

**An
Bord
Pleanála**

**Board Direction
BD-015128-24
ABP-315334-22**

The submissions on this file and the Inspector's report were considered at a Board meeting held on 18/01/2024.

The Board decided to grant permission, for the following reasons and considerations, and subject to the following conditions.

Reasons and Considerations

Having regard to the provisions of the Fingal County Development Plan 2023-2029, including the 'RS' objectives that apply to the site, the relevant provisions of the Howth Special Amenity Area Order 1999, the scale, form, design and location of the proposed dwelling, the specific characteristics of the site including the mature tree cover, its topography and vegetation cover, the established and emerging pattern of development in the surrounding area including the permitted development to the West, it is considered that, subject to compliance with the conditions set out below, this proposed replacement dwelling could be assimilated into the landscape and would not seriously injure the residential or visual amenities of the area or property in the vicinity, would not impinge on the character, integrity and distinctiveness of this highly sensitive area, would not be detrimental to the objectives of the Howth Special Amenity Area and would constitute an acceptable form of development at this location. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

In deciding not to accept its Inspector's recommendation to refuse permission, the Board gave careful consideration to all the documentation submitted including the

Visual Impact Assessment submitted by the applicant at further information stage. While the Board understood the concern of the Inspector, it ultimately deferred to the assessment of the planning authority and shared its view that, subject to conditions, the proposed development could be successfully integrated within the protected views.

Preliminary EIA examination

Having regard to the nature, size, scale and location of the proposed development there is no real likelihood of significant effects on the environment arising from the proposed development. The need for environment impact assessment can, therefore, be excluded at preliminary examination and a screening determination is not required.

Appropriate Assessment

Following an Appropriate Assessment, the Board adopted the conclusions of its Inspector and determined that the proposed development, individually or in combination with other plans or projects would not adversely affect the integrity of the European site No. IE0000202 (Howth Head SAC), or any other European site, in view of the sites Conservation Objectives.

This conclusion is based on a complete assessment of all aspects of the proposed project alone (and in combination with other projects) including possible construction related pollution, wastewater treatment and invasive species.

Measures designed to prevent adverse effects have been incorporated into a construction management plan.

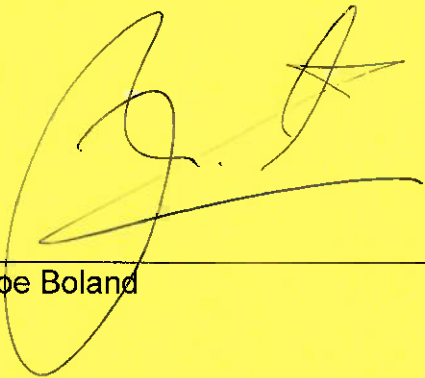
There is no reasonable scientific doubt as to the effectiveness of these measures and therefore no doubt as to the absence of adverse effects on the conservation objectives of Howth Head SAC.

Conditions

As per planning authority except condition 4 to be amended as follows;

'The colour of external finishes to be agreed in writing with the planning authority prior to the commencement of development. The use of any white or cream colours or external finishes that increase the visibility of the house within the landscape to be omitted . **Reason:** In the interests of visual amenity '.

Board Member



Joe Boland

Date: 19/01/2024