



An
Bord
Pleanála

Inspector's Report ABP-310254-21

Development	Construction of upper storey to rear return and construction of non-habitable attic room above main house, proposing to raise existing ridge of main house from +12.71m to +13.8m
Location	117 Strand Road, Sandymount, Dublin 4
Planning Authority	Dublin City Council
Planning Authority Reg. Ref.	2275/21
Applicant	Francis and Joanna Eivers
Type of Application	Permission
Planning Authority Decision	Split Decision
Type of Appeal	Third Party
Appellant	Francis and Joanna Eivers
Observers	None
Date of Site Inspection	26 th June 2021
Inspector	Patricia Calleary

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1.0 Site Location and Description

- 1.1. With a stated area of 260 sq.m, the appeal site comprises a two storey over basement end of terrace house located on the western side of Strand Road, overlooking Sandymount promenade, seafront linear park and Dublin Bay. The house is one of three similar Georgian houses in a uniform terrace, each incorporating a two-storey over basement house form. The subject terrace row is set back 20m from Strand Road with off-street car parking to the front. A mews house has been constructed to the rear (western end) of the original long garden associated with no.117.
- 1.2. The property is bounded by an access road and surface car parking to the immediate north, both serving a small residential scheme to the west (Martello Wood) and the adjoining terraced house (No. 119 Strand Road) is located immediately south of the appeal property.
- 1.3. The roof profile of the three houses, including the house the subject matter of the appeal, incorporates a doubled hipped roof with a valley in between both. Two chimney stacks are located on the roof on the line of the party wall between no. 117 (the appeal property) and the immediately adjoining property, no.119, and similarly between properties no.119 and no.121.

2.0 Proposed Development:

- 2.1. The proposed development would comprise an additional storey to the existing three storey rear return, with a gross floor area (GFA) of 9.6 sq.m and the provision of a room in the roof space by altering the roof profile. The room, referred to on the drawings as 'roof-top room' and described on the site notice as a 'non-habitable room', would effectively be formed within the valley area between the front and back ridge of the doubled hipped roof. The roof line would be extended by adding reflective glazing and while not stated or specifically marked on any drawing, based on a close examination of the drawings, the added glazing element would be positioned at a slightly steeper slope than the existing roofline slope. The proposed room is shown as measuring 20 sq.m GFA. A small bathroom measuring 3.9 sq.m is also proposed in the newly formed attic space.

- 2.2. It is stated on the site notice, and shown on the drawings, that the existing roof ridge would be raised from 12.71m to 13.8m using reflective glazing to the front and rear.
- 2.3. It is set out on the drawing that the existing roof would be demolished, and the replacement roof would be identical as far as the existing ridge location. It is also stated that the slates would be reclaimed and reused where possible. Two roof windows are also proposed along the front sloped slated roof element and the glazed element includes a proposal for sliding openable window frames, and it is stated on the drawings that the 'window frames will be a minimum size to create a reflective surface and have minimum visual impact'.
- 2.4. The floor to ceiling height of the newly formed room would be at a maximum of 2.23m. A new stairwell would provide access to the attic space.

3.0 Planning Authority Decision

3.1. Decision

- 3.1.1. The planning authority issued a **split decision** to:

- **Grant permission** for the rear extension;
- **Refuse permission** for the roof alterations.

3.2. Planning Authority Reports

3.2.1. Planning Report

The planning officer's recommendation reflects the decision of the Planning Authority to issue a **split decision**.

In relation to the **roof alterations**, the planning officer considered that this aspect of the development would be injurious to the character of the house and the architectural integrity of the terrace as a whole and would appear visually incongruous when viewed from Strand Road. It was considered that the proposed development would be contrary 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.

In relation to the **rear extension**, the planning officer considered that subject to compliance with conditions, the proposed development would not seriously injure the residential amenity or architectural character of the area and would, therefore, be in accordance with the zoning objective and development standards of the Dublin City Development Plan 2016-2022.

3.2.2. Other Technical Reports

- Engineering Department (Drainage Division) - no objection subject to conditions.
- Transportation Planning Division- none received.

3.3. Prescribed Bodies

- Irish Water- no report received.

3.4. Third-Party Observations

3.4.1. None received.

4.0 Planning History

4.1. On the appeal site

- **3958/18**: Permission **refused** by Dublin City Council (November 2018) for the construction of a second-floor bedroom extension to the rear return of the house and modifications to the main roof of the house to provide for a roof terrace/deck to part of the front roof slope.
- **2180/14**: Permission **granted** by Dublin City Council (2014) for change of use of hall and first floor level from office to residential use and use of entire building as a single dwelling.

4.2. Relevant applications in the vicinity

- **ABP-305565-19**: Following a refusal by Dublin City Council under **Web 1424/19**, permission was **granted** by An Bord Pleanála (2019) for the construction of a new attic room in the valley between the front and back roofs of No. 77 Strand Road, Sandymount.

- **2785/18: Split Decision** Issued (2018): Permission **refused** by Dublin City Council for retention of setback dormer extension at second floor/roof level of previously permitted three-storey return (reg. ref. 4250/16) at No. 121 Strand Road. Permission **granted** by Dublin City Council for revisions to permitted three-storey rear extension (reg. ref. 4250/16) including revised fenestration and cladding and demolition and reconstruction of previously retained elements of the rear return.

5.0 Policy Context

5.1. Development Plan

5.1.1. The provisions of the **Dublin City Development Plan 2016-2022** apply. The appeal site is located within an area that has a Land Use Zoning Objective Z2: Residential Neighbourhoods (Conservation Areas) with a description 'to protect and/or improve the amenities of residential conservation areas'.

5.1.2. Relevant policies/provisions contained in the development plan include:

- **Policy CHC4:** 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 setting, wherever possible.

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 roofscapes, shopfronts, 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.

- Chapter 14, 14.8.2 Residential Neighbourhoods (Conservation Areas – Zone Z2):** 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.
- 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.
- Chapter 16, Section 16.10.12 Extensions and Alterations to Dwellings:** The design of residential extensions should have regard to the amenities of adjoining properties and in particular the need for light and privacy. In addition, the form of the existing building should be followed as closely as possible, and the development should integrate with the existing building through the use of similar finishes and windows. Extensions should be subordinate in terms of scale to the main unit.
- Appendix 17 (Volume 2)** of the Development Plan provides guidance specifically relating to residential extensions. Section 17.8 of this appendix outlines that the subordinate approach to extending should be adhered to, meaning that an extension should play more of a ‘supporting role’ to the original dwelling. In general, the extension should be no larger or higher than the host house.

5.2. Environmental Impact Assessment - Preliminary Examination

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

5.3. Natural Heritage Designations

There are two designated sites c.83m to the east of the site:

- South Dublin Bay SAC (site code 00210);
- South Dublin Bay and River Tolka Estuary SPA (site code 004024).

6.0 The Appeal

6.1. Grounds of Appeal

6.1.1. This is a first party appeal against the decision of the Planning Authority to refuse permission for the roof alterations. The following is set out:

- Conversion from office to residential use was carried out previously under 2180/14;
- With expanding family and requirements to work from home during the Covid-19 pandemic, and with a partial working from home arrangement set to continue, the current accommodation is restricted;
- Proposal has been designed in line with the current Dublin City Development Plan. It will maximise the use of the site whilst taking neighbouring privacy into account and will not injure the character of the house or surrounding area;
- No increase in the building footprint would result and there is no loss of external open space;
- The extended glass roof will match the pitch of the existing roof with no impact on the current roof and ridge line. Proposes to utilise reflective glazing with minimal window frame to reflect the sky;
- Property is not a protected structure, however, it is appreciated that it is a period building, which will be respected in the carrying out of the works;
- A neighbouring property on no.77 Strand Road have carried out an almost identical proposal of an attic room construction between the valley (Ref: ABP-305565-19);

- The works proposed to be carried out will be hidden and not visible and therefore will have no negative impact on the amenities of the residential area;
- The development would not injure the character of the house and the architectural integrity of the terrace;
- There were no third-party objections.

6.2. Planning Authority Response

- No response was received from the planning authority.

7.0 Assessment

- 7.1. Having examined the drawings and documents on file and visited the location of the appeal site, I consider the main issues that arise relate to the reasons set out in the Planning Authority's decision to refuse permission for the roof alterations. These reasons set out that the roof profile would seriously injure the character of the house and the integrity of the terrace, would appear incongruous when viewed from Strand Road and would be contrary to the 'Z2' zoning objective (to protect and/or improve the amenities of residential conservation areas) and Policy CHC4 (to protect the special interest and character of conservation areas) of the Dublin City Development Plan 2016-2022.
- 7.2. The proposal is for an extension of the roof height and the formation of a new room within the existing space between the front and back ridge of the roof profile of the house. Based on a review of the drawings and the site notice, the extension seeks to increase the overall height of the building by c.1.1m, up to the same level as the top of the chimney stacks. The existing roof would be removed and rebuilt in an identical fashion to the point of the current ridgelines. In addition, it would be extended upwards along a sloped roofline using reflected glazing. On review of the drawings, it would appear that the roof angle would be increased slightly in the glazing zone, likely to achieve more space and height in the added attic room and to facilitate adequate headroom over the access stairs. While it would be preferable to continue the glazing along the same angle as the existing (and proposed) slated roof element and to keep the top of the finished glass element below the top of the chimney stacks, the difference would not be readily discernible from the street level and would

not be visually dominant when viewed from any vantage points within the immediate vicinity of the site and is therefore acceptable. I also recognise that reducing the slope/angle and reducing the height proposed of the glazed element would also reduce the available head height, particularly over the access stairs and may render the access, if not the room, unusable. The incorporation of lightweight glazing for that part of the roof structure that exceeds the existing ridge height would ensure that the extension would not have a significant or incongruous impact in visual terms.

- 7.3. A contemporary style glass extension, as proposed, would not result in the loss of any historic fabric associated with 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 appeal site and along the street frontage onto Sandymount Strand.
- 7.4. The appellant referred to what they state is a similar proposal at No.77 Strand Road. I have reviewed this file which was decided on appeal by the Board under ref number **ABP-3055765-19** (in which the outcome was a grant of permission). A comparison of the drawings submitted reveal some differences between no.77 and the current proposal on the appeal site at no.117. In respect of no.77, the height increase proposed was shown on the drawings as c.380mm whereas the height increase put forward for the current proposal is c.1.1m. The glass roof element at no.77 was shown hipped at both ends and read as a smaller roof element than that the current proposal on the appeal site at No.117. The roofline of the proposal at no.77 was shown to be extended at the same slope/angle as the existing roof, whereas the roof slope at the appeal site appears to be steeper than the existing roofline.
- 7.5. However, while the differences are noted, the general proposal for extending the roof at no.77 is broadly similar to that currently proposed on the appeal property. For the Board's benefit, I have placed a copy of the planning drawings pertaining to no.77 and a photograph of the completed roof works (taken 26th June 2021) on the appeal file. While the current proposals would result in a roof extending above the existing roof level by 1.1m and with a steeper slope in the glazing zone, I am satisfied that it would not be excessive and would respect the scale, proportions and architectural form of the existing house and terrace row.

- 7.6. In overall conclusion, the roof extension proposed would not have any adverse impact on the setting and integrity of the building or on the character of the residential conservation area or be contrary to the 'Z2' zoning objective (to protect and/or improve the amenities of residential conservation areas) and Policy CHC4 of the Dublin City Development plan. I therefore recommend that the Board grant planning permission for the roof alterations as proposed.
- 7.7. I am satisfied that no significant issues arise with the rear extension element which the Planning Authority issued a decision to grant permission, and which is not the subject matter of this appeal. I recommend however, that the Board attach a condition similar to condition no.4 contained in the Planning Authority's decision which relates to fitting the western elevation with a permanent opaque window for the reason of protecting adjoining residential amenities of the mews house, located c.15m to the west.

8.0 **Appropriate Assessment**

Having regard to the nature and scale of the proposed development within a serviced area and separation distance 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 the conservation objectives of any European site.

9.0 **Recommendation**

- 9.1. I recommend that the Board **grant permission** for the development subject to conditions and for the reasons and considerations set out below.

10.0 **Reasons and Considerations**

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 cause harm to the visual amenities, special interest or character of the conservation area in which it is located and would, therefore, comply with the provisions of the Dublin City Development Plan 2016-2022 and accordingly would be in accordance with the proper planning and sustainable development of the area.

11.0 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 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 slated roof element proposed to be demolished shall be replaced to match the existing roof in terms of slope, height and roof covering. The new glazed element shall conform to the profile and height shown on the drawings submitted for the planning application. Slates shall be removed with care and re-used in the roof construction augmented where absolutely necessary by matching roof slates.

Reason: In the interest of visual amenity and to protect the unique character of the building and the terrace.

3. 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.

4. 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.

5. 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.

6. 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.

Patricia Calleary
Senior Planning Inspector

26th June 2021