



An  
Bord  
Pleanála

## Inspector's Report ABP305565-19

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<b>Development</b>	Construction of new attic located in the valley between the front and back roof ridges.
<b>Location</b>	77 Strand Road, Sandymount, Dublin 4.
<b>Planning Authority</b>	Dublin City Council.
<b>Planning Authority Reg. Ref.</b>	WEB 1424/19.
<b>Applicants</b>	Leo Cullen & Dairine Kennedy.
<b>Type of Application</b>	Permission.
<b>Planning Authority Decision</b>	Refuse.
<b>Type of Appeal</b>	First Party -v- Refusal.
<b>Appellants</b>	Leo Cullen & Dairine Kennedy.
<b>Observers</b>	None.
<b>Date of Site Inspection</b>	9 <sup>th</sup> December, 2019.
<b>Inspector</b>	Paul Caprani.

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## 1.0 Introduction

ABP305565-19 relates to a first party appeal against the decision of Dublin City Council to issue notification to refuse planning permission for the construction of a new room to be located within the valley between the front and back ridges of a roof at No. 77 Strand Road, Sandymount, Dublin 4. Dublin City Council issued notification to refuse permission on the basis that the proposed extension would represent an incongruous insertion into the roof of a Georgian building which would seriously injure the amenity of the property and would create an undesirable precedent for similar extensions at roof levels. The grounds of appeal argue that the works proposed do not adversely affect the character of the existing building but would in fact complement the structure and would ensure that the house would be maintained in good order for many years to come.

## 2.0 Site Location and Description

- 2.1. No. 77 Strand Road is located at the corner of Strand Road and Guilford Road and comprises of a two-storey overbasement Georgian style dwellinghouse in the suburban area of Sandymount circa approximately 4 kilometres south-west of Dublin City Centre. No. 77 faces eastwards onto Sandymount Strand and forms the most northerly residential unit in a terrace block of three Georgian buildings of similar design.
- 2.2. The roof profile of the buildings incorporates a doubled hipped roof with a valley between the front and rear ridge of the house. Two chimney stacks are located at the gable end of No. 77 facing onto Guilford Road. No. 77 Strand Road is not listed on the Record of Protected Structures. Nor are any of the buildings in the immediate vicinity of the subject site.

## 3.0 Proposed Development

Planning permission is sought to construct a new attic space within the valley area between the front and back ridge of the doubled hipped roof to create a new third

floor within the roof the building. The height of the roof profile will be increased by 380 millimetres and will incorporate the same angle as the existing roof pitch from the area of the new roof to protrude above the existing ridge height is to incorporate glazing. The floor to ceiling height within the attic area will be 2.4 metres. It is proposed to accommodate a new bedroom and en-suite bathroom together with a small landing area within the new attic space. A new stairwell will provide access to the attic space. The new bedroom to be provided will have a floor area of approximately 24 square metres. The overall floor area to be provided at second floor level amounts to 30 square metres.

## **4.0 Planning Authority Decision**

### **4.1. Decision**

- 4.1.1. Dublin City Council issued notification to refuse planning permission for a single reason which is set out in full below.

The site is zoned Z2 in the Dublin City Development Plan 2016-2022 which seeks to protect and/or improve the amenities of residential conservation areas. The proposed roof extension would extend above the existing ridge height and would represent an incongruous insertion into the roof of a Georgian building which would seriously injure the amenity of property in the vicinity and would create an undesirable precedent for similar extensions at roof level. The proposed development would therefore be contrary to the Z2 zoning objective for the area, and would set an undesirable precedent for similar development in an area and would be contrary to the proper planning and sustainable development of the area.

### **4.2. Documentation Submitted with the Planning Application**

- 4.2.1. A covering letter was submitted on behalf of the applicant by Node Architects and Interior Designers.
- 4.2.2. It sets out what it considers to be relevant planning history pertaining to the application. Details of the zoning, site description and proposed development are also set out and details of developments of a similar are also referred to in the covering letter.

### **4.3. Planning Authority's Assessment**

- 4.3.1. The planner's report sets out details of the zoning objectives relating to the site and relevant policies contained in the development plan. Details of the site description, proposed development and planning history are also set out. It is noted that there are no observations or submissions on file.
- 4.3.2. In terms of assessing the planning application it is noted that the overall front roof profile of the house is intact and the character of the Georgian terrace is coherent in terms of design, style and materials particularly at roof level. The filling in of the roof would alter the character of the terrace particularly when viewed from the east. If replicated the proposal would result in an undesirable precedent and loss of character to other Georgian terraces that front onto Strand Road. In this regard it is considered that the proposed development would be contrary to CHC4 of the development plan. It is on the above basis that Dublin City Council issued notification to refuse planning permission for the proposed development.

### **5.0 Planning History**

No appeal files are attached. The planner's report makes reference to Reg. Ref. 2257/17 where planning permission was granted for a change of use from office use to a four-bedroomed residential unit together with demolition and construction of new extension to the rear and internal alterations and refurbishment works.

### **6.0 Grounds of Appeal**

- 6.1. The decision was the subject of a first party appeal by Node Architects and Interior Designers. The grounds of appeal are outlined below.
- 6.2. The grounds of appeal states that the applicant has a growing family and that the accommodation available at each floor level is limited and restricted. The applicants intend to make the building the family home for the long term. The idea of utilising the space available in the valley between the ridge heights of the roof is an innovative way of providing additional space without having an adverse impact on surrounding property. It is stated that the impact of the proposed extension will be minimal through careful and sympathetic design. The proposal represents a very

high standard of design and will be maintained in terms of material and appearance. The extension respects the height and features of the existing building in the area and will not impact negatively on the visual or residential amenities of neighbours. The proposal will not result in any increase in footprint of the building. It is noted that the existing building is not a protected structure and the proposal is otherwise consistent with the objectives of the development plan.

6.3. It is stated that works of a similar nature are being carried out successfully to other period houses. It is argued that special care has been taken in designing the proposed development in accordance with the policy objectives for residential conservation areas as set out in the development plan.

6.4. It is argued that the proposed development is not contrary to Policy CHC4 as set out in the Dublin City Development Plan. The extension would not constitute a visually obtrusive form. The new roof would be constructed in glass so as it appears as a lightweight or transparent addition with little or no impact on the existing structure. The proposal represents progressive thinking in relation to the remodelling and extension of this period house.

6.5. By way of conclusion the Board are requested to note that no submissions or observations were submitted by adjoining landowners objecting to the proposal.

## **7.0 Appeal Responses**

Dublin City Council have not submitted a response to the grounds of appeal.

## **8.0 Observations**

No observations were submitted in respect of the appeal.

## **9.0 Development Plan Provision**

9.1. The site is governed by the policies and provisions contained in the Dublin City Development Plan 2016-2022.

9.2. The subject site is zoned Z2 to protect and/or improve the amenities of residential conservation areas.

9.3. Chapter 11 of the development plan sets out policies and objectives in relation to built heritage and culture. It seeks to protect the special interest and character of all Dublin's conservation areas. 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 settings wherever possible. In this regard development will not:

- Harm building spaces, original street patterns or other features which contribute positively to the special interest of the conservation area.
- Involve the loss of traditional historic or important building forms, features and detailing to include roofscapes, shopfronts, doors, windows and other decorative detail.
- Introduce design details and materials such as uPVC, aluminium and inappropriately designed or dimensioned timber windows and doors.
- Harm the setting of a conservation area.
- Constitute a visually obtrusive or dominant form.

9.4. Section 16.2.2.3 sets out guidance in relation to alterations and extensions generally. It states that alterations and extensions at roof level including roof terraces are to respect the scale, elevation proportions and architectural form of the building and will:

- Respect the uniformity of terraces or groups of buildings with a consistent roofline and will not adversely affect the character of the terraces with an attractive varied roofline.
- Not result in the loss of roof forms, roof coverings or roof features (such as chimney stacks) where these are of historic interests or contribute to local character and distinctiveness.

9.5. Appendix 17 also sets out guidelines in relation to extensions and alterations of buildings. Section 17.11 specifically relates to roof extensions. It states that when extending in the roof the following principles should be observed.

- The design of the dormer should reflect the character of the area, the surrounding buildings and the age and appearance of the existing building.

- Dormer windows should be visually subordinate to the roof slope, enabling a large proportion of the original roof to remain visible.
- Roof materials should be covered in materials that match or complement the main building.

## 10.0 Planning Assessment

- 10.1. I have read the entire contents of the file, visited the site in question and have had particular regard to the Planning Authority's reason for refusal and the grounds of appeal challenging the Planning Authority's reasoning. I consider that the Board can restrict its deliberations to the main issues raised in the grounds of appeal namely whether or not the proposed extension and alteration to the roof profile represents an incongruous and inappropriate addition which would adversely affect the amenities of the dwellinghouse and the Z2 residential conservation area.
- 10.2. If the Board considers that the proposed roof extension detracts from the character of the dwelling and the area in which the dwelling is set to any material extent it should in my opinion uphold the decision of the Planning Authority and refuse planning permission. There should be a reasonable expectation that a family can alter and extend the house in order to cater for changing family needs particularly when the house in question is not a protected structure. In fact the precedent of extensions and alterations to the subject dwelling was accepted by the Planning Authority in granting planning permission for the change of use of the house from office to residential. This change of use also incorporated new extensions to the rear which in my opinion would to some extent materially alter the character of the dwellinghouse. What is proposed in this instance is a relatively modest extension which for the most part utilises existing space between the front and back ridge of the roof profile of the house. I accept the applicants' arguments that it is necessary in this instance to raise the height of the extension above the existing ridge height in order to acquire the requisite floor to ceiling heights of 2.4 metres in order to comply with the Building Regulations for Habitable Rooms. The extension in question seeks to increase the overall height of the building by a mere 0.38 metres which in my view is modest. More importantly I do not consider that the extension proposed will be readily visible from any vantage points within the immediate vicinity of the site due to



the overall height of the existing building. The modest increase in height will also ensure that over medium and longer distant vantage points the modest height extension will not be readily discernible. Furthermore, the incorporation of a lightweight glass cladding for that part of the roof structure that exceeds the existing ridge height will in my opinion ensure that the extension in question will not have a significant or incongruous impact in visual terms. The proposed development seeks to utilise existing space within the ridge profile of the roof and will result in an extension that will not be readily discernible and will be modest in scale and will be readily visible from any vantage points within the immediate vicinity of the site. Due to the overall height of the existing building the modest increase in height will also ensure that over medium and longer distant vantage points the modest height extension will not be readily discernible. Furthermore, the incorporation of a lightweight glass cladding for that part of the roof structure that exceeds the existing ridge height will in my opinion ensure that the extension in question will not have a significant or incongruous impact in visual terms. The proposed development seeks to utilise existing space within the ridge profile of the roof and will result in an extension that will not be readily discernible and will be modest in scale.

- 10.3. A contemporary style glass extension such as that proposed will not result in the loss of any historic fabric associated with the building and will not increase the overall footprint of the building or the residential conservation area as a whole. I acknowledge that there is uniformity in the roof profile of the block of three terraced Georgian dwellings. However, in the wider area there is a very apparent variation in the roof height and profile of the buildings surrounding the subject site and along the street frontage onto Sandymount Strand.
- 10.4. On the basis of the above argument therefore I would recommend that the Board overturn the decision of the Planning Authority and grant planning permission for the proposed roof extension on the basis that the extension proposed would have a negligible adverse impact on the setting and integrity of the building and on the character of the residential conservation area.

## 11.0 **Appropriate Assessment**

Having regard to the nature and scale of the proposed development and nature of the receiving environment together with 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.

## 12.0 **EIAR Screening**

The proposal is not a class of development for which an EIAR is required.

## 13.0 **Decision**

Grant planning permission for the proposed development based on the reasons and considerations set out below.

## 14.0 **Reasons and Considerations**

Having regard to the Z2 residential zoning objective relating to the subject site it is considered that subject to conditions set out below the proposed roof extension would not seriously injure the visual amenities of the area or of property in the vicinity and would therefore be in accordance with the proper planning and sustainable development of the area.

## 15.0 **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 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 external finishes of the proposed extension (including the glazed element on the roof section) shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

**Reason:** In the interest of visual amenity.

3. Water supply and drainage arrangements shall comply with the requirements of the planning authority and Irish Water for such works and services.

**Reason:** In the interest of public health.

4. The site building works required to implement the development shall be carried out between the hours of 0700 to 1800 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 Dublin City Council. 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 applicants shall carry out appropriate cleaning works such works shall be carried out on adjoining road 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.

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Paul Caprani,  
Senior Planning Inspector.

XX December, 2019.