An Coimisiún Pleanála

Commission Order
PL-501642-DF-26

Planning and Development Act 2000, as amended

Planning Authority: Fingal County Council

Planning Register Reference Number: F26A/0289E

Appeal by Prism Properties Limited against the decision made on the 4th day of June, 2026 by Fingal County Council to refuse permission for the proposed development.

Proposed Development: The development will consist of (i) the demolition of the existing dormer bungalow with rear shed, (ii) the construction of two number four bed two-storey semi-detached dwellings, (iii) widening of the existing vehicular entrance, (iv) new pedestrian access via public laneway to west of site, (v) all associated site development works, associated drainage, boundary, landscaping and ancillary works, all at Tandragee, Glencarraig, Sutton, 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.

P. C.

Reasons and Considerations

Having regard to the zoning of the site and the other provisions of the Fingal Development Plan 2023-2029, and to the nature, scale and design of the proposed development, it is considered that, subject to compliance with the conditions set out below, the proposed development would be an acceptable form of development in this residential area, would not seriously injure the residential or visual amenities of the area, would not be prejudicial to public health and would be acceptable in terms of traffic safety. 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, 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.

P.C.

2. The layout of the front/southern boundary wall and vehicular entrances shall be amended as follows:

(a) The maximum vehicular entrance width shall be four metres which shall be formed by extending the wall from either side and extending the central portion proportionately.

(b) The maximum dishing width of the public footpath shall be 3.6 metres for each entrance.

(c) The front boundary walls and the central portion of wall for a length of two metres from the front boundary wall as it extends towards the houses to the north, shall each have a maximum height of 900 millimetres.

Prior to the commencement of development, the developer shall submit a drawing for the agreement with the planning authority and the development shall be carried out with the agreed particulars.

Reason: In the interest of improved visibility to maximise pedestrian safety and to improve the visual amenity of the development.

3. Prior to the commencement of development, the developer shall enter into connection agreements with Uisce Éireann to provide for a service connection to the public water supply and/or wastewater collection network.

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

P. C.

4. The site shall be landscaped in accordance with a comprehensive scheme of landscaping, details of which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This scheme shall include the following:

A plan to scale of not less than 1:500 showing –

(i) existing trees, hedgerows specifying which are proposed for retention as features of the site landscaping,

(ii) the measures to be put in place for the protection of these landscape features during the construction period, and

(iii) the species, variety, number, size and locations of all proposed trees and shrubs

All planting shall be adequately protected from damage until established. Any plants 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 the interest of residential and visual amenity.

P.C.

5. Prior to commencement of development, the developer shall submit a boundary treatment plan for the written agreement of the planning authority. The plan shall include a colour coded layout drawing indicating existing and proposed boundaries and elevation/section drawings showing materials and finishes.

Reason: In order to screen the development, in the interest of visual and residential amenity.

6. Details of the materials, colours and textures of all the external finishes to the proposed dwellings/structures/buildings shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of visual amenity and to ensure an appropriate high standard of development.

7. All service cables associated with the proposed development (such as electrical, telecommunications and communal television) shall be located underground. Ducting shall be provided by the developer to facilitate the provision of broadband infrastructure within the proposed development.

Reason: In the interests of visual and residential amenity.

8. Prior to commencement of development, proposals shall be submitted for the written agreement of the planning authority showing revised surface water disposal measures which incorporate Sustainable Urban Drainage measures for the attenuation and disposal of surface water in compliance with the requirements of the relevant Section of the Council for such works and services.

P.C.

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

9. (a) All foul sewage and soiled water shall be discharged to the public foul sewer.

(b) Only clean, uncontaminated storm water shall be discharged to the surface water drainage system or soakpits.

Reason: In the interest of public health.

10. Prior to commencement of development, a Resource Waste Management Plan (RWMP) as set out in the Environmental Protection Agency's Best Practice Guidelines for the Preparation of Resource and Waste Management Plans for Construction and Demolition Projects (2021) shall be prepared and submitted to the planning authority for written agreement. The RWMP shall include specific proposals as to how the RWMP will be measured and monitored for effectiveness. All records (including for waste and all resources) pursuant to the agreed RWMP shall be made available for inspection at the site office at all times.

Reason: In the interest of reducing waste and encouraging recycling.

11. Site development and building works shall be carried out between the hours of 0700 and 1900 Mondays to Fridays inclusive, between 0800 and 1400 hours on Saturdays and not at all on Sundays and public holidays. Deviation from these times shall only be allowed in exceptional circumstances where prior written agreement has been received from the planning authority.

Reason: To safeguard the amenity of property in the vicinity.

P.C.

12. Prior to commencement of development, the developer shall lodge with the planning authority a cash deposit, a bond of an insurance company or such other security as may be accepted in writing by the planning authority, to make good any damage to trees on the road verge caused during the construction period, coupled with an agreement empowering the planning authority to apply such security, or part thereof, to the replacement of any such trees which die, are removed or become seriously damaged, with others of similar size and species. The form and amount of the security shall be as agreed between the planning authority and the developer or, in default of agreement, shall be referred to An Coimisiún Pleanála for determination.

Reason: To secure the protection of trees.

13. Prior to commencement of development, the developer shall lodge with the planning authority a cash deposit, a bond of an insurance company, or other security to secure the provision and satisfactory completion of roads, footpaths, watermains, drains, open space and other services required in connection with the development, coupled with an agreement empowering the local authority to apply such security or part thereof to the satisfactory completion of any part of the development. The form and amount of the security shall be as agreed between the planning authority and the developer or, in default of agreement, shall be referred to An Coimisiún Pleanála for determination.

Reason: To ensure the satisfactory completion of the development.

P.C.

14. 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.

Patricia Calleary

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

Dated this 28th **day of** October **2026**