



An  
Bord  
Pleanála

## Inspector's Report ABP318869-24

### Development

Replace existing flat roof on dwelling with a new tiled roof with gable wall between no. 28 and adjoining property and a Dutch hip gable wall on the side of the existing dwelling.

### Location

No. 28 Adelaide Road, Glenageary, County Dublin.

### Planning Authority

Dun Laoghaire-Rathdown County Council.

### Planning Authority Reg. Ref.

D23B/0491.

### Applicant(s)

Anna Comerford.

### Type of Application

Permission.

### Planning Authority Decision

Refuse permission.

### Type of Appeal

First Party

### Appellant(s)

Anna Comerford.

### Observer(s)

Two number observers:

(1) Ursula Fitzgerald

(2) Andrew Hughes.

**Date of Site Inspection**

19/03/24.

**Inspector**

Anthony Abbott King.

## 1.0 Site Location and Description

- 1.1. No. 28 Adelaide Road is a two-storey three-bay circa. 1930 semi-detached suburban house located on a corner site at the junction of Adelaide Road and Villarea Park. No. 28 is located on the east side of Adelaide Road in a streetscape of similar semi-detached houses on either side of the Villarea Park road junction;
- 1.2. These houses are characterised by similar fenestration, a pebble dash material finish and flat roofs. It is noted that the surrounding residential streetscapes on Adelaide Road and in the broader area are dominated by suburban houses with pitched roof profiles.
- 1.3. The abutting house at no. 27 Adelaide Road is located to the north of no. 28 Adelaide Road originally forming a pair of identical houses with no. 28 Adelaide Road. No. 27 Adelaide Road has subsequently been extended to the south exhibiting an additional bay onto the Adelaide Road streetscape and a rendered side elevation onto Villarea Park;
- 1.4. The houses on Adelaide Road have large front and rear gardens.
- 1.5. The site area is given as 0.055 hectares.

## 2.0 Proposed Development

- 2.1. Replace existing flat roof on dwelling with a new slate tiled roof with gable wall between no. 28 and adjoining property and a Dutch style half-hip gable wall on the side of the existing dwelling. 2 no. existing chimneys to be raised to suit new slate tiled roof and all ancillary works.

## 3.0 Planning Authority Decision

### 3.1. Decision

Refuse permission for the following reason:

- (1) The proposed development would be contrary Policy Objective HER21: Nineteenth and Twentieth Century Buildings, Estates and Features and section 12.3.7.1 (iv) Alterations at Roof / Attic level of the Dun Laoghaire-*

*Rathdown County Development Plan 2022-2028, due to the overbearing nature of the development which would radically alter the external expression of the 1930's dwelling. Detracting from the architectural character of the building and rendering it inconsistent with the adjoining group of structures. The proposed development would set an undesirable precedent for similar development in the area and would therefore be contrary to proper planning and sustainable development.*

### **3.2. Planning Authority Reports**

#### **3.2.1. Planning Reports**

The decision of the CEO of Dun Laoghaire-Rathdown County Council reflected the recommendation of the planning case officer.

#### **3.2.2. Other Technical Reports**

The conservation officer recommends a refusal of planning permission citing Policy Objective HER21 of the development plan.

### **4.0 Planning History**

There is no relevant recent planning history in respect of the main dwelling house at no. 28 Adelaide Road.

### **5.0 Policy and Context**

#### **5.1. Development Plan**

The Dun Laoghaire-Rathdown County Development Plan 2022-2028 is the local planning policy document. The following policy objectives are relevant:

- Chapter 13 (Land Use Zoning Objectives) Table 13.1.1 (Development Plan Zoning Objectives) and Zoning Map 3 is relevant.

The area zoning objective is "A": *To provide residential development and improve residential amenity while protecting the existing residential amenities.*

- Chapter 12 (Development Management) Section 12.3.7.1 (Extensions to Dwellings) provides guidance with respect to porches, front extensions, side extensions, rear extensions, roof alterations, attic conversions and dormer extension.
- Section 12.3.7.1 (iv) (Alterations at Roof / attic Level) is relevant and *inter alia* states:

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.
- Chapter 11 (Heritage and Conservation) Section 11.4.3 is relevant.  
11.4.3.3 Policy HER21 in the matter of nineteenth and twentieth century building, estates and features states: *It is a Policy Objective to:*
    - Encourage the appropriate development of exemplar nineteenth and twentieth century buildings, and estates to ensure their character is not compromised.*
    - Encourage the retention and reinstatement of features that contribute to the character of exemplar nineteenth and twentieth century buildings, and estates such as roofscapes, boundary treatments and other features considered worthy of retention.*
    - Ensure the design of developments on lands located immediately adjacent to such groupings of buildings addresses the visual impact on any established setting.*
  - Chapter 3 (Climate Action) is relevant including the following policy objectives CA5 (Energy Performance in Buildings) and CA8 (Sustainability in Adaptable Design).

#### 3.4.1.1 Policy CA5 states:

*It is a Policy Objective to support high levels of energy conservation, energy efficiency and the use of renewable energy sources in existing and new buildings, including retro fitting of energy efficiency measures in the existing building stock.*

#### 3.4.1.4 Policy CA8 states:

*It is a Policy Objective to promote sustainable approaches to the improvement of standards for habitable accommodation, by allowing dwellings to be flexible, accessible and adaptable in their spatial layout and design.*

## **5.2. EIA Screening**

5.3. The proposed development is not within a class where EIA would apply.

## **6.0 The Appeal**

### **6.1. Grounds of Appeal**

The grounds of this first-party appeal are summarised below:

- The current flat roof design has become unsustainable and no longer fit for purpose. In the context of the wettest and warmest year on record and the objective to increase renewable energy generation reducing carbon use, Chapter 3 (Climate Action Plan) of the county development plan is relevant. There is a loss of 30% heat generated by a gas boiler through the existing flat roof. Furthermore, it is claimed without a pitched roof and overhang, it is not possible to externally insulate walls and upgrade windows as advised by an SEAI appointed representative;
- The decision to refuse permission is influenced by a recommendation in the planning authority's conservation report based on the assumption that the subject house and those nearby are of art deco style. The subject houses do not have the features of an art deco house, which have horizontal

fenestration, Crittall steel windows, long vertical windows and plain white painted finish. The appellant claims that the house is a distilled version of Edwardian style, as generally defined by Dublin Civic Trust (extract provided). Rather than art deco style per se;

- The flat roof it is claimed was motivated by cost savings and material shortages (between 1935-1939) rather than architectural style. Two architects have stated that the houses looks unfinished because of the flat roof;
- The decision to refuse permission states that the alteration would radically alter the external expression of a 1930's dwelling. The appellant agrees that the proposal would alter the external expression of the house. However, it is claimed that the proposal to provide a pitched roof would align with the vast majority of 1930's Edwardian style houses in Dublin.
- The proposal would encourage others to do the same in line with the government's climate action plan. Two neighbours in the adjoining row of houses have no issue with the proposed works;
- There are a variety of roof designs, comprising mansard, zinc pitched, hip and gable ended roofs, on Adelaide Road, Hudson Road and Villarea Park. Photographs included with the appeal statement;
- The builder (E. Connolly) of the subject houses on Adelaide Road also built similar houses on Villarea Park adjacent. He was in financial and legal difficulty in the year of the construction of the subject building. The houses on Villarea Park all have pitched roofs, pebble dash finish and similar window design (photographs attached). Many of these houses in Villarea Park are being currently retrofitted in line with government policy;
- The appellant claims that every effort has been made to preserve the character of the subject house including restoration of stained glass windows;
- The appeal statement includes a chronology of roof maintenance and repair from 2011-2023. The appellant claims it is unsustainable to replace the existing asphalt roof covering every couple of years.
- The appellant is conscious of environmental issues and the replacement of the roof is motivated to reduce carbon emissions in line with the government

climate action plan. The appellant's sole option to reduce fossil fuel energy loss through the roof and to fit effective insulation and solar P.V. panels is to replace the flat roof with a pitched roof.

- The structural engineer advises there would be minimal disruption to the adjoining neighbour.

## **6.2. Planning Authority Response**

The planning authority response is summarised below:

- The Board is referred to the previous planners report;
- The grounds of appeal do not raise any new matters that would warrant a change in attitude to the proposed development.

## **6.3. Observations**

There are two number observers:

(1) Ursula Fitzgerald, 26 Adelaide Road, Grenageary, County Dublin

- The art deco design of houses from 25 to 31 Adelaide Road are unique. They add character to the road and should be preserved and untouched;
- The proposed development is not in keeping with good planning because of the art deco nature of the houses;
- The proposed development with its apex roof will be visually obtrusive, visibly dominant and the visible appearance may cause traffic problems;
- The overbearing nature of the development would alter the external architectural character of the 1930's dwelling and set a undesirable precedent.

(2) Andrew Hughes, 27 Adelaide Road, Glenageary, County Dublin

- The proposal to erect a 3m chimney stack will involve changes to the observer's chimney stack, which is shared with no. 28 Adelaide Road. The observer does not agree to changes to their chimney stack;



- The proposed works will involve use of the observer's roof space. The observer does not agree to any works to be undertaken by a third party;
- There is a risk to the structural stability of the observer's property, as the subject houses were built as a semi-detached development almost 100 years ago - as stated by the appellant;
- The terrace of houses comprising nos. 25, 26, 27, 29, 30 and 31 Adelaide Road were built in an art deco style in the 1930's. The proposed roof in combination with an existing large side extension is considered excessive and overdevelopment;
- The subject terrace of houses has the same visual appearance. The proposed development will detract from the architectural integrity of the adjoining properties. The proposal will be visually obtrusive and will radically alter the appearance of houses on Adelaide Road and Villarea Park. It will reduce the aesthetic quality of the immediate vicinity;
- The development is described as a new apex tiled roof. However, it is effectively an additional floor. The proposal by reason of its design, scale, bulk and mass will be dominant and will have an overbearing and overshadowing impact on the observer's garden and overbear neighbouring gardens. The proposal will diminish the quality of living for the observer to an unacceptable level;
- The current roof at no. 28 Adelaide Road has been poorly maintained and no remedial work has been carried out since 2000;
- The observer agrees with the rejection of the application for the proposed development by the planning authority for the reasons cited in the refusal.

## 7.0 **Assessment**

- 7.1. The following assessment covers the points made in the appeal submission, the reason for refusal and is a consideration of the overall proposed development. It is noted there are no new substantive matters for consideration.

- 7.2. The proposed development comprises the replacement of the existing asphalt flat roof and the construction of a slate tiled pitched roof to no. 28 Adelaide Road. The front elevation of No. 28 Adelaide Road measures approximately 5.8m to parapet height. The height of the pitched roof above the height of the existing house would be 2.8m to the apex of the proposed new roof.
- 7.3. The new roof would exhibit a gable to the side south elevation onto Villarea Park comprising a half-hip roof (Dutch hip gable). The proposal would also require the construction of a gable on the party wall with the adjoining semi-detached house at no. 29 Adelaide Road to the north and the extension of two existing chimneys. Finally, the centre bay of the Adelaide Road elevation would have a gable above the projecting bay. My assessment below is structured under the following headings:
- Zoning
  - Conservation
  - Potential impact on existing residential amenities.
  - Climate action and the retrofit / energy efficiency of the existing building stock.

#### Zoning

- 7.4. The zoning objective seeks to provide residential development and improve residential amenity while protecting existing residential amenities. The proposed development is located in a suburban residential area predominantly characterised by two-storey houses with front and rear gardens. In the instance of the subject application a planning assessment of proposed works within the zone must balance existing residential amenities with the improvement of accommodation on site.

#### Conservation

- 7.5. The appellant has provided a chronology of roof repairs from 2011-2023 as part of the appeal statement. The appellant claims that the existing flat roof is unsustainable given the on-going maintenance requirements and the loss of heat through the roof. The planning authority refused planning permission on the grounds of the overbearing nature of the development, which would radically alter the external expression of the 1930's dwelling.

- 7.6. The planning authority concluded that the proposal would detract from the architectural character of the building and render it inconsistent with the adjoining group of structures. Therefore, the proposal would be contrary to Policy Objective HER21: Nineteenth and Twentieth Century Buildings, Estates and Features and, Section 12.3.7.1 (iv) Alterations at Roof / Attic level of the Dun Laoghaire-Rathdown County Development Plan 2022-2028. It would set an undesirable precedent for similar development in the area.
- 7.7. The substantive reason for refusal is the visual impact of the proposal on the receiving dwelling and streetscape including the architectural integrity of this section of Adelaide Road. The conservation officer considered that the development would detract from the architectural character of the building and render it inconsistent with the adjoining group of structures citing Policy Objective HER21, which seeks to protect the integrity of exemplar nineteenth and twentieth century buildings. The conservation officer also noted that the proposed pitched roof is overbearing and radically alters the external expression of this 1930s dwelling.
- 7.8. Section 12.3.7.1 (iv) (Alterations at Roof / attic Level) of the Dun Laoghaire-Rathdown County Development Plan 2022-2028 provides criteria for the roof alterations / expansions to main roof profiles. The criteria include *inter alia* consideration of the character and size of the receiving structure, the position on the streetscape, proximately to adjacent structures, harmonisation and prominence and existing roof profiles on the street. The proposal would mirror the roof profile of the housing stock on the majority of the streetscapes on Adelaide Road and in the broader network of residential streets.
- 7.9. The pattern of development in the wider area is dominated by pitched roof profile housing stock. However, the subject development is located in a streetscape of houses (nos. 25- 31 Adelaide Road) with flat roofs that exhibit a common distinct parapet line without eaves or overhang. I consider that the replacement of the existing flat roof with a pitched and gable ended roof would create a discontinuity of roof profile on this section of Adelaide Road.
- 7.10. The appellant acknowledges that the proposed alteration to the roof would radically alter the external expression of the subject dwelling. However, it is claimed that the proposal to provide a pitched roof would align with the vast majority of 1930's

Edwardian style houses in Dublin. The appellant claims that the house and the neighbouring houses is a distilled version of the Edwardian style, as generally defined by Dublin Civic Trust. Rather than constructed in an art deco style. The appellant claims that the original builder (E. Connolly) who also built similar houses on Villarea Park was in financial and legal difficulty in the year of the construction of no. 28 Adelaide Road and that the flat roof construction is an economy.

- 7.11. This argument may have merit given the similarity of houses with and without pitched roofs in the vicinity. In this regard, I am uncertain if no. 28 Adelaide Road and the adjoining streetscape can be defined as an exemplar of nineteenth and twentieth century building as detailed in Policy Objective HER21. Rather the subject house and streetscape may be a design aberration dictated by material shortage and economic expediency.

Potential impact on existing residential amenities

- 7.12. The observations of third parties are noted including the resident of the neighbouring house at no. 27 Adelaide Road. The pattern of development in area is dominated by terraced and semi-detached houses with pitched and gable ended roofs. There are examples of similar semi-detached houses in Villarea Park adjacent to the subject dwelling that exhibit pitched roofs. I do not consider given the pattern of development in the area that the scale, height, bulk and massing of the proposed replacement roof would have a significant negative impact on the amenities of adjoining residential properties, including the abutting semi-detached house at no. 27 Adelaide Road to the north, in terms of overshadowing and overbearing impacts.
- 7.13. In the matter of visual impacts, it is acknowledged that the proposed pitched and gabled roof would disrupt the continuity of the flat-roof profile streetscape on this section of Adelaide Road and would alter the physical relationship between no. 28 Adelaide Road and the abutting semi-detached house at no. 27 Adelaide Road. However, visual impact considerations must be balanced with energy conservation requirements.
- 7.14. Finally, I note that the south facade of no. 28 Adelaide Road as viewed from the entrance to Villarea Park would be visually improved by the incorporation of a gable and half-hip roof finish to the elevation.

### Climate action and the retrofit / energy efficiency of the existing building stock

- 7.15. Policy objective CA5 supports high levels of energy conservation, energy efficiency and the use of renewable energy sources in existing and new buildings, including retro fitting of energy efficiency measures in the existing building stock. The appellant cites the example of the retrofit of neighbouring properties at Villarea Park, as part of the motivation to replace the flat roof with a pitched roof.
- 7.16. It is noted that the appellant claims that an SEAI appointed representative advised that it is not possible to externally insulate walls and upgrade windows without a pitched roof and overhang. Furthermore, there is a claimed loss of 30% of gas generated heating through the existing flat roof presumably due to poor insulation, which would be mitigated by an insulated pitched roof. I consider that the proposal would represent an energy conservation measure aligned with climate action. Therefore, the proposal would increase the energy efficiency of the existing building stock, which is supported by Policy Objective CA5 of the Dun Laoghaire-Rathdown County Development Plan 2022-2028.
- 7.17. Furthermore, Policy Objective CA8 promotes sustainable approaches to the improvement of standards for habitable accommodation, by allowing dwellings to be flexible, accessible and adaptable in their spatial layout and design. I consider that adopting an appropriate pitched-roof design solution would by reason of increased energy efficiency and the mitigation of the requirement for on-going repair / maintenance of the existing asphalt flat roof, as documented in the appeal statement, provide a sustainable and improved standard of habitable accommodation on site.

### Conclusion

- 7.18. In conclusion, the visual impact of the proposed development on the streetscape when balanced with the merits of the proposal in terms of energy efficiency and overall building sustainability, including compliance with policy objectives CA5 a (support energy conservation and energy efficiency of the existing building stock) and CA8 (promote sustainable approaches to increasing standards of habitable accommodation through design), would warrant a positive recommendation.
- 7.19. It is acknowledged that the proposed pitched and gabled roof would disrupt the continuity of the flat-roof profile and distinct parapet line of the streetscape on this

section of Adelaide Road. Furthermore, the proposal would alter the physical relationship between no. 28 Adelaide Road and the abutting semi-detached house at no. 27 Adelaide Road to the north. However, the pattern of development in area is dominated by suburban two-storey houses with pitched and in instances gable ended roofs. There are examples of similar semi-detached houses in Villarea Park adjacent to the subject dwelling that exhibit pitched roofs similar to the roof proposed.

7.20. I conclude that the proposal is acceptable in principle, would not have an adverse impact on the existing residential amenities of neighbouring properties, would provide for an upgrade of accommodation on site in terms of energy efficiency and maintenance and, as such, would be consistent with the proper planning and sustainable development of the area subject to material finish. This can be dealt with by way of condition.

#### 7.21. **Appropriate Assessment Screening**

The proposed development comprises a new pitched roof to replace a flat roof in an established urban area.

Having regard to the nature and scale of the proposed development it is possible to screen out the requirement for the submission of an NIS.

### 8.0 **Recommendation**

8.1. I recommend a grant of planning permission subject to condition having regard to the reasons and considerations below.

### 9.0 **Reasons and Considerations**

Having regard to the grounds of appeal, the reason for refusal, the zoning objective, which seeks to provide residential development and improve residential amenity while protecting the existing residential amenities and, the policy framework provided by the Dun Laoghaire-Rathdown County Development Plan 2022-2028, it is considered that the proposed development subject to condition to replace an existing flat roof with a pitched and gable ended roof would be consistent with climate action policy objectives CA5 (support energy conservation and energy efficiency of the

existing building stock) and CA8 (promote sustainable approaches to increasing standards of habitable accommodation through design) of the Dun Laoghaire-Rathdown County Development Plan 2022-2028, would not have a significant negative impact on the existing residential amenities of neighbouring properties, would provide an improved standard of accommodation on site and, as such, would be consistent 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><b>Reason:</b> In the interest of clarity.</p>
2.	<p>Surface water drainage arrangements shall comply with the requirements of the planning authority for such services and works.</p> <p><b>Reason:</b> In the interest of public health.</p>
3.	<p>Details of the external finishes of the proposed development shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.</p> <p><b>Reason:</b> In the interest of visual amenity.</p>
4.	<p>The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefiting development in the area of the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the Development Contribution Scheme made under section 48 of the Planning and Development Act 2000. The contribution shall be paid prior to the</p>

	<p>commencement of development or in such phased payments as the planning authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. Details of the application of the terms of the Scheme shall be agreed between the planning authority and the developer or, in default of such agreement, the matter shall be referred to the Board to determine the proper application of the terms of the Scheme.</p> <p><b>Reason:</b> It is a requirement of the Planning and Development Act 2000 that a condition requiring a contribution in accordance with the Development Contribution Scheme made under section 48 of the Act be applied to the permission.</p>
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“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”.

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Anthony Abbott King  
Planning Inspector

22 March 2024