

15th May 2026

An Coimisiún Pleanála
64 Marlborough Street
Dublin 1

Re: Application for Substitute Consent

Dear Sir or Madam,

Please find enclosed an application for substitute consent by **John Roe** in respect of the following development at Tara Hall, Balscadden Road, Howth, Co. Dublin:

The retention of demolition at lower ground floor, ground floor and first floor levels and the substantially constructed part two/part three storey extension at the north elevation of the existing dwelling and a new on-site Sepcon waste water treatment plant with sand polishing filter, and percolation area. The application is accompanied by a remedial Natura Impact Statement.

This application for substitute consent is required because the works carried out to date at the rear/north elevation of the house and within the grounds of the property require a remedial Natura Impact Statement i.e. it is not possible to screen out appropriate assessment of the development. The issue of appropriate assessment screening was raised in the recent decision by An Bord Pleanála in respect of this property, ref. ABP-321795-25 (Reg. Ref.: F24A/1034E) refers, noting that the Board was not satisfied there was sufficient information to carry out appropriate assessment screening. Altemar Ltd. were engaged by the applicant to affect an appropriate assessment screening from which it was concluded that a remedial natura impact statement was required.

Application Drawings

For ease of reference, the application drawings are presented in two phases, namely, the original plans, elevations, section [see Drg. Nos. 24-1471-03-05], and the areas of demolition [see Drg. Nos. 24-1471-06] and the as-built plans, elevations and sections i.e. the house as it is today [see Drg. Nos. 24-1471-07-10]. The demolition areas per Drg. No. 24-1471-06 and as-built plans per Drg. Nos. 24-1471-07-10 were subject of a planning application for retention permission, Reg. Ref. F24A/1034E and ABP-321795-25, which was refused by Fingal County Council and An Bord Pleanála.

In addition to the works to the house, this application for substitute consent also includes the new on-site Sepcon waste water treatment plant with sand polishing filter and percolation area. Engineering drawings and a report by Vertical Star Ltd. are enclosed that details those works which are already in place at Tara Hall. The location of the waste water treatment system, sand polishing filter, and percolation area are also shown on Drg. No. 24-1471-02: Site Layout Plan.

Additional remedial works are being proposed as a separate but concurrent application to the Commission to address the previous refusal at this site. Those proposed works comprise a setback at the east elevation at lower ground and ground floor levels of the as built extension plus the reinstatement of 3 no. windows on the northern elevation plus surface water drainage upgrades with SuDS devices.

Reg. Ref. F24A/1034E and ABP-321795-25

As noted above, a recent application at Tara Hall that was refused retention permission and permission by Fingal County Council and An Bord Pleanála. The full description of those works was as follows:

The retention and completion of a development comprising the demolition of part of the north-facing elevation of the existing dwelling (comprising the removal of a lower ground level wall and two rear projections on the ground and on the first floors) and the erection of a part-single, part three storey rear addition (on the northern side of the house), to be used for domestic bar purposes, as a sitting / lounge area, as a dining facility and as en-suite bathroom accommodation. The application includes all associated site works, including alterations to the existing fenestration pattern on the northern elevation of the building.

The application was refused by the Board (now the Commission) for three reasons; each is set out below with our commentary in response below each reason. It is recommended this commentary is read in conjunction with the proposed plans in the concurrent application for further development at this site.

- 1. The development consists of a substantial addition to a prominent 19th century vernacular dwelling of architectural merit which, while not a Protected Structure, positively contributes to the character of the surrounding area. The demolition and addition to the northern elevation, by virtue of their scale, massing, design, materials used, together with inappropriate changes to fenestration and external finishes in the northern elevation, are unsympathetic to, and out of keeping with, the dwelling, substantially harming the historic setting and character of Tara Hall. The development fails to have appropriate regard to the direction in Table 14.26 of the Fingal County Development Plan 2023-2029 and consequently contravenes Objective DMS0190 of the said plan. The development proposed for retention and proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.***

Under the direction of Rob Goodbody, historic building consultant, the extension and works at the northern elevation of Tara Hall were reviewed in the context of the above reason for refusal and more particularly, the ten provisions set out in table 14.26 and objective DMS0190 of the development plan. Objective DMS0190 states that “the scheme should have regard to the direction in Table 14.26” and it is submitted to the Commission that the proposed works in the concurrent application for further development i.e. the proposed modifications to the extension and northern elevation, duly has regard to Table 14.26.

Further, it is our position that the combined applications address the applicable provisions within Table 14.26 noting that the seventh, eighth and ninth provisions are not applicable to Tara Hall. The Commission is referred to the enclosed Architectural Heritage Impact Assessment by Rob Goodbody that inter alia provides an analysis of historic maps, includes a building survey (plan survey drawings are also included with the

application), and assesses the implications of the various aspects of the works on the architectural heritage of Tara Hall. The assessment concludes as follows with regard to the respective concurrent applications:

Application No. 1: Substitute Consent

It is important to note that the house is not a protected structure and is not located in an architectural conservation area. The sole concern in the assessment of these works is the potential impact on the Howth Special Amenity Area Order as some of the works involved, notably the demolition of the rear additions and canted bay and the enlargement of the windows, would have been exempted development under the terms of the Planning and Development Regulations had it not been for the existence of the SAAO.

Application No. 2: Further Development

The proposed modifications to the works that have been carried out include the reinstatement of the sizes of the three windows as described above, and this change is very significant. The extension is to be pulled back on its eastern side to ensure that the corner of the main house is revealed. These two changes will ensure that the character of the original house will remain dominant when seen from the rear, with the extension reading as a later addition, subservient to the original.

Finally, the Commission will note that the tenth provision within table 14.26 states “extensions to existing older or vernacular buildings should be taken from the historic building stock of the area but can be expressed in a contemporary architectural language”. The extension to the north elevation is very much expressed in contemporary architectural language but in conjunction with the proposal to set it back at its east elevation and the reinstatement of the original window opens at the northern elevation, the Commission is invited to agree with the considered assessment and conclusion in the architectural heritage impact assessment. It should therefore follow the developments as set out in both applications address the first reason for refusal.

- 2. Having regard to the scale, massing, design and materials used in the addition to the northern elevation of an existing local vernacular heritage dwelling, and also having regard to the prominent location of the dwelling, in an area where the land use zoning objective is 'High Amenity' with an objective to protect and enhance high amenity areas as indicated in the Fingal County Development Plan 2023-2029, it is considered that the addition to be retained detracts from the character and setting of the existing dwelling, fails to appropriately take into account the contribution the existing dwelling makes to the distinctiveness and sense of place of this high amenity area and would thus be contrary to Objective GINH067 of the said statutory plan. The development proposed for retention and proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.***

This reason alleges “the addition to be retained detracts from the character and setting of the existing dwelling, fails to appropriately take into account the contribution the existing dwelling makes to the distinctiveness and sense of place of this high amenity area and would thus be contrary to Objective GINH067 of the said statutory plan”. As stated above under the first reason for refusal, a design review was conducted under the direction of Rob Goodbody, historic building consultant, and several material modifications proposed in the concurrent application to ensure the character and setting of Tara House “will remain dominant when seen from the rear, with the extension reading as a later addition, subservient to the original”.

The original extension to the north elevation including the canted bay at the rear that appears to be a later addition and not part of the original house, was partially visible within the wider environs of Balscadden Road and Howth, and equally the new extension (both extension and proposed modified versions) is also partially visible. The new extension is contemporary in appearance thus attenuating new versus old without, in our opinion, detracting from the distinctiveness and sense of place of this high amenity area. This position is supported by the enclosed landscape and visual impact assessment that concludes no significant visual or townscape impacts and the established character and amenity of the area will be preserved.

The Commission is reminded that the application site is privately owned property with no public access. It is prominently positioned on the northern side of Balscadden Road but its high amenity zoning objective is an anomaly as opposed to being an appropriate zoning objective for a dwelling that has been in situ for well over 100 years. Despite its description as “*an existing local vernacular heritage dwelling*”, which does not appear to have any basis in the development plan or Howth SAAO, Tara Hall is not a protected structure nor is it within an architectural conservation area.

The full text of GINH067 is as follows:

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.

Setting aside the incongruity of the zoning objective relative to private residential property that has existed for over 100 years, is not accessible to the public and does not contribute to the high amenity status of Howth Head, the development does not in any way affect the areas distinctiveness in respect of geology and landform, habitats, scenic quality, settlement pattern, land-use and tranquillity per GINH067. With regard to historic heritage, Tara Hall is not a protected structure or within an architectural conservation area, so there would also be no impact on historic heritage.

The term local vernacular heritage is cited in this reason for refusal but the extension that has been removed was not original to the property, there was only partial visibility of it within the immediate environs of the house (more so from the east at Balscadden Road facing west than the west of the house) whereas it was visible but indistinguishable in long distance views from Balscadden Beach (c. 550 metres away) and Howth pier (c. 690 metres away). The former extension, now demolished, extended to 76.95 sq.m. whereas the to be retained extension is 121.6 sq.m. or a net increase of 44.65 sq.m. The following table summarises the pre-demolition, current and for completeness, the proposed floor areas per floor at Tara Hall.

	Pre-Demolition (sq.m.)	Current Floor Areas (sq.m.)	Proposed Floor Areas (sq.m.)
Lower Ground Floor	50.15	80.4 (+ 30.25)	79.3 (+ 29.15)
Upper Ground Floor	13.4	30.9 (+ 17.5)	28.9 (+ 15.5)
First Floor	13.4	10.3 (- 3.1)	10.3 (- 3.1)

The majority of the works took place at lower ground floor level, which has the least visible impact on the wider environs of the property or the setting of Tara Hall. Also, Tara Hall was previously extended at lower ground floor level (see Plate 1 in the AHIA), so the demolition at this level has not affected any historic elements of Tara Hall or the local vernacular heritage of the area. There has been a modest increase in floor area at ground floor level and a decrease at first floor level and it is proposed to reduce the current floor area at ground floor level as part of the concurrent application for further development. As acknowledged in the LVIA, both ground floor and first floor extensions are visible but the scale, extent and location of those are appropriately sited and sympathetic to Tara Hall whereby that the character of the house will remain dominant when seen from the rear, with the extension reading as a later addition, subservient to the original.

It is submitted that the contemporary appearance of the extension and the proposal to set back the east elevations and the proposal to reinstate window opes, both as part of the concurrent application for further development, will reinforce the local vernacular heritage of Tara Hall without detrimentally affecting the distinctiveness and sense of place of the high amenity area. Therefore, the Commission is invited to agree that the combined existing and proposed developments address the second reason for refusal.

3. The development is visible from a number of locations along paths and roads with designated protected and preserved views as indicated in Map B of the Howth Special Amenity Area Order and in Sheet Number 10 of the Fingal County Development Plan 2023-2029. The development by virtue of its scale, massing, design and materials used, would detract from the character and setting of the existing dwelling, consequently, detract from the character of the landscape in which it is located and have a significant negative visual effect on these preserved and protected views. The proposed development would thus contravene Objective 2.1 and Policy 2.1.1 of the Howth Special Amenity Area Order and Objective GINH060 of the Fingal County Development Plan 2023-2029. The development proposed for retention proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

The Commission is referred to the enclosed landscape and visual impact assessment (LVIA) by Murray & Associates and verified views by 3D Design Bureau, which both address the two concurrent applications. The LVIA assesses the impact at five locations; three at Balscadden Road within the immediate environs of Tara Hall (V1, V2, and V3); one is at Balscadden Beach (V4); and the final one is from Howth Harbour Pier South (V5). The 'predicted' effects for the substitute consent application are summarised in Table 8 of the LVIA as follows:

- V1: Negligible to Slight, Neutral, Long-Term.
- V2: Neutral No Effect
- V3: Slight, Neutral, Long-Term
- V4: Slight, Neutral, Long-Term
- V5: Negligible to Slight, Neutral, Long-Term.

In addition to those summaries, the following is section 9. Likely and Significant Impacts in the LVIA:

The as-built works per application no.1 and the further proposed works per application no.2. form part of an established residential setting and do not materially alter the pattern, scale, or character of development along Balscadden Road. Owing to their siting at a lower ground level and the screening

effect of the existing dwelling, boundary wall, and vegetation, views from the public road are limited to occasional glimpses of the upper glazed element, with the principal historic elevation remaining the dominant feature in near-range views. The as-built works for substitute consent are unfinished and that is evident from the localised view of the extension from the east at Balscadden Road.

From key public vantage points, including coastal and recreational routes, the dwelling continues to read as part of the wider cluster of residential properties on the northern slopes of Howth Head. At these distances, the works are not perceptible as a distinct element and do not influence the coastal skyline, settlement pattern, or scenic qualities that contribute to the Special Amenity Area designation.

No additional overlooking or visual intrusion arises, and existing residential amenities are maintained. The character, composition, and visual experience of the locality remain intact, with the completed development integrated into its surroundings without adverse effect.

Overall, the completed extension gives rise to no significant visual or townscape impacts, and the established character and amenity of the area are preserved.

Objective 2.1 and Policy 2.1.1 of the Howth SAAO and Objective GINH060 of the Development Plan relate to the protection of views and prospects. As demonstrated in the LVIA, the combined existing and proposed developments will have “*no significant visual or townscape impacts, and the established character and amenity of the area are preserved*”. It should therefore follow that the third reason for refusal has also been fully addressed in this application.

The Commission is reminded that the previous application was filed on foot of a warning letter alleging unauthorised “*works to the rear of Tara Hall*”. While this application includes additional works for retention relating to drainage, it must be remembered that the only unauthorised works at Tara Hall relate to the extension to the north (rear) elevation of the building, which were subject of the previous application.

The applicant and design team have carefully considered the previous refusal at Tara Hall including the Board’s reasons for refusal and the report of Fingal County Council’s Conservation Officer. The conservation officer’s report acknowledges that “*the two storey canted bay is an early addition*” i.e. it is not original to Tara Hall albeit was in place for over 100 years. That report also had regard to other works at Tara Hall that were not directly or indirectly referenced in the Council’s warning letter and nor has any alleged unauthorised issue been raised about them subsequent to recent inspections at Tara Hall by the Council’s planning officials. It is our client’s position that other works at Tara Hall have been carried out as exempt development in compliance with the various provisions set out in the Planning Act and Regulations most notably section 4(1)(h) of the Act.

The applicant has been updating and reviving Tara Hall for his family home whilst protecting and enhancing the setting of the property without detrimentally affecting the high amenity environs of Tara Hall, Howth, and Howth Head. There should be no objection in principle to the construction of a contemporary extension at Tara Hall which is not a protected structure nor is it located in an architectural conservation area. The property is visible but the combined existing and proposed developments, which seeks to remedy the previous refusal, do not and would not give rise to any significant visual or townscape impacts, and the established character and amenity of the area are preserved. Accordingly, the Commission is requested to grant permission for this application for substitute consent.

Application Fee

The fee for substitute consent is **€ 1,241.50**. It has been calculated comprising **€ 240.00** [Class 13 (column 3): demolition] + **€ 304.00** [Class 2(a)(column 3): rear extension – net area 121.6 sq.m. x € 2.50 per sq.m.] + **€ 697.50** [Class 8 (column 3): waste water treatment plan - € 150.00 for each 0.1 hectares of site area].

Plans and Particulars

The following plans and particulars are submitted in support of this application plus a matching soft copy of the application (with the exception of payment) is also submitted on a USB key:

1. A completed application form.
2. A cheque for € 1,241.50 payable to An Coimisiún Pleanála for payment of the application fee.
3. A copy of the site notice erected on 15th May 2026 at two locations at Balscadden Road.
4. A copy of the newspaper notice published in the Irish Daily Mail on 15th May 2026.
5. 6 no. copies of the following drawings prepared by DaCaD Designs:
 - Site Location Map (1: 1,000)
 - Drg. No. 24-1471-02: Site Layout Plan (1: 500)
 - Drg. No. 24-1471-03: Survey of Original - Plans (1: 100)
 - Drg. No. 24-1471-04: Survey of Original - Elevations (1: 100)
 - Drg. No. 24-1471-05: Survey of Original - Section (1: 50)
 - Drg. No. 24-1471-06: Demolition Plans (1: 100)
 - Drg. No. 24-1471-07: As built Lower Ground Floor Plan (1: 50)
 - Drg. No. 24-1471-08: As built Ground Floor Plan (1: 50)
 - Drg. No. 24-1471-09: As built First Floor Plan (1: 50)
 - Drg. No. 24-1471-10: As built Elevations (1: 100)
6. 6 no. copies of the following drawings by Vertical Star Ltd.:
 - Drg. No. P001: Site Survey (1: 250)
 - Drg. No. P002: Proposed Drainage (1: 200) [note: only the existing drainage on this drawing is subject of the substitute consent application]
7. 6 no. copies of Engineers Report (January 2026) by Vertical Star Ltd.
8. 6 no. copies of Landscape/Townscape & Visual Assessment (May 2026) by Murray & Associates.
9. 6 no. copies of Architectural Heritage Impact Assessment by Historic Building Consultants.
10. 6 no. copies of Remedial Natura Impact Statement by Altemar Marine and Environmental Consultancy.
11. 6 no. copies of Verified Views (April 2026) by 3D Design Bureau.
12. 6 no. copies of the application cover letter by Kiaran O'Malley & Co. Ltd.

Please acknowledge receipt of this application and direct all future correspondence to this office.

Yours,



Raymond O'Malley

Kiaran O'Malley & Co. Ltd.

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