 9.2.1. This relates to the interpretation of policy around the issue of ancillary residential accommodation as provided for in Appendix 18, Sections 2.0 and 7.0 of the development plan.
- 9.2.2. It is clear, in my view, that the proposed development does not fall to be considered under Section 2.0 (Detached Habitable Structures). While sharing some of the defined characteristics, the description of such structures in the plan does not seem to anticipate the inclusion of sleeping accommodation (see Section 5.1 above) and this is also referenced in the planning authority planner's report (see Section 3.2.1 above). The appellant does not seek to rely on this section either. And in the interests of clarity I agree with the planning authority planners report that the development should not be considered against the standards relating to corner or side garden sites, notwithstanding the reference to same in the application documentation.
- 9.2.3. The emphasis in the grounds of appeal is on Section 7.0 (Ancillary Family Accommodation) and I agree that this is the most appropriate provision under which to consider the proposed development (see Section 5.1 above). While the provision may not be an exact fit for the development proposed in this instance it does provide a sufficient basis for assessing the proposal in planning terms. It must also be borne in mind that no development plan can anticipate all and every set of circumstances that might arise so that a reasoned, rather than literal, interpretation of policy is often required.
- 9.2.4. Not surprisingly Section 7.0 anticipates the most common scenario, often referred to as a 'granny flat', and which usually involves extra temporary accommodation for a family member for a limited period of time. In most properties this will be provided by either subdividing an existing house or extending the house. The property remains a single residential unit and planning conditions will be attached to ensure that this is the case.
- 9.2.5. As alluded to by the appellants the subject property presents a quite unique set of circumstances. The main house sits within substantial grounds and there is an existing

outbuilding, the annex, that is currently underutilised and presents as very suitable for the intended purpose of providing ancillary family accommodation, in this case for students that are family members. Being a protected structure there are also conservation considerations.

9.2.6. Looking at the specific guidelines set out in Section 7.0 (see Section 5.1 above) as to what characteristics ancillary family accommodation should have, I would comment as follows:

- Clearly the proposal would not be contained within the existing unit (house) or be an extension to same, as suggested that it should.
- The proposed accommodation would not have a direct connection to the main home. I agree with appellants that the stated requirement here is that such a physical connection is preferable and so not mandatory in all cases as is suggested in the reason for refusal and the planning authority planner's report on which it is based (see Section 3.2.1 above). The proposal, therefore, is not necessarily at odds with this element of the guidance.
- The proposed accommodation would not be let/rented separately from the main house. It is clearly stated that the accommodation is for students that are family members and that the accommodation will remain as part of the existing single residential planning unit. The proposal is in line with this element of the guidance.
- The proposal would not be a separate detached dwelling unit. There is no subdivision of the property proposed nor is there to be independent access or servicing arrangements. The proposed first floor level roof garden in the extension incorporates openings that directly overlook the rear garden of the main house, an arrangement that effectively integrates the two areas and suggests common use. The proposal is in line with this element of the guidance.
- The final element of the guidance is that the ancillary accommodation should be reintegrated into the original unit when no longer occupied by a family member. I am unsure as to how this guidance is actually met in practice. It seems unlikely that property owners would actually carry out physical works to

achieve this. In any event the ancillary accommodation would remain a part of the single residential planning unit so it seems somewhat superfluous. This would also be the case in this instance.

- 9.2.7. The guidance also refers to the attachment of conditions to permissions for ancillary family accommodation limiting its use as such and, under Section 2.0, restricting use as ancillary to the main dwelling only. I agree with the appellants that the attachment of such conditions would provide for appropriate controls on the proposed development.
- 9.2.8. I consider, therefore, that the proposed development would be in substantial compliance with the policy guidance in relation to ancillary family accommodation. Where it departs from the guidance it does so for good reasons – to make use of an existing structure, the annex, and on good conservation grounds. In relation to the latter I accept the appellants argument that requiring a physical connection to the main house would necessitate an unwarranted intervention to the physical fabric of the house and its setting. This approach aligns with the Architectural Heritage Protection Guidelines advice in relation to minimum intervention and which is also referenced in the submission of the Department of Housing, Local Government and Heritage (see Sections 5.2 and 7.3.1 above). Conservation issues are addressed further below.
- 9.2.9. The reason for refusal also refers to the necessity that the proposed development be appropriately integrated and subordinate to the main dwelling. Being a development involving the reuse of an existing building plus a modest extension to the rear of that building I consider that these objectives are satisfied.
- 9.2.10. The reason for refusal also refers to the matter of precedent. Given the specific circumstances of this property, as described above, I do not considered that significant concerns arise in this regard.
- 9.2.11. I conclude, therefore, that the appeal should be upheld in relation to the first reason for refusal.

9.3. Reason for Refusal Number 2

- 9.3.1. This relates to the issue of conservation.
- 9.3.2. The Commission will note that the reason for refusal refers to the annex as a historic coach house. This is based on the report of the planning authority conservation officer

indicating that the structure was constructed in the mid-late 19th century and that it is extant on the 1864 and 1886 Ordnance Survey (OS) maps. It is also asserted that, given its location in relation to the house, it was likely built as a stable or coach house. It is further stated that a coach house, stable and harness room are recorded in the 1911 census (see Section 3.2.2 above). The functioning of the annex building as a coach house is disputed by the appellants who state that it was never described or recorded as such in any previous planning application relating to the site and that it is not listed in the Record of Protected Structures or identified as being of special architectural, historical or heritage interest in its own right. It is further asserted that the historic maps included with the application indicate that the annex was not part of the original design of the house but that it was a later addition as reflected in its fabric and form (see Section 7.1 above).

- 9.3.3. The Architectural Heritage Impact Assessment and Photographic Survey submitted with the application states that the house was built c.1835 with no annex building. The 1837-1842 OS map extract shows the house but not the annex. An 1876 OS map extract appears to indicate a structure at the location of the annex and a 1912 OS map extract seems to fairly clearly indicate the annex building. The report also confirms that the annex was present on the 1886 OS map. There is no mention of its use as a coach house and it is described as a utilitarian structure that may have been used for storage or accommodation ancillary to the main house.
- 9.3.4. So the information presented on both sides in relation to the origins of the physical structure reasonably aligns but there remains a difference in relation to its original function. What is not in dispute is that the structure has been altered significantly, according to the application document in the 1960's, including replacement windows and door, internal panelling, flooring and a new stairs.
- 9.3.5. The reason for refusal refers specifically to the relationship between the proposed extension and the annex, including the loss of historic fabric and special architectural character, and its relationship to the main house and its setting.
- 9.3.6. I agree with the appellants that the proposed extension is sensitively sited within the curtilage of the protected structure and that it would be subordinate to both the annex and the main house. The extension is relatively modest in scale and its location to the rear of the annex, and to the side of the property, ensures that in views from the front

of the property it would be barely perceptible and it would not have any significant impact on the appreciation of the main house or of the annex. From the rear garden the new extension would, in my view, complement the new contemporary extension to the rear of the house and make a positive contribution to the setting. The unashamedly modern design, featuring, in particular, a curved wall that visually pulls the extension back from the main house, ensures that the extension would be a point of interest and not a competitor to the house. The fact that it would obscure the existing partial view of the east elevation of the annex would not be significant. I note that the Department of Housing, Local Government and Heritage considers the proposed extension to be of good quality architectural design while maintaining reservations about unconnected architectural styles within a historic setting (see section 7.3.1 above).

- 9.3.7. The contemporary design approach to the new extension is, in my view, in keeping with the advice set out in the Architectural Heritage Protection Guidelines in relation to adopting appropriate architectural styles that reflect the values of the present time [see Section 5.2 above (parag. 6.8.3 of the guidelines)].
- 9.3.8. In relation to the loss of historic fabric the focus here, as set out in the planning authority conservation officer report, is on the proposed alterations to the east elevation of the annex and potential loss of original internal features.
- 9.3.9. While I am not concerned at the extent of loss of historic fabric as such I do agree with the conservation officer that the proposed glazed link at the height as originally proposed would result in an unsatisfactory intervention into the roof and eaves of the annex on the east elevation. The appeal documentation includes two amendments to address the concerns raised. The parapet height of the extension is to be reduced by 810mm along with the height of the glazed link thus enabling the retention of the existing eaves. A vertical section of the east face of the annex is also to be retained. The result would be a reduction in the loss of historic fabric and a better relationship between the extension and the annex building. The reduction in height is noted in favourable terms in the submission from the Department of Housing, Local Government and Heritage (see Section 7.3.1). The use of a glazed link as proposed is a well-established approach in conservation projects and, as amended, would, in my view, provide for a more satisfactory design resolution between the original annex and

the new extension than that originally proposed. The changes, in my view, overcome the concerns raised in the reason for refusal. They constitute minor amendments and can be accepted at this appeal stage.

- 9.3.10. In relation to internal features the concerns raised relate mainly to items of historic worth that might be concealed under the panelling and flooring added during the refurbishment undertaken in the 1960's. These matters can be adequately addressed by appropriate conditions, including a requirement for a method statement etc. See below.
- 9.3.11. Concerns are also raised by the conservation officer in relation to the proposed rooflight and the replacement of windows. Regarding the proposed rooflight the advice contained in the Architectural Heritage Protection Guidelines is that the insertion of large areas of glazing into prominent slopes of roofs is generally not appropriate (see Section 5.2 above). In my view the proposed rooflight in this instance is not excessive. Further I note that the appellants have clarified in the appeal submission that the existing roof rafters are to be retained. In relation to the windows the submission also indicates that the painted hardwood timber is to be used in lieu of the aluminium originally proposed.
- 9.3.12. The conservation officer comments at some length about deficiencies in the application around the matter of expertise and shortcomings in the documentation presented. The Commission will note that the advice contained in the Architectural Heritage Protection Guidelines places an emphasis on proportionality, that is, that the amount of documentation etc. included in an application for permission should be proportionate to the scale and complexity of the project (see Section 5.2 above). The proposed development is relatively minor in scope. I am satisfied that the application as presented does meet the requirements of the Guidelines and, by extension, the requirements of the Regulations [Articles 23(1) and (2)] and of the development plan (Chapter 11)]. The Guidelines also advise on possible conditions that can be attached to permissions for works to protected structures, including those requiring particular specifications for works and monitoring and certification of works by an architect with conservation expertise, all in accordance with good conservation expertise. I consider that the attachment of conditions of this type would be appropriate in this case. See below.

9.3.13. It follows, therefore, that I consider that the proposed development would not be contrary to development plan policies BHA2 or BHA9.

9.3.14. I conclude, therefore, that the appeal should be upheld in relation to the second reason for refusal.

10.0 Appropriate Assessment Screening

10.1. Having considered the nature, small scale and location of the project within an established and serviced urban area, and taking account of the screening determination of the planning authority, I am satisfied that it can be eliminated from further assessment because it could not have any effect on a European Site.

10.2. I conclude, 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. Appropriate Assessment, therefore, is not required.

11.0 Water Framework Directive

11.1. 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.

11.2. Having considered the nature, small scale and location of the project in a serviced urban area, 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.

12.0 Recommendation

12.1. I recommend that permission be granted subject to conditions.

13.0 Reasons and Considerations

13.1. Given the particular circumstances at the application property, including the availability of an existing detached outbuilding (the annex) within the curtilage of a protected structure, it is considered that the proposed development reasonably meets the requirements relating to ancillary family accommodation under Appendix 18 , Section 7.0 of the Dublin City Development Plan 2022-2028. It is also considered that the design approach adopted, including the siting of the proposed new extension to the rear of the annex and to the side of the property and its contemporary style, including a feature curved wall, and having regard to the amendments submitted in the appeal, would ensure a satisfactory relationship between the proposed extension and the annex and the main house and its setting and would, therefore, not be contrary to Policies BHA2 or BHA9 of the development plan. The proposed development, subject to compliance with the following conditions, would be in accordance with the proper planning and sustainable development of the area.

14.0 Conditions

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, as amended by the further plans and particulars received by An Coimisiun Pleanala on the 6th day of January 2026, 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.

Reason: In the interest of clarity.

2. The proposed development of ancillary family accommodation shall not be sold, let or otherwise conveyed as an independent living unit and shall be jointly occupied as a single residential unit with the main dwelling. The existing garden

and curtilage of the overall residential property on this site shall not be subdivided.

Reason: In order to comply with the objectives of the development plan as set out at Appendix 18, Section 7.0 and in the interest of protecting the residential amenities of the area.

3. Prior to the commencement of the development the developer shall submit, for the written agreement of the planning authority, a detailed method statement covering all works proposed to be carried out, including: (a) a full specification, including details of materials and methods, to ensure the development is carried out in accordance with *Architectural Heritage Protection Guidelines, Department of Arts, Heritage & the Gaeltacht, 2011* (b) a methodology for the recording and/or retention of concealed features or fabric exposed during the works, (c) details of features to be temporarily removed/relocated during construction works and their final re-instatement and (d) details of materials/features of architectural interest to be salvaged.

Reason: In the interest of the protection of the architectural heritage of the protected structure.

4. Prior to the commencement of the development the developer shall submit, for the written agreement of the planning authority, confirmation that the development will be monitored and supervised by a suitably qualified architect or other professional with conservation expertise and accreditation.

Reason: In the interest of the protection of architectural heritage of the protected structure.

5. The disposal of surface water, shall comply with the requirements of the planning authority for such works and services. Prior to the commencement of development, the developer shall submit details for the disposal of surface

water from the site for the written agreement of the planning authority.

Reason: In the interest of public health.

6. Site development and building works shall be carried out between the hours of 0800 and 1800 Mondays to Fridays inclusive, between 0800 and 1400 on Saturdays and not at all on Sundays and public holidays. Deviation from these times shall only be allowed in exceptional circumstances where prior written agreement has been received from the planning authority.

Reason: To safeguard the amenity of property in the vicinity.

7. The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefiting development in the area of the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the Development Contribution Scheme made under section 48 of the Planning and Development Act 2000, as amended. The contribution shall be paid prior to commencement of development or in such phased payments as the planning authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. Details of the application of the terms of the Scheme shall be agreed between the planning authority and the developer or, in default of such agreement, the matter shall be referred to An Bord Pleanála to determine the proper application of the terms of the Scheme.

Reason: It is a requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance with the Development Contribution Scheme made under section 48 of the Act be applied to the permission.

Note: the floor area of the proposed development, at 110 sqm, in combination with the rear extension to the main house, exceeds the 40sqm exemption limit provided for in the current development contribution scheme (Dublin City Council Section 48 Development Contribution Scheme 2023-2026).

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.

B. Wyse
Planning Inspector

12 March 2026

Appendix 1: Form 1 EIA Pre-Screening

| | |
|---|--|
| Case Reference | |
| Proposed Development Summary | Domestic refurbishment and extension – protected structure. |
| Development Address | Cranford, 125 Rathgar Road, Rathgar, Dublin 6 |
| IN ALL CASES CHECK BOX / OR LEAVE BLANK | |
| 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. |
| (For the purposes of the Directive, "Project" means: - The execution of construction works or of other installations or schemes, - Other interventions in the natural surroundings and landscape including those involving the extraction of mineral resources) | |
| 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. EIA is mandatory. No Screening required. EIAR to be requested. Discuss with ADP. | State the Class here |
| <input checked="" type="checkbox"/> No, it is not a Class specified in Part 1. Proceed to Q3 | |

| | |
|--|--|
| <p>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?</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>No Screening required.</p> | |
| <p><input type="checkbox"/> Yes, the proposed development is of a Class and meets/exceeds the threshold.</p> <p>EIA is Mandatory. No Screening Required</p> | <p>State the Class and state the relevant threshold</p> |
| <p><input type="checkbox"/> Yes, the proposed development is of a Class but is sub-threshold.</p> <p>Preliminary examination required. (Form 2)</p> <p>OR</p> <p>If Schedule 7A information submitted proceed to Q4. (Form 3 Required)</p> | <p>State the Class and state the relevant threshold</p> |
| <p>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)?</p> | |
| <p>Yes <input type="checkbox"/></p> | |
| <p>No <input checked="" type="checkbox"/></p> | <p>Pre-screening determination conclusion remains as above (Q1 to Q3)</p> |

Inspector: B. Wyse Date: 12 March 2026