



An
Coimisiún
Pleanála

Inspector's Report

ACP-323377-25

Development

Alterations to existing roof including extension of pitched roof to north, proposed dormer window to rear, rooflight to front and rear, demolish chimney, minor alterations to north and east elevations, and associated siteworks

Location

9 Del Val Avenue, Bayside, Dublin 13,
D13N126

Planning Authority

Fingal County Council.

Planning Authority Reg. Ref.

F25A/0472E

Applicant(s)

Stephen Moyna & Creina Slator.

Type of Application

Permission.

Planning Authority Decision

Refuse Permission.

Type of Appeal

First Party.

Appellant(s)

Stephen Moyna & Creina Slator.

Observer(s)

None.

Date of Site Inspection

16-10-2025.

Inspector

Adam Kearney.

1.0 Site Location and Description

- 1.1. The application property, a detached single storey hipped bungalow on 0.06 hectares is located at 9 Del Val Avenue, Bayside, Dublin 13. The subject property is located on a corner site fronting onto a road dominated by hipped roof single storey dwellings with many roofs modified or altered and with varying types of dormer windows projecting from rear facing roof slopes, including the subject property where a small-scale dormer window somewhat set down from the ridge exists. There is a laneway to the rear allowing rear access to dwellings on the southern side of Del Val Avenue and primary access to 3 further properties (a two-storey dwelling and 2 no. dormer bungalows). Immediately east at Beach View are two storey dwellings and 50m southeast is a 3-storey apartment building, Mariners Court. The side and rear boundary treatment of the dwelling consists of tall hedging behind a 1.8m wall at the side and a high wall sporadic planting and a shed gable to the south along the laneway.

2.0 Proposed Development

- 2.1. Alterations are sought to the existing roof including extending the pitched roof to north, constructing a dormer window to rear, rooflight to front and rear, demolition of a chimney, minor alterations to north and east elevations, and associated siteworks

3.0 Planning Authority Decision

3.1. Refuse Permission

'The proposed rear dormer window structure, by virtue of its scale and lack of sufficient set down from the main ridge of the dwelling, would be excessive and form a dominant part of the roof. The proposed development would be visually intrusive, would seriously injure the visual amenities of property in the vicinity, and would therefore contravene Objective SPQHO45 of the Fingal County Development Plan 2023-2029 and be contrary to the proper planning and sustainable development of the area.'

3.2. Planning Authority Report

- The site is zoned RS (Residential), where extensions are acceptable in principle subject to compliance with Development Plan policies and protection of amenity.
- The proposed roof alterations retained the hipped roof profile and was not in itself considered excessive in scale.
- The dormer window was assessed as too wide and lacking sufficient set-down from the ridge, contrary to Section 14.10.2.5 of the Development Plan.
- Design was considered visually dominant and out of keeping with the character of the dwelling and surrounding streetscape.
- It was noted that achieving compliance would compromise the usability of the proposed attic bedroom, making a compliant redesign impractical.
- The planner concluded that the dormer element contravened policy and recommended refusal of permission on the grounds of excessive scale, lack of ridge set-down, and negative impact on visual amenity.

3.2.1. Other Technical Reports

- Water Services - No Objection subject to condition. The proposals are considered acceptable in terms of water and drainage.

3.3. Prescribed Bodies

None

3.4. Third Party Observations

None.

4.0 Planning History

4.1. None on the Subject Site.

4.2. **Proximate**

F22A/0572: 7 Del Val Avenue Permission Granted for Construction of a 1 .5 storey extension to the rear with converted attic and dormer to the side, and Velux roof windows to the sides, 2) an attic conversion of the existing attic with 2 Velux roof windows to the front and 2 Velux roof windows to the rear at attic level, 3) to widen an existing vehicular access exiting onto Del Val Avenue, Dublin 13, including all associated site works.

F22B/0099: 11 Del Val Avenue Permission Granted for alterations to previously approved planning permission ref: F20B/0027. The alterations include the omission of new roof structure over existing garage, redesign of rear dormer and relocation of rooflight to existing roof on North elevation.

5.0 **Policy Context**

5.1. Fingal County Development Plan 2023-2029

Property is zoned 'RS' - The objective of which is to 'Provide for residential development and protect and improve residential amenity'

5.2. **Policy**

SPQHP41 - Residential Extensions

Support the extension of existing dwellings with extensions of appropriate scale and subject to the protection of residential and visual amenities.

Objective SPOH045 - Domestic Extensions

Encourage sensitively designed extensions to existing dwellings which do not negatively impact on the environment or on adjoining properties or area.

Section 14.10.2.5 Roof Alterations including Attic Conversions and Dormer Extensions

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

- *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 structures and prominence.*

Dormer extensions to roofs will be evaluated against the impact of the structure on the form, and character of the existing dwelling house and the privacy of adjacent properties. The design, dimensions, and bulk of the dormer relative to the overall extent of roof as well as the size of the dwelling and rear garden will be the overriding considerations, together with the visual impact of the structure when viewed from adjoining streets and public areas.

Dormer extensions shall 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. The quality of materials/finishes to dormer extensions shall be given careful consideration and should match those of the existing roof.

The level and type of glazing within a dormer extension should have regard to existing window treatments and fenestration of the dwelling. Regard should also be had to extent of fenestration proposed at attic level relative to adjoining residential units and to ensure the preservation of amenities.

Excessive overlooking of adjacent properties should be avoided.

6.0 Natural Heritage Designations

- 6.1. The appeal site is located c 0.2 km to the north of North Bull Island Special Protection Area (Site Code: 004006) and North Dublin Bay Special Area of Conservation (Site Code: 000206).

6.2. The appeal site is located c1.6 km southwest of Baldoyle Special Protection Area (Site Code: 004016) and Baldoyle Bay Special Area of Conservation (Site Code: 000199).

7.0 EIA Screening

7.1. The proposed development is not a class for the purposes of EIA as per the classes of development set out in Schedule 5 of the Planning and Development Regulations 2001 (As Amended). No mandatory requirement for EIA therefore arises and there is also no requirement for a screening determination. Refer to Form 1 in Appendix 1 of this report.

8.0 The Appeal

8.1. First Party Grounds of Appeal - Summary of Main Points

- The proposal is acceptable in principle within the RS zoning objective, which supports residential extensions that improve amenity.
- The planners' report acknowledged the design and scale of the proposal were in keeping with the existing bungalow and surrounding streetscape.
- The refusal reason is inconsistent, as the report states the dormer is not of excessive scale yet concludes it would be visually intrusive.
- The dormer design, using high quality zinc cladding, is argued not to be visually intrusive and would not dominate the roof space given the detached nature of the dwelling, large site, and mature boundary screening.
- The dormer will not be visible from the public road due to high hedging, and only minimally visible to one adjoining property where a dormer already exists.
- Precedents exist locally where similar or larger dormers have been permitted, including examples flush with the ridge line, demonstrating consistency should allow this proposal.

- The applicants are willing to accept a condition to reduce the dormer height if required, though this may compromise internal headroom; they are open to adjustments to achieve compliance.
- Overall, the development is considered to comply with Development Plan policies SPQHP41 and SPQHO45, would not seriously injure visual or residential amenity, and should be permitted.

8.2. **Planning Authority Response**

8.3. The Planning Authority assessed the application against the Fingal Development Plan 2023–2029 and the relevant zoning objective. It accepted that the principle of the development was generally acceptable, and that the proposed roof alterations and rooflights aligned with policy. However, the proposed dormer window was found not to comply with Section 14.10.2.5 of the Development Plan. The dormer was considered excessive in scale, lacking a noticeable set-down from the main roof ridge, and therefore excessively dominant on the roof slope. While acknowledging that the appellant highlighted other dormers in the area, the Authority maintained that each proposal must be assessed against the criteria in Section 14.10.2.5. The Planning Authority requests that An Coimisiún Pleanála upholds its decision.

9.0 **Assessment**

9.1. I have visited the site and reviewed the original application and appeal documents and consider the primary issues in this instance to be;

- Principle of development
- The reason for refusal
- Visual impact & residential amenity

9.2. **Principle of Development**

9.2.1. The subject property is an existing detached dwelling in an established and serviced suburban area of Dublin. It comes within a RS zoning objective and therefore the principle of development involving minor domestic extension works is established.

9.3. The Reason for Refusal

- 9.3.1. The development as proposed was refused by the PA because the proposed rear dormer window was considered too large and insufficiently set down from the main ridge, making it an overly dominant and visually intrusive feature that would negatively affect neighbouring visual amenities and contravene the Development Plan.
- 9.3.2. The PA argues the dormer is “excessive” and “dominant” because it is 4.4m wide, 2.3m high, and set down by a nominal 100mm from the ridge. However, the Development Plan wording (Section 14.10.2.5) does not prescribe a fixed set-down dimension. It requires dormers to be “set down from the ridge so as not to dominate.” Albeit a 100mm set-down could be considered minimal nonetheless it is still a set-down, and scale/dominance must be considered in context, not by arbitrary measurement. The width and height of the proposed number is not excessive when considered in the context of the enlarged roof.
- 9.3.3. The dormer window is proposed in the context of an elongated roof structure similar to a roof modification completed opposite, west of the subject property. That modification illustrates how seamless this type of development can be in the streetscape once the hip configuration is retained.
- 9.3.4. I am satisfied therefore that the dormer window as proposed complies with the parameters as set out in the development plan and will be of a scale and size that will not dominate the revised hipped roof.

9.4. Visual Impact & Residential Amenity

- 9.4.1. The dormer window is located to the rear of a detached property on a generously proportioned urban plot, where its visibility from the public realm will be minimal, In this regard it is noteworthy that the application has not received a third party submission from neighbouring property owners

- 9.4.2. The surrounding context south of the subject property includes two-storey houses to the rear and a three-storey apartment block 50m to the south. Against this backdrop, a zinc clad dormer window wholly located to the rear will not appear excessive or dominant, and its impact on the wider character of the area will be negligible.

I am satisfied therefore that the proposed alterations inclusive of the dormer window will not give rise to overlooking, overshadowing, or loss of privacy for adjoining properties. Its orientation and design ensure that the amenity of neighbouring residents is fully protected.

10.0 Water Framework Directive

- 10.1. The subject site is located 0.2 km to the north of North Bull Island and North Dublin Bay. The proposed development comprises alterations to existing roof, including extension of pitched roof to north, proposed dormer window to rear, rooflight to front and rear, demolish chimney, minor alterations to north and east elevations

No water deterioration concerns were raised in the planning appeal.

- 10.2. I have assessed the development and have considered the objectives as set out in Article 4 of the Water Framework Directive which seek to protect and, where necessary, restore surface & ground water waterbodies in order to reach good status (meaning both good chemical and good ecological status), and to prevent deterioration. Having considered the nature, scale and location of the project, I am satisfied that it can be eliminated from further assessment because there is no conceivable risk to any surface and/or groundwater water bodies either qualitatively or quantitatively.

- 10.3. The reason for this conclusion is as follows:

- small scale and nature of the development]
- lack of hydrological connections

Conclusion

I conclude that on the basis of objective information, that the proposed development will not result in a risk of deterioration on any water body (rivers, lakes, groundwaters, transitional and coastal) either qualitatively or quantitatively or on a

temporary or permanent basis or otherwise jeopardise any water body in reaching its WFD objectives and consequently can be excluded from further assessment.

11.0 AA Screening

I have considered the proposed development of alterations to existing roof including extension of pitched roof to north, proposed dormer window to rear, rooflight to front and rear, demolish chimney, minor alterations to north and east elevations in light of the requirements S177U of the Planning and Development Act as amended. The subject site is not located within or adjacent to a European site. The closest European Sites, part of the Natura 2000 Network is North Bull Island Special Protection Area (Site Code: 004006) and North Dublin Bay Special Area of Conservation (Site Code: 000206) circa 0.2 KM

Having considered the nature, small scale and location of the project, I am satisfied that it can be eliminated from further assessment because it could not have an appreciable effect on a European site. The reason for this conclusion is as follows:

- The small scale of the development involving alterations to the roof of an existing dwelling.
- The location of the development in a serviced urban area

I consider that the proposed development would not be likely to have a significant effect individually or in-combination with other plans or projects, on a European site and appropriate assessment is therefore not required.

12.0 Recommendation

12.1. I recommend that planning Permission be Granted

12.2. Reasons and Considerations

Having regard to the policies and objectives of the Fingal County Development Plan 2023-2029 and, in particular, Section 14.10.2.5 which relates to Roof Alterations, the nature of the proposed development of Alterations to an existing roof, in an area with a zoning objective RS- Residential, which seeks to 'Provide for residential development and protect and improve residential amenity', it is considered that by

reason of its nature and scale, and subject to compliance with the conditions set out below, the proposed development would not seriously injure the amenities of the area or of property in the vicinity. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area

13.0 Conditions

1.	<p>The proposed development shall be carried out and completed in accordance with the plans and particulars lodged with the application, as amended by the further plans and particulars received by the planning authority 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 proposed development shall be carried out and completed in accordance with the agreed particulars</p> <p>Reason: In the interest of clarity</p>
2.	<p>The external finishes of the proposed roof extension (roof tiles/slates) shall be the same as those of the existing dwelling in respect of colour and texture.</p> <p>Reason: In the interest of visual amenity</p>
3.	<p>The disposal of surface water shall comply with the requirements of the planning authority for such works and services. Prior to the commencement of development, the developer shall submit details for the disposal of surface water from the site for the written agreement of the planning authority.</p> <p>Reason: in the interest of public health.</p>
4.	<p>Site development and building works shall be carried out only between 0800 to 1900 hours Mondays to Fridays inclusive and 0800 to 1400 on Saturdays, and not at all on Sundays and public holidays. Deviation from</p>

	<p>these times will only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.</p> <p>Reason: in order to safeguard the residential amenities of property in the vicinity.</p>
5.	<p>Prior to commencement of development, the developer shall submit details of a Construction Management Plan for the written agreement of the planning authority. The plan shall provide details of intended construction practice for the proposed development, including traffic management, working hours, noise and dust management, and off-site disposal of construction/demolition waste. The proposed development shall be carried out in accordance with the written agreed details.</p> <p>Reason: In order to ensure a satisfactory standard of development, in the interest of residential amenity and public safety.</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.

Adam Kearney

Planning Inspector

20th October 2025

Appendix 1

Form 1 - EIA Pre-Screening

An Coimisiun Pleanála Case Reference	ACP-323377-25		
Proposed Development Summary	Alterations to existing roof including extension of pitched roof to north, proposed dormer window to rear, rooflight to front and rear, demolish chimney, minor alterations to north and east elevations		
Development Address	9 Del Val Avenue, Bayside, Dublin 13, D13N126		
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	<input checked="" type="checkbox"/>
		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			Proceed to Q3.
No	<input checked="" type="checkbox"/>		No further action required
3. Does the proposed development equal or exceed any relevant THRESHOLD set out in the relevant Class?			
Yes			EIA Mandatory EIAR required

No			Proceed to Q4
4. Is the proposed development below the relevant threshold for the Class of development [sub-threshold development]?			
Yes			Preliminary examination required (Form 2)

5. Has Schedule 7A information been submitted?		
No		Pre-Screening conclusion remains as above (Q1 to Q4)
Yes		Screening Determination required

Inspector: Adam Kearney

Date: 20-10-2025