

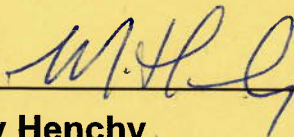
An
Coimisiún
Pleanála

Commission Direction
CD-000571
PL-500673-DF-26

The submissions on this file and the Inspector's report were considered at a meeting held on 13 May 2026.

The Commission decided to grant permission generally in accordance with the Inspector's recommendation, for the following reasons and considerations, and subject to the following conditions.

Planning Commissioner:



Mary Henchy

Date:

14th day of May 2026

DRAFT WORDING FOR ORDER

Reasons and Considerations

Having regard to, the details submitted with the application, the nature, scale and design of the proposed development, the location of the site and existing

permitted development on the site, it is considered that subject to conditions the proposed dwelling is an acceptable form of 'rural generated' development in this rural area, would not seriously injure the visual amenities of the rural area and would be in accordance with the Fingal County Development Plan 2023-2029, in particular Policy SPQHO81 as the applicant has demonstrated compliance with the criteria set out in Table 3.5 (iv). The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

The applicant has not demonstrated that the existing mobile home on site is authorised, to permit the retention of this temporary residential structure as applied for would; contribute to haphazard development, set an undesirable precedent and, not accord with the proper planning and development of the area. Therefore, its removal is a condition of this permission.

Conditions

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, 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. (a) The construction of the house shall not commence until the following works permitted under Fingal County Council planning reference: F23A/0003 (ABP-316032-23) have been completed:

(i) the closure of the existing entrance, creation of new access and reconfigured driveway, and

(ii) the installation of the new percolation area effluent treatment and disposal system.

(b) The house shall not be occupied until:

(i) all works permitted under Fingal County Council planning reference: F23A/0003 (ABP-316032-23) have been completed, and

Reason: In the interest of orderly development.

3. Within three months from the date of this order the existing mobile home shall be removed from the site, evidence of same shall be submitted to the planning authority.

Reason: The retention of the structure would contribute to haphazard development and would set an undesirable planning precedent for such structures.

4. (a) The proposed dwelling, when completed, shall be first occupied as a place of permanent residence by the applicant, members of the applicant's immediate family or their heirs, and shall remain so occupied for a period of at least seven years thereafter, unless consent is granted by the planning authority

for its occupation by other persons who belong to the same category of housing need as the applicant. Prior to commencement of development, the applicant shall enter into a written agreement with the planning authority under section 47 of the Planning and Development Act, 2000 to this effect.

(b) Within two months of the occupation of the proposed dwelling, the applicant shall submit to the planning authority a written statement of confirmation of the first occupation of the dwelling in accordance with paragraph (a) and the date of such occupation.

This condition shall not affect the sale of the dwelling by a mortgagee in possession or the occupation of the dwelling by any person deriving title from such a sale.

Reason: To ensure that the proposed house is used to meet the applicant's stated housing needs and that development in this rural area is appropriately restricted in the interest of the proper planning and sustainable development of the area.

5. The totality of the site, 4.79ha in area, that includes the development the subject of this permission and the subject of F23A/0003 (ABP-316032-23), shall not be subdivided without a prior grant of planning permission.

Reason: To protect the the amenity of this rural area that has been identified in the Fingal County Development Plan 2023-2029 as being under strong urban influence.

6. 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.

Reason: In the interest of traffic safety and to prevent flooding or pollution.

7. (a) The roof colour of the proposed house shall be blue-black, black, dark brown or dark-grey. The colour of any ridge tile shall be the same as the colour of the roof.

(b) The external walls shall be finished in neutral colours such as grey or off-white.

Reason: In the interest of visual amenity.

8. Site development and building works shall be carried out between the hours of 0700 to 1900 Mondays to Fridays inclusive, 0800 to 1400 hours on Saturdays and not at all on Sundays and public holidays. Deviation from these times shall only be allowed in exceptional circumstances where prior written agreement has been received from the planning authority.

Reason: To safeguard the amenity of property in the vicinity.

9. The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefiting development in the area of the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the Development Contribution Scheme made under section 48 of the Planning and Development

Act 2000, as amended. The contribution shall be paid prior to commencement of development or in such phased payments as the planning authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. Details of the application of the terms of the Scheme shall be agreed between the planning authority and the developer, or, in default of such agreement, the matter shall be referred to An Coimisiún Pleanála to determine the proper application of the terms of the Scheme.

Reason: It is a requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance with the Development Contribution Scheme made under section 48 of the Act be applied to the permission.

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