



An
Bord
Pleanála

Inspector's Report ABP 314237-22

Development	Protected Structure: Upgrade and extension to house, including demolition and reconstruction works.
Location	Verona, 68 Ulverton Road, Dalkey, Co.Dublin (A Protected Structure).
Planning Authority	Dún Laoghaire-Rathdown County Council
Planning Authority Reg. Ref.	D22A/0330
Applicant(s)	Peter Kane
Type of Application	Permission
Planning Authority Decision	Refuse Permission
Type of Appeal	First Party
Appellant(s)	Peter Kane
Observer(s)	None
Date of Site Inspection	28 th July 2023
Inspector	Brendan Coyne

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1.0 Site Location and Description

- 1.1. The subject site (0.04 ha) is situated on an elevated location along the northeastern side of Ulverton Road in Dalkey, Co. Dublin. The site contains a detached three-storey dwelling known as 'Verona'. The property is designated a Protected Structure (RPS No. 1339) in the Dún Laoghaire-Rathdown County Development Plan 2022-2028, with historical records from the Irish Architectural Archive confirming its origin between 1947 and 1948. The building has a stated total floor area of 133 sq.m. and features a mostly rectangular footprint with a single-story porch extension at the front. Access to the property is through a gated vehicular entrance, with a short series of steps providing entry to the main front entrance porch due to the drop in ground level. The dwelling features a flat roof profile, with a ridge height of 10.7 meters along the rear northeastern elevation and c. 6.7 meters above ground level to the front (southwest). The roof is characterised by a raised parapet c. 1.1 meters high, serving to conceal a water storage tank on the roof. Elevation finishes are rendered, exhibiting a distinctive blue colour, contributing to the dwelling's visual identity.
- 1.2. The site's topography is relatively steep, dropping from c. 15.1m Ordnance Datum (OD) along the front southwestern boundary to c. 11m OD along the rear northeastern elevation. Ground level along the northeastern boundary stands at c. 6.3 meters OD. An exterior stairwell runs along the inner southwestern boundary, facilitating pedestrian access to the lower ground level of the dwelling and the side/rear garden. At the rear, the property features a tiered landscaped garden and a single-storey garage/boathouse along the northeastern boundary. This outbuilding is accessed via a cul-de-sac slip road connected to Harbour Road and adjoins a single-storey flat-roofed ESB substation shed to its southeast. Adjoining lands include a split-level 2-3 storey flat roof detached dwelling known as Ashling to the southeast. Lands adjoining the northwestern boundary encompass the rear garden of a dwelling known as 'Cuam Beag,' which fronts the slip lane off the southern side of Harbour Road. In the vicinity, the grounds of Castle Park School are located opposite the site on the western side of Ulverton Road. Dense mature trees are located immediately opposite the site within the school grounds. Bullock Harbour is situated c. 80 meters to the northwest of the site.

2.0 Proposed Development

2.1. Permission sought for the following (as described in public notices);

- Upgrade and extension of the existing 3-storey house (a Protected Structure).
- New carpark deck, including a new opening in the existing front boundary wall and relocation of the existing dropped kerb;
- Demolition and reconstruction of existing service wing, including new double doors and lowering of existing floor slab;
- Construction of an additional storey within and above the existing parapet, including an external terrace;
- Removal of a chimney at the upper level and remodelling of internal partitions;
- New windows and external insulation replicating all period details;
- Reconfiguration of garden paths and lowering of front terrace level;
- Upgrade of foul and surface water drainage systems
- The stated floor area of the proposed works is 45.5 sq.m. and the floor space to be demolished is 18 sq.m.

3.0 Planning Authority Decision

3.1. Decision

Dún Laoghaire-Rathdown County Council REFUSED permission for the proposed development. The reasons for refusal were as follows;

1. The subject property at 'Verona', 68 Ulverton Road, Dalkey, is a Protected Structure in the Dún Laoghaire Rathdown County Development Plan 2022-2028. The proposed development, which includes the creation of a new vehicular entrance with associated raised concrete platform, modifications to floor plans and window openings, removal of chimney stack and the construction of a rooftop extension, is not considered to be sympathetic to the dwelling's original character or style and would detract from, and materially affect the character of the Protected Structure. The proposed development would, therefore, be contrary to Policy

Objective HER8 and Section 12.11.2.1 of the Dún Laoghaire Rathdown County Development Plan 2022-2028. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

2. Having regard to both the topography of the subject existing site and dwelling, rising above adjacent properties and dwellings to the northeast in particular, and to the relatively prominent height of the existing subject dwelling, and its close proximity to the surrounding boundaries and streetscape; that the proposed addition of a second floor roof terrace, and additional floor at second floor level (including terrace area's vertical fins and pergola above) would, by reason of their height and scale, have undue levels of overlooking and overbearing impacts, and visual prominence on the adjacent properties, and streetscape, and would not comply with Section 12.3.7.1(iv) Alterations at Roof/Attic Level, of the Dun Laoghaire-Rathdown Development Plan, 2022-2028. It is considered that the proposed development would therefore, seriously injure the amenities and depreciate the value of property in the vicinity, would help set a poor precedent for similar type development in the area, and would be contrary to the proper planning and sustainable development of the area.

3.2. Planning Authority Reports

3.2.1. Planning Report

The Planner's report is consistent with the decision of the Planning Authority and can be summarised as follows:

- The site is subject to zoning objective A, which seeks 'To provide residential development and improve residential amenity while protecting the existing residential amenities.'
- Residential development is permitted in principle under the zoning objective of the site.
- Extensions to dwellings may be permitted subject to compliance with policies and objectives for the zone.
- The subject dwelling, Verona, is a Protected Structure, RPS No. 1339.

- The proposed development involves upgrading and extending an existing three-storey house, which is a Protected Structure.
- Plans include creating a new vehicular entrance from Ulverton Road, necessitating a raised car deck and relocated kerb.
- It is proposed to demolish the existing service wing, lower the floor slab and reconstruct new double doors.
- The proposal includes the construction of an extra floor above the existing parapet level, to provide for a new living room and terrace space.
- There will be significant internal modifications to the structure, including the removal of the chimney at upper level, new windows and external insulation that will replicate the existing detail.
- It is proposed to reconfigure the external garden area, including the paths and front terrace.
- Upgrading of the foul and surface water systems will also take place.
- A new vehicular entrance, measuring 3.5 meters wide, is proposed for the southwest boundary of the site, directly off Ulverton Road.
- To accommodate the car space, the existing staircase leading to the lower level will be removed. In its place, a raised car deck will be installed. This car deck will be connected to the existing pedestrian entrance situated at the front (west) of the property through a gate.
- Access between the car deck and the lower ground floor level will be facilitated through the introduction of a new external staircase.
- Internal modification to the property at upper ground floor level will provide for three bedrooms and a bathroom.
- At lower ground floor level, the existing service wing will be modified internally to provide an open-plan studio space, and new double doors will provide access to the courtyard outside.
- The existing external staircase to this level will be removed and replaced with a plant room and storage space along the western boundary with Ulverton Road.

- A new concrete staircase positioned along the southern boundary with the adjoining property will provide access from the car deck to this level.
- Internal modifications at lower ground floor level will provide for a new master bedroom with an ensuite bathroom.
- Planned internal adjustments will facilitate the creation of an open-plan dining room-kitchen area.
- The proposal involves replacing existing windows throughout the property with new aluclad windows that replicate the original fenestration pattern.
- It is proposed to externally insulate the property and create a render finish to match the existing. The external insulation will expand the size of the property by c. 0.10m on all elevations.
- The proposed development entails the removal of the existing roof and chimney stack, to be replaced with an additional floor constructed within the existing roof parapet.
- A staircase leading to the roof level will be positioned at the northwestern corner of the roof, facilitating access to the new floor.
- The design provides a spacious open plan living area spanning much of the new floor, extending from the western to eastern edges and along the southern edge.
- It is proposed to create a terrace area at the northeastern corner, covered by a metal pergola. An open screen, featuring vertical fins will be erected along the northern and eastern elevations.
- The northern elevation will feature large sliding doors with glazed glass, facilitating movement between the internal living area and the external terrace.
- The height of the proposed floor will be c. 2.52 meters higher than the existing parapet's height.
- The planning assessment takes into account Section 12.3.7.1(iv) of the Development Plan which refers to Alterations at Roof/Attic level. This section highlights the importance of assessing proposals based on the structure's character, size, position on the streetscape, and proximity to neighbouring structures.

- Consideration will also be given to existing roof variations on the streetscape, the distance/contrast/visibility of the proposed roof and its harmony with the rest of the structure, adjacent structures, and prominence.
- Based on these considerations and the Conservation Officer's report, the Planning Authority expresses concerns regarding the scale and impact of the proposed additional floor, specifically in relation to the character of what is a Protected Structure.
- Although the proposal is of a contemporary and attractive design in itself, it will alter the character of the existing building.
- The Planning Authority is concerned about potential overlooking of the rear private amenity space of properties to the northeast from the proposed terrace area.
- Given the structure's height, there's a significant potential for overlooking.
- The proposal would result in an overbearing impact and undue visual prominence, affecting surrounding properties and the streetscape.
- Neighbouring residents' residential amenity would be adversely affected.
- Considering these factors, the Planning Authority deems the proposal for an additional roof-level floor non-compliant with the provisions of Section 12.3.7.1(iv) of the County Development Plan.
- The proposed new entrance measures 3.5m wide, compliant with Section 12.4.8 provisions regarding Vehicular Entrances and Hardstanding Areas.
- Given the steep area's topography and the nature of the existing dwelling, the Planning Authority considers the raised concrete platform a practical parking solution.
- The Planning Authority notes the concerns raised in the Conservation Officer's report, specifically that the proposed works will "take away from the open nature of the views of the front of the house" and "detract from the existing setting of the Protected Structure".
- The Planning Authority is of the view that the design and use of the proposed new vehicular entrance would not otherwise detract from the residential amenity of adjoining property or the main house.

- The proposal provides for an extension of the existing dwelling to provide a larger family home.
- The proposed design and finishes of the works, including the external insulation, additional floor at roof level and raised car parking platform, are considered to be of a contemporary form and quality in general.
- However, the Planning Authority considers the potential for overlooking of properties to the northeast as significant. It would have an overbearing and visually prominent impact on these properties and on the streetscape (noting the steeply sloping topography of the site/surroundings and the position on a bend in the road).
- The contents and concerns raised in the Conservation Officer's report are noted.
- The Conservation Officer is of the opinion that the Applicant "has not provided justification for the proposed alu-clad windows in place of more appropriate window style for a house of the period" and that the proposed rooftop extension is "not sympathetic to the original character or International Style of the Protected Structure".
- While the Planning Authority is sympathetic to the Applicant's wishes to modernise and upgrade the existing dwelling, the Planning Authority shares the concerns of the Conservation Officer regarding the impact of the rooftop extension on the Protected Structure.
- The Planning Authority notes the concerns of the Conservation Officer regarding the works proposed, which include significant internal modifications to floor plans, window openings, removal of the chimney stack, the construction of a rooftop extension and the provision of a new raised car parking platform and the view of the Conservation division that the works proposed are not sympathetic to the original character of the Protected Structure.
- The Planning Authority has no objection in principle to the upgrading of the building. However, considering the extensive concerns highlighted in the Conservation Report, with specific emphasis on matters such as the new vehicular entrance, alterations to the fenestration and the proposed rooftop extension, it is considered the necessary revisions needed to address these concerns couldn't be

sufficiently resolved through the provision of Further Information. On this basis, it is recommended that the proposed development be refused permission.

- No drainage issues are raised in the Drainage Division report.
- Appropriate Assessment Screening: The proposed development will not significantly impact a Natura 2000 Site.

3.3. Other Technical Reports

3.3.1. Drainage Division:

No objection subject to standard Conditions

3.3.2. Transportation Planning Division:

No objection subject to a standard Condition regarding surface water drainage.

3.3.3. Conservation Officer: summarised as follows -

- Verona was designed by the modernist Irish Architect John O'Gorman between 1947 and 1948 as his own private residence.
- Some research suggests that it was occupied by the same family until it went on the market in 2015.
- The original layout consisted of three bedrooms on the top floor, a living room and study (or fourth bedroom) at hall level, and the kitchen and dining room on the lower floor.
- The main pedestrian entrance is from Ulverton Road, accessed via a 'bridge' over the concrete roof of the lower ground floor.

Re. Proposed additional vehicular entrance to the front onto Ulverton Road.

- The architect suggests the existing parking area is insufficient for larger vehicles today.
- The proposal is to create a new concrete parking deck, supported on four concrete piers, with a turntable. This would lead to the removal of a section of granite wall and the existing stairs and handrail to the terrace.

- The implementation of these changes and associated infrastructure for the new car deck would impact the open views of the house's front.
- These alterations would diminish the existing setting of the Protected Structure.
- There's already parking available in a garage/boathouse accessed from the road below.
- The Conservation Officer does not support the introduction of this new parking element in the scheme.

Re. Proposed replacement of existing PVC windows with alu-clad windows:

- The previous scheme aimed to install new metal Crittall Windows based on the International style.
- Metal windows were significant in the International style, with Crittall being a prominent provider in the UK.
- Several Irish window companies today can repair and create metal windows for heritage projects.
- The 'Conservation Report and Impact Assessment' refers to early photos showing slim timber framed windows. However, there's no provided visual evidence of what these windows looked like.
- The applicant hasn't justified the choice of alu-clad windows over a more suitable window style for the house's era.

Re. Proposed rooftop extension:

- The Conservation Officer is not in favour of this design aspect.
- Previous report emphasised the need to respect the inherent simplicity and character of the Protected Structure in any interventions.
- The construction of a rooftop extension is not in harmony with the original character or International Style of the Protected Structure.

Re. Proposed Internal Alterations:

- The proposal provides a complete overhaul of the internal layout.

- The current plan involves a reversal, with bedrooms at lower and upper ground floors, and living spaces (kitchen & living room) at first-floor level.
- Most significant changes are proposed for ground and first floor levels.
- The existing living room is to be divided into two bedrooms at ground floor level.
- At the first floor level, existing separate rooms are to be replaced with a large L-shaped kitchen/dining/living room.
- The proposed works will completely alter the floor plan, spatial layout, and room usage.
- The revisions required to alter the plans could not be addressed by way of Further Information, and therefore, the Conservation Officer recommends that the proposed development be refused permission.
- The proposed development would detract from and materially affect the character of the Protected Structure.
- The proposed development would be contrary to Policy HER8 (i) and (ii) of the Dún Laoghaire Rathdown County Development Plan 2022-2028.

4.0 Planning History

Subject Site:

P.A. Ref. D20A/0681 Permission REFUSED in November 2020 for the proposed restoration and renovation of an existing three-storey house. The works encompassed various improvements to both structural integrity and energy efficiency. Key elements of the proposal included:

- Repairs to bolstered and damaged external plaster, incorporating new external insulation.
- Reinstatement of the existing dental course beneath the parapet, matched with plaster finish in harmony with the existing render.
- Addition of a new D.P.C. (Damp Proof Course) beneath the parapet.
- Removal, repair, and reinstallation of existing window boxes on the front elevation, along with the addition of new drainage systems.

- Replacement of external doors and windows with triple-glazed Crittal windows.
- Establishment of a new opening and incorporation of an additional window in the sitting room on the east elevation at the upper ground level.
- Installation of new double doors on the lower ground floor's east elevation.
- Closure of an existing window on the south side elevation due to concerns of being overlooked by an adjacent new house.
- Structural repairs addressing cracking in external walls, entailing the removal of an unused chimney stack and the insertion of steel joists at floor level.
- Replacement of over-painted cork ceilings with plaster slabs and skim for fire rating compliance.
- Repair and restoration of existing cast iron downpipes, followed by a decorative finish.
- Infilling of existing openings within the external concrete balustrades, utilising slim aluminium-framed laminate glass on the upper entrance level facing Ulverton Road, serving as a safety measure to prevent falls.
- Correction of concrete spalls and addition of a stove-enamelled handrail to raise the balcony railing to a height of 1200mm over the finished level.
- Extension of the pre-existing internal staircase to accommodate an additional bedroom and ensuite at roof level.
- Elevation of the new roof level by 1800mm above the current parapet, employing Crittal glazing for fenestration.
- Implementation of a new heating system featuring an air source heating pump discreetly positioned behind the parapet.
- Reconstruction of the existing garage, enhanced with storage space above, and the inclusion of external helical stairs.

The reason for refusal was as follows:

1. The subject property at 'Verona', 68 Ulverton Road, Dalkey, is a Protected Structure in the Dún Laoghaire Rathdown County Development Plan 2016-2022. The proposed development, which includes alterations to floor plans and window

openings, removal of chimney stack and the construction of a rooftop extension, would detract from and materially affect the character of the Protected Structure. The proposed development would, therefore, be contrary to Policy AR1 (ii) and (iii) of the Dún Laoghaire Rathdown County Development Plan 2016-2022, and would be injurious to the visual amenities of the area. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

Adjoining Site to the South:

P.A. Ref. D19A/0222 Permission GRANTED in May 2019 for proposed alterations to a previously granted application (Ref. D18A/0237 - ABP PL06D.301815). The proposed alterations included:

- A revised front elevation featuring new cladding and fenestration layout and design.
- Revised side elevations with new fenestration and cladding.
- Adjusted floor levels within the approved envelope.
- Addition of new safety guarding at the end of the side passage.
- Incorporation of a new roof light above the stairs.
- Introduction of a small ground floor extension at the rear to fill a gap on the floor plan.
- Addition of an extra window at the lower ground floor.
- Implementation of all necessary ancillary works to facilitate the development.

P.A. Ref. D18A/0237 and ABP Ref. 301815-18 Permission GRANTED ON APPEAL in May 2018 for the proposed construction of a new detached dwelling spanning three storeys with a flat roof (two storeys over lower ground floor level). The design also included a roof terrace. The proposal includes a new vehicular entrance accessible from Ulverton Road, as well as new boundaries, landscaping, drainage, ancillary works, and associated developments.

P.A. Ref. D17A/0899: Permission REFUSED in January 2018 for the proposed construction of a new detached dwelling spanning three storeys with a flat roof (equivalent to two storeys above the lower ground floor level). The design also featured a roof terrace. The proposal incorporated a new vehicular entrance accessible from Ulverton Road, as well as new boundaries, landscaping, drainage, and additional ancillary works.

The reason for refusal was as follows:

1. It is considered that the proposed development, in particular the proposed car parking arrangement, would; (a) Endanger public safety due to the unacceptable proposed off-street parking arrangement and would endanger public safety by reason of traffic hazard or obstruction of road users of otherwise, and (b) Create an undesirable precedent for inappropriate off-street car parking arrangements and may lead to other similar developments on adjoining sites, which would adversely affect the use of the existing road by traffic. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

5.0 Policy and Context

5.1. Development Plan

5.1.1. The **Dún Laoghaire Rathdown County Council County Development Plan 2022-2028** is the statutory plan for the area.

5.1.2. Relevant provisions are referenced as follows –

Land Use Zoning: The site is zoned objective 'A', which seeks 'To provide residential development and improve residential amenity while protecting the existing residential amenities'. (Chapter 13, Table 13.1.2)

Protected Structure: The property is listed in Appendix 4 of the Development Plan Record of Protected Structures (RPS No. 1399) and is described as a house.

Section 5.7.4 Policy Objective T19: Car Parking Standards

Section 5.8.6 Policy Objective T28: Road Safety

Section 11.4.1 Record of Protected Structures

Section 11.4.1.1 Policy Objective HER7: Record of Protected Structures

Section 11.4.1.2 Policy Objective HER8: Work to Protected Structures

Section 11.4.1.3 Policy Objective HER9: Protected Structures Applications and Documentation

Section 11.4.1.4 Policy Objective HER10: Protected Structures and Building Regulations

Chapter 12: Development Management

Section 12.3.1.1 Design Criteria

Section 12.3.4 Residential Development – General Requirements

Section 12.3.7.1 Extensions to Dwellings

Section 12.3.5.2 Separation Between Blocks

Section 12.4.5.3 Car Parking – General

Section 12.4.5 Car Parking Standards

Section 12.4.5.1 Parking Zones

Section 12.4.5.2 Application of Standards

Table 12.5 Car Parking Zones and Standards

Section 12.4.6.1 Requirements for New Development

Section 12.4.8 Vehicular Entrances and Hardstanding Areas

Section 12.3.7.1 Extensions to Dwellings

Section 12.7.3.1(iv) Alterations at Roof/Attic Level:

Section 12.8.7.1 Separation Distances

Section 12.8.7.2 Boundaries

Section 12.11.2.1 Works to a Protected Structure

Section 13.1 Land Use Zoning Objectives

Table 13.1.1 Development Plan Zoning Objectives

Appendix 3 Development Management Thresholds

5.2. Other Relevant Government Policy / Guidelines

Architectural Heritage Protection – Guidelines for Planning Authorities (2011)

5.3. Natural Heritage Designations

The nearest Natura 2000 European Sites and proposed Natural Heritage Areas to the appeal site are as follows:

- Dalkey Coastal Zone And Killiney Hill (Site Code: 001206) approx. 0.1 km to the northwest of the site.
- Dalkey Islands SPA (Site Code: 004172) approx. 0.9 km to the southeast of the site.
- Rockabill to Dalkey Island SAC (Site Code: 003000)) approx. 1.1 km to the east of the site.

5.4. EIA Screening

Having regard to the nature and scale of the proposed development and the nature of the receiving environment there is no real likelihood of significant effects on the environment arising from the proposed development. The need for environmental impact assessment can, therefore, be excluded at preliminary examination and a screening determination is not required.

6.0 The Appeal

6.1. Grounds of Appeal

6.1.1. A first-party appeal was received from Howley Hayes Cooney Architecture, representing the first-party appellant (applicant) Peter Kane, who resides at Verona, No. 68 Ulverton Road, Dalkey. The main grounds of appeal are summarised under the headings below;

6.1.2. **Re. Parking Deck:**

- The Council's Conservation Officer is of the opinion that the new car deck will diminish the open nature of the views from the front of the house. However, it is contended that an early photograph of the house demonstrates an unobstructed view across the entrance area to the front porch, with the rest of the house not visible behind the front boundary wall.
- The applicant maintains that this remains the case today, as evidenced by photographs attached to the appeal.
- It is submitted that the creation of a new opening in the front boundary wall would open wider views of the house, contrary to the Conservation Officer's concerns.
- The Conservation Officer is correct in stating that the construction of the new parking deck will result in the loss of a section of granite wall, as well as existing stairs and handrail to the terrace.
- In response, the applicant points out that a similar loss of granite wall was previously approved by the Planning Authority in 2018 for a new entrance gate in the adjacent house to the south (Reg Ref No. D18A/0237) and in 2009 for the widening of entrance gates in the adjoining house 'Aisling' (Reg Ref D08A/1392).
- Photographs of these precedents are included as an appendix to support the argument that the loss of a portion of the granite wall is of minor significance within the local context.
- The proposed construction of a parking space adjacent to the main entrance of the house is deemed essential for accessibility. Without it, the significance of the main entrance is diminished, leading to the rear entrance becoming the primary access point. This, in turn, would negatively impact the historic context and pattern of use of the original house.
- While the loss of the existing stairs from the entrance deck to the lower terrace is acknowledged, the applicant proposes the reconstruction of the staircase along the side boundary to connect the new car deck with the lower terrace.
- The applicant submits that this alternative solution has minimal impact and aligns with acceptable conservation practices.
- Various options were considered during the design process, including one that retains the original staircase. However, this approach would necessitate cars

reversing onto the street, a practice observed at the neighbouring house due to space constraints.

- In the interest of retaining the existing stairs, the applicant presents in the appendix an alternative design for a smaller car deck without a turntable. The applicant notes that this design may require cars to reverse onto the street for parking, similar to the existing practice at the neighbouring house.
- The applicant notes that the Council's Roads Department may not prefer this option. However, if it is considered acceptable by An Bord Pleanála, the applicant is willing to forego the proposed turntable and proceed with the smaller deck to preserve the existing stairs.
- Based on an early photograph of the front of the house, the applicant proposes to reinstate the front edge of a planter that has been removed by a previous owner, possibly to facilitate parking.

6.1.3. **Re. Windows:**

- The Conservation Officer acknowledges that metal windows were a significant design feature of the International Style. However, the Conservation Officer erroneously assumes that all buildings in this style exclusively had metal windows.
- The applicant counters this assertion by providing evidence from their application, referencing Buckley & O'Gorman's use of timber windows in many of their buildings, including the Nurse's home at the Orthopaedic Hospital Clontarf, which was built at the same time as the subject house (1947-1950).
- A photograph of the Nurse's home, sourced from Paul Larmour's book 'Free State Architecture', is attached in Appendix D of the appeal to support this argument.
- The applicant has obtained two early photographs of Verona, the subject property, which show that the original windows were timber. These photographs are included in Appendix D of the appeal report. The applicant submits these confirm the original fenestration pattern of the house.
- It is submitted that the proposed new windows align with the original fenestration pattern, with the only difference being the inclusion of two opening lights in the large windows on the front elevation.

- The applicant intends to incorporate the second opening light in the design of the new windows.
- After careful research and following best conservation practices, the applicant submits they have chosen modern windows that closely resemble the early timber windows of the house.
- The selected modern windows feature slim sightlines and shallow frame depth, aiming to replicate the aesthetics and style of the original windows.

6.1.4. **Re. Rooftop Extension:**

- The Council's Conservation Officer emphasises the need to respect the inherent simplicity and character of the Protected Structure while opposing the construction of a rooftop extension, considering it unsympathetic to the original character and International Style of the building.
- The applicant contends that the rooftop extension is carefully designed to be a sensitive new intervention, distinct from the original structure. It features a lightweight frame and full glazing, creating a deliberate contrast with the solid masonry walls and carefully positioned openings of the main house.
- The design of the extension maintains a sensitive relationship with the Protected Structure by following the existing plan form and reflecting the rhythm of glazing fins corresponding to the original cornice below.
- The design ensures that the rooftop extension can be easily reversible, aligning with best conservation practice principles.
- The addition of the lightweight structure through the rooftop extension is intended to reinstate the significance of the house in the local context.
- The applicant describes how Verona was initially designed as a modernist version of a medieval tower, which stood out as a tall, slender tower set against a backdrop of trees.
- Over time, the significance of Verona's unique context has diminished due to the construction of other infill houses on adjoining sites, especially a large house on the adjacent southern site that matches Verona's height.

- The planning authority's lack of consideration for the setting and Protected Structure status in the approval of that house is highlighted.
- The proposed design aims to reverse the loss of significance by restoring the original context, as demonstrated in contextual sketches included in the appeal report submission.
- The appeal addresses the alternative options available for extending the house, as acknowledged in the pre-planning response from the planning authority.
- Ground-level extensions are considered unsuitable as they would diminish the legibility of the original plan form of the simple, compact tower, contrary to good conservation practice.
- In contrast, the applicant contends that a thoughtfully designed rooftop extension would enhance the context and significance of the Protected Structure and represent best conservation practice.

6.1.5. **Re. Internal Alterations:**

- The Conservation Officer objects to the proposed internal alterations, citing that the floor plan, spatial layout, and room usage will undergo significant changes, which they believe justifies a refusal of the proposal.
- The applicant disagrees with the Conservation Officer's stance, submitting that the lower ground floor plan remains mostly unchanged, with the main modification being the addition of a bathroom in the large hallway.
- The ground floor and first-floor plans are effectively swapped, with day rooms moved from the ground floor to the first floor and bedrooms relocated from the first floor to the ground floor. This reconfiguration aims to recreate the existing first-floor plan at ground-floor level for a specific reason.
- The existing living room at ground floor level was originally a bright and sunny room with long views from its large south-facing window. However, the construction of a new house on the adjacent site obstructed both the view and natural light, turning it into a dull and overlooked space. Photographs provided in the report illustrate this impact on the room's amenity.

- The applicant's proposal seeks to improve the quality of the now depleted living room by relocating it to the first-floor level. This new location does not rely on light from the side elevation and already benefits from a generous window on the rear facade.
- To achieve this, internal partitions and the chimney will be removed at the first-floor level, allowing the house to enjoy a fine living space with ample light and scenic views, in line with the aims of the original architect-owner.
- The applicant emphasises that while the interiors of the house are not officially listed as protected, they have carefully considered the overall plan form and existing arrangements, respecting the historical significance of the property.
- Notably, the existing service hoist that serves all three floors of the house is identified as a significant interior feature. Although it presents a fire risk and cannot be retained in its current form, the proposed design repurposes the shaft for new services, such as ductwork for a mechanical ventilation and heat retrieval system.
- This approach adheres to best conservation practices, where historic elements are preserved and repurposed to meet contemporary needs.

6.1.6. **Re. Planning Authority Assessment:**

Re. Site Description:

- The Planner's description of the site incorrectly states that the dwelling is served by pedestrian access to the front.
- The applicant clarifies that the dwelling is, in fact, served by an existing vehicular access to the front. Although the parking bay can only accommodate a very small car, it allows for vehicle entry and exit to the site.
- Currently, the available parking space necessitates the small car to reverse onto Ulverton Road for access and departure.
- The planner's description identifies the rear boundary wall as being formed by an existing garage located within the application site.
- The applicant points out that the structure at the rear of the site does not function as a garage. Instead, it serves as a boathouse, situated within a short distance from Bullock Harbour.

Re. Overlooking:

- The Planning Authority raises concerns about potential overlooking of the rear private amenity space of properties to the northeast from the proposed terrace area.
- The appellant's analysis of the existing condition disputes the concerns, presenting measurements of the distance between existing windows at Verona and the nearest opposing first-floor window of properties to the northeast.
- The distance is stated to be 19.52m, falling short of the recommended 22m in new developments according to planning guidance.
- Despite this, the appellant submits that the perceived issue of overlooking is not an actual problem in reality due to the height of the first and second-floor windows relative to the nearby properties. The steep topography of the area places these windows well above the roof level of the neighbouring properties.
- The view from the existing top-floor windows is described as distant due to their elevated position, and the proposed rooftop extension's view will extend even further into the distance, not downward toward neighbouring properties.
- Drawings in the appeal submission report demonstrate this perspective, and photographs of the existing roof with its tall parapet, which will be retained, also provide context.
- The appellant asserts that the new roof-level extension will not introduce a higher degree of overlooking compared to the existing situation.
- This perspective is supported by the absence of third-party objections to the proposed rooftop extension during the application process.
- The appellant concludes that the proposed extension will not result in overlooking neighbouring properties or injure their residential amenity.

Re. Visual Impact

- The Planning Authority acknowledges the contemporary and attractive design of the proposal but considers it will alter the character of the existing building.
- The appellant disagrees with the assessment, asserting that the proposed interventions enhance and maintain the character of the existing building.

- As Grade 1 Conservation architects with a focus on the Modern Movement and International Style, the primary objective of the applicant's architect was to upgrade the external fabric while retaining and improving the character of the building.
- The rooftop addition is claimed not to compromise the existing character but rather integrates subtly into the form, proportions, and rhythm of the original building.
- The extension is seen as consolidating the character of the building as a modernist tower house, enhancing its prominence within the neighbourhood.
- The Planning Authority is concerned about an overbearing and visually prominent impact on neighbouring properties, particularly those to the northeast and on the streetscape due to the site's steep topography and location on a bend in the road.
- The appellant asserts this assessment misunderstands the original context of the house's design.
- Series of sketches appended to the report illustrate how inappropriate planning decisions over time have eroded the key characteristics of Verona as a free-standing tower house, making it blend in with a homogenous streetscape instead of standing out.
- The appellant submits that the rooftop extension serves as a beacon to draw attention to the elegant modernist gem, which risks being overlooked due to recent planning decisions that have compromised its distinctiveness.

Re. Vehicular Entrance and Hardstanding Area

- The proposed new entrance will be 3.5m wide, meeting the requirements specified in Section 12.4.8. of the Development Plan.
- Given the steep topography of the area and the existing nature of the dwelling, the Planning Authority regards the suggested raised concrete platform as a practical solution to address the provision of parking needs.
- The appellant welcomes the Planning Authority's assessment, which considers the proposed raised concrete platform as a practical response for providing car parking space.

- Notwithstanding the Conservation Officer's report, the Planning Authority's view is that the design and use of the new vehicular entrance would not adversely affect the residential amenity of neighbouring properties or the main house.
- The appellant disputes the Conservation Officer's evaluation of the impact of the new vehicular entrance and hardstanding area.
- There are no valid planning or conservation justifications to refuse permission for this essential residential amenity.

Re. Poor Precedent:

- The Planning Authority expresses concern that the proposed rooftop extension would establish a poor precedent, leading other houses to seek similar rooftop extensions.
- The appellant counters the precedent concern by submitting that setting a precedent need not be a worry when the reasons behind the rooftop extension are properly understood.
- Verona is uniquely designed as a tower house, making it impossible to extend at ground level without significantly compromising its distinct form.
- This isn't the case with other houses nearby, which don't share the same architectural considerations.
- The design of Verona as a tower house is highlighted, with the clear intent that it stands out prominently from the surrounding buildings as a tall and slender tower.
- However, the granting of permission for other nearby houses to have rooflines aligned with the parapet height of Verona has led to a loss of the original setting and significance of the house.
- The reason for proposing a rooftop extension is to restore the prominence of Verona as a unique tower house above all other houses in the vicinity. This renders the argument of setting a precedent irrelevant.

6.2. **Planning Authority Response**

- 6.2.1. The Board is referred to the previous Planner's report. The Planning Authority considers that the grounds of appeal do not raise any new matter which would justify a change in its decision.

6.3. **Observations**

None

6.4. **Further Responses**

None

7.0 **Assessment**

- 7.1. I have reviewed the proposed development submitted to the Planning Authority, the revised vehicular entrance and car deck proposal submitted with the appeal, and all correspondence on the file. I am satisfied that the proposed development is acceptable in principle, in accordance with the zoning objective of the site. Having examined the application details and all other documentation on file and having regard to relevant local/regional/national policies and guidance, I consider that the main issues in this appeal are the reasons for refusal as cited by the Planning Authority. These can be addressed under the following headings:

- Impact on the Protected Structure
- Impact on Visual and Residential Amenity
- Screening for Appropriate Assessment

- 7.2. I am satisfied that all other issues were fully addressed by the Planning Authority and that no other substantive issues arise. The issues for consideration are addressed below.

7.3. Impact on a Protected Structure

- 7.3.1. The Planning Authority refused permission for the proposed development on the grounds that the subject property, 'Verona,' is a Protected Structure in the Dún Laoghaire Rathdown County Development Plan 2022-2028 and considered that the proposed development, which encompasses a range of modifications including the creation of a new vehicular entrance accompanied by an associated raised concrete platform car deck, alterations to floor plans and window openings, the removal of a chimney stack, and the addition of a rooftop extension is not sympathetic to the original character or style of the dwelling. The Planning Authority considered the proposed alterations would detract from and materially alter the character of the Protected Structure. On this basis, the Planning Authority reasoned the proposed development would be contrary to Policy Objective HER8 and Section 12.11.2.1 within the Dún Laoghaire Rathdown County Development Plan 2022-2028.
- 7.3.2. The Planning Authority, in its assessment, noted the concerns of the Council's Conservation Officer, as detailed in Section 3.3.3 above. In summary, the Conservation Officer acknowledges Verona's architectural background as a modernist creation by Irish Architect John O'Gorman in 1947-1948. The Conservation Officer raises concerns regarding the proposed additional vehicular entrance and questions the need for the proposed new car deck and the removal of granite walls, stairs, and handrails, which would detract from the view of the front of the house and its setting as a Protected Structure. The Conservation Officer raises questions regarding the proposed replacement of existing PVC windows with alu-clad windows. While acknowledging the significance of metal windows in the International Style, the Officer notes the lack of justification for choosing alu-clad windows over a more historically appropriate style. The reference to early photos of timber-framed windows is questioned due to the absence of visual evidence regarding their appearance. The Conservation Officer does not support the proposed rooftop extension. Emphasising the importance of respecting the Protected Structure's inherent simplicity and character, the Conservation Officer deems the proposed extension incompatible with the original character and International Style of the Protected Structure. The Conservation Officer also raises concerns regarding the proposed internal alterations, which would result in a significant alteration of the spatial arrangement and room usage of the Protected Structure. In light of these concerns, the Council's

Conservation Officer recommends the refusal of permission for the proposed development, citing its adverse effects on the character of the Protected Structure and non-compliance with relevant Development Plan policy. In light of the concerns raised by the Conservation Officer and that these issues could not be addressed by way of further information, the Planning Authority recommended that the proposed development be refused permission on this basis.

- 7.3.3. The appellant, represented by Howley Hayes Cooney Architecture, has raised several grounds of appeal against the Planning Authority's refusal of the proposed development, as detailed in Section 6.1 above.
- 7.3.4. Regarding the proposed parking deck, the appellant contests the Conservation Officer's view that the new car deck would diminish open views of the building. They assert that an early photograph demonstrates unobstructed views across the entrance area, contrary to the Officer's concerns. The appellant maintains that a new opening in the front boundary wall would enhance visibility. While the Conservation Officer points out the loss of a section of granite wall and existing stairs, the appellant highlights previous approvals in the vicinity involving similar loss. The appellant contends that the proposed parking space is essential for accessibility and proposes alternatives, including a smaller deck without a turntable.
- 7.3.5. Regarding the proposed windows, the appellant disagrees with the Conservation Officer's assumption that all buildings in the International Style exclusively had metal windows. They provide evidence of timber windows in contemporaneous buildings and include early photographs of Verona with timber windows. The appellant notes that the proposed new windows align with the original fenestration pattern, showcasing careful research to replicate the aesthetics of the original design.
- 7.3.6. In response to the Conservation Officer's objection to the rooftop extension, the appellant asserts that the design is sensitive and distinct from the original structure. They emphasise its lightweight frame and full glazing, aiming to contrast with the masonry walls. It is submitted that the design is aligned with the existing plan form and maintains a sensitive relationship with the Protected Structure.
- 7.3.7. Regarding the proposed internal alterations, the appellant disagrees with the Conservation Officer's belief that the changes justify refusal. They assert that the reconfiguration aims to improve living spaces based on historical layout and amenity

concerns. The appellant explains the relocation of the living room to a light-filled area and the removal of internal partitions and chimney to create a well-lit and scenic living space.

7.3.8. Based on the considerations above, I consider it necessary to evaluate the impact of the proposed development on the character of the Protected Structure, with particular regard to the proposed opening in the front boundary wall, the proposed parking deck and the removal of granite walls and stairs, the replacement of existing PVC windows with alu-clad windows, the compatibility of the rooftop extension with the original character of the Protected Structure, and the proposed internal alterations. In the interest of clarity, these issues are addressed under the subheadings below accordingly.

7.3.9. ***Re. Proposed Vehicular Entrance and Parking Deck:***

7.3.10. The proposed development provides for the demolition of a c. 3.5m wide section of the front boundary granite wall, the demolition of concrete steps along the inside of the front boundary, and the demolition and matching replacement of the existing vehicular entrance driveway block due to its poor condition. Proposed works to the front of the property at upper ground level include the provision of a new 3.5m wide opening in the front boundary and the construction of a car turntable on a new paved concrete deck, linking with the existing entrance driveway. New concrete steps with guarding are proposed along the southeastern side boundary, providing access from the car turntable to the lower ground level. Autotrack drawings are submitted showing the swept path of a car vehicle entering and exiting the proposed new car deck, and sightline plans detail sightlines of 2.4m x 45m in both directions at the proposed vehicular entrance.

7.3.11. Having regard to the pattern of development in the surrounding area, I note that the neighbouring dwellings to the southeast along Ulverton Road have driveways and gardens that extend the entire front width of each property. However, these properties are not Protected Structures, unlike the subject property. Having reviewed the drawings submitted with the application, it is my view that the proposed new vehicular entrance and car deck would not adversely impact the character and architectural integrity of the Protected Structure to such an extent that it warrants refusal of permission. The proposed works would retain a triangular-shaped open void to the

front of the property between the existing driveway and the proposed car deck. This would maintain visibility, to some extent, of the three-storey façade to the front of the property. The window opens to the lower ground floor front elevation of the dwelling would serve a bathroom and a studio. As these are not habitable rooms, loss of daylight to these rooms from the proposed overhead car deck would not be a significant issue, and a full daylight and sunlight assessment of these rooms is not warranted in this instance.

7.3.12. The applicant has submitted a revised parking deck layout with the appeal (refer to Appendix C), which retains the external staircase along the front boundary, provides a 3.2m wide opening in the front boundary wall and maintains a larger rectangular-shaped void to the front of the property. Unlike the original proposal, the revised parking deck does not provide a car turntable. Should the Board consider that the revised parking deck layout would have less of an impact on the Protected Structure, this component can be conditioned in the event of a grant of permission. It is my view, however, that the original proposal would provide safer vehicular access and egress to and from the site and, thereby, would pose less of a hazard to vehicular and pedestrian safety along Ulverton Road. I acknowledge the Conservation Officer's point that parking is available in the garage/boathouse along the rear northeastern boundary, which is accessible from Harbour Road. However, I do not consider this sufficient justification for the refusal of the proposed vehicular entrance and parking deck.

7.3.13. ***Re. Proposed replacement of existing PVC windows with Aluclad windows.***

7.3.14. The proposed development provides for the replacement of existing PVC windows with double-glazed aluclad windows. The elevation drawings indicate that the size and positioning of the window opens would remain unchanged. The Conservation Report submitted with the application details how the original timber windows and lower ground level doors have been replaced with poor quality PVC windows and doors. The report notes that the original timber front door remains in place, complete with the distinctive lettering 'Verona'. The Conservation Report states that the proposed new aluclad windows will have a slim sightline of 54mm, similar to that of the early single-glazed timber frames. Furthermore, the window frames will be set back from the finished render finish by 135mm, the same dimension as the setback of the existing and original windows, ensuring that the character of the original modelling of the

facade is retained. Having reviewed the drawings and documentation on file, it is my view that the proposed replacement of existing PVC windows with double-glazed aluclad windows would not adversely detract from the character and architectural style of the Protected Structure. In particular, the size and positioning of the window openings would remain unchanged. Moreover, the proposed aluclad windows are designed with a slim sightline of 54mm, akin to the original single-glazed timber frames of the dwelling, as indicated in the photographs of the building from c. 1950. The setback of the window frames from the finished render finish by 135mm, mirroring the setback of the existing and original windows, would maintain the inherent modelling of the facade and prevent any disruption to the structure's visual integrity. From an energy efficiency perspective, the incorporation of double glazing in the aluclad windows serves as a substantial enhancement compared to the poor quality PVC windows they would replace. This upgrade would contribute to the reduction of energy consumption and improve the energy efficiency of the building.

7.3.15. *Re. Proposed Internal Alterations:*

7.3.16. The proposed development provides for the reconfiguration of the internal layout of the dwelling. Alterations at the lower floor level include the addition of new partitions and the formation of two new door openings to facilitate the creation of a master bedroom suite. The existing fireplace in the existing dining room will be removed. Upper ground-level alterations will include the division of the existing living room into two bedrooms and the installation of a bathroom. The fireplace in the former living room will be removed while the chimney will be retained. At the first-floor level, alterations will include the removal of cellular spaces and the creation of an L-shaped kitchen/ dining/ living room space. Other amendments at this floor level include the blocking of a doorway on the landing and the provision of a new flight of stairs leading to the proposed additional floor / rooftop extension. It is my view that these proposed alterations, while significant in their scope, are intrinsically contained within the existing structure and do not impinge upon the external appearance and character of the Protected Structure. In the absence of substantive evidence that substantiates the presence of historical or architectural elements mandating their preservation within the existing building, it is my view that the proposed internal alterations lack the potential to significantly erode the prevailing character and architectural coherence of the Protected Structure.

7.3.17. Re. Proposed Additional Floor / Rooftop Extension

7.3.18. The proposed development provides for the addition of an extra storey in the form of a rooftop extension to the existing three-storey dwelling. This rooftop extension would provide a sitting room and stairwell and incorporate a rooftop terrace. In effect, the proposal would increase the height of the building by 2.5m, increasing the pre-existing roof ridgeline from 21.87 meters OD to 24.39 meters OD. The Conservation Report submitted with the application details how a slim aluminium framed glazed screen would span between the existing coping level and the new roof with fine aluminium fins aligning with the existing dentils below the coping. These fins wrap around the outer edge of the recessed terrace, supporting a metal pergola. The existing chimney stock and water tank will be removed, and the existing roof joists will be reused. Rainwater from the new roof and roof terrace will discharge to existing cast iron down pipes outlets in the parapet wall on the northwestern elevation.

7.3.19. It is my view that the form and design of the proposed rooftop extension constitute a significant departure from the established form and design of the existing Protected Structure. Records from the Irish Architectural Archive show that the building, known as Verona, was designed by John O'Gorman, dating from 1947-1948. The building itself is distinctive, characterised by its tall, vertical form on an elevated slope, which is highly visible from the northeast, particularly along Harbour Road. Defined by a rectilinear footprint, the structure has a flat roof with a raised parapet and distinctive coping along the parapet edge. I acknowledge that the vertical fins on the elevations of the additional floor align with the existing parapet coping detail of the building. However, the extent of aluminium framed glazing to the rooftop extension would be a significant departure from the original design of the Protected Structure. Moreover, the proposed fourth-floor rooftop extension atop the existing three-storey building would inherently compromise the unique character and architectural coherence intrinsic to the original Protected Structure. The proposed extension's substantial height increase, along with its extensive glazing and elevation design treatment, starkly contrasts with the original design, appearance and architectural coherence of the Protected Structure. This design alteration, with its dominant and obtrusive visual impact and discordant aesthetic, would significantly detract from the unique character, original design, and architectural integrity inherent to the Protected Structure. Such development would be contrary to the principles outlined in Policy Objective HER8

and and the stipulations set out in Section 12.11.2.1 of the Dún Laoghaire-Rathdown County Development Plan 2022-2028, which seeks to protect structures included on the Record of Protected Structures (RPS) from any works that would negatively impact their special character and appearance. On this basis, I concur with the Planning Authority and recommend that the proposed development be refused permission.

7.4. Impact on Visual and Residential Amenity

- 7.4.1. The Planning Authority refused permission for the proposed development on the grounds that, given due consideration to both the topographical characteristics of the existing site and dwelling, notably its elevated position rising above adjacent properties and dwellings to the northeast, as well as the prominent height of the subject dwelling itself, coupled with its immediate adjacency to surrounding boundaries and the streetscape, the proposed addition of a second-floor roof extension incorporating a roof terrace, which encompasses vertical fins and a pergola, would, by reason of their height and scale, result in undue levels of overlooking, overbearing impacts, and visual prominence onto adjacent properties and the streetscape. Such development would be contrary to Section 12.3.7.1(iv) of the Development Plan, which relates to alterations at roof/attic level and would create an undesirable precedent for similar type of development in the area.
- 7.4.2. The appellant contests this reason for refusal, as detailed in Section 6.1 above. Regarding overlooking, the appellant disputes the Planning Authority's apprehensions pertaining to potential overlooking from the proposed terrace area towards the rear private amenity spaces of properties to the northeast. Contrary to the concerns raised, the appellant highlights that the distance between existing windows at Verona and the nearest opposing first-floor window of neighbouring properties stands at 19.52 meters, marginally less than the recommended 22 meters stipulated by planning guidance for new developments. The appellant contends that this perception of overlooking is fundamentally unfounded in reality due to the substantial elevation of the first and second-floor windows in relation to the neighbouring properties, due to the site's steep topography. Moreover, the appellant submits that the proposed rooftop extension's elevated perspective further diminishes the potential for overlooking, as its view extends into the distance rather than downward toward neighbouring properties. The appellant substantiates these assertions through drawings included in the appeal

submission, which explicitly convey this perspective. The appellant posits that the impending roof-level extension will not introduce a higher degree of overlooking when compared to the present situation, a perspective reinforced by the absence of third-party objections during the application process. Therefore, the appellant concludes that the proposed extension will not infringe upon the amenity of neighbouring properties by means of overlooking.

- 7.4.3. Regarding visual impact, the appellant counters the Planning Authority's concerns regarding the alteration of the building's character by highlighting their Grade 1 Conservation architects' expertise in the Modern Movement and International Style. The appellant asserts that the rooftop extension would integrate seamlessly into the original building's form and proportions, and enhance, rather than compromise, the building's character. The appellant submits that the rooftop extension is positioned as a means of fortifying the building's character as a modernist tower house, thereby accentuating its significance within the neighborhood. A series of sketches are submitted where the appellant submits that these illustrate how prior planning decisions have eroded Verona's key features as a distinctive tower house, causing it to blend into a uniform streetscape instead of retaining its distinctiveness. The appellant posits that the rooftop extension functions as a beacon, restoring attention to the elegant modernist gem that has been progressively overshadowed by recent planning decisions compromising its singularity.
- 7.4.4. Addressing concerns about precedent, the appellant submits that the proposed rooftop extension aligns with Verona's unique design as a tower house, distinct from nearby properties. Unlike other houses, Verona's design prevents ground-level extensions without compromising its form. The intention behind the extension is to restore Verona's prominence as a tower house above neighbouring structures. Therefore, the appellant argues that the precedent concern is unwarranted, as the aim is not to establish a trend but to reclaim Verona's architectural singularity.
- 7.4.5. Based on the considerations above, I consider it necessary to evaluate the visual impact of the proposed development and its impact on the privacy of neighbouring dwellings, taking into account the height and location of the proposed development.
- 7.4.6. **Re. Visual Impact:**

- 7.4.7. The proposed development provides for the construction of a fourth-floor rooftop extension atop the existing three-storey detached dwelling. The rooftop extension would accommodate a sitting room, stairwell, and rooftop terrace. The existing dwelling features a flat roof profile, with varying ridge heights reaching c. 10.7 meters along the rear northeastern elevation and c. 6.7 meters above ground level on the front southwestern elevation. The existing roof is characterised by a raised parapet measuring c. 1.1 meters high, serving to conceal a water storage tank on the roof. The proposal would increase the height of the building by c. 2.5 meters, increasing the pre-existing roof ridgeline from 21.87m OD to 24.39m OD. The elevations of the proposed extension comprise aluminium framed glazed screens with vertical aluminium fins aligning with the existing dentils below the coping of the dwelling. These fins wrap around the outer edge of the recessed terrace, supporting a metal pergola.
- 7.4.8. The topography of the site is relatively steep, dropping from c. 15.1m OD along the front southwestern boundary to c. 11m OD along the rear northeastern elevation. The ground level along the northeastern boundary stands at c. 6.3 meters OD. The site and subject dwelling is highly visible from the surrounding area, notably from the north-east along Harbour Road. The unique visibility of the dwelling is attributed to the absence of adjacent two-storey dwellings immediately to its rear/northeast due to the presence of an ESB substation structure adjoining the rear boundary.
- 7.4.9. Having regard to the pattern of development in the surrounding area, it is noted that the roof ridgeline of the existing dwelling aligns with the roof ridgelines of neighbouring dwellings to the southeast along Ulverton Road, as illustrated on the contiguous drawings submitted. However, the proposed rooftop extension would diverge significantly from this established roof line, rising significantly above the neighbouring dwellings along the street. Furthermore, following site inspection, I have concerns that the height of the proposed additional floor rooftop extension would break the skyline of the trees situated to the southwest of the site within the grounds of Castle Park School, when viewed from the northeast along Harbour Road. These trees currently contribute to the integration of the building into the hillside.
- 7.4.10. As detailed above, it is my view that the proposed fourth-floor rooftop extension does not contribute positively to the building's character and distinctiveness. The proposed extension represents a significant departure from the original design of the Protected Structure, which, I consider, would fundamentally compromise the unique character

and architectural coherence that are integral to the design of the original Protected Structure. Furthermore, the visual dominance and height of the proposed fourth-floor rooftop extension, coupled with its design features, including aluminium-framed glazed screens with vertical fins and a rooftop terrace, deviates significantly from the established roof line of dwellings along Ulverton Road. The elevated position of the site, visible across the surrounding area, exacerbates the adverse impact and visual dominance of the proposed development on the visual amenity of the surrounding area. It is my view that the departure of the proposed development from the prevailing architectural context and its potential breaking of the skyline as viewed from the northeast undermines the building's harmonious integration into the hillside and detracts from the surrounding streetscape. Such development would be contrary to requirements set out in Section 12.3.7.1 (iv) of the Development Plan, which refers to alterations at roof/attic level and emphasises the careful evaluation of character, size, position, harmony, visibility and prominence within the streetscape, aspects that the proposed extension disregards. Therefore, I recommend that the proposed development be refused permission on this basis.

7.4.11. Re. Overlooking:

7.4.12. The Planning Authority refused permission for the proposed development on the grounds that it would result in overlooking of neighbouring property. Section 12.3.5.2 of the Development Plan refers to separation distances between blocks and requires a minimum clearance distance of c. 22 metres between opposing windows. Further guidance regarding overlooking and extensions to dwellings is provided under 12.3.7.1 of the Development Plan.

7.4.13. There are no changes to the position of window openings of the existing dwelling. The proposed rooftop extension would not directly face window openings of the neighbouring dwelling to the southeast along Ulverton Road. I noted during the site inspection that the window openings on the northwestern side elevation of the neighbouring dwelling to the southeast are long, narrow, vertical, and glazed with obscure glass. As such, overlooking the neighbouring dwelling to the southeast would not occur. There is not a residential dwelling located directly opposite the rear elevation of the subject dwelling. As such, direct overlooking of a habitable dwelling to the rear north-east would not occur. I conclude, therefore, that the proposed development would not

adversely impact the residential amenity of neighbouring properties by way of overlooking.

7.5. Screening for Appropriate Assessment

- 7.5.1. Having regard to the nature and scale of the proposed development, to the location of the site within a fully serviced urban environment, and to the separation distance and absence of a clear, direct pathway to any 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.

8.0 Recommendation

- 8.1. I recommend that permission be refused for the reasons and considerations below.

9.0 Reasons and Considerations

1.	The subject property 'Verona' is designated a Protected Structure (RPS No. 1339) within the Dún Laoghaire-Rathdown County Development Plan 2022-2028 Record of Protected Structures. The proposed fourth-floor rooftop extension atop the existing three-storey dwelling represents a significant departure from the original form and design of the Protected Structure. The proposed extension's substantial height increase, along with its extensive glazing and elevation design treatment, starkly contrasts with the design, appearance and architectural coherence of the Protected Structure. This design alteration, with its dominant and obtrusive visual impact and discordant aesthetic, would significantly detract from the unique character, original design, and architectural coherence intrinsic to the Protected Structure. Such development would be contrary to the principles outlined in Policy Objective HER8 and the stipulations set out in Section 12.11.2.1 of the Dún Laoghaire-Rathdown County Development Plan 2022-2028, which seeks to protect structures included on the Record of Protected Structures
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	(RPS) from any works that would negatively impact their special character and appearance.
2.	<p>The visual dominance and height of the proposed fourth-floor rooftop extension, coupled with its design features, including aluminum-framed glazed screens with vertical fins and a rooftop terrace, deviate significantly from the established roof line of dwellings along Ulverton Road. The elevated position of the site, visible across the surrounding area, exacerbates the adverse impact and visual dominance of the proposed development on the visual amenity of the surrounding area. The departure of the proposed development from the prevailing architectural context and its potential breaking of the skyline as viewed from the northeast undermines the building's harmonious integration into the hillside and detracts from the surrounding streetscape. Such development would be contrary to requirements set out in Section 12.3.7.1 (iv) of the Development Plan, which refers to alterations at roof/attic level and emphasises the careful evaluation of character, size, position, harmony, visibility and prominence within the streetscape, aspects that the proposed extension disregards.</p>

I confirm that this report represents my professional planning assessment, judgement and opinion on the matter assigned to me and that no person has influenced or sought to influence, directly or indirectly, the exercise of my professional judgement in an improper or inappropriate way.

Brendan Coyne
 Planning Inspector

15th August 2023