An Coimisiún Pleanála

Commission Order
ACP-324524-26

Taxes Consolidation Act 1997, as amended

Planning Authority: Fingal County Council

Planning Register Reference Number: FIN-C917-RZD27-19

Appeal by Dragonglen Limited and Alcove Ireland Four Limited in accordance with section 653J of the Taxes Consolidation Act 1997, as amended, against the inclusion of land on the map of the Residential Zoned Land Tax by Fingal County Council on the 30th day of June, 2026 in respect of the lands described below.

Proposed Development: Lands at Barnhill, Dublin.

Decision

The Commission, in accordance with section 653J of the Taxes Consolidation Act 1997, as amended, and based on the reasons and considerations set out below, hereby decides to SET ASIDE the determination of the planning authority and allow the appeal.

Reasons and Considerations

The lands are located within an established urban area and zoned RA-residential. However, with documentary evidence from Uisce Éireann that an extensive foul sewer network extension and upgrading, including a rail crossing and upgrade and re-laying of a 900-metre section of foul sewer pipe along the Ongar Road would be required to service the subject lands. Furthermore, these extensive works would be located on lands outside the control of the appellant and no timeframe for the completion of these works has been provided. Therefore, these lands should be excluded from the RZLT map on the basis of the criteria under Section 653B(b) as it is not reasonable to consider that sufficient service capacity was available and that the lands had access or could be connected to public infrastructure and facilities necessary for dwellings to be developed on the assessment date.

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

Dated this 4th day of November 2026.