

An  
Coimisiún  
Pleanála

## Inspector's Report

**PL-500982-DF-26**

### **Development**

Amalgamate existing closed recessed porch into the entrance hall; façade alterations to the front and rear; upgrade and widen the existing dormer window at the front and clad it in standing seam metal cladding; remove existing flat roofed bathroom extension to the rear; new dormer extension to the rear; new rooflights to the rear; internal alterations and associated site works.

### **Location**

Saint Patricks, Broomfield, Malahide  
Co. Dublin K36 DE77

### **Planning Authority**

Fingal County Council

### **Planning Authority Reg. Ref.**

F25A/1190E.

### **Applicant(s)**

Paul Martin & Fionnuala Rooney

### **Type of Application**

Permission

### **Planning Authority Decision**

Grant Permission with conditions

**Type of Appeal**

First Party

**Appellant(s)**

Paul Martin & Fionnuala Rooney

**Observer(s)**

None.

**Date of Site Inspection**

27/04/2026.

**Inspector**

Deirdre Scully.

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## Appendix 1 –EIA Screening

## 1.0 Site Location and Description

1.1. The appeal site is located on the R124 at St. Patricks, Broomfield, Malahide, Co. Dublin K36 DE77 and the site has a stated area of 0.048 hectares. The site accommodates a detached dormer dwelling, located along with built up suburbs of the approach road to Malahide from the south. The houses in immediate proximity of the site are a mix of new and 20<sup>th</sup> century housing in a mix of two storey and dormer styles, both on individual sites and within a housing estate layout. To the immediate south-west is a small business park (at two storey height).

## 2.0 Proposed Development

2.1. The proposed development, as described within the public notices, comprises of an expansion of the existing dormer to the front, with revisions to the front entrance and porch; demolition of bathroom to the rear, and addition of new dormers and rooflights to the rear roof; alterations to both rear and front elevations and ancillary works.

## 3.0 Planning Authority Decision

### 3.1. Decision

Fingal County Council issued a notification of decision to GRANT permission for the proposed development on the 19<sup>th</sup> of February 2026 with nine conditions, one of which being an amending condition. This condition (no. 5) stated:

*“(a) The front dormer widening shall be omitted and shall remain as per the existing dimensions of the dormer currently present on site;*

*(a) The rear dormer shall be set down from the ridge line of the roof and set up at least 3 tile course from the eaves.*

*REASON: In the interest of residential and visual amenity.”*

### 3.2. Planning Authority Reports

### 3.2.1. Planning Reports

One planning report is filed for this application, dated as typed on the 18<sup>th</sup> of February 2026 and contained within the Chief Executives Order dated the 19<sup>th</sup> of February 2026. The following provides a summary of key points made in the Planners Report:

- The report refers to planning history of site – F02A/0862 for relocation of vehicular entrance and 92B/0088- retention of attic conversion, and that of the adjoining site F16B/0317 decision to grant extension and dormer expansion, which conditioned out the rear dormer.
- The report considered the design of the extension under four points (i) compliance with the zoning of the Fingal County Development Plan; (ii) principle of development (iii) impact on visual and residential amenity; (iv) transportation (v) drainage; (vi) screening for Appropriate Assessment and screening for Environmental Impact Assessment.
- The proposed development is located within an area zoned “RS- Provide for residential development and protect and improve residential amenity” in the Fingal Development Plan 2023-2029 and the works are considered to be an acceptable form of development within this zoning and are in compliance with the policies and objectives of the Development Plan.
- The site is located within Noise Zone C as defined by Fingal Development Plan 2023-2029.
- Objectives and policies referred to relevant to the consideration of the application are listed (Policy SPQHP41, Objective SPQHO45) and development management standards text regarding residential extensions in general and dormer window development specifically contained in Section 14.10.2 of the Fingal Development Plan. (See paragraph 5.1 of this Report for text).
- In the assessment of the visual and residential amenities the Planners Report states that all the proposed works excluding the dormer extension are acceptable from a visual and residential amenity perspective. With regard to the proposed expanded dormer on the front elevation the planner states that

this proposal is substantially large for the size of the bungalow and would excessively dominate the rear roofscape and would therefore contravene the requirements of the Fingal Development Plan on the basis that the Plan *“seeks for dormers extensions to roof to maintain a design, dimensions and bulk relative to the overall extent of roof as well as the size of the dwelling”*. The report does not refer to any negative impact on residential amenity from the proposed dormer expansion. The planner recommends that the length of the dormer is reduced in scale to the original dormer window currently in place. As regards the proposed rear dormer the planner recognises there is no residential disamenity from the works proposed and that the dormer is visual acceptable but states that the dormer “should be set down from the ridge of the existing cottage”.

- The planners report outlined the following in respect of Appropriate Assessment: The subject site is located c.900m south of the Special Area of Conservation for Malahide Estuary and the Special Protection Area for Malahide Estuary. The Proposed Project site is not connected with any European (Natura 2000) site and there is no realistic pathway between the Proposed Project site and any European sites. Having regard to the nature, scale and location of the Proposed Project, in comparison with the existing baseline, it is considered that there is no likelihood of significant effects on any European sites during the construction or operation of the Proposed Project, and it further considered that there are no other plans or projects that will act in combination with the Proposed Project to have a significant effect on European sites. It is considered that the Proposed Project, individually or in combination with another plan or project, will not have significant effect on any European sites. This assessment was reached without considering or taking into account mitigation measures or measures intended to avoid or reduce any impact on European sites.
- With regard to Environmental Impact Assessment Screening, the Planners Report states that: The development is not listed in Schedule 5 (part 1 or Part 2) of the Planning and Development Regulations 2001 as amended nor does the proposed development meet the requirements for sub-threshold EIA. No Environmental Impact Assessment (EIA) is therefore required.

### 3.2.2. Other Technical Reports

Water Services (Fingal County Council), no objection subject to conditions.

### 3.3. Prescribed Bodies

None.

### 3.4. Third Party Observations

No third party observations were received by Fingal County Council during the statutory consultation period.

## 4.0 Planning History

#### Subject Site:

F02A/0862- Relocation of vehicular entrance and relocation of southern and front boundary wall.

92B/0088- Retention of attic conversion.

#### Proximate Locations:

F16B/0317 Stonehill, the Hill, Permission GRANTED for extension and dormer to the rear. Rear dormer removed by condition.

F03A/1129- 1 Seamount Road, Permission GRANTED for dormer bungalow to rear with access from the Hill.

F03A/0956- St. Patricks, Broomfield, Permission GRANTED for detached dormer bungalow

F99A/0660 -St. Patricks, Broomfield, Permission REFUSED for 10 detached two-storey houses.

F05A/0017- Rosemount, The Hill, Broomfield, Permission GRANTED for construction of new two storey dormer style dwelling.

F06A/1827 - Dilmun, Broomfield, Permission GRANTED for 2 detached dormer bungalows in rear garden. Extension of Duration REFUSED.

F06A/0709, F97A/0618, F95A/0720- Broomfield Malahide, Permission GRANTED for retention of alterations and expansion to approved retirement development.

F08A/1044- Permission REFUSED for addition of townhouse to approved retirement development.

## 5.0 Policy Context

### 5.1 Development Plan

Fingal Development Plan 2023-2029

#### Zoning

5.1.1 The site is zoned for Objective RS – Residential purposes within the Fingal Development Plan with the objective to “provide for residential development and protect and improve residential amenity”. The vision for this zoning objective seeks to “ensure that any new development in existing areas would have a minimal impact on and enhance existing residential amenity”. Residential development is listed as a use that is “permitted in principle” under this zoning objective.

5.1.2 The area is located within Noise Zone C as defined by Table 14.16 in the Fingal County Development Plan 2023-2029 which states for C categorised locations: “*manage noise sensitive development in areas where aircraft noise may give rise to annoyance and sleep disturbance and to ensure, where appropriate, noise insulation is incorporated within the development..*” and also “Objective DMSO105- “*strictly control inappropriate development and require noise insulation where appropriate in accordance with Table 14.16 above within Noise Zone B and Noise Zone C..*””)

5.1.3 The site is located within a wider area for Malahide designated as highly sensitive landscape and Coastal within the landscape character areas of the County in the Fingal Development Plan 2023-2029

#### Policies and Objectives

5.1.4 The following provisions of the Fingal Development Plan 2023-2029 are of relevance:

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 SPQHO45 – Domestic Extensions: *Encourage sensitively designed extensions to existing dwellings which do not negatively impact on the environment or on adjoining properties or area.*

Objective SPQHO43: Contemporary and Innovative Design Solutions: *Promote the use of contemporary and innovative design solutions subject to design respecting the character and architectural heritage of the area.*

Section 3.5.13.1 of the Plan relates to Residential Extensions and outlines that: *“The need for people to extend and renovate their dwellings is recognised and acknowledged. Extensions will be considered favourably where they do not have a negative impact on adjoining properties or on the nature of the surrounding area”.*

#### Development Management Standards

Development Management Standards are set out within Chapter 14 of the Development Plan. Section 14.10.2.5 of the Development Plan relates to dormer extensions. Of relevance to this application from that section is:

*“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."*

## **5.2. Natural Heritage Designations**

The site is not located in or adjacent to any site designated for Natural heritage. The nearest designated sites to the appeal site are approximately 0.88km to the north- the Malahide Estuary SAC (000205), Malahide Estuary SPA (004025), the North- West Irish Sea cSPA (IE0004236) and Malahide Estuary proposed NHA (000205).

## **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**

A first party appeal has been submitted by IMG Planning on behalf of the owners of the subject property in relation to Condition no.5. The following provides a summary of the grounds of appeal

- The Commission is requested to omit Condition 5.

- The property is a detached building of no architectural or conservation merit and is set back from the main road by over 7.5m and screened to the rear with mature trees.
- The works include repositioning and replacement of the staircase to the dormer to meet building regulation standards and to allow for the addition of a bathroom at first floor level.
- The appellant rejects the subjective assessment of the Council that the scale, bulk and massing of the front dormer extension is excessive and visually dominant; and makes the point that the report fails to take into account the variety of dormer styles in the immediate area with no particular character for this road.
- The finishes proposed for the front dormer extension will blend in with the roof colour and are an improvement on the current finishes of the existing dormer window.
- The appellant points out that the planners report states that the dormer to the rear would not have any negative residential impact on the adjoining properties to the rear and is considered visually acceptable, but yet conditions that the roof be lowered without clear reasoning other than fitting with development management standards.
- The conditioning of lowering the position of the dormer off the ridge line will result in the ceiling height within the bedrooms failing to comply with building regulations.

## 7.2. **Planning Authority Response**

The Planning Authority made no further points in response to the appeal other than to request that their decision and the inclusion of Condition 5 is upheld in the interests of visual amenity and to comply with Section 14.10.2.5 of the Fingal Development Plan 2023-2029.

## 7.3. **Observations**

None.

## 8.0 Assessment

8.1. Having examined the application details and all other documentation on file in relation to the appeal, the report of the local authority, and having inspected the site, and having regard to the policies and objectives of the Fingal County Development Plan 2023-2029, I consider that the sole substantive issue in this appeal to be considered is Condition 5 of the decision and visual amenity.

- Visual Amenity

As per Section 139 of the PDA, this report will restrict its determination to the condition appealed only and I have limited my consideration of the planning application to the matters raised in relation to the terms of the condition.

This restriction reflects that I consider the development form and use proposed is supported by and in compliance with the Fingal County Development Plan 2023-2029; taking into account the zoning of the lands as 'RS'; the opinion in the planners report, and the decision to grant permission by the Local Authority.

### 8.2 Visual Amenity:

As outlined above, the central concern of this 1<sup>st</sup> party appeal is the condition to reduce the dormer extension to the front elevation and reposition the new dormer on the rear elevation of the roof of this bungalow.

The challenge in adapting this 1950s dormer bungalow to appropriately meet modern building regulation standards and modern expectations does require a recognition that there is a balance required with regard to the various objectives and standards contained within the Development Plan. Section 3.5.13.1 of the Plan relating to Residential Extensions and outlines that: *"The need for people to extend and renovate their dwellings is recognised and acknowledged. Extensions will be considered favourably where they do not have a negative impact on adjoining properties or on the nature of the surrounding area"*. It is clear from the planners report and from my own assessment of this proposal that the two dormers on each elevation as proposed do not have a negative impact on the adjoining properties or

on the nature of the surrounding area. The building is a detached house, well set back on each boundary. The area is very mixed from a design perspective, and both adjoining properties to the north and south have dormer style houses with much higher ridge heights. The intent of the Development Plan as outlined above is clear that domestic works should in general be considered favourably where there is clearly no negative impact and the visual impact is appropriate.

The decision to lower the ridge height in Condition 5 for the rear dormer does not, in balance, take Section 3.5.13.1 into account alongside Section 14.10.2.5; and the resulting significant impact that such a condition has on the proposed space for the bathrooms in rendered them unusable. It does not consider that the building has a dormer roof profile that already meets the ridge line, and the rear dormer is a continuation in design of that existing built form. Considering the location of the house, and the lack of visibility of the rear roof from the public realm, it is considered that there is no viable justification reason to retain this aspect of condition 5.

In looking at the Development Plan regarding first floor rear extensions (which this is, but within the roof profile), the factors to be considered are "*overshadowing, overbearing and overlooking...remaining private open space...set-back from side boundaries .. external finishes and design*".(14.10.2.4) The proposed works do not raise any concerns in relation to any of these considerations.

As regards the front dormer, the impact of the condition again has not been fully considered. The revision does not accommodate the need to reposition the staircase, and that the alterations would leave the bedroom space to the middle unusable. The scale of impact in eliminating all of the proposed expansion is very significant to the works.

In the wider context, this particular dormer bungalow is surrounded by much larger housing units with large dormer roof structures and two storey gable elements. The mix of housing designs in this area is very varied, and no one dormer style exists. The proposed design with the seam metal finish, is sensitive to the building, not visually intrusive, and not out of scale within the context of the size of the site and the surrounding buildings. The bungalow itself (the use of the phrase cottage in the the planners referring to this building does not reflect the modern form of this house),

has no design merit and the redesign could not be considered a dis-improvement on the current built form.

Taking all of the above into account, I consider that a more appropriate response to the impact of the dormer extension is to slightly reduce the width of the extension so that there is a clear visual gap between the chimneys at each gable end of ridge and the dormer so that the dormer remains being read as a subordinate structure on the roof but is remains large enough to meet the needs of the upgraded house.

The planners report has not in my opinion given clearly presented reasons for the inclusion of the condition in the decision to grant permission. It is critical that all conditions applied to a decision are “necessary, .. clear and reasonable” (Section 7.3, Development Management Guidelines, DOEHLG). In my opinion Condition 5 does not meet this test as there is no clear specific justification for its inclusion other than a general statement of it being in the interest of residential and visual amenity; which; considering the scale of impact of this condition; has not been justified.

Having examined the site and environs; the planning history of the adjoining sites, I consider that in the interests of ensuring that the condition is functional and allows the development to be viable, that (i) the requirement to lower the position the dormer to the rear should be removed; and that (ii) the front dormer extension should be permitted, with a slightly reduced scale to ensure a clear set-back from the gable ends.

## 9.0 AA Screening

I have considered the amalgamation of the existing closed recessed porch into the entrance hall; façade alterations to the front and rear; upgrade and widen the existing dormer window at the front and clad it in standing seam metal cladding; remove existing flat roofed bathroom extension to the rear; new dormer extension to the rear; new rooflights to the rear; internal alterations and associated site works in light of the requirements S177U of the Planning and Development Act 2000 as amended. The subject site is located within a well serviced suburb of the town of Malahide and circa 0.9km from the nearest European Sites at Malahide Estuary SAC (000205) and Malahide Estuary SPA (004025).

The proposed development comprises of works to an existing property incorporating (i) expansion and upgrade of dormer on front elevation (ii) building a dormer window

to the rear and addition of rooflights to the rear roof elevation and (iii) alteration to the porch and front and rear elevations (See Section 2.0 for description). 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 reason for this conclusion is as follows

- The limited scale and nature of the works
- The location of the site within an established, serviced residential area
- Lack of connection to nearest European sites.

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. 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 Framework Directive

The subject site is a detached house on a single plot facing onto the R124, located at the Hill, Broomfield in the suburb of Malahide, and is approx. 0.9km to the south of the Irish Sea at the Malahide Estuary. The proposed development comprises of; works to an existing property incorporating (i) expansion and upgrade of dormer on front elevation (ii) building a dormer window to the rear and addition of rooflights to the rear roof elevation and (iii) alteration to the porch and front and rear elevations (see Section 2 above for description.) No water deterioration concerns were raised in the planning appeal or the planners report.

I have assessed the works proposed to the dwelling 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 are (i) the nature of the works proposed, which are modest in scale and also (ii) the lack of hydrological connection and distance from the nearest Water bodies.

### 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 Recommendation

Having regard to the existing form of the subject dwelling; the residential land use zoning for the site, to the pattern of development in the area, to the limited scale, nature and design of the proposed development and its location with respect to adjoining properties, and subject to compliance with the amended condition below, the proposed extended front dormer would not detract from the character of the dwelling or seriously injure the amenities of the area, and the revision to the proposed rear dormer is not warranted to protect the visual or residential amenities of the area by reason of overlooking or loss of privacy.

The Planning Authority is therefore directed to **AMEND** condition no. 5 as follows:

### **Condition no. 5:**

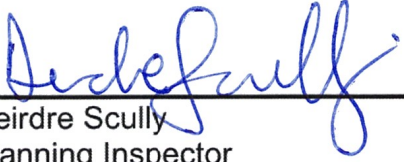
The proposed front dormer widow shall be reduced in width by a minimum of 0.5m from each end of the extension element to the north and south. Prior to the commencement of development, revised plans and details in this regard shall be submitted to and agreed in writing with the Planning Authority

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

## 12.0 REASONS AND CONSIDERATIONS

Having regard to the residential land use zoning for the site, and to the pattern of development in the area, it is considered that the conditioned requirement for lowering the position of the rear dormer window and the removal of the widening of the existing front elevation by reason of its limited scale, nature and design, and its location with respect to adjoining properties, would not detract from the character of the dwelling and would not seriously injure the amenities of the area or of property in the vicinity by reason of overlooking or loss of privacy. The planning authority's Condition 5 (a) and (b) requiring the removal of the expanded front dormer and the

lower positioning of the proposed rear dormer window is, therefore, not warranted and an amended wording for Condition 5 is an appropriate response.



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Deirdre Scully  
Planning Inspector

11<sup>th</sup> of May 2026

## Appendix 1 - Form 1 EIA Pre-Screening

<b>Case Reference</b>	
<b>Proposed Development Summary</b>	Expansion of the existing dormer to the front, with revisions to the front entrance and porch; demolition of bathroom to the rear, and addition of new dormers and rooflights to the rear roof; alterations to both rear and front elevations and ancillary works
<b>Development Address</b>	Saint Patricks, Broomfield, Malahide Co. Dublin K36 DE77
	<b>In all cases check box /or leave blank</b>
<p><b>1. Does the proposed development come within the definition of a 'project' for the purposes of EIA?</b></p> <p>(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)</p>	<input checked="" type="checkbox"/> Yes, it is a 'Project'.  <input type="checkbox"/> No
<p><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></p>	
<input type="checkbox"/> Yes, it is a Class specified in Part 1.  <b>EIA is mandatory. No Screening required. EIAR to be requested. Discuss with ADP.</b>	No, not a class for Part 1
<input checked="" type="checkbox"/> No, it is not a Class specified in Part 1.	
<p><b>3. Is the proposed development of a CLASS specified in Part 2, 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?</b></p>	

<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>	No, not a class for Part 2
<input type="checkbox"/> Yes, the proposed development is of a Class and meets/exceeds the threshold.  <b>EIA is Mandatory. No Screening Required</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>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)?</b>	
Yes <input type="checkbox"/>	

