



An
Coimisiún
Pleanála

Inspector's Report

ACP323465-25

Development	Retention of attic conversion with all associated site works.
Location	34 Riverwood Chase, Castleknock, Dublin 15, D15 K77P.
Planning Authority	Fingal County Council.
Planning Authority Reg. Ref.	FW25A/0265Et
Applicant(s)	Nasir Awan.
Type of Application	First Party Retention
Planning Authority Decision	Refuse Permission.
Type of Appeal	First Party against Refusal
Appellant	Nasir Awan
Observer(s)	None.
Date of Site Inspection	29 October 2025
Inspector	Vanessa Langheld

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1.0 Site Location and Description

The application site is located in a suburban residential area, along Riverwood Chase, located between the Diswellstown Road and the Royal Canal in Castleknock, Dublin 15. The surrounding area comprises two storey hipped roofed, semi-detached houses, many of which have been altered and extended in recent years. The appeal house is a semi-detached formerly hipped roof, now gable ended house. It has a buff brick finish to the front elevation, with a red brick banding detail. The front door contains a porch overhang.

2.0 Proposed Development

This is an application for retention to the built alterations to previously approved application Register Reference No. FW22A/0017.

This application seeks to retain the dormer window at the rear with a built width of 4.45m and the 3 Velux windows to the front.

3.0 Planning Authority Decision

3.1 Decision

The Planning Authority issued a decision, dated 7 August 2025, to refuse permission for the retention application for the following reason:

‘1. The works seeking retention permission, in particular the dormer roof extension, is considered to be overbearing, dominant and incongruous upon the roof slope of the dwelling. To permit the development which is seeking retention permission would contravene a condition of a previous permission Reg Ref FW22A/0017, would materially contravene section 14.10.2.5 of the Fingal Development Plan 2023-2028, would set an inappropriate precedent for other similar development and would therefore be contrary to the proper planning and sustainable development of the area.’

3.2 Planning Authority Reports

The Planning Officer's Report summarised the development and notes that it is an application which relates to one which was granted by the Planning Authority in 2022. The 2022 application sought a single storey office to the rear, a porch extension to the front, an attic conversion to include a hip to gable end roof conversion, 3 no. Velux window to the front and a dormer to the rear.

It is noted that the finishes to be retained match those of the existing building.

The 2023-2028 Fingal County Development Plan zoning of the site is noted as RS Residential with the objective to provide for residential development and *'to protect and improve residential amenity'* with the *'vision to ensure that any new development in existing areas would have a minimal impact on and enhance existing residential amenity'*.

The Planning Report considers the relevant Development Plan policy and the history of the site.

3.3 Other Technical Reports

Water Services have no objection to the retention application subject to standard conditions.

3.4 Prescribed Bodies

None on file.

3.5 Third Party Observations

None.

4.0 Planning History

FW24A/0066 – Permission was refused for a retention application broadly the same as the current one now under appeal. The decision by Fingal County Council to refuse permission for this application was not appealed to the Commission. The single Refusal Reason stated as follows:

'The works seeking retention permission namely, the dormer extension is considered to be dominant upon the roof slope of the dwelling, overbearing and is incongruous with the character of the area by reason of its scale and bulk. To permit the development which is seeking retention permission would contravene a condition of a previous permission Reg Ref FW22A/0017, would materially contravene Section 14.10.2.5 of the Fingal Development Plan 2023-2029, would set an inappropriate precedent for other similar development and would therefore be contrary to the proper planning and sustainable development of the area.'

FW22A/0017 – Permission was granted on 4 May 2022 for the following:

1. Attic conversion and construction of dormer window to the rear;
2. Removal of hip end roof and gabling side elevation to accommodate same; and
3. Construction of single storey office extension to the rear;
4. Construction of porch extension to the front and associated works.

Condition No. 2 stated that the proposed development shall be amended to comply with the following:

- a. The total width of the dormer shall no more than 3m and shall be set down 300mm from the roof ridge.
- b. The total width of glazing within the proposed dormer shall be no more than 1.5m.
- c. The roof lights in the front plane of the subject roof shall be omitted.

- d. No part of the development shall overhang the boundary walls or extend into the neighbouring property.
- e. Prior to commencement of development revised plans illustrating these amendments shall be submitted for the written agreement of the Planning Authority and the development shall be carried out in accordance with the agreed plans.

The reason for this Condition was in the interest of residential and visual amenity.

There was no appeal to this Condition.

5.0 Policy Context

5.1 Development Plan

The site is zoned RS (Residential) in the 2023-2029 Fingal County Development Plan. This use class zone is defined as follows:

‘To provide for residential development and protect and improve residential amenity’ with the vision to ‘ensure that any new development in existing areas would have a minimal impact on and enhance existing residential amenity’.

The site is located in a ‘River Valley / Canal’ landscape area and within the Blanchardstown Development Boundary specific objective.

Relevant Development Plan policy is set out below:

Chapter 3 – Sustainable Placemaking and Quality Homes.

Chapter 9 – Green Infrastructure and Natural Heritage.

Chapter 14 – Development Management Standards.

In Section 14.1: Introduction’ it is stated that:

‘Proposals must comply with the standards and criteria that apply to particular development types, be consistent with the objectives set out in the preceding chapters and be compliant with relevant legislative guidance.’

In this context, several provisions contained in Section 14.6, '*Design Criteria for Residential Development in Fingal*' are relevant to the subject proposal:

- Section [14.6.6.4](#): 'Overlooking and Overbearance' contains general guidance on the assessment of levels of overbearance and potential to cause significant levels of overlooking to neighbouring properties.

- Section [14.10.2.5](#): 'Roof Alterations Including Attic Conversions and Dormer Extensions' provides specific guidance in relation to dormer windows. This includes:

- ~ they will be evaluated against the impact on the form and character of the existing dwelling and the privacy of adjacent properties;
- ~ the design, dimensions, and bulk relative to the overall extent of roof as well as the size of the dwelling and rear garden will be overriding considerations, together with the visual impact when viewed from adjoining streets and public areas;
- ~ dormers 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;
- ~ materials/finishes should match those of the existing roof;
- ~ the level and type of glazing should have regard to existing window treatments and fenestration of the dwelling;
- ~ regard should also be had to the 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.

5.2 Water Framework Directive Screening

The proposed development comprises minor alterations to an existing semi-detached dwelling within a large suburban residential area in the south-west of the large town of Castleknock, Dublin 15. No water deterioration concerns were raised in the planning appeal.

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.

The reasons for this conclusion are as follows:

- Nature of works - small scale alterations to an established dwelling within a large suburban residential estate; and
- Location and proposed drainage arrangements - distance from nearest water bodies and lack of hydrological connections and the proposed connection to the existing public surface water drainage system serving the estate.

Conclusion: I conclude that on the basis of objective information, 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.

5.3. Relevant National or Regional Policy / Ministerial Guidelines

None considered relevant.

5.4. Natural Heritage Designations

The Royal Canal pNHA (Site Code 002103) is approximately 1 km from the appeal site.

The South Dublin Bay River Tolka SPA (Site Code 004024) is approximately 10.2 km to the south of the subject site.

6.0 EIA Screening

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 report.

7.0 The Appeal

7.1 Grounds of Appeal

The First Party Appeal is submitted by Roger Bell, Bell Associates, Design, Planning and Building Consultants on behalf of the applicant Nasir Awan. The grounds of appeal are summarised as follows:

The dormer is on the rear of a two storey semi-detached dwelling and is not visible from the primary public realm to any meaningful degree. It is set within the existing roof space and uses matching finishes. It does not introduce new overlooking beyond the typical and there were no local objections.

The Planning Officer is overconcerned with its width being over half the width of the roof and therefore considered dominant.

There is precedence for wider dormers in the area, for example on St Mochta's Green (ABP 317123). The Inspector stated that visibility alone does not equate to injury. Also, in the Riverwood Area (ABP 302723) where wider dormers were permitted. By contrast the Board sought removal of a dormer (ABP 306110-19)

where the dormer was located on a principal elevation and corner context, not present in the current appeal situation.

In summary, the current design accords with the zoning, the multi-criteria test set out in Section 14.10.2.5 (Roof alterations, including attic conversions and dormer extensions). It causes no overlooking, overshadowing and is not considered to be overbearing.

There has been a change in policy regarding frontal Velux windows which are now considered acceptable.

There is no allegation of unacceptable overlooking or overbearing impact on neighbouring properties.

The Riverwood Estate has a clear pattern of hip to gable alterations and dormers over the last decade, and it is considered that where visibility is minimal and amenity affects are acceptable as is the current situation permission should be granted.

The appeal looks at the specific headings set out in Section 14.10.2.5 of the Development Plan, as follows:

- Character, Scale and position on the streetscape – the dormer is within the roof plane and public views are limited / oblique. Riverwood exhibits a pattern of roof alterations and dormer insertions, and the development sits comfortably in that evolving pattern.
- Existing roof variations and harmony with the dwelling – the dormer is a typical dormer in terms of scale and detailing.
- Width and subordination – the dormer at 4.45 m wide takes up 64 percent of the existing roof space and is considered within the acceptability of dormers granted permission by the Commission. The dormer is set within the roof plane and reads as subordinate. If considered appropriate, refinement rather than removal is sought.
- Fenestration and privacy – there is no excessive overlooking beyond normal two storey relationships.

- Visual impact when viewed from adjoining streets and public areas – the dormer is to the rear of the house and views are oblique and interrupted by built form and garden structures.
- Avoidance of dominance – this is a visual judgement made in context and the dormer is considered acceptable as considered above. Any residual concern can be addressed by minor compliance stage conditions on set-back, materials, and if necessary, marginal reduction of fascia height.

7.2 Planning Authority Response

The Planning Authority has responded that it has been consistent in its assessment of this application. The development is wholly visible from Riverwood Heath backing on to the public road and is a visually prominent feature to the public domain. Accordingly, the Planning Authority asks that the Commission uphold the decision of the Planning Authority.

7.3 Observations

There were no Observations on the First Party Appeal.

7.4 Further Responses

None

8.0 Assessment

8.1 Overview

I have examined the application details, the other documentation on file including the reports of the local authority, the relevant local policies and guidance and I have

inspected the application site. Accordingly, I consider that the important issues to be assessed in this appeal are as follows:

- the scale of the proposed dormer window relative to the existing dwelling; and
- the potential impacts of the proposed dormer on the amenities of adjacent residential properties.

This appeal pertains to the application for retaining an as-built dormer window at the rear of the semi-detached house located at No. 34 Riverwood Chase. Additionally, it addresses the installation of three Velux rooflights at the front of the property. It is important to note that the change in roof profile from hip to gable was previously granted planning permission under the 2022 parent application and is not part of the current appeal.

The Planning Officer has highlighted a change in circumstances regarding rooflights on residential properties, leading the Authority to deem this aspect of the development appropriate. In this regard, the Planning and Development Act 2024 Implementation Plan supports the installation of Velux windows at the front of houses, facilitating homeowners in expanding their living spaces.

Hence, I believe it is necessary to focus solely on the suitability of the dormer window at the rear of the house, as I align with the Planning Authority's stance on the Velux windows at the front.

8.2. Scale of the Proposed Dormer Window Relative to the Existing Dwelling

As referenced in Section 5.1 of this Report, the key policy consideration in the assessment of dormer window proposals in the Fingal County Council area is contained in Section 14.10.2.5, '*Roof Alterations Including Attic Conversions and Dormer Extensions*' of the Development Plan. In general terms, this policy provides that dormer windows will be evaluated against the impact on the form and character of the existing dwelling and the privacy of adjacent properties.

Specifically with regard to impacts on the form and character of the existing dwelling, the policy affirms that the design, dimensions, and bulk relative to the overall extent of roof as well as the size of the dwelling and rear garden will be overriding considerations, together with the visual impact when viewed from adjoining streets and public areas.

The design of the dormer is a regular box dormer. In terms of dimensions, the dormer measures 4.5m wide on a roof plane of 6.9m, therefore it occupies c.65 percent of the roof plane. The permitted dormer was to be 3m wide which would be less than c. 45 percent of the total roof span. Overall, the dormer as constructed is 1.5m wider than that which was permitted.

The subject property is a regular, semi-detached house which occupies a position on the road on a bend so has a wider than average side garden. To the rear the property is located facing the end of a cul-de-sac at Riverwood Heath and there are no directly opposing windows. The incorporation of a dormer window on the rear roof slope of such a property is commonplace in this residential suburb and similar dormer windows were seen on a number of other houses in the area.

Having viewed the dormer window on site, in my opinion the incorporation of the larger than permitted as built dormer does not give rise to any overriding concerns in terms of its design, dimensions and bulk relative to the overall extent of the roof, the size of dwelling or rear garden and to its location facing the end of a cul-de-sac. It is not noticeable larger than other dormers in the area. It is visible from Riverwood Heath, a cul-de-sac to the rear of the appeal house but is not, in my opinion, more visibly significant than the smaller dormer which was permitted by the Council in 2022 parent permission for the development.

I note also that the as built dormer is setback from both sides of the roof and a marginal set down from the ridge of the house is provided.

Section 14.10.2.5 contains additional detailed provisions in relation to materials and glazing requiring that materials/finishes should match those of the existing dwelling. The as built dormer is constructed using matching finishes and it blends in well with

the rest of the house. The existing windows in the rear elevation are typical of windows found in suburban dwellings and the windows in the as built dormer are of similar proportion and are not dominant within the structure.

8.3 Potential Impacts on Adjacent Residential Properties

The aforementioned policy in Section 14.10.2.5 provides that regard should also be had to the extent of fenestration proposed at attic level relative to the total proposed rear roof plane to ensure the preservation of amenities; and that excessive overlooking of adjacent properties should be avoided.

The existing first floor rear elevation already contains two bedroom windows. There are two windows in the as built dormer extension which are similar in dimension to the existing windows. Having regard to the location of the appeal house, the back of which overlooks a public road and the front gardens and parking of houses on a cul-de sac, the existing first floor windows of the appeal property, and to the similarity in scale of the windows relative to that permitted under the parent 2022 permission for the development, I am satisfied that the as built dormer window does not give rise to additional excessive overlooking of adjacent properties.

8.4 Planning Application Inaccuracies

I note some inconsistencies regarding the dormer window shown on the submitted drawings versus that seen at the site visit. As noted on the site visit, the drawings do not accurately depict the as built windows in the dormer extension. Those built are in fact smaller than those shown on the submitted drawings. They are in keeping with the style of the rest of the house and with those of other dormer windows in the area. The dormer extension also appears to extend to just under the ridge as built, whereas it is shown on the application drawings as lower. In my opinion, however, the inconsistencies do not affect my ability to assess the as built development for which retention permission is now sought and which I was able to see on the site visit. I note also that compliance of the application with the Planning and Development Regulations 2001 (as amended) is a validation matter for the Planning

Authority and the planning application was accepted as being valid in this case. Accordingly, it is considered that these discrepancies can be addressed by way of a condition requiring that drawings showing the built location and style of all windows for retention be submitted within 3 months of the date of decision of this appeal.

9.0 AA Screening

9.1. I have considered the proposed dormer window at 34 Riverwood Chase, Dublin 15 in light of the requirements of S.177U of the Planning and Development Act 2000 as amended. No nature conservation concerns were raised in the planning appeal. 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 European Site. The reasons for this conclusion are as follows:

- the nature of the works: small scale dormer extension to an existing dwelling with existing connections to public services;
- the distance of the site from the nearest European site and the absence of any connections between the two.

I conclude that on the basis of objective information, the proposed development would not have a likely significant effect on any European Site either alone or in combination with other plans or projects. Likely significant effects are excluded and therefore Appropriate Assessment (stage 2) (under Section 177V of the Planning and Development Act 2000) is not required.

10.0 Water Frame Directive

The subject site is located in Riverwood Chase, Dublin 15 and comprises a retention application for changes to a permitted development for an attic conversion, including a dormer window to the back and Velux windows to the front.

No water deterioration concerns were raised in the planning appeal.

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. The reason for this conclusion is as the minor nature of the development.

I conclude that on the basis of objective information, that the retention of the as built 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 Recommendation

I recommend that permission be granted subject to the following conditions and reasons.

12.0 Reasons and Considerations

Having regard to the 2022 parent permission for the house and to the pattern of development in the area, it is considered that the as built development including the dormer extension to the rear of the house and the Velux windows to the front is, by reason of its limited additional scale to that previously permitted, in keeping with the character of the dwelling and does not seriously injure the amenities of the area or of property in the vicinity by reason of overbearance, overlooking or loss of privacy.

13.0 Conditions

1. Apart from any departure specifically authorised by this permission, the development shall comply with the conditions of the parent permission Register Reference FW22A/0017 unless the conditions set out hereunder specify otherwise.

Reason: In the interest of clarity and to ensure that the overall development is carried out in accordance with the previous permission.

2. A drawing showing the as built floor plan, elevation (including fenestration) and section of the dormer extension with clearly marked dimensions shall be submitted to the Planning Authority for approval within three months of the date of this decision.

Reason: in the interest of clarity.

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.

Vanessa Langheld

Planning Inspector

03 November 2025

Appendix A: Form 1 EIA Pre-Screening

Case Reference	ABP323465-25
Proposed Development Summary	Retention of attic conversion with all associated site works.
Development Address	34 Riverwood Chase, Castleknock, Dublin 15 (D15 K77P)
IN ALL CASES CHECK BOX /OR LEAVE BLANK	
1. Does the proposed development come within the definition of a 'Project' for the purposes of EIA?	<input checked="checked" type="checkbox"/> Yes, it is a 'Project'. Proceed to Q2.
	<input type="checkbox"/> No, No further action required.
(For the purposes of the Directive, "Project" means: - The execution of construction works or of other installations or schemes, - Other interventions in the natural surroundings and landscape including those involving the extraction of mineral resources)	
2. Is the proposed development of a CLASS specified in <u>Part 1</u>, Schedule 5 of the Planning and Development Regulations 2001 (as amended)?	
<input type="checkbox"/> Yes, it is a Class specified in Part 1 . EIA is mandatory. No Screening required. EIAR to be requested. Discuss with ADP.	State the Class here

<input checked="" type="checkbox"/> No, it is not a Class specified in Part 1. Proceed to Q3	
3. Is the proposed development of a CLASS specified in <u>Part 2</u>, Schedule 5, Planning and Development Regulations 2001 (as amended) OR a prescribed type of proposed road development under Article 8 of Roads Regulations 1994, AND does it meet/exceed the thresholds?	
<input checked="" type="checkbox"/> No, the development is not of a Class Specified in Part 2, Schedule 5 or a prescribed type of proposed road development under Article 8 of the Roads Regulations, 1994. No Screening required.	n/a
<input type="checkbox"/> Yes, the proposed development is of a Class and meets/exceeds the threshold. EIA is Mandatory. No Screening Required	State the Class and state the relevant threshold N/a
<input type="checkbox"/> Yes, the proposed development is of a Class but is sub-threshold. Preliminary examination required. (Form 2) OR If Schedule 7A information submitted proceed to Q4. (Form 3 Required)	State the Class and state the relevant threshold n/a
4. Has Schedule 7A information been submitted AND is the development a Class of Development for the purposes of the EIA Directive (as identified in Q3)?	
Yes <input type="checkbox"/>	Screening Determination required (Complete Form 3)
No <input checked="" type="checkbox"/>	Pre-screening determination conclusion remains as above (Q1 to Q3)

Inspector: _____ **Date:** _____