

An
Coimisiún
Pleanála

Commission Order

PL-500881-DF-26

Planning and Development Act 2000, as amended

Planning Authority: Fingal County Council

Planning Register Reference Number: F25A/1120E

Appeal by Kavco Estuary Project Limited against the decision made on the 4th day of February, 2026 by Fingal County Council to refuse permission for the proposed development.

Proposed Development: Demolition of the existing two-storey public house known as 'The Estuary'. Construction of a part four, part five-storey flat-roofed mixed-use building, comprising 39 number apartments (25 number one-bed and 14 number two-bed units) arranged over ground to fourth floor levels, with the fourth floor set back from Balheary Road and North Street. Provision of one number ground-floor commercial/retail unit fronting Balheary Road. All apartments will have direct access to an area of private amenity space in the form of a balcony/terrace and will have shared access to communal amenity space, including a landscaped ground-level courtyard and a roof-level communal amenity garden. Provision of 94 number secure bicycle spaces and eight number cargo bike spaces within an internal store, and 20 number visitor bicycle spaces proposed within the courtyard at ground floor level. Provision of refuse storage, plant rooms and ESB substation at ground floor

level. All ancillary works, including landscaping, boundary treatments, SuDS drainage (including blue green roofs), and all associated site services, site infrastructure and associated site development works necessary to facilitate the development, all at Lands at the former Estuary Public House, Townparks, North Street, Swords, County Dublin.

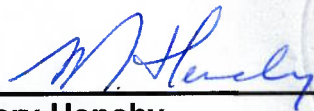
Decision

REFUSE permission for the above proposed development for the reasons and considerations set out below.

Reasons and Considerations

1. It is considered that the proposed layout and design of the proposed apartment development would result in a cramped and substandard form of development on this site and, at a stated density of 370 residential units per hectare, would be inconsistent with the prevailing density in the vicinity, would result in overdevelopment of the site, and would impact negatively on the residential amenity of future occupants. The proposed development would be contrary to Policy SPQHP35 (Quality of Residential Development), as set out in the Fingal County Development Plan 2023-2029, and the density ranges for City-Urban neighbourhoods as provided for in the Sustainable Residential Development and Compact Settlement Guidelines for Planning Authorities (2024), and would, therefore, be contrary to the proper planning and sustainable development of the area.

2. It is considered that, by reason of its design, scale, bulk, fenestration and height, the proposed development would be out of character with the pattern of development in the immediate vicinity of the site, would seriously injure the amenities of the area and of property, would establish an undesirable future precedent for similar type development, and would, therefore, be contrary to the proper planning and sustainable development of the area.
3. Having regard to the orientation and proximity of the proposed balconies on the north-west elevation of the apartment building, specifically unit numbers 12, 14, 21, 22, 30, 31 and 37, it is considered that the proposed development would give rise to significant overlooking of the adjoining residential property which would adversely impact on the residential amenity of the said property. The proposed development would establish an undesirable future precedent, and would, therefore, be contrary to the proper planning and sustainable development of the area.



Mary Henchy

Planning Commissioner of An Coimisiún

**Pleanála duly authorised to authenticate
the seal of the Commission.**

Dated this *3rd* day of *July* 2026.