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**Planning and Development Act 2000, as amended**

**Planning Authority: Fingal County Council**

**Planning Register Reference Number: F23A/0519**

**APPEAL** by Hillwatch care of "Seabarm", Strand Road, Sutton, Dublin against the decision made on the 23<sup>rd</sup> day of October, 2023 by Fingal County Council to grant subject to conditions a permission to Patrick O'Sullivan care of Tyler Owens Architects of The Mash House, Distillery Road, Dublin for the proposed development.

**Proposed Development:** The development will consist: (i) the construction of a pool house extension at basement level to the rear of the existing dwelling, to include swimming pool room, ancillary rooms, new roof terrace, canopy over external hot-tub area to rear of proposed extension, and stairs connections from existing ground floor level terrace and basement level garden to new proposed pool extension and roof terrace over; (ii) extension of existing ground floor level terrace to rear; (iii) removal of existing external steps to side of dwelling and provision of new steps to side of proposed extension; (iv) other works as part of the development include lowering of existing garden level to rear to accommodate the new proposed pool house extension, landscaping, SuDs drainage, and all associated site development works at Cliff Haven (formerly Carnalea), Thormanby Road, Howth, County Dublin.

## Decision

**REFUSE permission for the above proposed development in accordance with the reasons and considerations set out below.**

## Reasons and Considerations

On the basis of the information provided with the application and appeal, including the Appropriate Assessment Screening and Natura Impact Statement received on the 11<sup>th</sup> day of November 2024, and noting that the proposed development is a short distance uphill of Howth Head Special Area of Conservation (Site code 000202), the Commission was not satisfied that the site-specific mitigation measures have been adequately set out in the Natura Impact Statement, particularly by reason of a lack of certainty that the mitigation measures outlined, specifically those measures which require a 150 metre separation distance to this European site, can be implemented. Accordingly, the Commission concluded that there was insufficient information on file to exclude adverse effects on the integrity of Howth Head Special Area of Conservation (Site code 000202) with scientific certainty, having regard to the site's conservation objectives arising from the potential for deterioration of the habitat quality, and in such circumstances, the Commission decided not to grant permission.

*Eamonn James Kelly*

**Eamonn James Kelly**

**Planning Commissioner of An Coimisiún**

**Pleanála duly authorised to authenticate**

**the seal of the Commission.**

Dated this *20<sup>th</sup>* day of *November*, 2025.