



An  
Coimisiún  
Pleanála

Commission Order  
PL-500066-DF

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

**Planning Authority: Fingal County Council**

**Planning Register Reference Number: F24A/0871**

**Appeal** by Christopher Sweetman against the decision made on the 15<sup>th</sup> day of September, 2025 by Fingal County Council to refuse permission for the proposed development.

**Proposed Development:** (1) Retention of change of use and subdivision from agricultural buildings to separate light industrial/commercial/storage uses. (2) Retention of new light industrial/commercial/storage units, all site and ancillary works at Sweetmans Yard, Folkstown Great, Balbriggan, County Dublin. The proposed development was revised by further public notices received by the planning authority on the 20<sup>th</sup> day of June, 2025.

## **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

Having regard to the provisions of the Fingal County Development Plan 2023-2029, in particular the GE General Employment zoning objective and vision of the site, objective EE037, Section 14.15.1 and Table 14.15 Design Guidelines for Business Parks, Industrial Areas (Enterprise and Employment lands), the characteristics and nature of existing permitted development on the site, the nature, scale, design and layout of the development proposed to be retained, it is considered that, subject to compliance with the conditions set out below, the development proposed to be retained is in accordance with the zoning objective and vision, would not result in haphazard ad hoc development of the site, would result in an acceptable physical environment and quality of design and would not seriously injure the visual or residential amenities of the area, and would be acceptable in terms of traffic safety and public health. It is further considered that the development proposed to be retained is in accordance with the design provisions of Table 14.15 including the provisions relating to lighting, loading, screening, storage, signage and landscaping. The proposal does not provide setback of building line from the internal access in accordance with the minimum standards however this is not a material contravention of the guidelines.

It is considered that objective DMSO89 relates to new business parks and industrial areas and does not relate to the development proposed to be retained which relates to a pre-existing development site with permitted employment development. As DMSO89 does not apply to the development proposal, there is no material contravention of the objective. The development proposed to be retained 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 lodged with the application on 20<sup>th</sup> day of June 2025 and 19<sup>th</sup> 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 and the development shall be retained and completed in accordance with the agreed particulars.

**Reason:** In the interest of clarity.

2. Within four months of the date of this Order, details and drawings showing the following and including a timescale for the phased carrying out of works and completion of the overall development shall be submitted for the written agreement of the planning authority:
  - (a) Final design details of all upgrade works to the internal road infrastructure serving the development (including materials and finishing of the access road, paths, crossings and parking areas, signage and marking) which shall comply with the detailed construction standards of the planning authority for such works and the design standards outlined in Design Manual for Urban Roads and Streets (DMURS).
  - (b) The land dedicated for the purposes of the proposed new foul and surface water drainage infrastructure shall not be used for external storage and design measures shall be submitted showing these areas protected and separated from external storage areas.

- (c) Final design details (including of construction materials and finishes) of structures to screen areas dedicated for the storage of waste/ recyclables and for external storage.
- (d) A plan containing details for the management of waste (and in particular recyclable materials) within the development including the provision of facilities for the storage, separation and collection of waste and recyclable materials.
- (e) A plan for signage associated with the development.
- (f) A secure cycle storage facility.
- (g) A plan for public lighting.
- (h) A comprehensive scheme of landscaping which shall include a plan to scale of not less than 1:500 showing: (i) existing trees, hedgerows and shrubs which are proposed for retention as features of site landscaping, (ii) the species, variety, number, size and locations of all proposed trees and shrubs which shall be native species.

All planting shall be adequately protected from damage until established. Any plants which die, are removed or become seriously damaged or diseased, within a period of five years from the completion of the external works for the development shall be replaced within the next planting season with others of similar size and species, unless otherwise agreed in writing with the planning authority.

All works shall be to the design specification of the planning authority for such works.

**Reason:** In the interests of orderly development, amenity, traffic management and traffic safety and to protect the environment.

3. 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.

4. (a) The wastewater treatment system hereby permitted shall be installed within a timescale to be agreed in writing with the planning authority, in accordance with the recommendations included within the site characterisation report submitted with this application and shall be in accordance with the standards set out in the document entitled "Code of Practice - Domestic Waste Water Treatment Systems (Population Equivalent  $\leq 10$ )" – Environmental Protection Agency, 2021.
- (b) Treated effluent from the wastewater treatment system shall be discharged to a percolation area/ polishing filter which shall be provided in accordance with the standards set out in the document entitled "Code of Practice - Domestic Wastewater Treatment Systems (Population Equivalent  $\leq 10$ )" – Environmental Protection Agency, 2021.
- (c) The developer shall submit a report to the planning authority, within four months of the installation, from a suitably qualified person (with professional indemnity insurance) certifying that the wastewater treatment system and associated works is constructed and

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operating in accordance with the standards set out in the Environmental Protection Agency document referred to above.

**Reason:** In the interest of public health and to prevent water pollution.

5. The developer shall ensure that the development is served by adequate water supply and shall enter into a connection agreement (s) with Uisce Éireann (Irish Water) to provide for a service connection(s) to the public water supply network.

**Reason:** In the interest of public health and to ensure adequate water/wastewater facilities.

6. During the operational phase of the proposed development the noise level shall not exceed
  - (a) 55 dB(A) rated sound level between the hours of 0700 to 2300, and
  - (b) 45 dB(A) 15 minutes and 60 dB LAfmax, 15 minutes at all other times, (corrected for a tonal or impulsive component) as measured at any point along the boundary of the site.

Procedures for the purpose of determining compliance with this limit shall be submitted to, and agreed in writing with, the planning authority within four months of the date of this Order.

**Reason:** To protect the amenities of property in the vicinity of the site.

7. 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.

  
*Marie O'Connor*

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

Dated this *20* day of *February* 2026