



An
Coimisiún
Pleanála

Inspector's Report

PL-500997-DF-26

Development	Permission for retention of a 36.9 square metre single storey detached garage with sloped roof situated to the front of the site and all associated site works.
Location	Thormanby Road, Howth, Co. Dublin.
Planning Authority	Fingal County Council
Planning Authority Reg. Ref.	F25A/1181E
Applicant(s)	Seán MacAogáin
Type of Application	Permission for retention
Planning Authority Decision	Refuse permission
Type of Appeal	First Party v Refusal
Appellant(s)	Seán MacAogáin
Observer(s)	None
Date of Site Inspection	28th day of May 2026
Inspector	Fergal Ó Bric

1.0 Site Location and Description

- 1.1. The appeal site comprises a generous plot size of 0.762 hectares located along the eastern side of the Thormanby Road in Howth. An extensive two-storey over basement dwelling has recently been constructed on site. The site slopes gently from the roadside (western) site boundary to the eastern part of the subject site where a dwelling has recently been constructed. The dwelling on site has a stated floor area of 710.17 square metres. The subject site is located approximately 2.6 kilometres south-east of Howth village and approximately 4.7 kilometres south-east of Sutton village. The subject site overlooks Dublin Bay and Howth Head which are located in the background to the rear (east). The site is accessed from a local road, Thormanby Road (L8106), a link road that is accessed off the R105, the Carrickbrack Road, a coastal road that links the villages of Sutton and Howth. The surrounding area is characterised by individual dwellings on generous plot sizes, many with views over Howth Head and Dublin Bay. The dwellings on the opposite (western) side of the Thormanby Road are significantly elevated above the level of the adjoining public road (Thormanby Road) which provides them with the optimal views over Howth Head, Dublin Bay and the Bailey lighthouse (a protected structure).
- 1.2. There is a recessed splayed vehicular gated entrance into the appeal site from the adjoining public road to the south-west of the site. There is another vehicular entrance from Thormanby Road to the north-west of the site. The levels within the site fall towards the dwelling from the adjoining public road. Ground levels at the site entrance and in the vicinity of the domestic garage (the subject of this appeal) are stated to be 83.34 metres AoD, 79.35 metres AoD at the location of the dwelling on site and 73.5 metres AoD in the rear garden area. The boundary treatment with the public road comprises a block boundary wall with a height of approximately 1.5 metres and is capped. There are a number of mature trees located within the front garden area inside the roadside boundary wall and in proximity to the domestic garage. There is a four metre wide pedestrian laneway located immediately south of the subject site which connects Thormanby Road to the coast at Howth Head and the Bailey lighthouse. There are views from this pathway of the dwelling on site however, it was not possible to view

the domestic garage from the pathway due to the hedgerow planting and stone wall that exists along the boundary between the subject site and the pedestrian pathway. There is planting along the northern (side) boundary and eastern (rear) site boundaries. There are large scaled two storey dwellings on generous plot sizes located further north, south and west of the appeal site.

2.0 Development

2.1. The development comprises the following:

- Permission for retention of a 36.9 square metre single storey detached garage with sloped roof situated to front of the site,
- Associated paving and all ancillary works necessary to facilitate the development.

2.2. An Appropriate Assessment (AA) preliminary screening was carried out by the Planning Authority. They concluded that 'Having regard to the retention nature of this application, scale and location of the proposal, in comparison with the existing baseline, it is considered that there is no likelihood of significant effects on any European sites during the construction or operation of the proposal and it is further considered that there are no other plans or projects that will act in combination with the proposal to have a significant effect on European sites. It is considered that the proposal, individually or in-combination with another plan or project, will not have a significant effect on any European sites'.

2.3. An Environmental Impact Assessment (EIA) preliminary screening was also conducted by the PA and they concluded 'The proposed development would not by virtue of size and scale represent a development for the purpose of Part 10 under Section 5 or fulfil criteria under Schedule 7 of the Planning and Development Regulations 2001, as amended, requiring an EIAR'..

3.0 Planning Authority Decision

3.1. Decision

Permission for retention of the domestic garage was refused by Fingal County Council for three reasons as follows:

1-Having regard to the location of the development as constructed on a prominent site within a Coastal landscape Character Area that is categorised by the Development Plan as having exceptional landscape value and to the highly sensitive development and the location of the site within the Howth Special area Amenity Order (SAAO), the development is visually obtrusive within the surrounding context and represent an incongruous form of development within the established character to the area. The development in its current location, design, height and sloped roof contravenes Objective GINHO59 of the Fingal Development Plan 2023-2029 and as such would be contrary to the proper planning and sustainable development of the area.

2-Having regard to the location of the subject site and the number of objectives and preserved views along Thormanby Road and the walkway south and east of the site as set out within the Fingal County Development Plan and Howth SAAO, the development a presented is considered to be contrary to objectives GINHO57 and GINHO58 of the Fingal County Development Plan 2023-2029, which seek to resist development which will interfere with the character of highly sensitive areas or with a view or prospect of special amenity value, which it is necessary to preserve and is, therefore, contrary to the proper planning and sustainable development of the area.

3-The development to be retained would set an undesirable precedent for other similar developments, which in itself and cumulatively would contribute to an erosion of the distinctive and attractive character of the area, be harmful to the visual and residential amenities of the area and be contrary to the proper planning and sustainable development of the area.

3.2. Planning Authority Reports

3.2.1 Planning Report:

The planning report prepared by the Senior Executive Planner, dated 19th day of February 2026 noted the following:

- The appeal site is largely zoned RS-residential and a small portion of the site and the land holding to the rear of the site is zoned HA-High Amenity.
- The principle of the development (a domestic garage) was considered acceptable.
- The site is located within the Howth Special Area Amenity order (SAAO).
- The Planning Officer recommended a refusal of planning permission for the retention of the domestic garage for three reasons and consistent with the reasons set out within the Chief Executive Order.
- Noted that a number of third-party observations were received from neighbouring residents opposing the retention of the development.
- The Parks and Green Infrastructure Section within FCC recommended refusal of permission due to its adverse impact upon preserved views.as included within the Howth SAAO.
- The unauthorised garage is one of the issues raised within an Enforcement Notice issued by FCC.
- The garage that originally existed at this location was 0.5 metres lower in height.
- There is a map-based objective 'to preserve views along the Thormanby Road'.
- The garage is very visible from the roadside boundary and is located at the most elevated point within the subject site.
- Given the highly sensitive nature of the site and with open views from the road towards the coast, and within the SAAO designated area, that the garage would have a detrimental impact on the preserved views.
- The paving around the garage is considered excessive and unacceptable at this highly visible location.

- The roadside boundary wall is not in accordance with the parent permission granted by ACP on the site in terms of the stone used in its construction.
- A detailed surface water management proposal for the development would be required.

3.3 Internal Reports

Parks and Green Infrastructure: Recommended a refusal of permission due to the adverse impact of the garage structure upon preserved views as set out in the SAAO.

Water Services Department: Recommended that a detailed surface water management plan for the development would be required.

3.4 Prescribed Bodies

3.4.1 None received.

3.5 Third Party Observations

3.5.1 A number of third-party observations were received by the Planning Authority from neighbouring residents. The issues raised within the observations included the following:

Design and Layout:

- The domestic garage as constructed is larger in footprint and taller than the garage that previously existed at this location within the site.
- The structure is visually prominent and not in keeping with the established character along Thormanby Road.
- To permit the retention of the domestic garage would establish an undesirable precedent and compromise the integrity of the planning process.

- The dwelling on site has a garage in its basement and the garage (the subject of this appeal) acts as a shelter for the garden keeper.

4.0 Planning History

- 4.1.1. The following is considered to be the relevant planning history pertaining to the appeal site:

On site:

Planning reference F21A/0066 and ABP 311186-21--Permission was refused in 2021 by Fingal County Council for the demolition of a five-bedroom two storey dwelling and replacement with a two storey over basement dwelling with a floor area of 710 square metres. This decision was overturned by the Coimisiún in June 2022, and permission was granted for the replacement dwelling. The dwelling has been constructed and is currently inhabited.

Planning Enforcement:

An Enforcement Notice (reference number ENF/149B-active case was issued by Fingal County Council in November 2024 to the applicant in relation to the unauthorised domestic garage and a number of other matters.

5.0 Policy Context

5.1. Fingal County Development Plan 2023-2029

The Fingal County Development Plan 2023 -2029 was adopted by the Planning Authority on the 22nd day of February 2023 and came into effect on the 5th day of April 2023. It has regard to national and regional policies in respect of domestic extensions and natural heritage. Chapters 3 and 9 of the Plan refer.

Chapter 3: Sustainable Placemaking and Quality Homes

Relevant policies objectives include:

Policy SPQHP41 – Residential Extensions

Support the extension of existing dwellings with extensions of appropriate scale and subject to the protection of residential and visual amenities.

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.

Chapter 9: Green Infrastructure and Natural Heritage

Section 9.6.14 Landscape Character Assessment

Subject site is in a coastal landscape of exceptional landscape value and high landscape sensitivity.

Policy GINHP25 – Preservation of Landscape Types

Ensure the preservation of the uniqueness of a landscape character type by having regard to the character, value and sensitivity of a landscape when determining a planning application.

Objective GINHO57 – Development and Landscape:

‘Ensure development reflects and, where possible, reinforces the distinctiveness and sense of place of the landscape character types, including the retention of important features or characteristics, taking into account the various elements which contribute to their distinctiveness such as geology and landform, habitats, scenic quality, settlement pattern, historic heritage, local vernacular heritage, land-use and tranquillity.

Objective GINHO58 – Sensitive Areas

Resist development such as houses, forestry, masts, extractive operations, landfills, caravan parks, and campsites, and large agricultural/horticulture units which would interfere with the character of highly sensitive areas or with a view or prospect of special amenity value, which it is necessary to preserve.

Objective GINHO59 – Development and Sensitive Areas

Ensure that new development does not impinge in any significant way on the character, integrity and distinctiveness of highly sensitive areas and does not detract from the scenic value of the area. New development in highly sensitive areas shall not be permitted if it: " Causes unacceptable visual harm. " Introduces incongruous landscape elements. " Causes the disturbance or loss of (i) landscape elements that contribute to local distinctiveness, (ii) historic elements that contribute significantly to landscape character and quality such as field or road patterns, (iii) vegetation which is a characteristic of that landscape type and (iv) the visual condition of landscape elements.

Policy GINHP26 – Preservation of Views and Prospects

Preserve views and prospects and the amenities of places and features of natural beauty or interest including those located within and outside the County

Policy GINHP27 – Howth and Liffey Valley Amenity Orders

Protect and enhance the special amenity value of Howth and the Liffey Valley, including its landscape, visual, recreational, ecological, geological, and built heritage value, as a key element of the County's Green Infrastructure network and implement the provisions of the Howth and Liffey Valley Special Amenity Area Orders (SAAO).

Objective GINHO60 – Protection of Views and Prospects

Protect views and prospects that contribute to the character of the landscape, particularly those identified in the Development Plan, from inappropriate development

Section 9.6.17-High amenity zoning

Policy GINHP28 – Protection of High Amenity Areas

Protect High Amenity areas from inappropriate development and reinforce their character, distinctiveness and sense of place

Objective GINHO67 – Development and High Amenity Areas

Ensure that development reflects and reinforces the distinctiveness and sense of place of High Amenity areas, including the retention of important features or characteristics, taking into account the various elements which contribute to its distinctiveness such as geology and landform, habitats, scenic quality, settlement pattern, historic heritage, local vernacular heritage, land-use and tranquillity.

5.2. Howth Special Amenity Area Order, 1999

5.2.1 The appeal site is within the Howth Special Amenity Area Order, 1999' (SAAO) and designated as a 'Residential Area within the Special Amenity Area', as indicated on Map A.

5.2.2. Furthermore, the private lane to the southwest of the site and the footpath to the east are identified as footpaths and roads from which views outwards are protected (Maps A and B of the Order).

5.2.3. Schedule 1 of the SAAO sets out a number of objectives for the enhancement of the area. Objective 1.1 seeks to manage the area and to conserve natural and cultural assets and protect the amenity of local residents.

5.2.4. Schedule 2 includes objectives for the preservation of the character or special features of the area. Objective 2.1 seeks 'to preserve views from public roads and footpaths' (as per Map B) and Policy 2.1.1 seeks to protect these. Objective 2.3 seeks to preserve areas and features of special interest. Policy 2.3.1 states that it is Council policy to

preserve the areas and features of special interest shown in Map B and listed in Tables 3 and 4. The Bailey Lighthouse is referenced as No. 17 on Table 3.

5.2.5. Schedule 3 sets out objectives for the prevention and limitation of development, including:

Objective 3.1 To protect residential amenity.

Objective 3.2 To protect and enhance the attractive and distinctive landscape character of the area.

Objective 3.3 To ensure that development does not reduce the landscape and environmental quality of adjacent natural, semi-natural and open areas.

5.3. Natural Heritage Designations

5.3.1. The appeal site is located approximately 65 metres west of the Howth Head SAC (site code 000202) and the Howth Head Coast SPA (site code 004113) is located approximately 240 metres east of the subject site. The Rockabill to Dalkey Island SAC (Site Code: 003000) is located approximately 150 metres to the south of the subject site.

5.3.2. The site is located approximately 65 metres east of the Howth Head pNHA (site code 000202).

5.4. Environmental Impact Assessment (EIA) Preliminary Screening

5.4.1 (Please see Appendix 1 at the end of this report). Having regard to the nature and modest scale of the domestic garage development, there is no real likelihood of significant effects on the environment arising from the retention of the domestic garage. The need for environment impact assessment can, therefore, be excluded at preliminary examination, and a screening determination is not required.

5.5 Water Framework Directive- Screening

The appeal site is located approximately 65 metres east of Dublin Bay at Howth Head.

The development relates to permission for the retention of a domestic garage with a floor area of 36.9 square metres and a maximum height of 3.58 metres within the curtilage of a recently constructed two-storey over basement dwelling along the eastern side of Thormanby Road, a residential area to the south of Howth village. The detailed development description is set out within Section 2.0 of my report above.

Potential for impact upon water quality was not raised by the Planning Authority nor by the applicant. The appeal site is an urban brownfield one which is partially serviced in that the site is stated to be connected to the public watermain.

I have assessed the planning documentation and have considered the objectives as set out in Article 4 of the Water Framework Directive which seeks to protect and, where necessary, restore surface and ground water bodies 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, in relation to surface water management, I am satisfied that it can be eliminated from further assessment, as the applicant has demonstrated that there is no conceivable risk to Dublin Bay Sea in terms of its water quality.

The reasons for this conclusion are as follows:

- The location of the subject site, removed from the nearest boundary of Dublin Bay,
- The absence of direct hydrological connections to Dublin Bay

Conclusion

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.

6.0 The Appeal

6.1 Grounds of Appeal

6.1.1 A first party appeal has been submitted by the applicant against the decision of the Planning Authority to refuse permission for the retention of the domestic garage. The issues raised within the appeal relate to the following matters:

Principle of Development:

- The majority of the subject site, including the part in which the garage is located is zoned RS-residential. In addition, a small section of the subject site is zoned HA-High amenity.
- The subject site is located within a coastal character type as per the Landscape Character Assessment as set out within the current Fingal County Development Plan 2023-2029.
- The coastal character type is categorised as having exceptional landscape value.
- Fingal County Council seeks to protect views along Thormanby Road to the north-west of the subject site as well as the pedestrian walkway to the south of the site.
- There are no specific policies or objectives set out within the current Fingal County Development Plan in relation to the development of domestic garages. There are policies and objectives in relation to residential and domestic extensions.
- The appeal site is located within the Howth Special Amenity Area Order (SAAO) and is divided into three classifications, being 'Residential Areas', 'Other Areas' and 'Land used for agriculture or forestry'.
- The SAAO sets out specific objectives in relation to protecting residential amenity and to protect and enhance the attractive and distinctive landscape character.
- The SAAO also seeks to preserve views from public footpaths and roads.

Design and Layout:

- Due to the scale of the as-built garage at 36.9 sq. m, it is considered there would be no adverse impacts on existing residential amenity and no impacts on the area zoned High Amenity.
- The single storey garage proposed for retention will not impact the coastal character type of the area and will not result in visual harm.
- The replacement garage will not negatively impact the views in the area and would comply with the requirements of the Fingal County Development Plan.
- The as-built domestic garage is an ancillary structure within the curtilage of the existing dwelling house and incidental to the enjoyment of the dwelling.
- The proposed sloped roof garage is considered to be a modest amendment to the garage that previously existed on site, and the floor area is the same as that which previously existed on site.
- The previously demolished garage and the replacement garage are both 36.9 square metres in area and similar in scale. The replacement garage comprises a sloped roof profile which slopes to the rear at a 6.5 degree fall and has a maximum height of 3.584 metres at its highest point.
- The replacement garage replaces the demolished garage within its previous building footprint.
- The garage is modest in height and is not considered to obstruct views given the sloping topography of the site.
- The garage does not result in any undue loss of visual amenity as regards the adjoining properties or along Thormanby Road.
- The replacement garage has been completed to a contemporary design with compatible materials, is congruous and visually appealing and in keeping with the constructed dwelling on site.

- The as-built garage is designed and compliant with the objectives of the Howth SAAO and will not adversely affect the preserved views as included within the SAAO.

Appropriate Assessment:

- The previous application within the site for the development of a replacement dwelling determined that the development would not be likely to have a significant effect of the three nearby European sites, Howth Head SAC, Rockabill to Dalkey Island SAC and Howth Head Coast SPA. The PA screened the current garage proposal for AA and determined that it would not adversely impact any Natura 2000 sites in the vicinity of the subject site.

Other Issues:

- The 36.9 square metre garage on site was demolished for safety and structural reasons.
- The replacement garage is considered to be acceptable and compliant with the policies and objectives as set out within the current Fingal County Development Plan 2023-2029.
- The proposal represents a sustainable and contextually appropriate development.

6.2 Planning Authority Response

The PA issued a response to the applicants' appeal submission and raised the following matters:

- The proposals were assessed against the policies and objectives within the current Fingal County Development Plan (FCDP) 2023-2029.
- Having reviewed the grounds of appeal, the PA remain of the opinion that the domestic garage as constructed is not an appropriate insertion into the site, is very visible from the roadside and located at the highest point within the site.
- The paving surrounding the garage is excessive and unacceptable at this highly visible location.
- The subject site is located within the Howth SAAO and is designated as a residential area within the Special Amenity Area.
- There is a public footpath to the west of the site. Map B of the SAAO indicates that the views from this footpath are protected.
- Views are also protected from the pedestrian pathway located south of the site which connects Thormanby Road with the Bailey lighthouse and Dublin Bay.
- There is an objective along the Thormanby Road to 'preserve views'.
- The development if permitted, would adversely impact the protected views within the vicinity of the subject site, as set out within Maps A and B of the Howth SAAO.
- The development would be seriously injurious to the visual amenities and established character of the area.

- The development would be contrary to objectives GINHO59 and GINHO60 within the current FCDP, in that the development is located in a highly sensitive area, would cause visual harm, disturbance and loss to the landscape and distinctiveness of the area where it is an objective to protect the views and prospects at this location.
- The Coimisiún is requested to uphold the decision of the PA and refuse permission for retention of the domestic garage structure.

7.0 **Assessment**

7.1 The key issues raised within the third-party appeal are considered to include the following:

- Principle of development
- Design and layout.
- Residential and Visual Amenity
- Site Servicing
- Other Issues
- Appropriate Assessment

7.2 **Principle of Development**

7.2.1 The appeal site is located within an urban area and the majority of the lands within the subject site are zoned RS-residential, including the area where the garage for retention is located. The RS objective seeks to 'Provide for residential development and protect

and improve residential amenity'. as per the provisions of the current Fingal County Development Plan 2023-29.

- 7.2.2 The appeal site comprises a recently constructed and permitted dwelling house, constructed subsequent to a grant of planning permission under Coimisiún reference 311186-21, which related to the construction of a replacement dwelling on site. The replacement dwelling and domestic garage (the subject of this appeal) have been constructed within a generous plot which comprises a stated 0.762 hectares. The site slopes from west (along the roadside boundary) to east towards Dublin Bay which is in the background of the subject site. The replacement dwelling comprises a two storey over basement dwelling and has floor area of c.710 sq. metres.
- 7.2.3 The domestic garage, the subject of the current appeal has a floor area 36.9 square metres (sq. m.) and its sloping roof reaches a maximum height of 3.594 metres. The applicant states that a domestic garage previously existed on the same footprint and was demolished during the construction of the replacement dwelling for health and safety and structural reasons.
- 7.2.4 Having regard to the residential land use zoning on the majority of the subject site and that the domestic garage would be ancillary to the established and permitted residential use on site, I consider the principle of the development of a domestic garage on site to be acceptable. I note that the PA also considered the principle of the domestic to be acceptable as stated within the Planners Report.
- 7.2.5 In conclusion, I consider that the principle of the domestic garage as being acceptable in this instance, given its ancillary nature to the established and permitted residential use within the site and the residential zoning that applies to this part of the subject site. However, the acceptability in principle is subject to the design and layout being acceptable and that neighbouring and visual amenities are respected. These will be

specifically addressed within my assessment below. Issues in relation to Appropriate Assessment will also be addressed.

7.3 Design and layout.

7.3.1 The domestic garage has been constructed adjoining the western site boundary and adjacent to the roadside (Thormanby Road) boundary. The structure has a stated area of 36.9 square metres and the maximum height of the sloping roof is 3.584 metres. It is stated by the applicant and acknowledged by the Planning Authority (PA) within the Planners Report that the domestic garage has been constructed on the same footprint as a domestic garage that previously existed at this location. The applicant states within their appeal submission that the previous domestic garage had an identical floor area of 36.9 square metres with a flat roof where the ridge height was 0.5 metres lower than that of the current domestic garage. The domestic garage is located approximately eight metres set back from the western (roadside) site boundary which comprises a 1.5 metre boundary wall with a stone capping. The site levels rise from east to west within the appeal site, with the roadside boundary being at the most elevated point within the site. There are a number of mature trees located in the vicinity of the garage inside the western (roadside) boundary. The applicant has developed a one metre pathway along the northern and western perimeter of the domestic garage and paved areas to its south and east where there was a boat, small tractor, robotic mower, garden hose, domestic bins and external tap. Inside the garage were items including garden equipment and domestic items including old paint cans and domestic tools stored within it. The eastern elevation of the garage comprises two opes including a roller shutter door and a pedestrian door. The northern and eastern elevations of the domestic garage were blank, and the southern elevation contained a high-level horizontal window for illumination purposes.

7.3.2 The first reason for refusal as set out within the PA's decision references the coastal landscape character area in which the subject site is located as having exceptional landscape value and being highly sensitive to development and being within the

boundary of the Howth Special Amenity Area order (SAAO). The PA state that the development is visually obtrusive and represents an incongruous form of development and that the design, height and sloped roof would contravene the GINGO59 objective set out within the current Fingal County Development Plan (FCDP) in relation to 'Development and Sensitive Areas'. The specific objective seeks to ensure that 'new development' does not impinge on the character, integrity or distinctiveness of highly sensitive areas or detract from the scenic value of the area. New development would not be acceptable if its results in unacceptable visual harm, introduces incongruous landscape elements or causes disturbance or loss of landscape elements, historic elements or loss of vegetation. As set out within the paragraphs above, the domestic garage development albeit new, replaces a domestic garage that previously existed there and was of very similar proportions in terms of bulk, scale and height. I acknowledge that the protection of the distinctive and unique character of the Howth SAAO is paramount as set out within the current Fingal Development Plan, however, a domestic garage structure of modest proportion, as exists within the subject site and that replaces a previously-existing domestic garage of similar proportions would not constitute an incongruous feature and would not cause disturbance or loss of landscape elements. I consider the existing domestic garage to be of simple proportions and does not adversely impact the Howth Special Amenity area or adversely impact upon views within the local landscape or wider seascape views over Dublin Bay. Therefore, on balance, I do not consider that the GINHO59 objective is contravened in this instance.

7.3.4 I consider that the scale, height and design of the domestic garage to be acceptable, given that a domestic garage of similar proportions previously existed at this location. Given the ground levels on site fall from west to east, and the existence of the roadside boundary wall. I do not consider that the garage represents a feature that dominates the local landscape. The finished floor levels of the houses on the opposite (western) side of Thormanby Road are considerably elevated above those within the subject site and the relatively low-level height and modest scale of the domestic garage would not adversely impact the local landscape or views over Dublin Bay. There are views from the pedestrian pathway located immediately south of the subject site that connects

Thormanby Road with Howth Head of the dwelling on site. However, it was not possible to view the domestic garage (the subject of this appeal) from the pedestrian pathway due to the planting and two metre stone wall boundary that exists along the boundary between the subject site and the pedestrian pathway.

7.3.5 From my site inspection, it is clear to me that there are limited unobstructed outward views from Thormanby Road, across the site, and towards Dublin Bay and the Bailey Lighthouse. This is due to the existence of boundary walls along the road, mature and established landscaping, vegetation, and large trees in the surrounding vicinity, and the presence of other residential properties which are situated on the same (east) side of the road as the appeal site. I note that many of the houses in the area are detached, large in size, and set within the landscape, often against a background of mature tree stands.

7.3.6 There are wide-sweeping and direct views of Dublin Bay and the Bailey lighthouse (protected structure) from within the appeal site itself. However, the same cannot be said from the public road as most views are generally obstructed by the existing house(s) and the existing mature trees along the western site boundary. The main view of the Bailey Lighthouse is achieved from the public road near the site's northwestern corner. The remaining views from the Thormanby Road are very restricted. I note from undertaking a site inspection of the site and the surrounding area, that only occasional glimpses of the Bailey lighthouse are possible from both the Thormanby Road (west) and pedestrian laneway (south), and, therefore, I consider that the domestic garage development would not significantly reduce or diminish any expansive views or vistas of Dublin Bay or the lighthouse as preserved under the Howth SAAO.

7.3.7 In conclusion, I am satisfied that the domestic garage integrates appropriately within the existing site in terms of scale, proportion and external finishes and are considered acceptable. The domestic garage development would accord with the objectives as set out within the current Fingal Development Plan 2023-2029 Development Plan, specifically objective GINHO59 in relation to new development not impinging on the

character, integrity or distinctiveness of highly sensitive areas or detracting from the scenic value of the area of the objectives within the Howth SAAO in terms of protecting residential amenity and protecting and enhancing the distinctive coastal character of the area.

7.4 Residential and Visual Amenity

7.4.1 The second refusal reason as set out within the PA's decision relates to protecting the preserved views along Thormanby Road and the pedestrian pathway to the south and east of the site and that the development would contravene objectives GINHO57 and GINHO58 in relation to development which would interfere with the character of highly sensitive areas or a view or prospect of special amenity value. The scale, bulk and height of the domestic garage is modest at 36.9 square metres, and the roof height reaches a maximum of 3.584 metres.

7.4.2 I acknowledge that the current Fingal County Development Plan seeks to protect preserved views from the Thormanby Road towards Dublin Bay and the Bailey Lighthouse. However, from my site inspection, most views are obstructed by the existing house(s) along the eastern boundary of the Thormanby Road and the existing mature trees along the western site boundary. The main view of the Bailey Lighthouse is achieved from the public road near the site's north-western corner. The remaining views from the Thormanby Road are restricted by the existing built environment. I note from undertaking a site inspection of the site and the surrounding area, that only occasional glimpses of the Bailey lighthouse are possible from both the Thormanby Road (west) and pedestrian laneway (south), and, therefore, I consider that the domestic garage development would not significantly reduce or diminish any expansive views or vistas of Dublin Bay or the Bailey lighthouse.

7.4.3 I note the content of the objectives within the Howth SAAO in terms of protecting residential amenity and protecting and enhancing the distinctive coastal character. I consider that the residential amenity of the dwellings to the west of the Thormanby

Road, by virtue of their elevated finished floor levels would not be adversely impacted and I consider that the modest scale and proportions of the domestic garage does not adversely impact the distinctive coastal character of the local area.

7.4.4 In conclusion, I am satisfied that the domestic garage would not interfere with the character of this highly sensitive coastal landscape or a view or prospect of special amenity value. I consider that the scale of the domestic garage with its modest proportions in terms of scale (36.9 sqm) and height which reaches a maximum of 3.584 integrates appropriately within the existing site and does not adversely impact the coastal landscape or views of Dublin Bay or the Bailey Lighthouse. I am satisfied that the domestic garage development would accord with the objectives as set out within the current Fingal Development Plan 2023-2029 Development Plan, specifically objectives GINHO57 and GINHO58 in relation to new development not interfering with the character of highly sensitive areas or a view or prospect of special amenity value nor impinging on the character, integrity or distinctiveness of highly sensitive areas or detracting from the scenic value of the area.

7.5 Site Servicing

Surface Water:

7.5.1 The Water Services Department within Fingal County Council prepared a report and recommended that a detailed surface water management plan for the domestic garage and adjacent paving area be submitted. Although I note that this area would previously have been hard surfaced with the existence of the previous garage structure within the same footprint, I consider it reasonable that the applicant should be conditioned to submit a surface water management plan for the run off from the roof of the domestic

garage and the paved area to its east and south in the event that a grant of planning permission is being recommended. .

7.5.2 The dwelling on site is stated to have the benefit of an existing connection to the public water mains as per the information set out within the planning application form. There is an existing wastewater treatment system serving the main dwelling and it is considered that the domestic garage would not generate any additional foul loading to that system.

7.6 Other Issues

7.6.1 I note that the retention of the domestic garage is stated to be one of the issues raised within the Enforcement Notice (reference number ENF/149B-active case issued by Fingal County Council in November 2024 to the applicant. I also note that the enforcement notice relates to other matters which are not included within the development description as set out within the public notices and are, therefore, not subject to consideration as part of the current appeal. I consider that Issues in relation to Planning Enforcement are matters for the Planning Authority to manage.

7.6.2 I note that the PA raised an issue with the paving to the east and south of the domestic garage. These are hardstand areas and used for the parking of the applicants' boat and tractor and other ancillary uses including the robotic lawn mower charger station, storage of domestic bins and a hose reel. The hardstand areas are being used for purposes incidental to the enjoyment of the dwelling. This hardstand paving areas are not visible from the public road as ground levels fall from the public road towards the domestic garage, which is set back by in excess of eight metres from the western (roadside) boundary. I have no objection to the hardstand paving areas, which represent a modest proportion of the overall site area of 0.762 hectares, much of which is already under grass or being re-seeded. There are a number of mature trees inside the western roadside boundary and a densely planted rockery immediately north-east of the

domestic garage which assist in softening the hard landscaping impact. I consider the hardstand paving areas to be acceptable in this instance.

7.6.3 The third refusal reason as set out within the PA decision references establishing an undesirable precedent, would erode the distinctive and attractive character of the area and be harmful to the visual and residential amenities of the area. I consider that the development of a modest scaled domestic garage on residential zoned lands, which is ancillary to the established and permitted dwelling on site would not establish an undesirable precedent. I consider that Sections 7.2-7.4 of the assessment above have adequately addressed issues in relation to the character of the area and visual and residential amenities. On balance, I am satisfied that the domestic garage sought to be retained does not adversely impact the character, residential or visual amenities of the area and would, therefore, be in accordance with the proper planning and sustainable development of the area.

7.7 Appropriate Assessment Screening

7.7.1 I have considered the development in light of the requirements S177U of the Planning and Development Act 2000 as amended. The subject site is located approximately sixty-five metres west of the Howth Head SAC (Site Code 000202), Rockabill to Dalkey Island SAC (Site Code: 003000) is located approximately 150 metres to the south and Howth Head Coast SPA (Site Code: 004113) is located approximately 240 metres to the east of the subject site. The features of interest for these European Sites are extensive, and the conservation objectives relate to maintaining their conservation condition. The development description was set out within Section 2 of the report above. The proposals relate to the development of a domestic garage within the curtilage of an established urban dwelling previously permitted by the Coimisiún. The PA conducted an AA screening exercise and concluded that 'the proposed development (entire project), by itself or in combination with other plans and developments in the vicinity, would not be likely to have a significant effect on European Site(s). In light of this, it is considered

that a Stage 2 Appropriate Assessment (Natura Impact Statement) is not required in this instance’.

7.7.2 The applicant did not submit an AA screening report as part of their planning documentation. The appeal site is located on a brownfield site on zoned lands, which are partially serviced in that the site is connected to the public watermain. The topography of the site, however, is such that it slopes downwards from west to east so that surface and groundwater is likely to flow eastwards towards the coast and above-referenced European sites. There is a potential hydrological connection via groundwater to the adjacent Natura 2000 sites. However, I am satisfied that the underlying soils provide a high degree of filtration such that pollution via groundwater or surface water is not a threat to any of the qualifying interests of the adjacent Natura 2000 sites. There were no drainage ditches evident within the confines of the appeal site nor along its boundaries. Therefore, I am satisfied that there is no apparent surface water hydrological link between the appeal site and the European sites referenced in paragraph 7.7.1 above.

7.7.3 Having considered the relatively minor nature and scale of the domestic garage to be retained, with no additional footprint from the domestic garage that previously existed on site, as acknowledged within the FCC Panner s Report, I am satisfied that it can be eliminated from further assessment because there is no conceivable risk to these three or any other European Sites. The reasons for this conclusion are as follows:

- The modest scale of the development, which relates to the retention of a domestic garage on zoned lands connected to the public watermain, within a brownfield site and within a designated settlement boundary,
- The separation distance from the nearest European site and the absence of hydrological or ecological connectivity to any Natura 2000 site.
- The AA screening exercise conducted by the Planning Authority which concluded that ‘No appropriate assessment issue arise as the development would not be

likely to have a significant effect individually or in combination with other plans or project on any European site.

7.7.4 I conclude that on the basis of objective information, that the development would not have a significant effect on any European site either alone or in combination with other plans or projects. Likely significant effects are excluded and, therefore, Appropriate Assessment (Stage 2) under Section 177V of the Planning and Development Act 2000 (as amended) is not required.

8.0 Recommendation

I recommend that permission for retention of domestic garage, associated paving and ancillary site works be granted.

9.0 Reasons and Considerations

Having regard to the location of the site within a brownfield urban site which is partially serviced with a connection to the public watermain, to the compliance with the policies and objectives of the Fingal County Development Plan 2023-2029, specifically Objective SPQHO45 in relation to domestic extensions be sensitively designed and which do not negatively impact on the environment or on adjoining properties or area, to the fact that a domestic garage of similar scale and height previously existed on the same footprint as the existing domestic garage, the relatively modest and appropriate scale and design of the domestic garage, to the pattern of development in the area, it is considered that subject to compliance with the conditions set out below, the development does not adversely impact upon the coastal landscape or views over Dublin Bay, does not seriously injure the residential or visual amenities of the area or property in the vicinity nor adversely impact upon the integrity of any European sites. The development is, therefore, in accordance with the proper planning and sustainable development of the area.

10.0 Conditions

- 1 The development shall be retained in accordance with the plans and particulars lodged with the application on the 18th day of December 2025 to the Planning Authority, 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 development shall be carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

- 2 The domestic garage shall be used for domestic storage purposes only and shall not be used for human habitation or commercial purposes. The shed shall not be sold, let or other transferred or conveyed, save as part of the dwelling.

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

- 3 (a) All surface water generated within the site boundaries shall be collected and disposed of within the curtilage of the site. No surface water from roofs, paved areas or otherwise shall discharge onto the public road or adjoining properties.

(b) Surface water within the appeal site shall be managed in accordance with a surface water management plan. Precise details of a surface water management plan for the domestic garage and associated paved area shall be submitted to the Planning Authority within one month of this grant of planning permission.

(c) Water supply and drainage arrangements, including attenuation and disposal of surface water, shall comply with the requirements of the planning authority for such works and services.

Reason: In the interest of proper planning and sustainable development.

- 4 The mature trees, walled boundaries and hedgerow along the appeal site boundaries shall be maintained in situ.

Reason: In the interest of visual amenity.

- 5 A detailed landscaping plan for the western site boundary and in the vicinity of the domestic garage to be retained shall be submitted to the Planning Authority within one month of this grant of planning permission and shall be implemented in full within the first planting season following this grant of planning permission.

All planting shall be adequately protected from damage until established. Any plants which die, are removed, or become seriously damaged or diseased, within a period of five years from this grant of permission shall be replaced within the next planting season with others of similar size and species, unless otherwise agreed in writing with the Planning Authority.

Reason: In the interest of visual and residential amenity.

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

Fergal Ó Bric

Planning Inspectorate

23rd day of June 2026.

Appendix 1 - Form 1

EIA Pre-Screening

An Bord Pleanála	PL-500997-DF-26		
Case Reference			
Proposed Development Summary	Permission for retention of a domestic garage, associated paving and ancillary site works.		
Development Address	Thormanby Road, Howth, Co. Dublin.		
1. Does the proposed development come within the definition of a 'project' for the purposes of EIA? (that is involving construction works, demolition, or interventions in the natural surroundings)		Yes	x
		No	
2. Is the proposed development of a CLASS specified in Part 1 or Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended)?			
Yes	Tick/or leave blank		
No	Tick or leave blank	Development of a domestic garage does not fall within a class of development as per the Planning & Development Regulations.	x
3. Does the proposed development equal or exceed any relevant THRESHOLD set out in the relevant Class?			

Yes	Tick/or leave blank		
No	Tick/or leave blank		X
4. Is the proposed development below the relevant threshold for the Class of development [sub-threshold development]?			
Yes	Tick/or leave blank	Proposals relate to the retention of a domestic garage, associated paving and ancillary site works.	X

5. Has Schedule 7A information been submitted?		
No	Tick/or leave blank	X
Yes		

Inspector: _____

Date: _____