



An
Coimisiún
Pleanála

Commission Order
PL-500363-DF-25

Planning and Development Act 2000, as amended

Planning Authority: Fingal County Council

Planning Register Reference Number: F24A/119E

Appeal by Andrew Gaffney against the decision made on the 3rd day of November 2025 by Fingal County Council to grant, subject to conditions, a permission to Stephen Thorne in accordance with the plans and particulars lodged with the said Council.

Proposed Development: The development will consist a horse training facility comprising of a 20 horse stables barn with associated use including waste water treatment system and percolation area, gallops, barn for storage of fodder and machinery, horse walker, lunge ring, dungstead and soiled water tank, proposed entrance onto public road linking internal access laneway and all associated site works, all at Courtlough, Balrothery, County Dublin.

Decision

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

Reasons and Considerations

Having regard to the nature, extent and layout of the proposed facility and to the existing and permitted pattern of development in the area, it is considered that the proposed development generally complies with the policies and objectives of the Fingal County Development Plan 2023-2029, including having regard to the 'RU - Rural' land use zoning objectives for the area, and the provisions of Policy Objective EEO82 and Section 7.5.3.3 of the County development plan. It is considered that the proposed development would not impact unduly on amenities, traffic, public health or ecology of the local environment, and that therefore the proposed development would be in accordance with the proper planning and sustainable development of the area, subject to the conditions below.

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 further plans and particulars received by the planning authority on the 25th day of April 2025, and clarification of further information received by the planning authority on 7th October 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. Details of the finishes of the stables, barn, and walker, and the location of fencing of paddocks and other areas shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of visual amenity and orderly development.

3. The site shall be landscaped in accordance with a comprehensive scheme of landscaping, details of which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This scheme shall include the following:

(a) A plan to scale of not less than [1:500] showing –

- (i) Existing trees, hedgerows and drains, specifying which are proposed for retention as features of the site landscaping.
- (ii) The measures to be put in place for the protection of these landscape features during the construction period.
- (iii) The species, variety, number, size and locations of all proposed trees and shrubs which shall comprise predominantly native species such as mountain ash, birch, willow, sycamore, pine, oak, hawthorn, holly, hazel, beech or alder which shall not include prunus species.
- (iv) Details of screen planting which shall not include cupressocyparis x leylandii.
- (v) Details of roadside/street planting which shall not include prunus species.

- (vi) Hard landscaping works, specifying surfacing materials, and finished levels.
- (b) Specifications for mounding, levelling, cultivation and other operations associated with plant and grass establishment.
- (c) A timescale for implementation including details of phasing.

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 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.

Reason: In the interest of residential and visual amenity.

- 4. (a) The wastewater treatment system hereby permitted shall be installed 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 ≤ 10)" – Environmental Protection Agency, 2021.
- (b) Treated effluent from the septic tank/ 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 ≤ 10)" – Environmental Protection Agency, 2021. (c) Within three months of the first occupation of the dwelling, the developer shall submit a report to

the planning authority from a suitably qualified person (with professional indemnity insurance) certifying that the septic tank/ wastewater treatment system and associated works is constructed and 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. (a) Slurry generated by the proposed development shall be disposed of by spreading on land, or by other means acceptable in writing to the planning authority. The location, rate and time of spreading (including prohibited times for spreading) and the buffer zones to be applied shall be in accordance with the requirements of the European Union (Good Agricultural Practice for Protection of Waters) Regulations 2025 (S.I. No. 588/2025).
- (b) Where slurry or manure generated by the proposed development is moved to other locations, details of such movements are to be notified to the Department of Agriculture, Food & the Marine in accordance with the European Union (Good Agricultural Practice for Protection of Waters) Regulations 2025 (S.I. No. 588/2025) (as amended).
- (c) Where a slurry or manure is removed by a third party, by agreement, to be landspread elsewhere, details of such an agreement (to include name of third party, lands to be spread, amounts of material) should be furnished to the local authority in which said lands are located.

Reason: To ensure the satisfactory disposal of waste material, in the interest of amenity, public health and to prevent pollution of watercourses.

6. Drainage arrangements for the site, including the disposal of surface and soiled water, shall comply with the requirements of the planning authority for such works and services. In this regard uncontaminated surface water run-off shall be disposed of directly in a sealed system to ground in appropriately sized soakaways.

Reason: In the interest of environmental protection and public health.

7. Prior to the commencement of development, the developer shall enter into a Connection Agreements with Uisce Éireann to provide for service connections to the public water supply and/or wastewater collection network.

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

8. Prior to commencement of works, the developer shall submit to, and agree in writing with the planning authority, a Construction Management Plan, which shall be adhered to during construction. This plan shall provide details of intended construction practice for the development, including hours of working, noise and dust management measures, construction traffic management, and off-site disposal of construction/demolition waste.

Reason: In the interest of public safety and amenity.

9. 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 10th day of *June* 2026