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

**Planning Authority: Fingal County Council**

**Planning Register Reference Number: F25A/1039E**

**Appeal** by Olivia Brady and Stephen Lynam against the decision made on the 12<sup>th</sup> day of January 2026, by Fingal County Council to grant permission, subject to conditions, in accordance with plans and particulars lodged with the said Council.

**Proposed Development:** Works to consist of: (a) Permission for a new entrance off Hearse Road and roof lights to front roof of the existing lounge previously agreed under planning permission reference F25A/0221E, new stone finish to northwest (front) elevation of the existing extension, a new pergola and timber cladding to southwest (side) elevation of the existing extension, to reduce the visual impact of the existing extension. (b) retention of a two-storey extension to the rear of an existing dwelling, containing kitchen, larder, hot press, utility room, toilet on the ground floor and a bedroom, ensuite and walk in wardrobes on the first floor with associated site works. (c) retention of a single storey detached log cabin for ancillary domestic use containing a gym, stores, and domestic home offices with associated site works all at Briar Cottage, Lanistown, Donabate, Dublin.

## Decision

**GRANT permission for the construction of a new entrance off the R126 (Hearse Road), for roof lights to the front roof of the lounge of the existing dwelling and retention permission of a single-storey detached log cabin for ancillary domestic use (gym, stores, home office), with associated site works in accordance with the said plans and particulars based on the reasons and considerations marked (1) under and subject to the conditions set out below. REFUSE permission for new stone finish to Northwest (Front) elevation of the existing extension, a new pergola and timber cladding to Southwest (Side) elevation of the existing extension and retention permission of a two-storey extension to the rear of an existing dwelling, with associated site works for the reasons and considerations marked (2) under.**

### Reasons and Considerations (1)

Having regard to the zoning objective for the site (GB Greenbelt, residential permitted in principle), the proposed new entrance is acceptable in principle and would not seriously injure the visual or rural amenities of the area or traffic safety on the R126. The Transportation Planning Section raised no objection subject to conditions on visibility splays and construction management, and it aligns with the site's established residential use and prior permissions (e.g., PA F19A/0139 for entrance relocation). The roof lights to the front roof of the existing lounge, by reason of their minor scale, siting, and design, would not unduly impact the visual, rural, or residential amenities of the area or properties in the vicinity and are compliant with Chapter 14 (Section 14.10.2.5 Roof Alterations) of the Fingal Development Plan 2023-2029 and the site's established residential context. In considering the retention of the log cabin, the Commission had regard to the established residential use of the site, pattern of development in the area, and the cabin's modest scale, siting, and ancillary use (gym, stores, home office), its retention would not seriously injure

the residential or visual amenities of the area or adjoining properties when subject to conditions restricting use and requiring opaque glazing to south windows. It is substantially compliant with Section 14.10.4 (Garden Rooms) and Objective ZO4 of the Fingal Development Plan 2023-2029 and Water Services confirmed no objection to its location near the surface water sewer. This element of the proposed development and the element proposed for retention would, therefore, be in accordance with the proper planning and sustainable development for the area.

### **Conditions**

1. The development shall be retained, carried out and completed in accordance with the plans and particulars lodged with the application to the planning authority, as amended by the further information plans and particulars received by the planning authority on the 10<sup>th</sup> day of November 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 dwelling and entire site delineated in red shall be used as a single residential unit apart from such use as may be exempted development for the purposes of the Planning and Development Act 2000, as amended and the Planning and Development Regulations 2001, as amended, (or any superseding legislation). The dwelling and entire site delineated in red shall not be subdivided or used for multiple occupancy living units or for the purpose of short-term letting except where otherwise permitted by way of a separate grant of planning permission.

**Reason:** In the interest of clarity and to ensure proper planning and sustainable development.

3. The retained log cabin shall be used solely for private domestic use only incidental to the enjoyment of the dwelling house and shall not be used for human habitation or sold, rented or otherwise transferred or conveyed independently of the house and shall not be used for the carrying out of any trade or business. No kitchen, bathroom or shower facilities shall be installed in the retained log cabin except where otherwise permitted by way of a separate grant of planning permission.

**Reason:** In the interest of proper planning and sustainable development of the area and to uphold the council's rural Settlement Strategy.

4. The windows to the 'storage room' and '21 home office room' of the retained log cabin, to the south elevation as indicated on Drawing No. A101-02 'Existing Cabin Floor Plan, Elevations and Section', dated 11/06/2025 and prepared by Lynam Architectural Agency), shall be permanently fitted with opaque glass.

**Reason:** To protect the residential amenities of neighbouring properties.

5. The following shall be complied with in full:
  - (a) No objects, structures, landscaping or planting exceeding a height of 900 millimetres shall be placed or installed within the visibility splays (as defined by TII DN GEO-03060 (Current Edition) and as per the submitted site plans) which would interfere or obstruct (or could obstruct over time) the required visibility splays.
  - (b) The vehicular entry-splay (i.e. the paved area lying between the edge of road carriageway and the gates/piers of the site entrance or, if no gate is provided, to a point six metres from the edge of

road carriageway) shall be constructed in a bound road material or other suitable material to a detail approved by the Council.

- (c) Any works to the public footpath and road carriageway to facilitate the development and any repairs to the public footpath and road carriageway necessary as a result of the development shall be carried out at the applicant/developer's own expense and completed to Council's standards for taking-in-charge and to the satisfaction of the Council.
- (d) All underground or overhead services and poles shall be relocated, as may be necessary, to a suitable location at the applicant/developer's own expense and according to the requirements of the relevant utility service provider/service owner/statutory undertaker.

**Reason:** In the interest of pedestrian and traffic safety.

6. The following shall be complied with in full:

- (a) No foul drainage is to discharge into the surface water system under any circumstances.
- (b) The foul drainage shall be in compliance with the Regional Code of Practice for Drainage Works Version 6.0, FCC, April 2006, or the EPA Code of Practice for Domestic Wastewater Treatment Systems (PE \$510) (2021), whichever is applicable.
- (c) All new areas contributing to rainwater runoff shall be discharged to commensurate and appropriate SuDS (Sustainable Drainage Systems) devices, in accordance with the principles of the GSDSDS (Greater Dublin Strategic Drainage Study, 2005) and best practice SuDS design as per the CIRIA SuDS Manual C753.

- (d) No surface water/rainwater is to discharge into the foul water system under any circumstances.
- (e) The surface water drainage must be in compliance with the Greater Dublin Regional Code of Practice for Drainage Works, Version 6.0, FCC, April 2006.
- (f) All surface water shall be disposed of to soakpits or drains within the site and shall not discharge onto the public road surface.

**Reason:** In the interest of public health and to ensure the proper planning and sustainable development of the area.

- 7. Surface water drainage arrangements shall comply with the requirements of the planning authority for such works and services, and details of the proposed surface water drainage system shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

**Reason:** In the interest of public health.

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

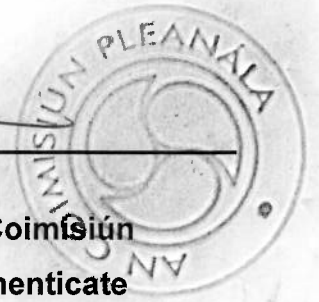
## Reasons and Considerations (2)

The extension, as constructed, by reason of its massing, excessive scale and design does not respect the character, scale, and proportions of the existing dwelling on the site and detracts from, and would, if granted, seriously injure the existing visual amenities of the area. The two-storey extension is, therefore, considered to be contrary to 'Policy SPQHP41 – Residential Extensions' and 'Objective SPQHO45 – Domestic Extensions', and the provisions of Section 14.12.13 of the Fingal Development Plan 2023-2029. It is considered that the proposed works to the extension including the proposed stone finish, pergola and timber cladding would not address concerns relating to the overall visual impact, scale and massing of the extension. This element of the proposed development and the element of development proposed for retention would, therefore, be contrary to the proper planning and sustainable development of the area.



**Paul Caprani**

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



Dated this *23<sup>rd</sup>* day of *April* 2026.