



An
Coimisiún
Pleanála

**Commission Order
PL-501324-DF-26**

Planning and Development Act 2000, as amended

Planning Authority: Fingal County Council

Planning Register Reference Number: FW25A/0562E

Appeal by Vladimir Havel and by Others against the decision made on the 16th day of April 2026, by Fingal County Council to grant, subject to conditions, a permission to Fatima Zahra Abbes in accordance with the plans and particulars lodged with the said Council.

Proposed Development: Construction of a single-storey flat roof outbuilding to the rear of the dwelling and change of use of part of the property to a small-scale preschool/childminding facility with associated toilets, site works, improved pedestrian access and use of existing designated and visitor parking for drop-off and collection all at number 6 Bellgree Court, Tyrrelstown, Dublin. The proposed development was revised by further public notices received by the planning authority on the 23rd day of March 2026.

Decision

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

Reasons and Considerations

Having regard to the design and layout of the proposed outbuilding, in particular its layout as two separate areas with no internal interconnection, and in the absence of sufficient information regarding the nature and justification of the proposed development, the Commission is not satisfied that the proposed development would comply with Objectives DMSO79 (Applications for Childcare Facilities) and Objective DMSO80 (Childcare Provision within a Residential Property) of the Fingal Development Plan 2023-2029. Accordingly, the Commission is not satisfied that the proposed development would constitute an appropriate form of development at this location or that it would be compatible with the established residential character and amenities of the area. The proposed development would, therefore, seriously injure the residential amenities of the area, would be contrary to the relevant provisions of the Fingal Development Plan 2023-2029, and would, therefore, be contrary to the proper planning and sustainable development of the area.

In deciding not to accept the Inspector's recommendation to grant permission, the Commission did not share the Inspector's finding that the proposed development would be in accordance with the provision of the development plan, particularly Objectives DMSO79 and Objective DMSO80 of the Fingal Development Plan 2023-2029.



Patricia Calleary

Planning Commissioner of An Coimisiún

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

Dated this 21 day of August 2026.

