



An
Coimisiún
Pleanála

Inspector's Report

ACP 322881-25

Development	Construction of ground floor extension to rear, dormer extension structure and conversion of attic.		
Location	11, Tramway Court, Sutton, Co. Dublin, D13N8Y7.		
Planning Authority Ref.	F25A/0326E.		
Applicant(s)	Brendan O'Reilly.		
Type of Application	Permission	PA Decision	Split Decision.
Type of Appeal	First Party v Refusal	Appellant	Brendan O'Reilly.
Observer(s)	None on file		
Date of Site Inspection	3 rd September 2025	Inspector	Des Johnson

1. Site Location/ and Description

- 1.1. Tramway Court is located on the opposite side of Station Road, Sutton, to the DART Station, south of the level crossing, and north of Suttonians Rugby Club. It is a dense housing development of predominantly, but not exclusively, terraced houses with communal car parking.
- 1.2. 11, Tramway Court is a two-storey, end of terrace dwelling. It fronts to the north-east, and backs on to Suttonians RFC.
- 1.3. I was unable to gain access to the interior of No.11 at the time of inspection.

2. Proposed development.

2.1. The proposal is for single storey extension to the rear, conversion of attic space with new dormer structure to the rear to include raising of the existing ridge by 520mm, new window to gable wall at attic level, removal of ground floor bay window feature to front, and all associated site works.

2.2. The existing gross floor area is stated to be 74sqm, the proposed development is stated to be 29.80sqm, and the site area is 0.012ha. It is proposed to connect to existing public services.

3. PA's Decision

3.1. The Planning Authority decided to issue a SPLIT decision. Permission was granted for the proposed ground floor extension, and Permission was refused for the attic conversion with dormer extension.

3.2. Permission granted for the ground floor extension was subject to 6 conditions as follows:

1. Standard compliance
2. Entire premises to be used as a single dwelling unit
3. External finishes
4. Surface water requirements
5. Spillage prevention
6. Construction hours

3.3. Permission was refused for attic conversion with dormer extension for 1 reason. The reason for refusal relates to visual dominance and overbearing appearance when viewed from private amenity spaces and the streetscape, seriously injuring surrounding property. Contrary to policy 14.10.2.5 and objective SPQH045 and, as such, contrary to the zoning objective of the Development Plan.

3.4. The Planner's Report states that the site is in an area zoned 'RS' with the objective *to provide for residential development and protect and improve residential amenity*. The landscape character for the area is 'Coastal, Highly Sensitive'. There were no objections submitted. The proposed dormer structure includes raising the ridge height 520mm above the main ridge, and is considered unacceptable and contrary to Section 14.10.2.5 and contrary to Objective SPQH045 of the Development Plan. The proposed bulk and size are excessive, and it would have a negative visual impact, particularly on neighbouring gardens. The structure would set an undesirable precedent. The design and finishes to the rear extension are acceptable.

3.5. Water Services raise no objection subject to conditions.

4. Planning History.

4.1. There are none relating to the subject premises on file.

4.2. Register Reference F19B/0207 – Permission and Retention granted for conversion of the existing attic to storage with Velux windows at side and retention of single storey lobby and utility room at side. New single storey kitchen extension to rear with internal alteration to form a ground floor shower room at 30, Tramway Court.

5.1. Planning Policy

5.2. The Fingal Development Plan 2023-2029 is the statutory plan for the area.

5.3. The site is in an area zoned 'RS' with the objective *to provide for residential development and protect and improve residential amenity.*

5.4. Section 14.10.2.5 of the Development Plan relates to 'Roof Alterations including Attic Conversions and Dormer Extensions'. Assessment criteria include the following:

- Consideration and 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 structure and prominence.

Dormer structures are to be set back from the eaves, gables and/or party boundaries and shall be set down from the existing ridge level so as not to dominate the roof space. Excessive overlooking of adjacent properties should be avoided.

5.5. Objective SPQH045 refers to Domestic Extensions. It is an objective to encourage sensitively designed extensions to existing dwellings which do not negatively impact on the environment or on adjoining properties or area.

5.2 Natural Heritage Designations

- Baldoyle Bay SAC – c.95m to North
- Baldoyle Bay SPA & pNHA – c.95m to North
- North Dublin Bay SAC – c.285m to South
- North Bull Island SPA & pNHA – c.285m to South

6. The Appeal

6.1. The First Party grounds of appeal may be summarised as follows:

- The applicant wishes to create a new habitable bedroom compliant with Building Control Regulations, and this cannot be achieved within the envelope of the existing roof. The ridge height must be raised to achieve the requisite headroom
- Adjoining neighbours have no issue with the proposed dormer being 'unduly dominant' or 'visually overbearing' (letters attached)
- The raised ridge and dormer structure are barely perceivable from the streetscape, and there is already a step in the ridge level of the terrace at the opposite end. The proposed development merely adds some balance to the overall elevation
- There are no surrounding properties to the rear, due to the playing pitches of Suttonians RFC
- The dormer is set back from the eaves, party wall and gable wall
- The proposal supports the zoning objective by improving the functionality and long-term viability of the existing dwelling
- There would be no overshadowing, overlooking or loss of privacy
- The proposed dormer would be subordinate to the existing roof structure, and respects the scale, proportions, and overall character of the existing dwelling

The grounds of appeal attach letters from residents of 10 and 12 Tramway Court stating that the raised roof is not considered to be unduly dominant or visually overbearing on their properties or injurious to their amenities. They are supportive of the development.

6.2 P.A. Response

6.2.1. The Planning Authority considered that the proposed dormer element was overly dominant in the roofscape. The proposal would be out of keeping with the character of adjoining development. The dormer element would be seriously injurious to the amenities of the area. The Commission is requested to uphold the decision of the Planning Authority. In the event of the appeal being successful, provision should be made for a financial contribution and/or provision for any shortfall in open space and/or any Special Development Contribution, inclusion of a Bond/Cash Security, and a tree bond or a contribution in respect of a shortfall of play provision facilities.

7. EIA Screening

7.1. The development proposed is not of a Class for the purposes of Schedule 5. As such, the development is excluded at pre-screening stage.

9.0 Assessment

9.1 There are several elements to this proposed development as follows:

- Construction of single-storey flat roof extension to rear, measuring 2925mm in depth, and across the full width of the house
- Conversion of existing attic space, with construction of new dormer structure to rear and raising the existing ridge by 520mm
- Window in gable wall at attic level
- Removal of ground floor bay window feature to front
- All associated site works

9.2 The Planning Authority issued a split decision, granting permission for the ground floor extension, and refusing permission for the proposed attic conversion and dormer structure to the rear. The reason for refusal refers to visual dominance and overbearing appearance, and contravention of Development Plan provisions.

9.3 There is a First Party appeal against the decision to refuse permission for the conversion of the existing attic space with new dormer structure, including raising the ridge height. In the grounds of appeal, the appellant states that he wishes to create a new habitable bedroom compliant with Building Control Regulations, and the raised ridge is necessary to achieve adequate headroom and would be barely perceivable from the streetscape. Adjoining residents have no issue with the proposed dormer and do not consider the proposed raised roof to be unduly dominant or visually overbearing on their properties or injurious to their amenities.

9.4 I consider that the key issues to be addressed are as follows:

- Policy
- Visual amenities
- Residential amenities
- Appropriate Assessment

Policy

9.5 The appeal site is in an area zoned 'RS' with the objective *to provide for residential development and protect and improve residential amenity*. The proposed development is 'permissible' in principle within this zoning, subject to compliance with other provisions of the Development Plan 2023-2029.

- 9.6 Other provisions of the Development Plan include assessment criteria for attic conversions and dormer extensions, and domestic extensions.

Visual Amenities

- 9.7 The proposed single storey, flat roof extension to the rear would not be seen from the public streetscape; it would be visible from the adjoining lands to the south (Suttonians RFC) but would not be overbearing or unduly dominant. This element of the overall proposal is visually acceptable.
- 9.8 The proposed window in the gable wall and the removal of the bay window feature to the front are visually acceptable.
- 9.9 The proposed conversion of existing attic space, and dormer structure would involve the raising of the existing roof ridge by 520mm. Section 14.10.2.5 of the Development Plan details assessment criteria to be applied in the case of roof alterations and dormer extensions. These include the consideration of the size of the structure, existing roof variations on the streetscape, and harmony with the rest of the structure and adjacent structures. The Planning Authority contend that the proposed dormer is excessive in bulk and size and, as such, is contrary to Section 14.10.2.5.
- 9.10 This is an end of terrace dwelling. The dwelling at the other end of the terrace has a marginally higher roof than the rest of the terrace, but a similar profile. The proposed dormer would result in a changed roof profile and is not comparable. The additional height is required in order to provide a habitable bedroom.
- 9.11 I conclude that the proposed dormer structure including raising the roof by 520mm is excessive in size and bulk, would be seriously injurious to the visual amenities of the area, is not in harmony with the existing structure and character of adjacent dwellings, and would set an undesirable precedent for other similar proposals in the area.

Residential amenities

- 2.12 I contend that the rear flat roof extension is modest in scale, and would not be injurious to the amenities of adjoining property in terms of overlooking or overshadowing. Then proposed new gable widow and removal of the ground floor bay window feature are acceptable.
- 2.13 The proposed dormer structure would have two windows facing south-east; one would serve a proposed bedroom and the second smaller window would serve an en-suite. I consider that these would not give rise to undue overlooking of adjoining properties, and would not be a reasonable ground for refusal.

Appropriate Assessment

- 2.14 Having considered the nature, scale and location of the development, I am satisfied that it can be eliminated from further assessment because it could not have any effect on a European site. The reason for this conclusion is having regard to the nature and scale of the development, location in an established residential area, and the distance from and absence of connectivity to European sites.

10. Recommendation

I recommend that permission be granted for the proposed rear ground floor extension, gable window and removal of ground floor bay window feature, and refused for the conversion of existing attic space, with construction of new dormer structure to rear and raising the existing ridge by 520mm

Reasons & Considerations

1st Schedule

Having regard to the nature and scale of development comprising rear ground floor flat roof extension, gable window, and removal of ground floor bay window feature, and the zoning for the area as set out in the Fingal Development Plan 2023-2029, it is considered that the proposed development, subject to the conditions set out in the second schedule, would not be injurious to the visual or residential amenities of the area, and would be in accordance with the proper planning and sustainable development of the area.

2nd Schedule

Conditions

1. The development shall be carried out in accordance with then plans, particulars, and specifications lodged with the application, save as may be required by the following conditions.

Reason: In the interest of clarity.

2. The house and ground floor extension shall be used as a single dwelling unit, and shall not be sub-divided by way a sale or letting or otherwise.

Reason: In the interest of the residential amenities of the area.

3. Surface water drainage arrangements shall be to the requirements of the Planning Authority.

Reason: In the interest of public health.

4. External finishes shall be as indicated on the lodged drawings unless otherwise agreed with the Planning Authority.

Reason: In the interest of visual and residential amenities.

5. The applicant shall prevent any mud, dirt, debris or building material being carried onto or placed on the public road or adjoining property as a result of the site construction works and repair any damage to the public road arising from carrying out the works. There shall be no storage of construction materials on the public road/footway unless agreed in writing with the Planning Authority.

Reason: To protect the amenities of the area and in the interests of public safety.

3rd Schedule

The proposed dormer structure, raising the ridge by 520mm, would be excessive in size and bulk, visually dominant and overbearing in appearance, out of harmony with the existing dwelling and the character of the area, and seriously injurious to the visual amenities of the area. As such, the proposed structure would set an undesirable precedent, be conflict with Objective SPQH045 of the Fingal Development Plan 2023-2029, and would be contrary to the proper planning and sustainable development of the area.

Des Johnson

Planning Inspector

Date

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

Form 1
EIA Pre-Screening

An Coimisiún Pleanála Case Reference	322881-25		
Proposed Development Summary	Construction of extension, conversion of attic, and all associated site works.		
Development Address	11, Tramway Court, Sutton, Co. Dublin, D13N8Y7.		
1. Does the proposed development come within the definition of a 'project' for the purposes of EIA? (that is involving construction works, demolition, or interventions in the natural surroundings)		Yes	Yes
		No	
2. Is the proposed development of a CLASS specified in Part 1 or Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended)?			
Yes			
No	No		
3. Does the proposed development equal or exceed any relevant THRESHOLD set out in the relevant Class?			
Yes			
No			
4. Is the proposed development below the relevant threshold for the Class of development [sub-threshold development]?			
Yes			

5. Has Schedule 7A information been submitted?		
No		

Yes		
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Inspector: _____

Date: