



An
Bord
Pleanála

Inspector's Report ABP-313006-22

Development	Changes to the attic area, (raising ridge by 0.98m.) so as to create a usable habitable space.
Location	Mount Verona House, 6 Summerhill Road, (adjoining Martello Ave), Dun Laoghaire, County Dublin, A96K302
Planning Authority	Dun Laoghaire Rathdown County Council
Planning Authority Reg. Ref.	D21B/0677
Applicant(s)	Mathieu and Maylis Pfiffer
Type of Application	Planning Permission
Planning Authority Decision	Refused Permission
Type of Appeal	First Party Appeal
Appellant(s)	Mathieu and Maylis Pfiffer
Observer(s)	Mimi Doran
Date of Site Inspection	15 th July 2022
Inspector	Susan Clarke

1.0 Site Location and Description

- 1.1. The site, known as Mount Verona House, is located at No. 6 Summerhill Road, Dun Laoghaire, County Dublin and has a stated area of 0.045286ha. The site is located on the junction of Summerhill Road and Martello Avenue (cul-de-sac), in a mature residential area, approximately 150m to the centre of the village of Dun Laoghaire at George's Street. Sandycove Dart station is located approximately 65m to the southeast of the site.
- 1.2. The subject dwelling is a double-fronted, two storey over basement Victorian style villa with a gable roof profile. It is an end-of-terrace unit; the terrace comprises a mix of single and two storey dwellings, with varying architectural designs. The property is setback from the public roadway and has a pedestrian access/egress point off Summerhill Road, with front and rear gardens. It is not a designated Protected Structure nor is it located in an Architectural Conservation Area. However, the Metals Candidate ACA is located approx. 60m to the north of the site and the People's Park Candidate ACA is located approx. 50m to the northwest of the site.

2.0 Proposed Development

- 2.1. The proposed development consists of converting the attic area to usable habitable space. This involves removing the roof and raising the ridge height by 0.98m. It is proposed to provide a new slate roof to the front with two rooflights and a new tinted glazed treatment to the roof at the rear. The development also includes the provision of a new window at third floor level on the eastern elevation.

3.0 Planning Authority Decision

3.1. Decision

The Local Authority issued a Notification of Decision to Refuse Permission for the proposed development for the following reason:

The proposed development, by reason of the significant alterations to the roof profile of Mount Verona House, which it is considered, makes a positive contribution to the character and appearance of the Summerhill Road and

Martello Avenue streetscapes, would adversely impact on these streetscapes by reason of the removal of the original historic features, which if permitted, would seriously detract from the existing visual amenities of the area and would depreciate the value of property in the vicinity. The proposed development would be contrary to Policy AR5 (Buildings of Heritage Interest) Section 6.1.3.5 of the Dún Laoghaire Rathdown County Development Plan 2016-2022, and would, therefore, be contrary to the proper planning and sustainable development of the area.

3.2. Planning Authority Reports

3.2.1. Planning Report

Basis of Planning Authority's decision.

The Planning Officer stated that having regard to the existing roof profile, and in particular the uniform approach of the angles of the front and rear roof pitches of the proposed new roof, it is considered that the extent of the increased roof height and revisions to the roof profiles together with the new gable window, roof lights and new tinted glazed treatment to the roof to the rear, would not be acceptable in this instance. The Officer argued that the dwelling adds to the historic built environment and that the proposed works would be visually injurious to the streetscape of Summerhill Road and Martello Avenue.

3.2.2. Other Technical Reports

Drainage Division: No objection.

3.3. Prescribed Bodies

None.

3.4. Third Party Observations

3.4.1. Two Third-Party Observations were submitted to the Local Authority opposing the proposed development. The key points can be summarised as follows:

- Diminish the visual, historic attractiveness of Martello Avenue and Summerhill Road.

- Application does not address previous planning refusal relating to the site.
- Overlooking
- Will decrease property values in the area.

4.0 Planning History

DLRCC Reg. Ref. D21B/0389: The Local Authority refused permission in September 2021 for the demolition of the upper section of the side gable and chimney stack (facing onto Martello Ave.) and removal of full extent of existing pitched roof. Construction of new attic room containing home office and shower room, involving the construction of new pitched slate roof with 4no. velux-type windows to the front (facing onto Summerhill Road), new upper section of side gable with window (facing onto Martello Ave.) new pitched glazing to the rear (facing rear of No. 6 Summerhill Road) and associated raising of chimney stacks and ridge height of No. 6 Summerhill Road. The application was refused for the same reason as this appeal case.

5.0 Policy Context

5.1. Dun Laoghaire Rathdown County Development Plan, 2022-2028

Since the Local Authority issued its decision in respect of the subject proposal, a new development plan has been prepared and adopted for the County. The applicable plan is the Dun Laoghaire Rathdown County Development Plan, 2022-2028.

The site is located in an area zoned 'A', which has a stated objective "*to provide residential development and improve residential amenity while protecting the existing residential amenities*". This zoning objective applies also to the adjoining dwellings on Summerhill Road and Martello Avenue. There are no conservation objectives relating to the site or to the immediate area.

Section 12.3.7.1 (iv) of the Development Plan relates to the Alterations at Roof/Attic Level:

Roof alterations/expansions to main roof profiles - changing the hip-end roof of a semi-detached house to a gable/ 'A' frame end or 'half-hip' for example – will be assessed against a number of criteria including:

- *Careful consideration and special regard to the character and size of the structure, its position on the streetscape and proximity to adjacent structures.*
- *Existing roof variations on the streetscape.*
- *Distance/contrast/visibility of proposed roof end.*
- *Harmony with the rest of the structure, adjacent structures, and prominence.*

Policy Objective HER20: Buildings of Vernacular and Heritage Interest states that:

It is a Policy Objective to:

- i. Retain, where appropriate, and encourage the rehabilitation and suitable reuse of existing older buildings/structures/features which make a positive contribution to the character and appearance of the area and streetscape in preference to their demolition and redevelopment and to preserve surviving shop and pub fronts of special historical or architectural interest including signage and associated features.
- ii. Encourage the retention and/or reinstatement of original fabric of our historic building stock such as windows, doors, roof coverings, shopfronts, pub fronts and other significant features.
- iii. Ensure that appropriate materials be used to carry out any repairs to the historic fabric.

5.2. Natural Heritage Designations

The South Dublin Bay and River Tolka Estuary SPA (site code: 004024) is to the north-west and Dalkey Island SPA (site code: 004172) and Rockabill to Dalkey Island (site code: 003000) are to the east. All of these European sites are within c3km of the site of the proposed development.

6.0 The Appeal

A First-Party Appeal was submitted to An Bord Pleanála on 14th March 2022 by the Applicant opposing the Local Authority's decision. The First-Party Appeal includes an

Architectural Conservation Statement and photomontages, prepared by Garrett O'Neill (Architect and Conservation Architect), of the proposed works.

6.1. The grounds of appeal can be summarised as follows:

- The works will improve the residential amenity of the occupants of the property and so is consistent with the site's zoning objective.
- The treatment of the rear roof is a clever contemporary design elevational treatment for this extended area. The front facing portion of the roof, with its natural slate and reduced velux, will appear appropriate in this area of period houses. The retention of the chimney capping and pots will ensure the building appears consistent with its surroundings and its historical features will remain visible.
- The building can accommodate the additional height as it is at the peak of the hill on Montello Avenue.
- The building will not appear incongruous or out of keeping with its surroundings.
- The extension will permit views over its rear garden towards the east along Martello Avenue. The viewpoint is over the front gardens of these houses and therefore the proposal will not adversely impact on the amenities of the houses along Martello Avenue in terms of overlooking, overshadowing or overbearing.
- The Architectural Conservation Statement concludes: *"This proposal is for a modest vertical extension. It has been deemed to be acceptable under eight of nine heading and has been refused only on the basis that it would injure the character of the streetscape. No criticism is made of the design or the effect on the subject building. We believe the images attached show clearly that the visual effect is minimal and could not be considered injurious."*

6.2. Planning Authority Response

No response received.

6.3. Observations

6.3.1. An Observation from Mimi Doran was submitted to the Board on 9th April 2022. The key points raised in the Observation can be summarised as follows:

- Raising the height of the entire house by adding a whole new floor and removing the original historical features and raising the roofline, would diminish the visual historic attractiveness of Martello Avenue and Summerhill Road.
- The application does not address the previous refusal relating to the site.
- The proposal would cause overlooking, loss of light, loss of privacy, decrease property values in the area, and negatively impact the historical architecture and rooflines on Martello Avenue.
- The front gardens to the units located along Martello Avenue are the main outdoor spaces for these units and are used for various daily activities. The proposal will provide no privacy to the neighbouring gardens.

6.4. Further Responses

None.

7.0 Assessment

Having examined the application details and all other documentation on file, inspection of the site, and having regard to relevant local/regional/national policies and guidance, I consider that the main issues in this appeal are as follows:

- Principle of Development
- Impact on Residential Amenity
- Appropriate Assessment.

Each of these issues is addressed in turn below.

7.1. Principle of Development

7.1.1. The site is zoned for residential development (Objective A: *to provide residential development and improve residential amenity while protecting the existing residential amenities*) in the Development Plan. Under this land use zoning objective residential

is listed as a permitted in principle use. I consider the proposed development to be acceptable in principle, subject to quantitative and qualitative safeguards in respect of design and amenity.

7.2. Impact on Residential Amenity

Visual Impact

- 7.2.1. The proposed development comprises the conversion of the attic area to usable habitable space. This involves removing the roof and raising the ridge height by 0.98m. It is proposed to provide a new slate roof to the front with two rooflights and a new tinted glazed treatment to the roof at the rear. The height of the gables on each side will also be increased and the existing chimney capping and pots will be reused (at the higher level). The development also includes the provision of a new window at third floor level on the eastern elevation. Due to the minor increase in height proposed for the roof, the reuse of existing materials and new materials that are in keeping with the area, and the absence of a uniform terrace in terms of design and height along Summerhill Road, I consider that the proposed development will have a negligible visual impact when viewed from Summerhill Road. This is evident in View 1 and View 3 of the photomontages submitted with the First-Party Appeal. For similar reasons, I also consider that the proposed development will have a minimal visual impact in terms of its scale and massing on the dwellings located on Martello Avenue. Due to the separation distances between the property and the neighbouring properties, including No. 10 Martello Avenue (circa 14m), I do not consider that it will have any overbearing impacts on the neighbouring properties. (See View 2 of the photomontages.) However, the tinted glazing on the rear elevation is not in keeping with the character of the area. Due to the exposed position of the dwelling on the top of Martello Avenue, this section of the roof would be very visible from Martello Avenue and the surrounding area to the north of the site. As such, I recommend that the tinted glazing be replaced with natural slate to match the front roof. Rooflights could be added to the rear roof to provide additional natural light to the two proposed front rooflights.
- 7.2.2. In summary, I am satisfied that the proposed development will not negatively impact the visual amenity of the area, subject to condition. Whilst the property is a period dwelling, it is not a Protected Structure nor is it located in an ACA. I concur with the

findings of the Architectural Conservation Statement that the proposed works will not injure the character of the streetscape.

Overlooking

- 7.2.3. Having regard to the positioning of the two proposed front rooflights, no overlooking will occur that would negatively impact the area's residential amenity. In terms of the proposed window on the eastern elevation, I understand that it is being provided for fire safety reasons. The window would directly face No. 7 Summerhill Road, which is located on the eastern side of Martello Avenue. Having regard to the positioning of the window, it is unlikely to result in significant overlooking or loss of privacy to the neighbouring dwellings. However, acknowledging the concerns raised by local residents and that this window is not the only source of light to the attic room, I recommend that it is constructed with obscure glazing to safeguard the amenity of the area.
- 7.2.4. In terms of the proposed tinted glazing on the rear roof, I do not consider that it would result in a significant increase in overlooking in comparison to the existing windows on the rear elevation of the dwelling. Due to the slope of the roof and its positioning behind the parapet, the glazing would provide for long distant views towards the sea. However, as stated above, in my view, the tinted glazing is not in keeping with the character of the area and should be omitted and replaced with natural slate and rooflights. The rooflights would reduce the potential for overlooking on the neighbouring dwellings.

Overshadowing and Loss of Light

- 7.2.5. Having regard to the design and scale of the proposed works, the site's orientation, the pathway of the sun, the separation distances between the site and neighbouring sites, I am satisfied that no undue loss of light or overshadowing would occur to the neighbouring properties. Furthermore, I am satisfied that the proposed development will not alter the quantum of daylight to such a significant degree that would adversely affect amenities enjoyed by the occupants of neighbouring dwellings.

Conclusion

- 7.2.6. In conclusion, I do not consider that the proposed development will adversely impact the area's architectural character or amenities and is compliant with Section 12.3.7.1

(iv) of the Development Plan. I consider that the proposed development would result in no undue overbearing impacts, overshadowing or loss of privacy on the neighbouring properties or adversely impact the area's residential or visual amenities.

7.3. Appropriate Assessment

As stated above, the South Dublin Bay and River Tolka Estuary SPA (site code: 004024) is to the north-west and Dalkey Island SPA (site code: 004172) and Rockabill to Dalkey Island (site code: 003000) are to the east. All of these European sites are within c3km of the site of the proposed development.

- 7.3.1. Having regard to the nature and scale of the proposed development, the site context (i.e. a brownfield site) and the separation distance to the European sites to the subject site, I do not consider that the proposal would be likely to significantly impact the qualifying interests of the European sites during either the construction or operational phases of development. As such, I consider that no Appropriate Assessment issues arise. In conclusion, I do not consider 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.

8.0 Recommendation

I recommend that planning permission be granted for the proposed development based on the reasons and considerations set out below.

9.0 Reasons and Considerations

Having regard to the residential land use zoning of the site (Objective A), the nature and design of the proposed development, and the provisions of the Dun Laoghaire Rathdown County Development Plan 2022-2028, including Section 12.3.7.1(iv), it is considered that, the proposed amendments to the roof profile, subject to compliance with the conditions set out below, would not seriously injure the residential and 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.

10.0 Conditions

1.	<p>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.</p> <p>Reason: In the interest of clarity.</p>
2.	<p>The rear roof shall be constructed with natural slate and may include a maximum of two rooflights. Furthermore, the proposed window on the eastern elevation shall be constructed with obscured glazing. The details of same shall be submitted in writing for agreement with the Local Authority, prior to the commencement of the development.</p> <p>Reason: In order to safeguard the residential and visual amenities of property in the vicinity.</p>
3.	<p>Site development and building works shall be carried out only between the hours of 0700 to 1800 Mondays to Fridays inclusive, 0800 to 1400 on Saturdays and not at all on Sundays and public holidays. Deviation from these times will only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.</p> <p>Reason: In order to safeguard the residential amenities of property in the vicinity.</p>
4.	<p>Construction and demolition waste shall be managed in accordance with a construction waste and demolition management plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall be prepared in accordance with the "Best Practice Guidelines on the Preparation of Waste Management Plans for Construction and Demolition Projects", published by the Department of the Environment, Heritage and Local Government in July, 2006. The plan shall include details of waste to be generated during site</p>

	<p>clearance and construction phases, and details of the methods and locations to be employed for the prevention, minimisation, recovery and disposal of this material in accordance with the provision of the Waste Management Plan for the Region in which the site is situated.</p> <p>Reason: In the interest of sustainable waste management.</p>
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Susan Clarke
Planning Inspector

20th July 2022