



An  
Coimisiún  
Pleanála

## Inspector's Report

**ACP 323548-25**

### Development

Attic Conversion with hip to gable roof and 3 metre dormer to rear roof to accommodate stairs to allow access to attic conversion as non-habitable storage space with roof windows to front and gable window to side all with associated ancillary works

### Location

88 Pecks Lane, Castleknock, Dublin 15,  
D15 P8DV

### Planning Authority

Fingal County Council

### Planning Authority Reg. Ref.

FW25A/0277E

### Applicant(s)

Declan Baxter

### Type of Application

Permission

### Planning Authority Decision

Grant Permission with Conditions

### Type of Appeal

First Party vs Conditions

### Appellant(s)

Declan Baxter

### Observer(s)

None

**Date of Site Inspection**

29<sup>th</sup> October 2025

**Inspector**

Andrew Hersey

## **1.0 Site Location and Description**

- 1.1 The site is located at 88 Pecks Lane, Castleknock, Dublin 15, D15 P8DV. The site comprises of a semi-detached dwelling with hipped roof similar to other dwellings in the area. The property comprises of front and rear gardens with a gated side passage to the rear garden.

## **2.0 Proposed Development**

- 2.1 The proposed development comprises of permission for ;
- Attic Conversion with hip to gable roof and
  - 3 metre dormer to rear roof to accommodate stairs to allow access to attic conversion as non-habitable storage space with
  - roof windows to front and
  - gable window to side all with associated ancillary works
- 2.2 The floor area of the existing house is 114.07sq.m. and the proposed floor area is 28.83sq.m.
- 2.3 The roof dormer is to be faced with a grey metal cladding

## **3.0 Planning Authority Decision**

### **3.1 Decision – Grant Permission subject to Conditions**

#### **3.1.1. Conditions**

Condition 2 states: *‘The developer shall amend the design of the proposed development to accord with the following:*

- a. The maximum width of the dormer shall be 2.6m externally, and be centrally located on the roof plane.*
- b. The maximum width of any window opening in the dormer shall be 1.2m.*
- c. The dormer structure shall be set down a minimum 300mm from the ridge of the roof of the dwelling*

*REASON: In the interest of the proper planning and sustainable development of the area'*

### 3.1.2. Planning Authority Reports

The case planners report raises the following issues;

- That the proposal complies with the 'RS' zoning objective for the site which is *'To provide for residential development and improve residential amenity'*
- That there is an established planning history of similar developments in the area and that the proposal is therefore acceptable in principle
- That there is an existing permission on site granted under FW25A/0074 which was subject to a planning condition that imposed the reduction of the size of the roof dormer and its location on the roof. The then dormer had a width of 4.0 metres which was reduced to 2.6 meters wide by way of condition
- While the current proposal (for the dormer) is smaller than that granted previously, it is still larger than that the planning condition imposed permitted under FW25A/0074 (3.0 metres)
- The now proposed dormer is 0.1 metres lower than the ridge height which the case planner note is still not in accordance with the condition imposed under FW25A/0074 which sought a reduction to 0.3 metres
- The metal clad finish of the dormer has been accepted by the case planner
- The gable window which is to be of obscure glass is deemed acceptable
- The proposed development was deemed acceptable subject to condition no. 2 as outlined above

### 3.1.3 Other Technical Reports

- Water Services (1<sup>st</sup> July 2025) – no objection

## 3.3. Prescribed Bodies

None on file

### 3.4. Third Party Observations

None on file

## 4.0 Planning History

4.1 FW25A/0074 on the same site granted *'Planning permission for attic conversion with hip to gable roof and dormer to rear roof to accommodate stairs to allow access to attic conversion as non-habitable storage space with roof windows to front and gable window to side all with associated ancillary works'*

4.2 Condition 2 states;

*The developer shall amend the design of the proposed development to accord with the following: (a) The maximum width of the dormer shall be 2.6m externally, and be centrally located on the roof plane (b) The maximum width of any window opening in the dormer shall be 1.2m (c) The dormer structure shall be set down a minimum 300mm from the ridge of the roof of the dwelling.*

*REASON: In the interest of the proper planning and sustainable development of the area.*

## 5.0 Policy Context

### 5.1 Development Plan

5.1.1 The Fingal County Development Plan 2023-2029 is the statutory development plan in force in the area at present. The following policies apply:

5.1.2 Under that Plan, the site retains its zoning RS (Residential) *'To provide for residential development and protect and improve residential amenity'*

5.1.3 Chapter 14: Development Management Standards.

- Section 14.10.2.5 sets out standards with respect to Roof Alterations including Attic Conversions and Dormer Extensions. The section states;  
*'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*

### **5.3. Natural Heritage Designations**

- The Royal Canal pNHA (Site Code 002103) is located 250 metres to the north of the site

- The Liffey Valley pNHA (Site Code 000128) is located 2.0km to the south of the site
- The South Dublin Bay and River Tolka SPA (Site Code 004024) is located 10km to the east of the site
- Bull Island SPA (Site Code 004006) is located 11km to the east of the site

## **6.0 EIA Screening**

6.1 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 & 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**

7.1.1 A first party appeal with respect to condition 2 was lodged by Declan Baxter on the 3<sup>rd</sup> September 2025. The appeal in summary raises the following issues;

- That the appellant states that condition no. 2 be amended to allow for a 3.0 metre wide dormer as proposed.
- That dormer windows of 3.0 metres and greater than 3.0 metres have been granted permission in the area.
- The appeal document in this regard cites the following cases:
  - 3 Phoenix Court (FW14B/0074) - Dormer permitted with a width of 4.35m
  - 90 Pecks Lane (FW20B/0047) - Dormer width permitted at 3.0m
  - 69 Pecks Lane (FW20B/0184) - Dormer width permitted at 3.0m
  - 12 Phoenix Avenue (FW19B/0027) - Dormer width permitted at 3.0m
  - 77 Pecks Lane (FW24A/0412E) - Dormer width permitted at 3.0m

- That the dormer will be centrally located on the roof plane and set down 300mm from the ridgeline
- There will be no adverse impact on residential amenities.
- A minimum 3.0 metre dormer achieves an appropriate balance between functionality and integration into the dwellings design

### **7.3. Planning Authority Response**

- The planning authority submitted a response dated 9<sup>th</sup> September 2025 and states that they *‘would like to reiterate that the scale of the proposed dormer in its submitted format would not be a subordinate addition, and therefore, is unacceptable in terms of visual and residential amenity’*
- That the Planning Authority recommend the Commission uphold the decision and apply condition no 2 as originally proposed.

### **7.4. Observations**

None Received

## **8.0 Assessment**

### **8.1. Introduction**

8.1.1 A first party appeal vs condition 2 was lodged by on the 3<sup>rd</sup> September 2025 The appeal relates to Condition 2 which stipulates the requirement for the reduction in the width of the proposed dormer on the rear roof slope to 2.6 metres in width, that openings should be less than 1.2 metres and that the dormer be placed 300mm lower than the ridge of the roof

8.1.2 Section 139 (1) of the Planning and Development Act 2000, as amended, provides that an appeal may be brought against the decision of the Planning Authority to grant permission where the appeal relates only to a condition or conditions that the decision provides subject to the Commission being satisfied, having regard to the nature of the condition or conditions, that the determination by the Commission of



the relevant application as if it had been made to it in the first instance would not be warranted

8.1.3 With respect of the above, I consider, in this context that it is possible to make a determination on this condition without having to consider the proposed development de novo in the first instance.

8.1.4 I am satisfied the substantive issues arising from the grounds of this first party appeal relate to the following matters

- Condition No 2 vis-à-vis Residential Amenities

## **8.2 Condition 2 vis-à-vis Residential Amenities**

8.2.1 Condition 2 states;

*‘The developer shall amend the design of the proposed development to accord with the following:*

- a. The maximum width of the dormer shall be 2.6m externally, and be centrally located on the roof plane.*
- b. The maximum width of any window opening in the dormer shall be 1.2m.*
- c. The dormer structure shall be set down a minimum 300mm from the ridge of the roof of the dwelling*

8.2.2 The proposal, in part, comprises of a dormer window in the rear roof slope 3.0 metres in width (internal measurements) and 1.9 metres in height. It would appear from the drawings submitted that the roof of the dormer is only 100mm from the ridge though the appeal states that it is 300mm. Reducing the height of the roof of the dormer so that it is 300mm down from the height of the ridge will reduce the head height internally by 200mm from 2.4 metres to 2.2 meters.

8.2.3 The planners report states that condition 2 was imposed on the grounds that the proposed dormer related poorly to the existing dwelling and appeared overly dominant and overbearing in the relation to the existing dwelling. In this context the

case planner recommended that the width should be reduced and that the dormer be lowered on the roof profile (so that it is at least 300mm below the ridge). It was considered on this basis that these issues could be addressed by way of condition. It would appear from the planners report that the condition was not imposed with respect to any issues to do with any impact to the residential amenities of adjacent properties but more with respect to design and the overly dominant scale of the proposed dormer.

8.2.4 With respect to residential amenities of adjacent properties, I note that the rear garden length of the property exceeds 11metres and the distance between the proposed dormer and the rear boundary of the garden exceeds 16 metres. On this basis I do not consider that there is any scope for potential overlooking to the opposing property and hence there are no residential amenity issues.

8.2.5 I refer to Section 14.10.2.5 of the statutory development plan which sets out standards with respect to Roof Alterations including Attic Conversions and Dormer Extensions. I note therein that there are no specific dimensions for dormer structures / glazing cited in the statutory development plan.

8.2.6 Assessment therefore is on the basis of the requirements as set out in Section 14.10.2.5 as set out under paragraph 5.1.3 above which in part refers to;

*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 and that*

*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.*

8.2.6 It is noted from the drawings that the said dormer is set back from the eaves and is set down from the existing ridge level by 100mm.

8.2.7 The rear slope of the roof is not visible from the street.

- 8.2.8 Regard is had to the submitted drawings and I do not consider that the said dormer dominates the roof space. Furthermore, I do not consider that reducing the width of the dormer to 2.6 metres from the 3.0 metres proposed is also necessary as such a reduction will barely be visible. It is considered that the 3.0 metre wide dormer will still be subordinate in scale to the roof structure.
- 8.2.9 Regard is also had to the fact that permission has been granted for a 3 metre wide dormer under Planning Reg. Ref FW24A/0412E at 77 Pecks Lane which is located across the road from the proposed development site.
- 8.2.10 With respect to the above, I do not consider it appropriate to impose this stipulation as set out in Condition 2 (a) and that the appellant should in this circumstance be allowed to retain the width of the said dormer as proposed.
- 8.2.11 With respect to Condition 2(b) which stipulates that *The maximum width of any window opening in the dormer shall be 1.2m.*
- 8.2.12 It is not clear from the case planners report as to why this part of the condition has been imposed but I note that the appellant has not disagreed with this part of the said condition. In any rate the opening as shown on the drawings submitted is less than 1.2 metres in width. I see no reason as to why this part of the condition was imposed and in this respect it is recommended that it be omitted.
- 8.2.13 With regard to the set down from the ridge as set out in section (c) of condition 2, the submitted drawings show this to be just 100mm, but the details submitted with the appeal states that it will be set down 300mm from the ridge. Revised Drawings showing the same have not been submitted as part of the appeal. Reducing the roof of the dormer down by a further 200mm will reduce the space under the dormer from 2.4 metres to 2.2 metres. I understand from the development description that the said attic space is to be non-habitable storage space (and as such 2.4 metre head heights are not required) The reduction as set out in Condition 2(c) is therefore warranted as it.
- 8.2.14 On this basis, I recommend that Condition 2(c) be retained as imposed by the Planning Authority so as to ensure that the structure does not dominate the existing roof structure.

## **9.0 AA Screening**

- 9.1. I have considered the proposed development in light of the requirements S177U of the Planning and Development Act 2000 as amended.
- 9.2 The subject site is located
- 10km to the east of The South Dublin Bay and River Tolka SPA (Site Code 004024).
  - 11km to the east of Bull Island SPA (Site Code 004006)
- 9.3 The proposed development comprises of the construction of domestic extensions in a suburban area. No nature conservation concerns were raised in the planning appeal.
- 9.4 Having considered the nature, scale and location of the project, and its location in a suburban area, I am satisfied that it can be eliminated from further assessment because it could not have any effect on a European Site
- 9.5 The reason for this conclusion is as follows:
- The relatively small scale nature of the works proposed
  - The lack thereof of any hydrological connection from the proposed development to the Natura 2000 site.
  - Having regard to the screening report/determination carried out by the Planning Authority
- 9.6 I conclude that on the basis of objective information, that the proposed development would not have a likely significant effect on any European Site either alone or in combination with other plans or projects.
- 9.7 Likely significant effects are excluded and therefore Appropriate Assessment (under Section 177V of the Planning and Development Act 2000) is not required

## **10.0 Water Framework Directive**

- 10.1. The subject site is located approximately 250m to the south of the Royal Canal which is a proposed NHA.
- 10.2 The proposed development comprises of extensions to a semi-detached suburban house.
- 10.3 No water deterioration concerns were raised in the planning appeal.
- 10.4 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.
- 10.5 The reason for this conclusion is as follows [insert as relevant]:
- The minor scope of the works and nature of the development
  - The 250m distance to the nearest water body and the lack of hydrological connections to the same.
- 10.6 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 Recommendation**

- 11.1 Having regard to the nature of the condition the subject of the appeal, the Commission is satisfied that the determination by the Commission of the relevant application as if it had been made to it in the first instance would not be warranted and, based on the reasons and considerations set out below, directs the said Council under subsection (1) of section 139 of the Planning and Development Act, 2000 to omit part (a) and (b) of condition number 2 and retain part (c)

## **12 Reasons and Considerations**

- 12.1 Having regard to the residential land use zoning for the site, the pattern of development in the area, it is considered that the proposed development and in particular the roof dormer, by reason of the excessive height of the dormer window in relation to the ridge height of the existing house would appear overly dominant on the profile of the roof. The planning authority's Condition 2(c) requiring that the dormer structure to be set down a minimum of 300mm from the ridge of the roof of the dwelling is therefore warranted.

- 12.2 I recommend that Condition No. 2 be amended as follows;

The developer shall amend the design of the proposed development so that the dormer structure shall be set down a minimum 300mm from the ridge of the roof of the dwelling. Revised drawings showing the same shall be submitted to and agreed with the Planning Authority prior to the commencement of development.

**Reason:** In the interests of visual amenity

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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Andrew Hersey  
Planning Inspector

4th November 2025

## Appendix A: Form 1 EIA Pre-Screening

<b>Case Reference</b>	ACP323548-25
<b>Proposed Development Summary</b>	Domestic Extension
<b>Development Address</b>	88 Pecks Lane, Castleknock, Dublin 15, D15 P8DV
<b>IN ALL CASES CHECK BOX /OR LEAVE BLANK</b>	
<b>1. Does the proposed development come within the definition of a 'Project' for the purposes of EIA?</b>	<input checked="" type="checkbox"/> Yes, it is a 'Project'. Proceed to Q2.
	<input type="checkbox"/> No, No further action required.
<p>(For the purposes of the Directive, "Project" means:</p> <ul style="list-style-type: none"> <li>- The execution of construction works or of other installations or schemes,</li> <li>- Other interventions in the natural surroundings and landscape including those involving the extraction of mineral resources)</li> </ul>	
<b>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)?</b>	
<input type="checkbox"/> Yes, it is a Class specified in <b>Part 1</b> .  <b>EIA is mandatory. No Screening required. EIAR to be requested. Discuss with ADP.</b>	<b>State the Class here</b>
<input checked="" type="checkbox"/> No, it is not a Class specified in Part 1. Proceed to Q3	
<b>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</b>	



<b>proposed road development under Article 8 of Roads Regulations 1994, AND does it meet/exceed the thresholds?</b>	
<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.  <b>No Screening required.</b>	
<input type="checkbox"/> Yes, the proposed development is of a Class and meets/exceeds the threshold.  <b>EIA is Mandatory. No Screening Required</b>	<b>State the Class and state the relevant threshold</b>
<input type="checkbox"/> Yes, the proposed development is of a Class but is sub-threshold.  <b>Preliminary examination required. (Form 2)</b>  <b>OR</b>  <b>If Schedule 7A information submitted proceed to Q4. (Form 3 Required)</b>	<b>State the Class and state the relevant threshold</b>

Inspector: \_\_\_\_\_

Date: \_\_\_\_\_