

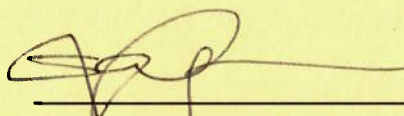
An
Coimisiún
Pleanála

Commission Direction
CD-000910
PL-500170-DF

The submissions on this file and the Inspector's report were considered at a meeting held on 17 July 2026.

The Commission decided, in a 2:1 majority decision, to refuse permission, generally in accordance with the Inspector's recommendation, for the following reasons and considerations.

Planning Commissioner:



Emer Maughan

Date:

20th day of July 2026

DRAFT WORDING FOR ORDER

Reasons and Considerations

It is considered that the applicant has not satisfactorily demonstrated that the proposed development would provide for the appropriate management of surface water and flood risk, as required by Objectives DMSO216 and IUO8 in relation to

the Greater Dublin Regional Code of Practice for Drainage Works, and Objective IUO16, in relation to flood risk, of the Fingal Development Plan 2023-2029, including in terms of the maintenance of the public sewer on-site. The proposed development would be prejudicial to public health, and would, therefore, be contrary to the proper planning and sustainable development of the area.

Note:

The Commission considered the existing public sewer through the site, issues with access /maintenance of the existing sewer and the absence of agreements in this regard, the potential benefits that the system proposed at Further Information stage in relation to surface water management and the proposal presented with the original application. However, in relation to the surface water proposals submitted at Further Information stage, the Commission was not satisfied, based on the totality of information submitted, that it has been satisfactorily demonstrated that the proposed arrangement would not adversely impact the maintenance of a public sewer given the complexity of the proposed arrangement with regards to inter alia future maintenance of a public sewerage system with incorporates pumps and bioretention areas within private ownership and operation, wayleave agreements affecting numerous properties and consequences for future owners / occupiers and properties at the Haven should the proposed system fail.

Furthermore, the Commission also considered the original application surface water layout proposals and were not satisfied that maintenance to the public sewer would not be adversely affected given the proximity of the diverted sewer, house and boundary wall, the lack of clarity on proposed wayleaves, the ability to alter existing / proposed boundaries or the ability to provide access to the proposed public sewer within the site of both proposed dwellings.