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**Planning and Development Act 2000, as amended**

**Planning Authority: Fingal County Council**

**Planning Register Reference Number: F25A/0643E**

**Appeal** by Derek McEvoy against the decision made on the 8<sup>th</sup> day of September 2025 by Fingal County Council to refuse permission.

## **Decision**

**GRANT** permission for (1) the 25 square metre side extension for the reasons and considerations marked (1) under and subject to the conditions set out below, and (2) Refuse permission for the 75 square metres family flat for the reasons and considerations marked (2) under.

## **Reasons and Considerations (1)**

Having regard to the Fingal County Development Plan 2023-2029 and in particular to the RA zoning objective, Policy SPQHP41 and Objective SPQHO45 thereof, it is considered that, subject to compliance with the conditions set out below, the proposed side extension would be visually harmonious with the existing dwelling, would not seriously injure the visual or residential amenity of the area, and would 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, 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 amended by the omission of the proposed family flat shown coloured yellow on the proposed ground floor plan submitted with the application. Revised drawings, including a new floor plan and full elevations for the proposed side extension, shall be submitted to and agreed in writing with the planning authority prior to commencement of development.

**Reason:** It has not been demonstrated that the appellant has a requirement for a family flat.

3. Surface water drainage arrangements shall comply with the requirements of the planning authority for such services and works. Prior to the commencement of development, the developer shall submit proposals for the disposal of surface water from the site for the written agreement of the planning authority.

**Reason:** To prevent flooding and in the interest of sustainable drainage.

4. Details of the materials, colours and textures of all the external finishes of the proposed side extension shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

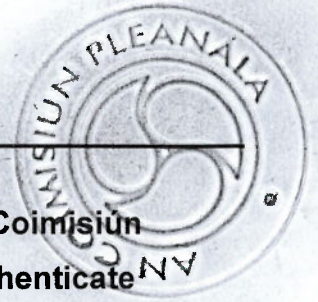
**Reason:** In the interest of visual amenity.

## **Reasons and Considerations (2)**

Section 3.5.13.2 of the Fingal County Development Plan 2023-2029 states that family flats are a means of providing additional accommodation with a level of independence for an undefined, temporary period of time. Objective SPQHO46 of the development plan further seeks to ensure that family flats are for a member of the family with a demonstrated need. Having regard to the information accompanying the planning application and appeal, it has not been demonstrated that the proposed occupier is dependent on the main occupants of the existing dwelling. The proposed family flat would be contrary to the relevant provisions of the development plan and would, therefore, be contrary to the proper planning and sustainable development of the area.

  
Declan Moore

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



Dated this 26<sup>th</sup> day of JANUARY 2026