

An
Coimisiún
Pleanála

Commission Order
PL-500547-DF

Planning and Development Act 2000, as amended

Planning Authority: Fingal County Council

Planning Register Reference Number: F25A/0734E

Appeal by Mary Cannon and David Cotter and by Colman and Maria Lydon against the decision made on the 1st day of December, 2025 by Fingal County Council to grant subject to conditions a permission to Lee and Louisa Owens in accordance with plans and particulars lodged with the said Council.

Proposed Development: Construction of part three-storey, part two-storey extension (240 square metres) to the existing three-storey dwelling (75 square metres) and all associated site works, all at Edgehill, 12A Claremont Road, Howth, County Dublin.

Decision

GRANT permission for the above proposed development in accordance with the said plans and particulars based on the reasons and considerations under and subject to the conditions set out below.

Reasons and Considerations

Having regard to the location of the proposed development within an existing residential site and within an area zoned as 'RS', where the objective is to provide for residential development and protect and improve residential amenity, it is considered that, subject to compliance with the conditions set out below, the proposed extension to an existing vacant dwelling would be in accordance with Section 14.10.2 (Residential Extensions) of the Fingal Development Plan 2023-2029 and, in particular, Section 14.10.2.2 (Side Extensions), and also having regard to its scale and design, the proposed extension would be acceptable, would not seriously injure the residential or visual amenities of the area, and would be acceptable in terms of traffic safety. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

Conditions

1. The proposed development shall be carried out and completed in accordance with the plans and particulars lodged with the application, as amended by the further plans and particulars received by the planning authority on the 13th day of August, 2025, except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority prior to commencement of development and the proposed development shall be carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. The external spiral staircase to the north of the proposed development shall be omitted. Revised plans and particulars showing compliance with this requirement shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of residential amenity.

3. The existing dwelling and the proposed extension shall be jointly occupied as a single residential unit and the extension shall not be used, sold, let or otherwise transferred or conveyed, save as part of the dwelling.

Reason: To restrict the use of the extension in the interest of residential amenity.

4. The developer shall comply with the following requirements:

- (a) Prior to commencement of works on site, a comprehensive landscape plan, including details of hard and soft landscape features, as well as boundary treatment proposals, shall be submitted to, and agreed in writing with, the planning authority. This plan shall be carried out by a suitably qualified professional and shall take full cognisance of the submitted arborist report and recommendations, in particular in relation to works within the Root Protection Areas of trees shown for retention on the Tree Removal and Protection Plan drawing number TS-TPP-25-10-25.

- (b) To ensure the protection of trees to be retained as shown on the Tree Removal and Protection Plan drawing number TS-TIPP-25-10-25, the developer shall implement all the recommendations pertaining to tree retention as outlined within the submitted arborist's report, in particular in relation to tree number PT5892.

Reason: To ensure the provision of amenity afforded by appropriate landscape design.

5. Prior to commencement of development, the developer shall lodge with the planning authority a cash deposit, a bond of an insurance company or such other security, as may be accepted in writing by the planning authority, to secure the protection of the trees on site and to make good any damage caused during the construction period, coupled with an agreement empowering the planning authority to apply such security, or part thereof, to the satisfactory protection of any tree or trees on the site or the replacement of any such trees which die, are removed or become seriously damaged or diseased within a period of two years from the substantial completion of the development with others of similar size and species. The form and amount of the security shall be as agreed between the planning authority and the developer.

Reason: To secure the protection of trees on the site.



6. Prior to commencement of development, the developer shall submit to, and agree in writing with, the planning authority a Construction Management Plan, which shall be adhered to during construction. This plan shall provide details of intended construction practice for the proposed development, including hours of working, noise and dust management measures and off-site disposal of construction/demolition waste.

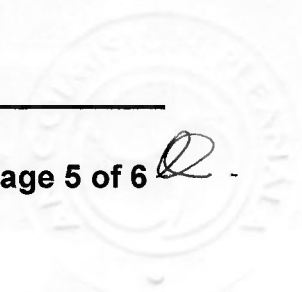
Reason: In the interest of public safety and amenity.

7. Prior to commencement of development, the developer shall enter into a connection agreement(s) with Uisce Éireann to provide for a service connection(s) to the public water supply and/or wastewater collection network.

Reason: In the interest of public health and to ensure adequate water/wastewater facilities.

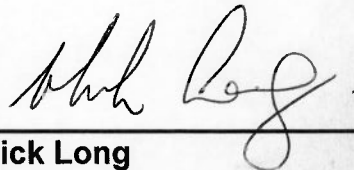
8. The disposal of surface water shall comply with the requirements of the planning authority for such works and services. Prior to commencement of development, the developer shall submit details for the disposal of surface water from the site for the written agreement of the planning authority.

Reason: In the interest of public health.



9. The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefiting development in the area of the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the Development Contribution Scheme made under section 48 of the Planning and Development Act 2000, as amended. The contribution shall be paid prior to commencement of development or in such phased payments as the planning authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. Details of the application of the terms of the Scheme shall be agreed between the planning authority and the developer, or, in default of such agreement, the matter shall be referred to An Coimisiún Pleanála to determine the proper application of the terms of the Scheme.

Reason: It is a requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance with the Development Contribution Scheme made under section 48 of the Act be applied to the permission.



Mick Long

Planning Commissioner of An Coimisiún

**Pleanála duly authorised to authenticate
the seal of the Commission.**

Dated this *2nd* day of *April* 2026.

