



An
Coimisiún
Pleanála

Inspector's Report

ACP 323568-25

Development

Single storey extension to the front at first floor level, including extending the existing pitched roof with new roof lights to the front roof slope, enlarging the existing windows to the front at ground floor level, enlarging the existing doors to the front at first floor level, replacing the existing concrete balustrade at first floor level and all associated site works

Location

'Summerhill' Carrickbrack Road, Howth,
Co. Dublin D13 VP94

Planning Authority

Fingal County Council

Planning Authority Reg. Ref.

F25A/0555E

Applicant(s)

Karen Claxton

Type of Application

Permission

Planning Authority Decision

Grant Permission with Conditions

Type of Appeal

Third Party

Appellant(s)

Hugh Thomas Cavanagh & Dong Hua
Cavanagh

Observer(s)

None

Date of Site Inspection

29th October 2025

Inspector

Andrew Hersey

1.0 Site Location and Description

1.1 The site is located at 'Summerhill' Carrickbrack Road, Howth, Co. Dublin D13 VP94 being located on the south side of the Howth peninsula. The site comprises of a two storey detached dwelling set at an elevated location over the road. The house is accessed via a steep drive. The house is set at a lower elevation than the property to the east named as 'Fernhill' on the submitted drawings. The site comprise of front and rear gardens all on a site of a stated area of 0.196ha.

2.0 Proposed Development

2.1 The proposed development comprises of permission for ;

- The construction of an extension to the roof to extend the roof and gable of the dwelling to the external wall on the ground floor, approx. 3.7m.
- The roof alterations include raising the pitch of the roof by 1.7m to match the existing
- new roof lights to the front roof
- enlarging the existing windows to the front at ground floor level,
- enlarging the existing doors to the front at first floor level,
- replacing the existing concrete balustrade at first floor level and all associated site works

2.2 The floor area of the existing house is 352sq.m. and the proposed floor area is 25sq.m.

3.0 Planning Authority Decision

3.1 Decision – Grant Permission subject to Conditions

3.1.1. There are no conditions relevant to this appeal. I note that there are no conditions imposed with respect to development contributions

3.1.2. Planning Authority Reports

The case planners report raises the following issues;

- That the proposal complies with the 'RS' zoning objective for the site which is *'To provide for residential development and improve residential amenity'*
- That the subject site is located within the Special Amenity Area' within the Howth Special Amenity Area Order (SAAO). This places additional restrictions on development within this area. However, the proposed development is minor in nature and would not be injurious to this sensitive area.
- That the proposed alterations in terms of design are considered acceptable
- That these works would be in accordance with the policies and objectives of the Fingal Development Plan 2023-2029 including Objective SPQHO45 and Policy SPQHP41 – Residential Extensions
- That having regard to the modest nature of the extensions and the separation distance between the proposed development and the adjacent properties, the case planner did not envisage issues with respect to overshadowing, overlooking or overbearance to adjacent properties.
- The case planner recommended permission be granted subject to 6 conditions

3.1.3 Other Technical Reports

- Water Services (11th July 2025) – no objection

3.3. Prescribed Bodies

None on file

3.4. Third Party Observations

There is one submission on file from a Hugh-Thomas Cavanagh, Dong hua Cavanagh, Nellie Mingli Cavanagh, of" Fernhill" 35 Carrickbrack Road, Baily, Howth, County Dublin, received 23rd July 2025. They raise the following issues

- That they are the owners of the adjacent property to the east ('Fernhill')
- That the gable wall of the proposed development will be closer to their property by 3.8 metres

- Concerns with respect to damage to underground services
- Impact from light pollution
- That there should be no further openings, windows, fans or vents on the opposing gable wall
- Noise from fans or vents
- That an ensuite bathroom proposed does not have a fan facing their property.
- That there is potential for a kitchen in the eastern end of the property which may have an extractor which will result in noise and smells

4.0 Planning History

None of relevance

5.0 Policy Context

5.1 *Development Plan*

5.1.1 The Fingal County Development Plan 2023-2029 is the statutory development plan in force in the area at present. The following policies apply:

5.1.2 Under that Plan, the site retains its zoning RS (Residential) *'To provide for residential development and protect and improve residential amenity'*

5.1.3 Objective SPQHO45 - Domestic Extensions - *Encourage sensitively designed extensions to existing dwellings which do not negatively impact on the environment or on adjoining properties or area.*

5.1.4 Chapter 14: Development Management Standards

5.1.5 Section 14.10.2.2 Side Extensions - *'Side extensions will be evaluated against proximity to boundaries, size and visual harmony with existing (especially front elevation) and impacts on residential amenity. First floor side extensions built over existing structures and matching existing dwelling design and height will generally be acceptable. In certain cases, a set-back of the extension's front facade and its roof profile and ridge may be sought to protect amenities, integrate into the*

streetscape and avoid a 'terracing' effect. External finishes shall generally match the existing.'

5.1.6 Section 14.6.6.4 Overlooking and Overbearance - *'Development proposals must assess levels of overbearance and potential to cause significant levels of overlooking to neighbouring properties. Issues in relation to excessive overlooking and overbearance may be addressed through relocation or reduction in building bulk and height, Mitigation measures to ameliorate overbearance should be considered and may include alterations to the bulk and massing of the proposed scheme relative to neighbouring property. Overlooking may also be addressed by appropriate design-led solutions including the sensitive placement of fenestration and balcony treatments'*

5.1.7 Section 14.10.2.5 sets out standards with respect to Roof Alterations including Attic Conversions and Dormer Extensions. The section states;

'Roof alterations/expansions to main roof profiles, for example, changing the hip-end roof of a semi-detached house to a gable/ 'A' frame end or 'half-hip', will be assessed against a number of criteria including:

- *Consideration and regard to the character and size of the structure, its position on the streetscape and proximity to adjacent structures.*
- *Existing roof variations on the streetscape.*
- *Distance/contrast/visibility of proposed roof end.*
- *Harmony with the rest of the structure, adjacent structures and prominence.*
- *Dormer extensions to roofs will be evaluated against the impact of the structure on the form, and character of the existing dwelling house and the privacy of adjacent properties.*
- *The design, dimensions, and bulk of the dormer relative to the overall extent of roof as well as the size of the dwelling and rear garden will be the overriding considerations, together with the visual impact of the structure when viewed from adjoining streets and public areas.*

- *Dormer extensions shall be set back from the eaves, gables and/or party boundaries and shall be set down from the existing ridge level so as not to dominate the roof space.*
- *The quality of materials/finishes to dormer extensions shall be given careful consideration and should match those of the existing roof.*
- *The level and type of glazing within a dormer extension should have regard to existing window treatments and fenestration of the dwelling.*
- *Regard should also be had to extent of fenestration proposed at attic level relative to adjoining residential units and to ensure the preservation of amenities.*
- *Excessive overlooking of adjacent properties should be avoided*

5.1.8 Howth Special Amenity Area

- The site is located within Howth Special Amenity Area in accordance with the Howth Special Amenity Area Order (SAAO) confirmed by the Minister for the Environment in 2000. The Order protects many of the special qualities of the area and aims to preserve and enhance the character and special features of Howth. In Map A of the SAAO, the site is in the 'Residential area' and in respect of new development, is subject to a housing density of 2 dwellings per hectare. In the subject site are identified as a Residential Area in the SAAO includes objectives for the prevention and limitation of development. Schedule 3: Part 1 addresses development in residential areas and the following is noted as policy (Objectives 3.1, 3.2 and 3.3):
 - To protect residential amenity
 - To protect and enhance the attractive and distinctive landscape character of these areas.
 - To ensure that development does not reduce the landscape and environmental quality of adjacent natural, semi natural and open areas.

The Design Guidelines within the Order (Policy 3.1.2) address boundaries, entrances, and buildings of new development. In respect of new buildings, they are generally to be in keeping with the character of other buildings in the vicinity.

However, favourable consideration maybe given to buildings of contemporary design, provided that the design is of high quality and in visual terms, subordinates to the surrounding natural environment

5.3. Natural Heritage Designations

- Howth Head SAC (Site Code 000202) is located 100 metres to the northeast of the site
- The North Dublin Bay SAC (Site Code 000206) is located 900m to the west of the site
- North Bull Island SPA (Site Code 004006) is located 60m to the south west of the site

6.0 EIA Screening

6.1 The proposed development is not a class for the purposes of EIA as per the classes of development set out in Schedule 5 of the Planning & Development Regulations 2001, as amended. No mandatory requirement for EIA therefore arises and there is also no requirement for a screening determination. Refer to Form 1 in Appendix 1 of report.

7.0 The Appeal

7.1 Grounds of Appeal

7.1.1 A third party appeal was lodged by Hugh-Thomas Cavanagh and Dong hua Cavanagh, , of" Fernhill" 35 Carrickbrack Road, Baily, Howth, County Dublin on the 4th September 2025. The appeal in summary raises the following issues;

- That their objection relates to the gable which faces their property and which is 9.87metres in height and will be 3.61 metres closer to their property
- Concerns are raised with respect to the visual appearance of the gable as viewed from their property

- That there will be a kitchen extraction fan on this gable elevation which faces their property.
- The proposal will result in noise and nuisance
- There will be 60 minutes less sunlight into their patio garden as a consequence of overshadowing
- The appellants request that the Commission overturn the decision of the planning authority and refuse permission for the proposed development.

7.3. Planning Authority Response

- The planning authority submitted a response dated 10th September 2025 and states that the proposed development was assessed against relevant policy guidance as set out in the Fingal County Development Plan 2023-2029 and other national and regional guidance and policy.
- That the Planning Authority recommend the Commission uphold the decision

7.4. First Party Response

7.4.1 A first party response to the appeal was received by the Commission on the 1st October 2025. The response states the following:

- That the proposal is compatible with the proper planning and sustainable development of the area
- That measurements to the appellants patio in Fernhil are not shown on any drawings submitted. The appellant states that there is 8.4 metres between the proposed development to their patio and the first party questions the accuracy of this measurement.
- That the proposed development is located within the entire footprint of the existing house on site and will encroach no further on adjoining properties.
- That the house is for the purposes of a family home.
- That the appellants site is already full of large trees which reduce light levels to their house

- The proposed extension is modest in scale and will not result in any loss of sunlight or overshadow the appellants property
- That the drawings submitted are accurate
- The first party respectfully asks that the Commission uphold the decision of the Planning Authority and grant permission

8.0 Assessment

8.1. Introduction

8.1.1 A first party appeal vs condition 2 was lodged by Hugh-Thomas Cavanag, ,Dong Hua Cavanagh, of" Fernhill" 35 Carrickbrack Road, Baily, Howth, County Dublin on the 4th September 2025

8.1.2 I have examined the application details and all other documentation on file and I have inspected the site and have had regard to relevant local development plan policies and guidance.

8.1.3 I am satisfied the substantive issues arising from the grounds of this third party appeal relate to the following matters;

- Principle of Proposed Development/Development Plan Policy
- Design and Scale
- Residential Amenity Impacts

8.2 Principle of Proposed Development/Development Plan Policy

8.2.1 The proposed development site is located on lands zoned as RS (Residential) which seeks *'To provide for residential development and protect and improve residential amenity'*

8.2.2 With respect to the foregoing, it is considered that the proposed development which comprises of a modest first floor and attic extension to the side of an existing house, and which comprises of alterations to existing fenestration and balconies with further proposals for new rooflights on the front elevation is considered acceptable in principle in this residential area.

8.3 Design & Scale

8.3.1 The proposed development comprises of alterations to the existing house on site which comprises of a ground, first floor and attic accommodation. The principle element of the development comprises of the raising of the roof over the second floor on the eastern side of the building so that the roofline matches that of the existing area. The proposal will also result in an extension to the front of the first floor under the roof. This will result in an increase in space of 25sq.m. and is to accommodate an ensuite to serve an existing bedroom at the roof level and an extended room which is to be a kitchen at first floor level.

8.3.2 Other alterations are with regard to enlarged windows on the front roadside elevation and the changing of the balustrade from concrete to glass.

8.3.3 I also note that there are proposals for further rooflights on the front elevation and minor alterations to the rear elevation

8.3.4 The proposal also includes for internal amendments.

8.3.5 I consider that the proposal to be generally acceptable in terms of design and is compatible with Objective SPQHO45 of the statutory development plan serving the area which seeks to *Encourage sensitively designed extensions to existing dwellings which do not negatively impact on the environment or on adjoining properties or area.*

8.3.6 The site is also located within the Howth Special Area Amenity Order which requires in part, under the order to;

- To protect and enhance the attractive and distinctive landscape character of these areas.
- To ensure that development does not reduce the landscape and environmental quality of adjacent natural, semi natural and open areas.

Having regard to the minor nature of the development I do not consider that the proposal contravenes the order

8.3.7 In terms of design therefore I consider in this context that the proposal is acceptable.

8.4 Residential Amenity Impacts

- 8.4.1 The appellants have raised serious concerns with respect to the loss of light to their property which is located directly adjacent to the east of the property subject of this appeal and is named as 'Fernhill' on the drawings submitted.
- 8.4.2 The appellants are particularly concerned with respect to the fact the gable of the roof space is now 3.8 meters closer to their boundary than it currently is and that the same will result in the loss of light to their property particularly in respect of an outdoor patio area.
- 8.4.3 I note from the contiguous elevations submitted that the appellants house is set at a higher FFL than that of the applicants dwelling and while the differential is not stated it is noted that the now extended roofline will be at the same level as the floor level on the first floor of Fernhill, the appellants property.
- 8.4.4 From the site layout plan there is at least 10 metres horizontal distance between both the footprints of both properties
- 8.4.5 There are also significant mature trees and other vegetation between the opposing buildings which for the most part are located within the appellants property. This vegetation is much higher than the heights of both properties.
- 8.4.6 The proposed development site is located to the west of the appellants property and therefore any shadowing impact would be from evening sunlight to the west
- 8.4.7 Having regard to the lower FFL of the appeal site in comparison to the appellants house and having regard to the extensive mature trees and vegetation present between the two buildings I do not consider that the minor extension to the roof on the eastern end of the appeal property will impact in any significant way upon the appellants property or outdoor space which is extensive by way of overshadowing.
- 8.4.8 As the first party rightly points out the trees within the appellants property are causing more shadowing to their property than the first parties house ever will.
- 8.4.9 There are no new windows which face towards the appellants property and as such there will be no overlooking issues.

8.4.10 On the basis of the foregoing I do not consider that there will be any impact to the appellants property by way of overshadowing and overlooking.

8.4.11 The appellant also raises concerns with regard to noise and smells from vents, mechanical or otherwise.

8.4.12 I note that it is proposed to locate the kitchen on the eastern end of the property at first floor level and I note that there is an ensuite located in the roof level of the proposed extensions

8.4.13 As stated previously there is at least 10 metres horizontal distance between the footprints of the two buildings. There is also the height differential between the FFL of the house subject to the appeal and the appellants house "Fernhill" and there are extensive trees and shrubs present between the two properties.

8.4.14 Notwithstanding the appellants concerns with regard to noise and smells from vents, I do not consider that having regard to the foregoing that this impact will be in any way significant.

8.4.15 In terms of impact to residential amenity therefore, I consider that the proposal will not cause significant impacts and as such is deemed acceptable.

9.0 AA Screening

9.1. I have considered the proposed development in light of the requirements S177U of the Planning and Development Act 2000 as amended.

9.2 The subject site is located

- is located 100 metres to Howth Head SAC (Site Code 000202)
- 900 metres from the North Dublin Bay SAC (Site Code 000206)
- 600 metres from the North Bull Island SPA (Site Code 004006)

9.3 The proposed development comprises of the construction of minor domestic extensions to a detached house on lands zoned for existing residential use. No nature conservation concerns were raised in the planning appeal.

- 9.4 Having considered the nature, scale and location of the project, and its location in a residential area, I am satisfied that it can be eliminated from further assessment because it could not have any effect on a European Site
- 9.5 The reason for this conclusion is as follows:
- The relatively small scale nature of the works proposed
 - The lack thereof of any hydrological connection from the proposed development to the Natura 2000 site.
 - Having regard to the screening report/determination carried out by the Planning Authority
- 9.6 I conclude that on the basis of objective information, that the proposed development would not have a likely significant effect on any European Site either alone or in combination with other plans or projects.
- 9.7 Likely significant effects are excluded and therefore Appropriate Assessment (under Section 177V of the Planning and Development Act 2000) is not required

10.0 Water Framework Directive

- 10.1. The subject site is located approximately 600m from Dublin Bay
- 10.2 The proposed development comprises of extensions to a detached house.
- 10.3 No water deterioration concerns were raised in the planning appeal.
- 10.4 I have assessed the development and have considered the objectives as set out in Article 4 of the Water Framework Directive which seek to protect and, where necessary, restore surface & ground water waterbodies in order to reach good status (meaning both good chemical and good ecological status), and to prevent deterioration. Having considered the nature, scale and location of the project, I am satisfied that it can be eliminated from further assessment because there is no

conceivable risk to any surface and/or groundwater water bodies either qualitatively or quantitatively.

10.5 The reason for this conclusion is as follows:

- The minor scope of the works and nature of the development
- The 600m distance to the nearest water body and the lack of hydrological connections to the same.

10.6 I conclude that on the basis of objective information, that the proposed development will not result in a risk of deterioration on any water body (rivers, lakes, groundwaters, transitional and coastal) either qualitatively or quantitatively or on a temporary or permanent basis or otherwise jeopardise any water body in reaching its WFD objectives and consequently can be excluded from further assessment.

11.0 Recommendation

11.1 I recommend that permission granted for the proposed development.

12.0 Reasons and Considerations

12.1 Having regard to the information submitted with the application and the nature and scale of the proposed development, it is considered that, subject to compliance with the conditions set out below, the proposed development would comply with the zoning objective for the site as set out in the Fingal County Development Plan 2023-2029, would not be injurious to the visual or residential amenities of the area, and would, therefore, be in accordance with the proper planning and sustainable development of the area.

13.0 Conditions

1.	The development shall be carried out 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. Where such
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	<p>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 development shall be carried out and completed in accordance with the agreed particulars.</p> <p>Reason: In the interest of clarity.</p>
2.	<p>The house and the proposed extension shall be jointly used as a single dwelling unit for residential purposes and shall not be sub-divided or separated from the main house. It shall not be sold, leased or let (including short term letting) independently of the main house.</p> <p>Reason; In the interest of clarity and to ensure proper planning and sustainable</p>
3	<p>External finishes shall be indicated on the plans submitted unless otherwise agreed in writing with the Planning Authority prior to commencement of the development.</p> <p>Reason: In the interest of Visual Amenity</p>
4.	<p>Surface water drainage arrangements shall comply with the requirements of the planning authority for such works and services.</p> <p>Reason: In the interest of public health</p>
5.	<p>Site development and building works shall be carried out only between the hours of 0800 to 1900 Monday to Fridays, between 0800 and 1400 hours on Saturday and not at all on Sundays and Public Holidays.</p> <p>Deviation from these times will only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.</p> <p>Reason: To safeguard the residential amenities of adjoining property in the vicinity</p>

I confirm that this report represents my professional planning assessment, judgement and opinion on the matter assigned to me and that no person has influenced or sought to influence, directly or indirectly, the exercise of my professional judgement in an improper or inappropriate way.

Andrew Hersey
Planning Inspector

6th November 2025

Appendix A: Form 1 EIA Pre-Screening

Case Reference	ACP323568-25
Proposed Development Summary	Domestic Extension
Development Address	'Summerhill' Carrickbrack Road, Howth, Co. Dublin D13 VP94
IN ALL CASES CHECK BOX /OR LEAVE BLANK	
<p>1. Does the proposed development come within the definition of a 'Project' for the purposes of EIA?</p> <hr/> <p>(For the purposes of the Directive, "Project" means:</p> <ul style="list-style-type: none"> - The execution of construction works or of other installations or schemes, - Other interventions in the natural surroundings and landscape including those involving the extraction of mineral resources) 	<input checked="" type="checkbox"/> Yes, it is a 'Project'. Proceed to Q2.
	<input type="checkbox"/> No, No further action required.
<p>2. Is the proposed development of a CLASS specified in <u>Part 1</u>, Schedule 5 of the Planning and Development Regulations 2001 (as amended)?</p>	
<input type="checkbox"/> Yes, it is a Class specified in Part 1. EIA is mandatory. No Screening required. EIAR to be requested. Discuss with ADP.	State the Class here
<input checked="" type="checkbox"/> No, it is not a Class specified in Part 1. Proceed to Q3	
<p>3. Is the proposed development of a CLASS specified in <u>Part 2</u>, Schedule 5, Planning and Development Regulations 2001 (as amended) OR a prescribed type of proposed road development under Article 8 of Roads Regulations 1994, AND does it meet/exceed the thresholds?</p>	

<input checked="" type="checkbox"/> No, the development is not of a Class Specified in Part 2, Schedule 5 or a prescribed type of proposed road development under Article 8 of the Roads Regulations, 1994. No Screening required.	
<input type="checkbox"/> Yes, the proposed development is of a Class and meets/exceeds the threshold. EIA is Mandatory. No Screening Required	State the Class and state the relevant threshold
<input type="checkbox"/> Yes, the proposed development is of a Class but is sub-threshold. Preliminary examination required. (Form 2) OR If Schedule 7A information submitted proceed to Q4. (Form 3 Required)	State the Class and state the relevant threshold

Inspector: _____ Date: _____