An Coimisiún Pleanála

Direction
CD-022626-26
ACP-324507-26

The submissions on this file and the Inspector's report were considered at a meeting held on 05/11/2026.

The Commission decided to confirm the determination of the local authority in accordance with the Inspector's recommendation for the following reasons and considerations.

Reasons and Considerations

In making it decision the Commission had regard to the judgments of the High Court [2026] IEHC 703 and [2026] IEHC 720 and to the content of the Residential Zoned Land Tax- Guidelines for Planning Authority June 2022.

The lands identified at Kinsealy Lane, Malahide, Co. Dublin (Parcel ID FL0000002700) located on lands zoned RS-Residential are considered in scope of section 653B(a). The lands are located within an established urban area with documentary evidence from Uisce Eireann that services are available and that there is sufficient wastewater capacity to serve the lands. No capacity or other reasons have been identified that would prevent the development of these lands in principle for residential purposes in accordance with the residential zoning objective that applies to these lands. The presence of buildings on the land is not a ground under Section 653B under which the lands might be considered not in scope.

Planning Commissioner: Mary Gurrie

Date: 10/11/2026

Mary Gurrie