



Planning and Development Act 2000, as amended

Planning Authority: Fingal County Council

Planning Register Reference Number: F25A/0509E

Appeal by Key More Estates Limited against the decision made on the 30th day of July, 2025 by Fingal County Council to refuse permission for the proposed development.

Proposed Development: Permission for a proposed single storey dwelling, storage structure, site walls, relocation of new entrance gates relocated under planning with register reference number F24A/0907E, new block boundary wall, changes to landscaping, relocate mini-roundabout granted under planning with register reference number F24A/0907E, SUDS (swale, rainwater butts and permeable surfaces), connection to existing services and all associated site and other works at The Grange, Ballyboughal, Fingal, County Dublin.

Decision

GRANT permission for the above proposed development in accordance with the said plans and particulars based on the reasons and considerations under and subject to the conditions set out below.

Reasons and Considerations

It is considered that, subject to compliance with the conditions set out below, the proposed development would be in accordance with the applicable Residential zoning objectives and other policies and objectives of the Fingal Development Plan 2023-2029. It is considered that the proposed design and layout of the infill scheme would be in accordance with policy Objectives DMS031 and DMS032 of the Fingal Development Plan 2023-2029. The proposal would appropriately intensify the residential use at the site as per policy CSP-14 and would constitute an acceptable mix and quantum of residential development as per the Development Management Standards of Fingal Development Plan 2023-2029, would provide acceptable levels of residential amenity for future occupants, would not seriously injure the residential or visual amenities of property in the vicinity, and would not cause adverse impacts on or serious pollution to biodiversity, lands or water. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

Conditions

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, as amended by the plans and particulars received by An Coimisiún Pleanála on the 15th day of August 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 development shall be provided with noise insulation to an appropriate standard, having regard to the location of the site within Dublin Airport Noise Zone D.

Reason: In the interests of proper planning and sustainable development and residential amenity.

3. Prior to the commencement of development, the precise location of protective fencing and all other tree protection measures to be maintained throughout the construction period, shall be submitted to the planning authority for written agreement.

Reason: To ensure the protection of existing trees on site.

4. The submitted landscape proposals (Landscape Plan, drawing number A.03.01.10 by Cummins + Voortman Ltd.) shall be fully implemented no later than the first planting season following the substantial completion of construction works. Any failed planting shall be replaced as necessary to ensure successful establishment of the scheme.

Reason: In the interest of residential amenity.

5. Prior to commencement of development, the applicant shall enter into an agreement with the Planning Authority under Section 96 of the Planning and Development Act 2000 (as substituted by Section 3 of the Planning and Development Amendment Act 2002) in relation to the provision of social and affordable housing, in accordance with the Planning Authority's Housing Strategy unless the applicant has applied for and been granted an Exemption Certificate under Section 97 of the Planning and Development Act 2000 (as amended).

Reason: To comply with the requirements of Part V of the Planning and Development Act 2000 (as amended).

6. Site development and building works shall be carried out only between the hours of 0700 to 1900 on Mondays to Fridays inclusive, between 0800 to 1400 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.

7. (a) The developer shall enter into water and/ or wastewater connection agreement(s) with Uisce Éireann, prior to commencement of development.
- (b) All development shall be carried out in compliance with Uisce Éireann codes and practices.

Reason: In the interest of public health.

8. (a) Prior to the commencement of development, a final Construction Environmental Management Plan (CEMP) shall be prepared and submitted to the planning authority for written agreement. The CEMP shall incorporate details for the following: collection and disposal of construction waste, surface water run-off from the site, on-site road construction, and environmental management measures during construction including noise control, dust and vibration control and monitoring of such measures. A record of daily checks that the construction works are being undertaken in accordance with the CEMP shall be kept at the construction site office for inspection by the planning authority. The agreed CEMP shall be implemented in full in the carrying out of the development.

- (b) A detailed construction traffic management plan shall be submitted for the written approval of the planning authority prior to commencement of the development.

Reason: In the interests of residential amenities, public health and safety.

9. Drainage arrangements including the attenuation and disposal of surface water, shall comply with the requirements of the planning authority for such works and services.

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

10. 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.

Reason: In the interests of visual and residential amenity.

11. 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.




Mary Henchy

Planning Commissioner of An Coimisiún
Pleanála duly authorised to authenticate
the seal of the Commission.

Dated this 18th day of February 2026.