

An
Coimisiún
Pleanála

Commission Order
ABP-322397-25

Planning and Development Act 2000, as amended

Planning Authority: Fingal County Council

Planning Register Reference Number: F25A/0102E

Appeal by Thomas Farrell care of Bell Associates of Executive House,
Whitestown Road, Rush, County Dublin against the decision made on the 7th
day of April, 2025 by Fingal County Council to refuse permission.

Proposed Development: Renovation, and extension to existing
dwellinghouse, to include new dormer roofed extension to rear comprising
kitchen/dining/living/bathroom accommodation to ground floor and
bedroom/bathroom accommodation to first floor, and associated site works, all
at Balleally Lane, Lusk, County Dublin.

Decision

**GRANT permission for the above proposed development based on the
reasons and considerations under and subject to the conditions set out
below.**

Reasons and Considerations

Having regard to policy objective SPQHP48 of the Fingal County Development Plan 2023 – 2029, which seeks, in rural areas, to encourage the re-use and re-habitation of existing housing stock in preference to new build, and policy objectives SPQHP41 and SPQHO45, which seek to support the extension of existing dwellings at an appropriate scale, and having regard to the nature, scale and design of the proposed development, and the pattern of existing and permitted development at this site within the High Amenity Zone, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the visual amenities of the area or property in the vicinity, would respect the existing visual character of the area, and would be acceptable in terms of public health. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

Having regard to the details submitted in the plans and particulars, incorporating a rear extension with a hipped roof profile with a maximum height of circa 6.3 metres, in the context of the topography of the site, the Commission did not share the opinion of the Inspector that the proposed development would be visually prominent, and did not consider the recommended condition for the reduction in height, to be warranted.

Conditions

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application dated 11th day of February 2025, 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. The proposed wastewater drainage system shall be in accordance with the standards set out in the document entitled "Code of Practice – Domestic Wastewater Treatment Systems (Population Equivalent ≤ 10)" – Environmental Protection Agency, 2021.

Reason: In the interest of public health.

3. 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 pollution.

4. All service cables associated with the proposed development (such as electrical, telecommunications and communal television) shall be located underground. Ducting shall be provided by the developer to facilitate the provision of broadband infrastructure within the proposed development. All existing over ground cables shall be relocated underground as part of the site development works.

Reason: In the interests of visual and residential amenity.

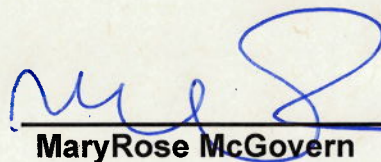
5. Site development and building works shall be carried out only between the hours of 0700 to 1900 Mondays to Fridays inclusive, between 0800 to 1400 hours on Saturdays and not at all on Sundays and public holidays. Deviation from these times will only be allowed in exceptional circumstances where prior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

Reason: In order to safeguard the residential amenities of property in the vicinity.

6. 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.



MaryRose McGovern

Planning Commissioner of An Coimisiún

**Pleanála duly authorised to authenticate
the seal of the Commission**



Dated this 8th day of August 2025.