An Coimisiún Pleanála

Commission Direction
CD-001158
PL-501357-DF-26

The submissions on this file and the Inspector's report were considered at a meeting held on 26 August 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: 26th day of August 2026

DRAFT WORDING FOR ORDER

Reasons and Considerations

Having regard to the location of the site on lands zoned Rural Cluster under the Fingal Development Plan 2023-2029 where the objective is to 'provide for

small scale infill development serving local needs while maintaining the rural nature of the cluster', the proposal to retain a shed for storage of equipment and machinery associated with a road marking business on the site with a long established industrial/commercial use, the provisions of the Fingal Development Plan 2023-2029, in particular Section 13.3 (Non Conforming Uses) which includes development which has valid planning permissions or which are unauthorised but have exceeded the time limit for enforcement, and Objective ZO3 to 'Generally, permit reasonable intensification of extensions to and improvement of premises accommodating non-conforming uses, subject to normal planning criteria', and the small scale and size of the building proposed to be retained, it is considered that the development proposed to be retained would be an acceptable form of development in accordance with Objective ZO3, would not seriously injure the visual or residential amenities of the area, would be acceptable in terms of traffic safety and public health, and would, therefore, be in accordance with the proper planning and sustainable development of the area.

Conditions

1. The development shall be retained and completed in accordance with the plans and particulars lodged with the application, as amended by the further plans and particulars received by the planning authority on the 30th day of March, 2026, 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 and the development shall be retained and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. Within six months of the date of this Order, the works for the drainage of surface water shall be completed in accordance with the details received by the planning authority on the 30th day of March, 2026.

Reason: In the interest of public health and surface water management.

3. There shall be no objects, structures or planting within the visibility splay shown on the submitted Site Entrance Sightline (drawing number 25193-LDE-ZZ-ZZ-TT-C-1002 and 1003) received by the planning authority on the 30th day of March, 2026. The roadside verge shall be finished 200-300 millimetres above the carriageway level and in grass.

Reason: In the interest of traffic safety and visual amenity.

4. The structure the subject of this retention application shall not be subdivided by way of ownership, letting or use from the existing structures on site unless such subdivision is permitted by way of a future planning application.

Reason: In the interest of orderly development and in accordance with Section 13.3 and objective ZO3 that requires any improvement or intensification to a non conforming use to relate to the existing premises.

5. 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 within three months of the date of this Order 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.