Inspector's Report

PL-501606-DF-26

Development	Demolition of existing extension and porch. Construction of extension and all associated site works. Retention of widened entrance.
Location	1 Station Road Cottages, Sutton, Howth, County Fingal, D13XP44
Planning Authority	Fingal County Council
Planning Authority Reg. Ref.	F26A/0279E
Applicant(s)	Naoise Delaney
Type of Application	Permission and Retention Permission
Planning Authority Decision	Refuse Permission and Refuse Retention
Type of Appeal	First Party
Appellant(s)	Naoise Delaney.
Observer(s)	Jennifer Carleton, Irene & Adrian Morrow
Date of Site Inspection	2/9/2026
Inspector	Tony Quinn

1.0 Site Location and Description

1.1. The site consists of a single storey cottage at 1 Station Road Cottages, Sutton, Dublin 13, Co. Dublin, D13XP44.

1.2. The cottage is one of a group of three adjoining cottages that form part of a row of single storey residential dwellings in Sutton that front onto Station Road (R106) facing east towards Baldoyle Bay.

2.0 Proposed Development

2.1. There are two elements to the proposed development. Firstly, the erection of a two storey flat roof extension involving the demolition of an existing single storey rear return/extension and side porch to the cottage. Secondly, the retention of a widened entrance off Station Road and all associated site works.

2.2. The proposed extension will total 159 sqm, 56 sqm of which will form the first floor extension. The gross floor area of the existing building totals 73 sqm, 32 sqm of which to the rear, including the side porch, will be demolished to facilitate the extension.

2.3. The widening of the access to be retained involved the removal of a substantial part of a stone wall. At the site inspection the site was being used as a works area for infrastructure works taking place along Station Road.

3.0 Planning Authority Decision

3.1. Decision

Fingal County Council cited one reason for refusal. The proposed two storey extension in terms of its scale, mass and design would be considered overbearing and excessive, dominant upon the roof slope of the dwelling, visually obtrusive and would negatively impact upon the level of residential amenities of the surrounding area, and would materially contravene Objective SPQHP41 and SPQHO45 and Section 14.10.2.4 of the Fingal Development Plan 2023-2029 and contravene the residential (RS) zoning objective for the area and as such would be contrary to the proper planning and sustainable development of the area and would set an undesirable precedent for similar type development.

3.2. Planning Authority Reports

3.2.1. Planning Report

The Planner's report notes that the site is in a Landscape Character area described as coastal and highly sensitive to change. It also states that there is a GDA Cycle Network Plan with a "Secondary" Route Type earmarked for the front of the application site.

The principle of the proposed development is considered acceptable by the Council.

It noted that the height of the proposed two storey extension had been reduced slightly but extended in length from that previously refused.

The report stated that the proposed extension would be visually obtrusive and overbearing when viewed from both the adjoining rear gardens and from the front on Station Road.

Concerns for dominance and lack of subordination and integration resulted in refusal.

Pre-Planning Meeting (25/2/2026)

The applicant was informed that the proposal was similar to that previously refused on the site (App Ref: F25A/1093E). It noted that there was no setback from the adjoining property at No.2 Station Road, though this was subsequently incorporated into the application. Accordingly, the applicant was advised that the proposed rear extension is considered dominant upon the existing cottage and roof and is not subordinate to the existing dwelling, is visually obtrusive and negatively impacts upon the surrounding area, with particular reference to the adjacent dwelling at No.2.

3.2.2. Other Technical Reports

The Transportation Planning Section had no objection subject to conditions. It recommended: a reduction in the width of the entrance from 4.3m to 4m; the lowering of the front boundary walls and entrance piers to 900mm to maintain sightlines; and the restriction of any development within a 5m offset from the existing eastern boundary wall along the R106 road. The latter condition is aimed at protecting the route of a potential cycleway.

The Water Services Department likewise had no objection as long as no surface water / rainwater discharges into the foul water system and Sustainable Urban Drainage (SUD) measures are deployed.

3.3. Prescribed Bodies

Given that the rear of the site backs onto the railway line Iarnrod Eireann was also consulted and it made standard observations in relation to respecting the integrity of the railway line.

3.4. Third Party Observations

Objections to the application were made by residents of the abutting property at No.2 Station Road and from No1A Station Road on the other side of the site. The former property also made a submission to this appeal and their points are duly considered in detail later in this report. They largely centre upon concerns for the overbearing impact on their property, the loss of sunlight and negative impact on their residential amenity. The residents of No.1a mainly expressed concerns for overlooking on their sunroom and garden area from 4 large windows on the first floor extension. They also state that similar windows were not permitted on the applicant's "precedent" extension example at No.16 Station Road.

4.0 Planning History

4.1. A similar application for this proposed development was recently refused permission on similar grounds in 2025 (Application Ref: F25A/1093E). It differed from the subject application in that it did not include a 2.1m first floor setback from No.2, was 0.2m taller and had 3 bedrooms on the first floor, as opposed to the two bedrooms plus a study room being proposed in the subject application.

5.0 Policy Context

5.1. Development Plan

The site is located in the Dublin City and Suburbs in the Core Strategy Map for the Fingal County Development Plan 2023-2029 (CDP). According to Sheet No.10 for the Baldoyle /Howth area it is zoned residential (RS) to provide for residential development and to protect and improve residential amenity. An indicative Greenway is also shown on this map. Table 6.1 in the CDP lists the Greenways/High Quality Cycling and Walking Routes in the county and Sutton to Malahide is included in this list.

Section 3.5.13.1 of the CDP relates to Residential Extensions and it outlines a policy and objective in this regard. Policy SPQHP41 on Residential Extensions aims to "*Support the extension of existing dwellings with extensions of appropriate scale and subject to the protection of residential and visual amenities*." Objective SPQHO45 on Domestic Extensions seeks to "*Encourage sensitively designed extensions to existing dwellings which do not negatively impact on the environment or on adjoining properties or area."*

Development Management Standards in the CDP outlines 2 sets of guidance criteria relevant to the proposed development and these are recalled below.

- 14.10.2.3 Ground Floor Extensions (rear) - Ground floor rear extensions will be considered in terms of their length, height, proximity to mutual boundaries and quantum of usable rear private open space remaining to serve the dwelling house. The proposed extension should match or complement the existing dwelling house.

- 14.10.2.4 First Floor Extensions - First floor rear extensions will be considered on their merits, noting that they can have potential for negative impacts on the amenities of adjacent properties, and will only be permitted where the Planning Authority is satisfied that there will be no significant negative impacts on surrounding residential or visual amenities. In determining applications for first floor extensions the following factors will be considered:

- Overshadowing, overbearing, and overlooking – along with proximity, height, and length along mutual boundaries.
- Remaining rear private open space, its orientation and usability.
- Degree of set-back from mutual side boundaries.
- External finishes and design, which shall generally be in harmony with existing.

Section 14.8.3 of the CDP pertaining to Private Open Space states a minimum requirement for 75 sqm of open space. The proposal provides 202 sqm of private open space.

5.2. Relevant National or Regional Policy / Ministerial Guidelines

From a national perspective the proposal to provide a larger dwelling within a defined plot may be considered to resonate with the overarching national guidance to concentrate housing within settlements in order to promote compact settlements and sustainable development, as per uidance outlined in the Sustainable Residential Development and Compact Settlements Guidelines 2024.

5.3. Natural Heritage Designations

The site is located opposite Baldoyle Bay, which is a Special Area of Conservation (SAC) and Special Protection Area (SPA). The implications of the proposed development for these European designations are considered in Section 9.0 of this report.

6.0 EIA Screening

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

7.0 The Appeal

7.1. Grounds of Appeal

The agent on behalf of the applicant made the following grounds of appeal:

- Taking on board the concerns of an objector to the application at No.1a that windows on the first floor, southeast facing elevation would lead to overlooking of the rear of this property (8.3m away) two of the windows have been removed in a revised drawing submitted for the appeal. One of these omitted windows relates to the ensuite of bedroom no.3 and the other pertains to the bathroom. The remaining study room window, referred to as an office in submissions, will also now be comprised of obscured glass.
- The appellant highlights that the proposed first floor has been set back 2.1m from the boundary of No.2 Station Road, compared to their request for a 2.65m set-back. A sunlight impact analysis formed part of the proposal to demonstrate minimal impact in this regard.
- Extending the proposed development on the ground floor within the red line site would negatively reduce the amount of private open space, which stands at 202 sqm.
- The agent asserts that extensions have been granted at No.s 8,9,13,15 and 16 Station Road cottages for ridgelines of between 333mm to 1100mm higher than the cottages. This proposal is for 495mm above the existing ridgeline which is similar to the 490mm granted for No.16 (App Ref:F10A/0433 approved in 2011).
- The agent provides elevation drawings for the other aforementioned properties – No.8 (App ref: F16A/0318), No.9 (App Ref: F04B/0053), No.13 (App Ref: F15A/0204), No.15 (App Ref: F04A/0318) and No.16 (App Ref: F10A/0433). The examples at No.s 13 and 16 have two storey flat roof extensions that are most comparable to the subject application.
- There are no technical objections to the subject application from other consultation bodies.
- The retention of the widened entrance will not set a precedent as it is likely to be altered to provide for the Sutton to Malahide Pedestrian and Cycle scheme.

- The proposed development seeks to improve residential development at this location for a growing family and is compliant with the zoning.
- This proposal has been revised since the initial refusal to address overshadowing, overbearance and overlooking. Issues pertaining to the retention dimension to the proposal need to be appreciated in the light of the future likelihood that a 1.2m deep strip of land to the front of the property will be compulsorily acquired for a cycleway.

7.2. **Planning Authority Response**

The Planning Authority remain of the opinion that the ground for refusal still stands, despite the points raised by the appellants in their submission. If approved by the Commission, the Planning Authority recommends conditions for a financial contribution and a tree bond, if required.

7.3. **Observations**

There was a submission in support of the proposal and from another objecting to it. Each of these is outlined below,

An observation was made in support of the proposed development from a person living in Navan. The points included:

- The decision to refuse is subjective and qualitative and is therefore unsubstantiated and unquantified. When responding to the appeal the Council did not engage in rebutting the appellant's grounds of appeal.
- The fact that the Council stipulated conditions for a grant of approval by the Commission means that refusal was not the only course of action open to the Council.
- The extension will improve the residential amenity of the occupants, as per the RS zoning objective.
- A degree of overshadowing is to be expected in an urban area like Dublin.

- The precedent study submitted by the agent on behalf of the appellant demonstrates that the principle of sensitively designed extensions has been accepted for modern living.
- The refusal to retain the widened entrance is disproportionate given the prospect of the land at the front of the property being subject to CPO proceedings for the Sutton to Malahide Greenway

The adjoining landowners of No.2 Station Road object to the proposed development and engaged the services of a design and planning consultancy to make the following points:

- They are not against the principle of extending the bungalow, however the height and massing of this proposal is of major concern.
- Contrary to the assertions of the applicant no communication took place with the occupants of No.2 Station Road.
- The zoning RS is intended to both protect and improve residential amenities.
- Policies and objectives in the CDP, namely SPQH41 – Residential Extensions and SPQH045 – Domestic Extensions make it clear that extensions will only be countenanced if they do not negatively impact on residential or visual amenities.
- Despite some modifications the proposed development has not changed its height and massing from that previously refused on the site the year before (App Ref:F25A.1093E).

- The appellant's skylight analysis fails to assess the impact on the courtyard of No.2. In order to achieve an acceptable level of light a first floor setback from the boundary wall of 2.65m would be required.
- The extent of the applicant's ownership, as indicated by the blue line in the Site Location Map, means that there is additional land available to the applicant to consider a sympathetic extension.

- The appellant's contention that there are precedents for similar development does not necessarily imply that this extension is acceptable – every application has to be assessed on its own merit.
- The absence of technical objections from other sections of the Council does not infer that the proposed development is acceptable from a planning perspective.

Prescribed bodies

Both An Taisce and the Development Applications Unit of the National Parks and Wildlife Service were consulted by the Commission on this application, as it may have an effect on Rogerstown Estuary Special Area of Conservation and Special Protection Area, as well as the Malahide Estuary Special Protection Area. No responses were received.

8.0 Assessment

Having examined the application details and all other documentation on file, including all of the submissions received in relation to the appeal, and having inspected the site and having regard to relevant local/regional/national policies and guidance, I consider that the main issues in this appeal are as follows:

Principle of development
Planning history
Layout and design
Overshadowing and overlooking
Access

Each of the above subject matters is considered below.

Principle of development

8.1. The principle of enlarging the property to provide a bigger family dwelling resonates with prevailing national guidance to make full use of land within settlement limits to accommodate housing development. The adjoining property owners, who objected to

the application and are observers to this appeal, also accept the principle of extending the property. Viewed in this context, the principle of extending a cottage that forms part of a group of three adjoining cottages is considered acceptable.

Planning history

8.2. The planning history in this case is relevant from three perspectives, namely from the perspective of the appeal site, the adjoining site and from neighbouring properties, which the first party cites as precedent examples. Each aspect of this planning history is considered below.

8.3. The subject site was the recipient of a similar refusal for a similar proposal a year earlier. As noted above, the applicant made welcome changes to this proposed extension relating to setback and level of fenestration. Nevertheless, the flat roof massing of the two storey extension remains.

8.4. The occupants of No.2 Station Road have planning permission (App Ref:F25A/0245E) for a small, single storey extension to their property. This permission also involves rounding off the existing rear return by filling in the mini courtyards bordering No.1 (which are essentially building recesses/indents) and installing rooflights in these filled voids. Importantly, this permission is for a single storey extension as opposed to the two storey extension proposed in the subject application.

8.5. The applicant has emphasized precedent examples of similar development in the local area to justify the proposed development. However, all of the applicant's precedent examples predate the current CDP. Indeed, the two examples which have two storey flat roof extensions that are most comparable to the subject application, namely for No.s 13 and 16 Station Road were granted planning permission 11 and 15 years ago respectively. Decision-making on the subject proposal is not contemporaneous with these past examples and the weight attached to them as precedent examples needs to take into account this time difference.

Layout and design

8.6. Despite the principle of the proposed extension being acceptable the proposed layout and design of the proposed extension raise planning issues. The cottage is one of a group of three adjoining cottages and their adjacent proximity presents design challenges.

8.7. It is acknowledged that the applicant has made positive efforts to address the issues of overbearance/overshadowing and overlooking, involving the incorporation of a 2.1m setback, height reduction, removal of windows and use of opaque glass. It is also recognised that flat roofs are incorporated into rear extensions to minimise overshadowing on neighbouring properties. However, the scale and massing of the two storey, flat roof extension is still incongruous with the cottage itself and the adjacent single storey dwelling. The proposed flat roof will be 0.5m taller than the existing cottages, which are 5m in height, and will be clearly visible as a flat roof extension when viewed from Station Road. In this regard, the two storey, flat roof extension is not sympathetic to the single storey pitched roof design of this group of cottages and will be out of keeping with the pattern of build at this particular location.

8.8. The applicant has chosen to counter these concerns by citing examples of similar flat roof extensions having taken place in this area, notably at No.s 13 and 16 Station Road. The merits of these developments as precedent examples have been considered above under the topic of planning history. These notwithstanding, it is considered that the two storey, flat roof extension at this particular location is excessively sized next to an abutting single storey dwelling and an inappropriate design response for this combination of three single storey cottages. Viewed in this context, the design of the extension is considered unacceptable.

Overshadowing and overlooking

8.9. The applicant submitted a Daylight and Sunlight analysis which concluded that impact would be minimal on No.2 Station Road. However, despite the applicant's incorporation of a 2.1m set back at first floor level the abutting location of the extension to the south of No.2 Station Road means that some loss of sunlight to existing and permitted rooflights on this property cannot be completely dismissed.

8.10. To a large extent the applicant has addressed concerns for overlooking on No.1a Station Road. However, the wraparound corner bedroom window proposed for the first floor extension still has potential for overlooking on the sunroom and garden area of No.1a. To counter concerns for overlooking the applicant cites the precedent examples at No.13 and No.15 Station Road. However, the latter has no first storey, south-facing windows overlooking the neighbouring property, while No.13 has only one. By and large, therefore, it is considered that the potential for a degree of overshadowing and overlooking cannot entirely be discounted and for this reason the proposed development is adjudged unacceptable.

Access

8.11. Stone walls characterise the frontage of most of these cottages along Station Road and can be considered an integral element of the streetscape in this regard. It is evident that most other roadside accesses for these cottages have been widened over the years, involving the removal of stone walls. The access widening to be retained on this site is clearly connected to the proposed extension and should have been applied for as proposed works related to the application, as opposed to retention works. Viewed in this light, they are inextricably linked and the assessment of retaining the access is considered jointly with the proposed extension. In is present condition, the widened access appears as an unsightly demolition of a stone wall and is considered unacceptable to be granted retention permission.

9.0 AA Screening

9.1. I have considered the proposed residential extension and widened access in light of the requirements of S177U of the Planning and Development Act 2000 as amended.

9.2. The subject site is located next to Baldoyle Bay Special Area of Conservation (SAC) and Special Protection Area (SPA) approximately 30m away and is separated from these designations by Station Road. It is also located approximately 400m north of North Bull Island SPA and North Dublin Bay SAC.

9.3. The proposed development comprises an extension to an established dwelling within a defined residential plot of land that lies opposite Baldoyle Bay.

9.4. 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 the small scale and nature of the development and its separation by road and promenade from the nearest European site.

9.5. 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.

9.6. 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**

10.1. The subject site is located approximately 1.4kms south of a tributary of the Mayne River, which flows into Baldoyle Bay.

10.2. The proposed development comprises an extension to an existing dwelling and the retention of a widened access.

10.3. No water deterioration concerns were raised in the planning appeal.

10.4. I have assessed the proposed extension 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 follows:

- the small scale and nature of the development; and
- The distance from nearest water bodies.

10.5. 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 foregoing it is recommended that planning permission for the proposed extension, together with retention permission for the vehicular access, be refused for the reasons and considerations outlined below.

12.0 Reasons and Considerations

Having regard to the residential zoning objective of the subject site under the Fingal Development Plan 2023-2029, the pattern of development in the area, the scale, mass, and design of the proposed two storey development, particularly in respect of its abutting proximity to an historic group of three adjoining single storey cottages, it is considered that the proposed development would not be sympathetic to the design of the existing cottage and adjoining cottages, would be overbearing on the abutting neighbouring property, and would negatively impact on the visual and residential amenities of adjacent properties. The proposed development would therefore be contrary to residential extension policy SPQHP41 and objective SPQHO45 of the Fingal Development Plan 2023-2029, as well as the proper planning and sustainable development of the area.

The proposed widened access to be retained consists of a demolished gap in a roadside stone wall and has an unsightly, unfinished appearance. The proposed access to be retained therefore seriously injures the visual amenities of the subject property, is out-of-keeping with the character of the streetscape at this location, and is contrary to the proper planning and sustainable development of the area.

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 me, directly or indirectly, following my professional assessment and recommendation set out in my report in an improper or inappropriate way.



Tony Quinn
Planning Inspector

04 September 2026

Appendix 1 - Form 1 EIA Pre-Screening

Case Reference	PL-501606-DF-26
Proposed Development Summary	Erection of residential extension involving demolition of existing extension and porch & retention of widened access.
Development Address	1 Station Road Cottages, Sutton, Howth, County Fingal
	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? (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)	X Yes, it is a 'Project'. Proceed to Q2. ☐ No, No further action required.
2. Is the proposed development of a CLASS specified in Part 1, Schedule 5 of the Planning and Development Regulations 2001 (as amended)?	
☐ 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
X No, it is not a Class specified in Part 1. Proceed to Q3	
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?	
X 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.**	
☐ 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**
☐ 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**

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 ☐	**Screening Determination required (Complete Form 3)**
No X	**Pre-screening determination conclusion remains as above (Q1 to Q3)**

Inspector:  **Date: 4th September 2026**