



An
Coimisiún
Pleanála

Commission Direction
CD-000692
PL-500486-DF-25

The submissions on this file and the Inspector's report were considered at a meeting held on 10 June 2026.

The Commission treated this case under section 48 of the Planning and Development Act, 2000, as amended.

The Commission also decided that the planning authority be directed, as follows:

Remove condition 31

Planning Commissioner:

MaryRose McGovern

Date:

10th day of June 2026

DRAFT WORDING FOR ORDER

Reasons and Considerations

Having regard to

(a) The nature, scale and form of the proposed development

- (b) The pattern of development in the area including proximity to existing permitted active and passive public park/ballcourts and playing pitch area to the south-west of the subject site
 - (c) Fingal County Council Development Contribution Scheme 2021-2025
 - (d) Fingal County Development Plan 2023-2029, in particular Objective DMSO52 and Table 14.12,
 - (e) Sustainable Residential Development and Compact Settlements – Guidelines for Planning Authorities (2024)
 - (f) The detailed submissions on file from the appellant and the planning authority
- it is considered that the proposed development would incorporate a sufficiency of public open space on site (amounting to 14.7% of the net site area when excluding Root Protection Zones) and this would be in excess of a minimum of 10% of the net site area, thereby complying with Policy and Objective 5.1 of the Sustainable Residential Development and Compact Settlements – Guidelines for Planning Authorities (2024), and that a contribution in lieu of public open space is not warranted. Therefore, in accordance with section 48 of the Planning and Development Act 2000, as amended, the Commission considered that the terms of the Fingal County Council Development Contribution Scheme 2021-2025 had not been properly applied in respect of Condition No. 31, and considered that it was appropriate to direct the planning authority to remove Condition No. 31.