

An
Bord
Pleanála

Board Order ABP-322573-25

Planning and Development Acts 2000 to 2022

Planning Authority: Fingal County Council

Planning Register Reference Number: F24A/0844E

Application for Leave to Appeal against the decision of the planning authority by Paul Hill care of Hughes Planning and Development Consultants of 85 Merrion Square, Dublin having an interest in land adjoining the land in respect of which Fingal County Council decided on the 23rd day of April, 2025 to grant subject to conditions a permission to Eltin and Anna McCarthy care of Dublin Design Studio of 14 Docklands Innovation Park, East Wall, Dublin in accordance with plans and particulars lodged with the said Council.

Proposed Development: Change of use, refurbishment and extensions to the disused dwelling for use as a guesthouse with eight bedrooms and an associated coffee shop. The proposed works include partial demolitions of the existing walls/floors, elevations and pitched roof. The proposed works also include raising the roof of the existing two-storey dwelling to create a new second floor and a three-storey extension to the rear and side, replacement of the existing uPVC windows, refurbishment of the existing bay windows, a new shopfront and entrance with an integrated canopy to the east and part of the north elevation, eight new skylights and associated alterations to plans, sections and elevations to accommodate the new use, and all associated development works, including landscaping, drainage and site works, all at Harbour View House, Church Street, Howth, County Dublin.

Decision

REFUSE leave to appeal under section 37 (6) of the Planning and Development Act 2000, as amended, based on the reasons and considerations set out below.

Reasons and Considerations

It is considered that it has not been shown that the development in respect of which a decision to grant permission has been made will differ materially from the development as set out in the application for permission by reason of conditions imposed by the planning authority to which the grant is subject.

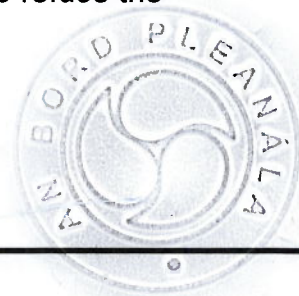
The Board considered the requirements of condition 5 (a-c) and considered it essentially to be a condition which relates to a compliance requirement associated with the permission which does not materially change the development and does not materially affect the applicant's enjoyment of the land. As such, the Board considered that the requirements of the said condition do not meet the criteria for leave to appeal as set out under section 37 (6) of the Planning and Development Act 2000, as amended, above and, on this basis, the Board decided to refuse the request for leave to appeal.



Paul Caprani

Member of An Bord Pleanála

**duly authorised to authenticate
the seal of the Board.**



Dated this 11th day of June 2025.