

An
Bord
Pleanála

Board Order ABP-319837-24

Planning and Development Acts 2000 to 2022

Planning Authority: Dublin City Council

Planning Register Reference Number: 3376/24

Appeal by Paul Geraghty care of Lionel French Architects of Unit 10, 42 Rosemount Park Drive, Rosemount Business Park, Dublin against the decision made on the 8th day of May 2024 by Dublin City Council in relation to an application for permission for development comprising the addition of a dormer roof/window extension to the rear of the existing main roof structure at attic level and the extension of the existing rear bedroom at first floor level. The proposed extensions are to be located to the rear of the existing protected residential dwelling structure at 116 Saint Lawrence Road, Clontarf, Dublin in accordance with the plans and particulars lodged with the said Council which decision was to grant permission, subject to conditions, for the dormer window extension and to refuse permission for the first floor rear extension.

Decision

GRANT permission for extension of the existing rear bedroom at first floor level 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 addition of a dormer roof/window extension of the existing rear bedroom at first floor level based on the reasons and considerations marked (2) set out below.

Reasons and Considerations (1)

Having regard to the location of the mid-terraced property in a designated Conservation Area and its designation as a Protected Structure, to the character of the Protected Structure and the character and established pattern of development in the vicinity of the site, to the previous planning history of the site, and to the provisions of the Dublin City Development Plan 2022-2028, it is considered that, subject to compliance with the conditions set out below, this element of the proposed development would not adversely affect the character or special interest of the Protected Structure or the character of the Conservation Area and would not seriously injure the residential amenities of adjoining properties or the amenities of the area. This element of the proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

Conditions

1. This element of the proposed 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 commencement of development and this element of the proposed development shall be carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. Apart from any departures specifically authorised by this permission, the development shall comply with the conditions of the parent permission (planning register reference number 2719/13 - PL29N.242767) unless the conditions set out hereunder specify otherwise.

Reason: In the interest of clarity and to ensure that the overall development is carried out in accordance with the previous permission(s).

3. The proposed development shall be amended as follows:
- (a) The design and finish of the proposed rear-facing first floor window shall be revised to be more sympathetic to the special character of the Protected Structure and to include recessed glazing panel(s).
 - (b) The proposed dormer extension shall be revised such that
 - the extent of glazing is reduced by 50% to reflect to a greater degree the fenestration pattern of the Protected Structure and
 - the proposed materials and finish are more sympathetic to the architectural quality of the Protected Structure and comprise a more durable quality suitable for a coastal location.

Revised drawings and samples of materials showing compliance with these requirements shall be submitted to and agreed in writing with the planning authority prior to the commencement of development.

Reason: To protect the character of the Protected Structure and of the residential amenities of the area.

4. Prior to the commencement of development, the developer shall submit for the written agreement of the planning authority confirmation that:
- (a) All works shall be carried out in accordance with best conservation practice.
 - (b) The development shall be monitored by a suitably qualified architect with conservation expertise and accreditation.
 - (c) Competent site supervision, project management and crafts personnel will be engaged and will be suitably qualified and experienced in conservation works.
 - (d) Original features shall be protected and repaired as necessary during the course of the refurbishment work.
 - (e) The architectural detailing and materials in the new work shall be executed to the highest standards so as to complement the setting of the Protected Structure and the historic area.

Reason: In the interest of the protection of architectural heritage in accordance with the provisions of the Architectural Heritage Protection Guidelines for Planning Authorities.

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 and sustainable drainage.

6. Site development and building works shall be carried out between the hours of 0700 to 1900 Mondays to Fridays inclusive, between 0800 and 1400 hours 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.

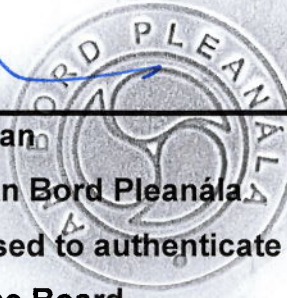
Reason: To safeguard the amenity of properties in the vicinity.

Reasons and Considerations (2)

In deciding not to accept the Inspector's recommendation to grant permission for the rear dormer window extension, the Board agreed with the Inspector that the dormer proposal is considered overly dominant due to the large extent of glazing which does not reflect the shape, size or design of the windows on the lower floors and that it is not considered to be sufficiently subordinate to the roof slope or complimentary to the roof profile which is a consistent design feature along the terrace, however the Board also considered that the proposed rear dormer extension detracts from the special architectural character of the Protected Structure when viewed in context with the extent of the permitted ground and first floor extensions to the property, and notwithstanding the precedent set by the adjoining property at 117 Saint Lawrence Road or the mitigation measures proposed by the Inspector by way of a recommended condition to reduce the extent of glazing and to revise the materials, the cumulative effect of an additional extension at roof level would have an injurious impact on the character and setting of the Protected Structure and the terrace and therefore would not accord with Section 9.4.22 of the Architectural Heritage Protection Guidelines (2011), and would contravene Policies BHA2 (Development of Protected Structures) and BHA9 (Conservation Areas) of the Dublin City Development Plan 2022-2028. This element of the proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.



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



Dated this 6th day of May 2025