



An
Coimisiún
Pleanála

**Commission Order
PL-500828-DF-26**

Planning and Development Act 2000, as amended

Planning Authority: Fingal County Council

Planning Register Reference Number: F25A/0855E

Appeal by Alex Sexton against the decision made on the 27th day of January, 2026 by Fingal County Council to grant, subject to conditions, a permission to Karen Nugent in accordance with plans and particulars lodged with the said Council.

Proposed Development: The proposed development will consist of:
(i) the construction of a padel court facility consisting of a circa 1,330 square metres Gross Floor Area, 11.78 metres high agricultural style structure housing four padel courts, (ii) provision of proprietary Wastewater Treatment Plant for 60 PE, (iii) provision of 20 number car parking spaces (including four number EV charging stations and three number accessible spaces) and 24 number sheltered cycle parking spaces and (iv) all associated site development and engineering works to facilitate the development, and use of existing access to the permitted Nugent Farm Produce development (granted under F21A/0128), all at Belinstown, Ballybougá, County Dublin.

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 objectives of the Fingal County Development Plan 2023-2029, the location of the development on lands zoned RU Rural where the objective is 'to protect and promote in a balanced way, the development of agriculture and rural-related enterprise, biodiversity, the rural landscape, and the built and cultural heritage' and where 'recreational/sports facility' is permitted in principle (where it is in proximity to residential settlements and would not generate unacceptable traffic problems), it is considered that, subject to compliance with the conditions set out below, the proposed padel court facility would be an acceptable use in this area, would be acceptable in terms of traffic safety and convenience, would not be prejudicial to public health or the environment and would not seriously injure the amenities of the area. The proposed development would, therefore, 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, as amended by the further plans and particulars received by the planning authority on the 22nd day of December 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. Notwithstanding the exempted development provisions of the Planning and Development Regulations, 2001, and any statutory provision amending or replacing them, the use of the proposed development shall be restricted to a padel court facility (as specified in the lodged documentation), unless otherwise authorised by a prior grant of planning permission.

Reason: In the interest of residential amenity.

3. (a) Before any other development commences, the entrance and roadside boundary and footpath and pedestrian crossing shall be constructed in accordance with the Proposed Site Plan drawing number 25017-PL-03A submitted on the 22nd day of December, 2025.

(b) The area between the existing public road carriageway and the revised roadside boundary shall be finished 200-300 millimetres above carriageway level and finished in grass.

(c) The revised boundary shall match the existing boundary.

Reason: In the interest of traffic safety.

4. Prior to commencement of development, the developer shall submit for the written agreement of the planning authority, detailed proposals for the unobstructed free flow of vehicles and other users on the access road during the operation of the facility.

Reason: In the interest of traffic safety and to ensure no obstruction of the public roadway caused by gates.

5. A comprehensive boundary treatment and landscaping scheme shall be submitted to, and agreed in writing with, the planning authority, prior to commencement of development. The scheme shall comply with the requirements of the planning authority. This scheme shall include the following:

(a) The establishment of hedgerow and planting of trees along the boundaries of the site. All hedgerow and tree planting shall be indigenous species only.

(b) Details of proposed boundary treatments, including heights, materials and finishes.

The landscaping and tree planting shall be carried out before or during the first planting season or part thereof occurring after the commencement of development. Any plants, trees or hedging 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, unless otherwise agreed in writing with the planning authority.

Reason: In the interest of visual amenity.

6. Drainage arrangements for the attenuation and disposal of surface water, shall comply with the requirements of the planning authority for such works and services. Prior to the commencement of development, the developer shall submit detailed designs to the planning authority for written agreement.

Within three months of the first operation of the development, the developer shall submit a report to the planning authority from a suitably qualified person (with professional indemnity insurance) certifying that the drainage system and associated works are constructed and operating in accordance with the agreed particulars.

Reason: In the interest of public health and surface water management.

7. (a) The wastewater treatment system and polishing filter hereby permitted shall be installed in accordance with the recommendations included in the site characterisation report submitted with this application and as revised by particulars submitted on the 22nd day of December, 2025.

- (b) Within three months of the first operation of the development, the developer shall submit a report to the planning authority from a suitably qualified person (with professional indemnity insurance) certifying that the wastewater treatment system and associated works are constructed and operating in accordance with the submitted details.

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

8. Prior to commencement of development, proposals for all external lighting details including details of measures to prevent light overspill shall be submitted for the written agreement of the planning authority.

Reason: In the interests of amenity and public safety.

9. Prior to the commencement of development, the developer shall enter into a Connection Agreement (s) with Uisce Éireann (Irish Water) to provide for a service connection(s) to the public water supply and/or wastewater collection network.

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

10. 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) 15min and 60 dB LAfmax, 15min 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 prior to commencement of development.

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

11. 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 and off-site disposal of construction/demolition waste.

Reason: In the interests of public safety and amenity.

12. 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.



Declan Moore

Planning Commissioner of An Coimisiún

Pleanála duly authorised to authenticate

the seal of the Commission.



Dated this 17th day of JUNE 2026.