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**Planning and Development Acts 2000 to 2020**

**Planning Authority: Dublin City Council**

**Planning Register Reference Number: 2275/21**

**Appeal** by Francis Eivers and Joanna Eivers of 117 Strand Road, Sandymount, Dublin against the decision made on the 20<sup>th</sup> day of April, 2021 by Dublin City Council in relation to an application for permission for construction of new upper storey to existing rear return and construction of new non-habitable attic room above main house, proposing to raise existing ridge of main house from +12.71 metres to +13.8 metres with reflective glazing to front and rear and construction of two new rooflights to existing roof to front of main house at 117 Strand Road, Sandymount, Dublin in accordance with the plans and particulars lodged with the said Council (which decision was to grant subject to conditions permission for the proposed rear extension and to refuse permission for the proposed alterations to the main roof of the house).

**Decision**

**GRANT permission for the proposed rear extension in accordance with the said plans and particulars based on the reasons and considerations marked (1) under and subject to the conditions set out below. REFUSE permission for the proposed alterations to the main roof of the house based on the reasons and considerations marked (2) under.**

## **Matters Considered**

In making its decision, the Board had regard to those matters to which, by virtue of the Planning and Development Acts and Regulations made thereunder, it was required to have regard. Such matters included any submissions and observations received by it in accordance with statutory provisions.

## **Reasons and Considerations (1)**

Having regard to the location of the site, to the Z2 zoning objective pertaining to the site 'to protect and/or improve the amenities of residential conservation areas' and Policy CHC4 'to protect the special interest and character of conservation areas' contained within the Dublin City Development Plan 2016-2022, the nature and scale of the proposed development, and to the existing pattern of development in the vicinity, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the visual amenities, special interest or character of the conservation area in which it is located, would be in accordance with the provisions of the Dublin City Development Plan 2016-2022 and would, therefore, be in accordance with the proper planning and sustainable development of the area.

In deciding not to accept the Inspector's recommendation to grant the proposed alterations to the main roof of the house, the Board considered that the proposed increase in height above the existing roof level by 1.1 metres and the steeper slope in the proposed glazing would be visually obtrusive given the scale, proportions and architectural form of the existing house, and in the context of the terrace row.

## Conditions

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, 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 the commencement of development and the development shall be carried out and completed in accordance with the agreed particulars.

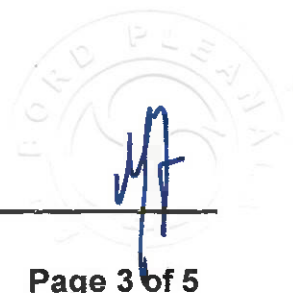
**Reason:** In the interest of clarity.

2. The glazing within the west facing window of the extension shall be manufactured opaque and permanently maintained as such.

**Reason:** To protect the residential amenity of adjoining property to the west.

3. Water supply and drainage arrangements, including the attenuation and disposal of surface water, shall comply with the requirements of the planning authority for such works and services.

**Reason:** In the interest of public health and to ensure a satisfactory standard of development.

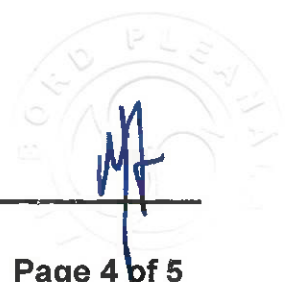


4. The site building works required to implement the development shall be carried out between the hours of 0700 to 1900 Monday to Fridays, 0800 hours to 1400 hours on Saturdays and not at all on Sundays or bank holidays. Deviations from these times will only be allowed in exceptional circumstances where prior written approval has been received from the planning authority. Such approval may be given subject to conditions pertaining to the particular circumstances being set by the planning authority.

**Reason:** In order to safeguard the amenities of adjoining residential occupiers.

5. The site development works and construction works shall be carried out in such a manner so as to ensure that the adjoining streets are kept clear of debris, soil and other material and if the need arises the developer shall carry out appropriate cleaning works on the adjoining roads at the developer's expense.

**Reason:** To ensure that the adjoining roadways are kept clean and safe during construction works and in the interest of orderly development.

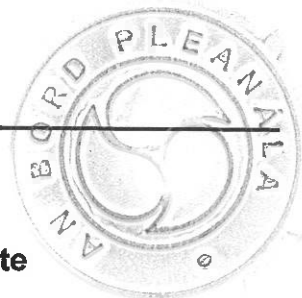


## Reasons and Considerations (2)

Having regard to the design and visually prominent location of the proposed alterations to the main roof of the house, which forms part of a uniform terrace of Georgian houses, it is considered that the proposed development would seriously injure the character of the house and the architectural integrity of the terrace as a whole and would appear visually incongruous when viewed from the Strand Road. The proposed development would be contrary to the Z2 zoning objective of the site 'to protect and/or improve the amenities of residential conservation areas' and Policy CH4 of the Dublin City Development Plan 2016-2022 'to protect the special interest and character of conservation areas'. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

  
Michelle Fagan

Member of An Bord Pleanála  
duly authorised to authenticate  
the seal of the Board.



Dated this 23<sup>rd</sup> day of August 2021.