

An  
Coimisiún  
Pleanála

Commission Order  
PL-501625-DF-26

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

**Planning Authority: Fingal County Council**

**Planning Register Reference Number: F26A/0316E**

**Appeal by** John McEntyre and Ingrid McQuillan against the decision made on the 9<sup>th</sup> day of June 2026 by Fingal County Council to refuse permission for the proposed development.

**Proposed Development:** The development will consist of alterations to the existing dwelling and the provision of a new single storey extension to the side and rear, the demolition of the front porch, the demolition of existing outbuildings, the provision of a new outbuilding for use as a gym/store, the relocation of the existing vehicular entrance to the site and new wastewater treatment system and polishing filter together with all associated site development works at Adamstown, Garristown, 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 provisions of the Fingal Development Plan, 2023-2029 (as varied) and to the design and scale of the proposed development on residentially zoned land, it is considered that, subject to compliance with the conditions set out below, the proposed development respects the scale and form of the existing dwelling, would not negatively impact on the architectural character of the existing dwelling and would not seriously injure the visual or residential amenities of the surrounding area. The proposed development would, therefore, be in accordance with the provisions of the Fingal Development Plan, 2023-2029 (as varied) and 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, 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. (a) The proposed outbuilding shall have a maximum gross internal floor area of 40 square metres.
- (b) The proposed outbuilding shall be used for purposes ancillary to the dwellinghouse only. The building shall not be used for human habitation or any commercial purpose other than a purpose incidental to the dwellinghouse use.

**Reason:** In the interests of orderly development and the amenities of the area.

3. Drainage arrangements, including the attenuation and disposal of surface water, shall comply with the requirements of the planning authority for such works and services.

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

4. The development shall comply with the following:
  - a) The hardscaped driveway area shall be reduced to facilitate access and turning facilities for two number car parking spaces within the site only, details of which shall be submitted for the written agreement of the planning authority prior to the commencement of development.
  - b) The vehicular entrance splay between the public road and entrance gates shall be surfaced with bound road material.

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

5. Prior to the commencement of development, details of the materials, colours and textures of all external finishes, including entrance gate and piers, shall be submitted to, and agreed in writing with, the planning authority.

**Reason:** In the interests of orderly development and the visual amenities of the area.

6. (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 on the 20<sup>th</sup> day of April, 2026 and shall be in accordance with the standards set out in the document entitled "Code of Practice - Domestic Wastewater Treatment Systems (Population Equivalent  $\leq 10$ )" – Environmental Protection Agency, 2021.
- (b) Treated effluent from the wastewater treatment system shall be discharged to a 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  $\leq 10$ )" – Environmental Protection Agency, 2021.
- (c) Within three months of the completion 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 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.

7. 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.

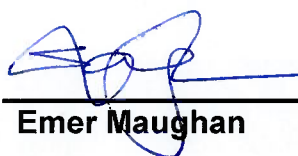
8. The site shall be landscaped, using only indigenous deciduous trees and hedging species, in accordance with details which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This scheme shall include the re-establishment/augmentation of a native hedgerow along all side and rear boundaries of the site.

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 species, unless otherwise agreed in writing with the planning authority.

**Reason:** In order to screen the development and assimilate it into the surrounding rural landscape, in the interest of visual 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.



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

Dated this 13<sup>th</sup> day of October 2026