An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2016

Fingal County

Planning Register Reference Number: F16A/0438

An Bord Pleanála Reference Number: PL 06F.247783

APPEAL by Christian Gulmann and Nicole O'Kelly Gulmann of 15 Thormanby Lodge, Howth, County Dublin against the decision made on the 30th day of November, 2016 by Fingal County Council in relation to an application by Una Mullarkey care of O'Neill Town Planning of Oakdene, Howth Road, Howth, County Dublin for permission for retention of the following: (i) lean-to extension (26.5 square metres) to existing stable involving the creation of a roofed enclosure for two horses; (ii) tack room (5 square metres) and (ii) timber railing and landscaping at the rear of 14-16 Thormanby Road, with access off Thormanby Road, Howth, County Dublin in accordance with the plans and particulars lodged with the said Council (which decision was to grant subject to conditions retention permission for the lean to extension and tack room to the rear and to refuse retention permission for the timber fence and paving slabs to the rear).

DECISION

GRANT permission for the retention of lean-to extension and tack room in accordance with the said plans and particulars based on the reasons and considerations marked (1) under and subject to the conditions set out below. REFUSE permission for the retention of timber railings and landscaping based on the reasons and considerations marked (2) under.

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MATTERS CONSIDERED

In making its decision, the Board had regard to those matters to which, by virtue of the Planning and Development Acts and Regulations made thereunder, it was required to have regard. Such matters included any submissions and observations received by it in accordance with statutory provisions.

REASONS AND CONSIDERATIONS (1)

Having regard to the use of the existing building on the site as stabling for horses, the limited extent of the proposed lean-to extension and tack room, and its location largely to the rear of the existing building, it is considered that the development for which retention is sought, subject to compliance with the conditions set out below, would not detract significantly from the landscape character of the area, would not interfere with protected views in the vicinity of the site, would not be prejudicial to public health and would not seriously injure the residential amenities of nearby properties. The development for which retention is sought would not, therefore, be contrary to the policies and objectives of the Fingal County Development Plan 2011-2017 and of the Howth Special Amenity Area Order, and would not be contrary to the proper planning and sustainable development of the area.

CONDITIONS

1. The development shall be retained 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.

Reason: In the interests of clarity.

This permission relates solely to the retention of the lean-to extension and tack room, which shall be used solely as stabling for horses. No permission is granted for the retention of the timber fences/railings and associated landscaping, including the paving slabs and gravel area to the rear and side of the stables, which development is refused, in accordance with the refusal element of this decision, for the reasons and considerations attached to that decision. This order does not give permission for any other timber posts or poles, railings or other fencing which have been erected within the overall landholding.

Reason: In the interest of clarity.

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3. The developer shall, within three months of the date of this order, submit to, and agree in writing with, the planning authority detailed arrangements for landscaping to the rear of the lean-to extension, and a scheme for the management of surface water arising from the build structures. The agreed landscaping works, and any agreed works required to manage surface water, shall be carried out and completed, to the written satisfaction of the planning authority, within one year of the date of this order.

Reason: In the interests of visual amenity, residential amenity and public health.

4. No waste bedding material arising from the keeping of horses in the stables shall be retained on site.

Reason: In the interest of public health and in order to minimise environmental pollution.

REASONS AND CONSIDERATIONS (2)

Having regard to the High Amenity (HA) zoning of the appeal site in the Fingal County Development Plan 2011-2017, its location within the Howth Special Amenity Area Order, and to the policies and objectives of the County Development Plan and the Howth Special Amenity Area Order, which seek to protect landscape character, it is considered that the timber railings/fences, paving and gravel area, extending into the agricultural field, substantially increases the extent of the built development on the appeal site, detracts from the open and undeveloped character of the site and conflicts in a material way with the policies set out in the County Development Plan and Howth Special Amenity Area Order. The development for which retention is sought would, therefore, be contrary to the proper planning and sustainable development of the area.

Member of An Bord Pleanála duly authorised to authenticate the seal of the Board.

Dated this day of 2017.

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