

## Pre Part 8 Submission

**Received:** By email 12/05/2022 and 28/06/2022

**Sponsor for Proposal:** Housing Maintenance Section, Housing and Community Services Department, Dublin City Council.

**Location:** 19 and 21 Connaught Street, Phibsborough, Dublin 7.

**Site Description:** The subject site is a pair of adjoining houses in the middle of a terrace, both in derelict condition, at the southeastern end on the south side of Connaught Street, close to Phibsborough Shopping Centre. The site backs onto a laneway, beyond which is Dalymount Park football stadium.

The houses are a matching pair, each two-bay two-storey, with a single-storey canted bay window to the front (north) elevation. They share a pitched slate roof with red brick end chimneystacks, and have a lower two-storey central projecting block to the rear (south), forming a return to each house. They have red brick front facades with yellow brick corbelled eaves course to the roof, and to the roofs of the bay windows. The window openings are segmentally-arched with granite sills, while the door openings have round arches, all with moulded red brick voussoirs. Windows, doors, and fanlights are all boarded up. Painted doorcases with carved corbels remain. They each have a small front garden and larger rear garden.

The immediate area is characterised by rows of terraced single- and two-storey Victorian residential developments, with variations in style and character. Connaught Street has a high degree of uniformity to the south side, with this pair forming part of a terrace of 19 identical houses from 11-47 (odd numbers only), stepped in pairs.

### **Development:**

- Partial demolition of existing buildings, excluding existing North (front) external walls
- Demolition of existing outbuildings and boundary walls to rear
- Repairs to existing North (front) external walls including new uPVC windows, uPVC doors & slate roofs
- Reinstatement of two no. new two-storey dwellings with two-storey rear extensions (taller and wider than existing) applying current standards to the accommodation and construction
- New boundary walls to rear and repair of existing front boundary fences & pavement surfaces
- Associated drainage, site boundary & site development works

### **Planning Context:**

#### **Zoning & Policy – Dublin City Development Plan 2016 - 2022**

The site is located in an area zoned objective 'Z2' which seeks '*to protect and / or improve the amenities of residential conservation areas*'.

*Residential conservation areas have extensive groupings of buildings and associated open spaces with an attractive quality of architectural design and scale. The overall quality of the area in design and layout terms is such that it requires special care in dealing with development proposals which affect structures in such areas, both protected and non-protected. The general objective for such areas is to protect them from unsuitable new developments or works that would have a negative impact on the amenity or architectural quality of the area. The policy chapters, especially Chapters 11 – Built Heritage and Culture, and 16 – Development Standards, detailing the policies and objectives for residential conservation areas and standards respectively, should be consulted. Volume 4 of this plan contains the record of protected structures.*

*The principal land-use in residential conservation areas is housing but can include a limited range of other uses. In considering other uses, the guiding principle is to enhance the architectural quality of the streetscape and the area, and to protect the residential character of the area. Proposals for live/work units at an appropriate scale with discreet signage will be considered on the basis that the proposal would not detract from, or alter the physical character and fabric of the streetscape.*

The designation of certain areas as the Z2 zoning objective forms part of the conservation policy framework of the Development Plan. Policy CHC1 sets out an overall aspiration to preserve the built heritage of the city that makes a positive contribution to the character, appearance and quality of local streetscapes. Policy CHC4 is a policy to protect the special interest and character of all Dublin's Conservation Areas, and to avoid harm to or loss of features which positively contribute to the special interest of the area, or which harm the setting of a conservation area.

**Policy CHC4** seeks to manage development in conservation areas as follows:

*"...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:*

- 1. Replacement or improvement of any building, feature or element which detracts from the character of the area or its setting*
- 2. Re-instatement of missing architectural detail or other important features*
- 3. Improvement of open spaces and the wider public realm, and re-instatement of historic routes and characteristic plot patterns*
- 4. Contemporary architecture of exceptional design quality, which is in harmony with the Conservation Area*
- 5. The repair and retention of shop- and pub-fronts of architectural interest*

*Development will not:*

- 1. Harm buildings, spaces, original street patterns or other features which contribute positively to the special interest of the Conservation Area*
- 2. Involve the loss of traditional, historic or important building forms, features, and detailing including roof-scapes, shop-fronts, doors, windows and other decorative detail*
- 3. Introduce design details and materials, such as uPVC, aluminium and inappropriately designed or dimensioned timber windows and doors*
- 4. Harm the setting of a Conservation Area*
- 5. Constitute a visually obtrusive or dominant form".*

Chapters 5 and 16 and Appendix 17 of the Dublin City Development Plan 2016-2022 and the then DEHLG document 'Quality Housing for Sustainable Communities - Best Practice Guidelines for Delivering Homes Sustaining Communities' (2007) are relevant when assessing applications for an infill housing.

**Section 5.58 Demolition and Re-Use of Housing** states in part:

*The demolition of existing housing is generally discouraged on sustainability grounds and it may lead to a loss of residential accommodation and streetscape character.*

**Policy QH23:** *To discourage the demolition of habitable housing unless streetscape, environmental and amenity considerations are satisfied, and a net increase in the number of dwelling units is provided in order to promote sustainable development by making efficient use of scarce urban land.*

#### **16.2.2.2 Infill Development**

*The particular character of the city and its concentration of historic buildings means that most re-development opportunities are for 'infill development' i.e. gap sites within existing areas of established urban form. It is particularly important that proposed development respects and enhances its context and is well integrated with its surroundings, ensuring a more coherent cityscape.*

*As such Dublin City Council will seek:*

- *To ensure that infill development respects and complements the prevailing scale, architectural quality and the degree of uniformity in the surrounding townscape*
- *In areas of varied cityscape of significant quality, infill development will demonstrate a positive response to context, including characteristic building plot widths, architectural form and the materials and detailing of existing buildings, where these contribute positively to the character and appearance of the area*
- *Within terraces or groups of buildings of unified design and significant quality, infill development will replicate and positively interpret the predominant design and architectural features of the group as a whole*
- *In areas of low quality, varied townscape, infill development will have sufficient independence of form and design to create new compositions and points of interest and have regard to the form and materials of adjoining buildings, where these make a positive contribution to the area.*

### **Planning History:**

No post-63 planning applications were found on file for the site.

No enforcement was found on file.

Neither property is on the vacant sites register.

Both properties are on the derelict sites register – 19 Connaught Street is file no DS704, 21 Connaught Street is file no DS705.

Both properties were acquired by Dublin City Council under Sections 14 and 16 of the Derelict Sites Act 1990 (as amended), following consent from An Bord Pleanála on 8 April 2019 (ABP references CD29N.303277 (19 Connaught Street) and CD29N.303271 (21 Connaught Street)).

### **Assessment**

#### *Reports*

This is the second pre-part 8 report for this site, and should be read in conjunction with the previous report (17 December 2021). Revised drawings were received on 12/05/2022. Reports from other departments were received on 28/06/2022.

#### *Zoning and Principle of Development*

The sites are zoned Z2, residential conservation area. The proposal for residential use is permissible in principle under the zoning objective. However, as noted above, Z2 zones are conservation areas, and the policies in the Development Plan relating to conservation areas are relevant. Many terraces in nineteenth century Dublin were built in small numbers, as finances permitted, with resulting short stretches of matching houses providing variations on a theme with their near neighbours. It is noted that this terrace is particularly consistent, with a large number of identical houses in a row, each having matching bay windows, window openings, door openings, and decorative brick finishes. The proposal to replace two houses in the middle of the terrace requires sensitive treatment.

A conservation report prepared by Kenneth Hennessey Architects has been submitted. This notes that the houses are of architectural interest, contributing to the character of the street, and of historical interest, giving a record of past urban Dublin life. It is proposed that re-pointing and brickwork repair will be carried out in accordance with the relevant Ministerial Guidelines, and will be agreed with Dublin City Conservation Office. It is proposed to use selected uPVC double glazed windows and doors throughout. The use of such materials in the front elevation is not supported by Development Plan policy, which notes as part of Policy CHC4 that development in conservation areas will not “involve the loss of traditional, historic or important building forms, features, and detailing including roof-scapes, shop-fronts, doors, windows and other decorative detail”, and will not

“introduce design details and materials, such as uPVC, aluminium and inappropriately designed or dimensioned timber windows and doors”. The project architect’s comments re fire safety and fall risk (email 28/06/22) are noted; however, given the large number of timber sliding sash windows in use in existing residential buildings in conservation areas in Dublin city, it is expected that appropriate measures are undertaken to repair or reinstate timber sash windows to this retained façade in a conservation area without compromising resident safety.

#### *Partial Demolition of Existing Houses*

It is clear that both properties are in dilapidated condition, with the front wall of no 19 in a state of near collapse, with plants growing out of the front wall, due to water ingress from failure of the gutter above. Structural surveys for each property have been submitted (carried out by DRA Consulting Engineers in June/July 2020, revised April 2022) with a photographic record, noting plant growth in front and rear walls, rotten lintels and other timbers, collapsed ceilings, and partial collapse of the rear return and of the rear projections. A number of ceilings were propped to facilitate a safe inspection. These structural surveys reviewed three options, including refurbishment/reconstruction; partial demolition, and full demolition and construction of new houses. Given the extensive damage, the need for economical works, and the need to comply with the Z2 residential conservation zoning, demolition (with retention of the façade) is an appropriate approach. It is noted that there is no increase in dwelling units (as required by Policy QH23) but given that the houses are currently uninhabitable, the spirit of the policy is fulfilled.

#### *The Construction of two houses*

It is proposed to construct two houses, identical in plan, each with four bedrooms (3 double bedrooms and one single bedroom). The form, with a paired central return, is similar to the existing houses, but proposes a taller, wider, longer return. Drawings of both the existing and proposed houses are provided, as are contiguous elevations, with sufficient detail for the information of the public.

The proposed shared return has a height of 8.03 metres (existing 6.4 metres) a width of 8.3 metres (existing 7.6) and a length of 6.2 metres (existing two-storey return 4.6 metres). This enlarged return has potential to have undue impacts on neighbouring residential properties (no 23 to the west and no 17 to the east) having regard to impacts on daylight, sunlight, and overbearing impacts to neighbouring rear windows. It is not clear whether the relevant windows (at ground floor in the rear elevation of each house, and on the facing elevation of each return) serve habitable rooms or not. It is further noted that some of these windows (particularly those on the ground floor rear elevation) currently would not admit significant daylight or sunlight, being hemmed in at close range by existing buildings. Nonetheless, an assessment of impacts on daylight should be undertaken. A shadow analysis has been submitted, although there is a lack of clarity regarding the times and dates submitted. A set of drawings (existing and proposed) showing shadows cast at intervals on March 21<sup>st</sup> would be appropriate. Alternatively, or additionally, an assessment of the sunlight accessible to individual neighbouring windows could be prepared. The proposing department should have regard to the BRE Guidelines *Site Layout Planning for Daylight and Sunlight: A guide to good practice*. The proposal would not have undue impacts on privacy, with only bathroom windows facing these neighbouring sites, and the rear bedroom windows looking over the lane and beyond that Dalymount Park.

Regarding the residential amenity of future residents, an accommodation schedule has been provided, detailing the floor area of the houses or of the rooms. An examination of the plans indicates that the room sizes and widths would appear to be largely compliant with the relevant ministerial guidelines, *Quality Housing for Sustainable Communities - Best Practice Guidelines for Delivering Homes Sustaining Communities’ (2007)*. The required storage for a 4-bed 7-person house is 6 metres, with this distributed at ground and first floor. All rooms are of a regular size and shape, and the houses would provide adequate residential amenity.

Both dwellings would have south-facing gardens, providing private amenity space to the rear of each dwelling in excess of 75 sqm (stated areas of 83.7 sqm and 83.9 sqm, which appears to include the area beside the return). This is acceptable, given the normal minimum standard of 10 sq.m. per bedspace to the rear (or 60-70 sqm) as set under Section 16.10.2. Both gardens would have rear access to the lane, with the rear garden wall and gate replaced.

### **Technical issues**

Observations were received from various departments prior to the previous report. The current drawings and reports have been recirculated as follows:

**Culture, Recreation and Economic Services, Parks, Biodiversity and Landscape Services:** No further comments received

**Central Area Office:** No further comments received

**Environment and Transportation Department** have provided observations (report dated 8<sup>th</sup> June 2022) including:

Transport Planning Division

- No objection in principle
- Clarity required on width of rear entrance gate and any requirement for rear access
- Submitted Construction Management Plan is welcomed.

Public Lighting and Electrical Services

- Protection of overhead cables to lane to rear during works
- General standard recommendations made on Public Lighting and Electrical Services reiterated
- Contents of Construction Management Plan

Road Maintenance

- Road Opening Licence may be required

The Drainage Planning and Development Control Section have provided a report (dated 9 June 2021 (sic)) collating comments from other departments, noting

- Some form of SuDS solutions should be incorporated
- An appropriate Flood Risk Assessment should be carried out
- Standard conditions should be attached

Flood Projects

- No objection

Air Quality Monitoring and Noise Control Unit

- Construction Management Plan required
- Asbestos Survey required
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**Housing and Community Services, City Architects Division** have provided comments (email dated 23 June 2022) as follows:

- City Architects preference is for double glazed sash type windows in timber for the retained front façade, unless there is a reason why this cannot be achieved.
- City Architects preference is for timber doors with brass ironmongery incl. 3 point locking. This will be a positive addition to the street.
- City Architects recommend that the consultants confirm to the client how the chimneys will be held up after the chimney breasts underneath are removed (Only temporary propping shown in documentation, no detail given how holding up of the chimneys will be achieved long term).

The City Architects Division previously recommended (in their email of 19 November 2021) that the file required input from the Conservation Office, part of the Heritage, Archaeology and Conservation Section. The file does not appear to have been circulated to that office.

## **EIA**

Having regard to the nature, size and location of the proposed development and the context of the criteria set out in Schedule 7 of the Planning and Development Regulations 2001 (as amended), it is concluded that there is no real likelihood of significant effects on the environment and as such an EIAR is not required.

## **Appropriate Assessment:**

Having regard to the nature and scale of the proposed development and the proximity to the nearest European site, no Appropriate Assessment issues arise and it is not considered that the proposed development would be likely to have a significant effect, individually, or in combination with other plans or projects, on a European site.

## **Conclusion**

Overall the development provides a well designed and well considered response. The proposed residential units will deliver good residential amenity to future residents, and address the long-standing issue of dereliction. The retention of the front elevations in this Z2 residential conservation area is welcomed. The proposal is broadly consistent with the policies and objectives of the Development Plan, subject to the minor amendments below;

- Due to the proposal to replace the existing rear returns with a considerably larger block, accuracy and clarity is required on daylight and sunlight impacts to the neighbouring properties. Shadowpath diagrams have been submitted, but there is a lack of clarity in the dates provided, and a number of the diagrams appear to be mislabelled. Revised shadow diagrams showing the existing and proposed situation at intervals on the Spring solstice (21<sup>st</sup> March) would be appropriate, or alternatively an assessment of sunlight to the neighbouring windows could be submitted. Daylight (diffuse daylight, as opposed to direct sunlight) also needs to be addressed, to clearly demonstrate that there will be no undue adverse impacts to any windows of habitable rooms to the adjoining properties at no 17 and no 23 Connaught Street.
- Appropriate timber sliding sash windows and solid timber front doors should be used for this Z2 residential conservation area. The use of uPVC to the front elevation is not supported.

Note: The Applicant should note that Article 81(2)(ca) of the Planning and Development Regulations 2001 (as amended) require that public notices indicate the conclusion under article 120(1)(b)(i) of the Planning and Development (Environmental Impact Assessment) Regulations 2018. It has been concluded that there is no real likelihood of significant effects on the environment and as such an EIAR is not required.

Natalie de Róiste

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*Natalie de Róiste*  
Executive Planner  
11/07/22

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Siobhán O'Connor  
Senior Executive Planner  
12 July 2022

*Deirdre O'Reilly*  
Senior Planner  
14/07/2022