



An
Bord
Pleanála

Inspector's Report ACP-323529-25

Development	Construction of an attic conversion along with rear dormer and flat roof.
Location	12 Pembroke Cottages, Donnybrook, Dublin 4
Planning Authority	Dublin City Council
Planning Authority Reg. Ref.	WEB2353/25
Applicant(s)	Mark Murphy
Type of Application	Permission
Planning Authority Decision	Grant
Type of Appeal	Third Party
Appellant(s)	Colm Murphy and Caroline Shakour
Observer(s)	None
Date of Site Inspection	25/10/2025
Inspector	Lorraine Dockery

1.0 Site Location and Description

- 1.1. The subject site, which has a stated area of 80 square metres, contains a single-storey, mid terrace dwelling within this established residential area. There is a flat roof single storey extension to the rear of the existing dwelling. The existing dwelling has a stated floor area of 54.7m².

2.0 Proposed Development

- 2.1. Permission is sought for construction of an attic conversion along with rear dormer and flat roof. Two windows are proposed in the dormer element. The proposed works have a stated floor area of 24.5m² and would accommodate a bedroom and ensuite.

3.0 Planning Authority Decision

3.1. Decision

Permission GRANTED subject to 7 no. conditions

Condition No. 3

The dormer extension shall be amended as follows; (a) The dormer shall be reduced to a maximum width of c.5m to allow for a minimum 0.5m separation from the site boundaries with neighbouring properties no. 11 and no. 13. (b) The dormer shall be set back off the eaves by a minimum of 0.5m (c) The external finish shall harmonise with the existing house in respect of materials and colour. (d) The existing chimney which is shared with no. 13. shall be retained Reason: To protect residential and visual amenities.

3.2. Planning Authority Reports

3.2.1. Planning Reports

The main points of the planner's report include:

- Recommends grant of permission, similar to that which issued from the planning authority

3.2.2. Other Technical Reports

Drainage Planning: No objections, conditions attached

3.3 Prescribed Bodies

None

4.0 Planning History

Subject Site

None

Nearby Sites

There are a number of planning applications for similar type developments within the vicinity of the site. One recent permission, cited in the applicant's documentation is:

WEB1897/24

Permission GRANTED for the demolition of the existing rear single storey extension, internal alterations, the construction of a new single storey rear extension, the conversion of the existing attic to habitable space with a new rear first floor dormer extension, and all associated site works at 15 Pembroke Cottages, Dublin 4.

5.0 Policy and Context

5.1 Development Plan

The Dublin City Development Plan 2022-2028 is the operative City Development Plan.

Zoning- 'Objective Z1' which seeks 'to protect, provide and improve residential amenities'.

Appendix 18: Ancillary Residential Accommodation

4.0 Alterations at Roof Level/Attics/Dormers/Additional Floors

5.0 Attic Conversions/Dormer Windows

5.2 Natural Heritage Designations

The appeal site is not located in or immediately adjacent to a designated European Site, a Natural Heritage Area (NHA) or a proposed NHA.

5.3 EIA Screening

Having regard to the nature and scale of the development proposed, the site location within an established built-up urban area which is served by public infrastructure and outside of any protected site or heritage designation, the nature of the receiving environment and the existing pattern of residential development in the vicinity, and the separation distance from the nearest sensitive location, 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 I highlight to An Coimisiún that a substantial portion of the appeal submission relates to a single storey extension, which is indicated as being exempted development on the submitted drawings and which is not included for in the submitted public notices. I consider that this referenced single storey extension/ground floor works are not included for in this current application.

6.1.2 The main points of the third-party appeal, as they relate to the proposal before me (namely attic conversion along with rear dormer and flat roof) are:

- Impacts on daylight/sunlight and overshadowing
- Impacts on the enjoyment of their dwelling
- Inadequate regard to the amenities of adjoining properties, as set out in Appendix 18 of Dublin City Development Plan
- Limited information contained in submitted drawings making comprehensive review impossible

- Lack of engagement

6.2 Planning Authority Response

A response was received from the planning authority which requests that An Coimisiún upholds their decision and that if permission is granted, a section 48 development contribution condition be attached to any such grant.

6.3 Observations

None

6.4 Further Responses

A response was received on behalf of the first party which refutes the grounds of appeal. The submission may be summarised as follows:

- Engagement with the appellant undertaken
- Contends that the proposed extension at ground floor level on submitted plans is exempted development. Much of the response focuses on this extension and response to points made in appeal submission (which is not included for within this appeal- see below)
- Precedent on roadway for such dormers; references a number of examples
- Proposal would have no material impact on daylight/sunlight; accepts reduction in size of dormer as conditioned by the planning authority
- Subject dwelling has been vacant for a number of years; proposal will renovate the property to modern standards and future-proof in accordance with local Development Plan policy and national housing policy

7.0 Assessment

- 7.1 I have read all the documentation attached to this file including inter alia, the appeal and the report of the Planning Authority and further response received, in addition to having visited the site.

Procedural Matter

- 7.2 At the outset I highlight to An Coimisiún that a substantial portion of the appeal submission relates to a single storey rear extension which is shown on the submitted drawings and indicated by the applicant as being exempted development. These works stated by the applicant to be exempted development do not appear to have been undertaken. This single storey rear extension is not provided for within the application form or in the submitted public notices. In the interests of clarity, I am assessing only the proposal before me, as provided for in the submitted public notices namely the construction of an attic conversion along with rear dormer and flat roof. The planning authority acknowledge that the ground floor extension indicated on the plans does not form part of the subject proposal. Any matters of unauthorised development are a matter for the enforcement section of the planning authority. Notwithstanding this, if An Coimisiún is disposed towards a grant of permission for the proposed development, I recommend that in the interests of clarity a condition be attached to any such grant clearly outlining the scope of this subject permission.
- 7.3 In relation to the proposal before me, namely attic conversion and flat roof rear dormer, the primary issues, as I consider them, are the (i) principle of proposed development; (ii) impact on the visual and residential amenity of the area and (iii) other matters.

Principle of Proposed Development

- 7.4 The subject site is located within an area zoned 'Objective Z1' Sustainable Residential Neighbourhoods which seeks to 'protect, provide and improve residential amenities' in the operative City Development Plan 2022. Residential development is permitted in principle within this zoning objective. The operative City Development Plan 2022-2028 is generally favourable to such extensions, subject to normal planning criteria and I note Appendix 18, sections 4 and 5 in this regard. This is a mature residential area, where a number of dormer extensions and attic conversions are noted. I consider that the proposal is generally in compliance with Appendix 18 of the operative City Development Plan. I am satisfied that the principle of the proposed works is acceptable in this instance.

Impacts on Visual and Residential Amenity of the Area

- 7.5 In terms of visual amenity, I do not have issue with the principle of the proposed works. It could be argued that a precedent has been set for the construction of dormer windows and the conversion of attics within the wider area. A number of examples are evident and I note permission was recently granted by the planning authority at No. 15 Pembroke Cottages for a development which includes for conversion of attic space and dormer extension (WEB1897/24). These works appear to be currently under construction. I consider that the proposed works would integrate satisfactorily with the existing dwelling and other properties in the vicinity. I note Condition 3 of the planning authority's decision which reduced the overall size of the proposed dormer extension to a maximum width of c.5m to allow for a minimum 0.5m separation from the site boundaries with neighbouring properties No. 11 and No. 13; the setting back of the dormer off the eaves by a minimum of 0.5m; that the proposal harmonise with the existing house in respect of materials and colour and that the existing chimney which is shared with No. 13. be retained. I would concur with the opinion of the planning authority in this regard and recommend that if An Coimisiún is minded to grant permission, that a similarly worded condition be attached to any such grant.
- 7.6 Details relating to materials could be adequately dealt with by means of condition. Given the nature of the proposal, I consider that a condition relating to noise is not necessary, in this instance.
- 7.7 In terms of impacts on residential amenity, I do not anticipate the proposed works to result in significant impacts. I am cognisant of the relationship of the proposed development to neighbouring properties. Having examined the proposal, I am of the opinion that any impacts are in line with what might be expected in an area such as this. This is an urban area and the overall scale of development reflects its location. The proposal is considered not to be excessively overbearing given this context. I also consider that levels of overlooking of adjoining properties are comparable with that existing within the wider area. Given the urban location of the site, a certain degree of overlooking is to be anticipated. I do not anticipate that impacts on privacy or on access to daylight would be so great so as to warrant a refusal of permission.

An Coimisiún may wish to condition that the windows at dormer level be comprised of obscure glazing. I do not consider this necessary, in this instance.

Other Matters

- 7.8 Concerns were raised in the third-party appeal regarding inadequate information on file. I highlight to An Coimisiún that adequate information was available to me in the submitted documentation to allow me undertake a comprehensive assessment of the proposed development. I also note that the application was validated by the planning authority and considered to be in compliance with the Planning and Development Regulations, 2001 (as amended) in this regard.
- 7.9 There is dispute between parties regarding the level of engagement undertaken between parties. I highlight to An Coimisiún that there is no requirement for engagement within the planning legislation.
- 7.10 The planning authority make reference to a grant of permission for a single storey extension to the rear of No. 12 Pembroke Cottages (0362/98). This however appears to be a similar address but a different site (that application is located in Ringsend). The planning authority have acknowledged this typographical error in correspondence with An Coimisiún Pleanála. This does not have any material bearing on the outcome of my recommendation. In the interests of clarity, there appears to be no recent planning history on the subject site.

Conclusion

- 7.11 To conclude, having regard to all of the above, I am satisfied that the proposed development of attic conversion and dormer window to rear is in accordance with the provisions of the operative City Development Plan, is in keeping with the pattern of development in the area and is in accordance with the proper planning and sustainable development of the area.

8.0 Appropriate Assessment Screening

- 8.1 Having regard to the nature and scale of the proposed development, the location of the site within an adequately serviced urban area, the physical separation distances to designated European Sites, and the absence of an ecological and/ or a hydrological connection, the potential of likely significant effects on European Sites

arising from the proposed development, alone or in combination effects, can be reasonably excluded.

9.0 Recommendation

9.1 I recommend that permissions be GRANTED

10.0 Reasons and Considerations

Having regard to the zoning objective of the area, the design, layout and scale of the proposed development and the pattern of development in the area, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the visual or residential amenities of the area and would, otherwise, be in accordance with the proper planning and sustainable development of the area.

11.0 Conditions

1.	<p>The development shall be carried out 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>Reason: In the interest of clarity</p>
2.	<p>This grant of permission is for the construction of an attic conversion and rear dormer only.</p> <p>Reason: In the interests of clarity</p>
3.	<p>The dormer extension shall be amended as follows: (a) The dormer shall be reduced to a maximum width of c.5m to allow for a minimum 0.5m</p>

	<p>separation from the site boundaries with neighbouring properties No. 11 and No. 13.</p> <p>(b) The dormer shall be set back off the eaves by a minimum of 0.5m</p> <p>(c) The existing chimney which is shared with No. 13. shall be retained</p> <p>Reason: To protect residential and visual amenities.</p>
4.	<p>Details of the materials, colours and textures of all the external finishes to the proposed dwellings shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.</p> <p>Reason: In the interest of visual amenity.</p>
5.	<p>Site development and building works shall be carried out only between the hours of 0700 to 1800 Mondays to Fridays inclusive, between 0800 to 1400 hours on Saturdays and not at all on Sundays and public holidays.</p> <p>Deviation from 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 amenities of property in the vicinity.</p>
6.	<p>Water supply and drainage arrangements including the attenuation and disposal of surface water, shall comply with the requirements of the planning authority for such works and services.</p> <p>Reason: In the interest of public health and surface water management.</p>
7.	<p>Prior to the commencement of development, the developer shall enter into a water and wastewater connection agreement with Irish Water.</p> <p>Reason: In the interests of public health</p>
8.	<p>That all necessary measures be taken by the contractor to prevent the spillage or deposit of clay, rubble, or other debris on adjoining roads during the course of the works.</p> <p>Reason: To protect the amenities of the area</p>

9.	<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, as amended. The contribution shall be paid prior to 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 An Bord Pleanála to determine the proper application of the terms of the Scheme.</p> <p>Reason: It is a requirement of the Planning and Development Act 2000, as amended, 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.

Lorraine Dockery
Senior Planning Inspector

28th October 2025

Form 1

EIA Pre-Screening

An Bord Pleanála Case Reference	ACP-323529-25			
Proposed Development Summary	Construction of attic conversion along with rear dormer and flat roof			
Development Address	12 Pembroke Cottages, Donnybrook, Dublin 4			
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	x
			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	x		Tick if relevant. No further action required	
3. Does the proposed development equal or exceed any relevant THRESHOLD set out in the relevant Class?				
Yes		State the relevant threshold here for the Class of development.	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	Tick/or leave blank	State the relevant threshold here for the Class of development and indicate the size of the development relative to the threshold.	Preliminary examination required (Form 2)

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

Inspector: Lorraine Dockery **Date:** 28/10/2025