



An
Coimisiún
Pleanála

Inspector's Report ACP-323404-25

Development	Single storey dwelling and all associated site works.
Location	The Grange, Ballyboughal, Fingal, County Dublin, A41 TD25.
Planning Authority	Fingal County Council
Planning Authority Reg. Ref.	F25A/0509E
Applicant(s)	Keymore Estates Limited.
Type of Application	Permission
Planning Authority Decision	Refuse
Type of Appeal	First
Appellant(s)	Keymore Estates Limited.
Observer(s)	None.
Date of Site Inspection	05/01/2026.
Inspector	Darragh Ryan

1.0 Site Location and Description

- 1.1. The proposed site is a small infill site of c0.140ha located to the southern side of the village of Ballyboughal in Fingal Co, Dublin. The site is accessible via an existing entrance on the western side of the R108. The subject site is served by a tarmacked roadway with a pedestrian footpath. The appeal site is rectangular in shape and the topography of is generally flat. The appeal site is bounded to the northern (rear) boundary and eastern and western boundaries comprises a dense planted evergreen hedging.
- 1.2. The original site at this location consisted of a large dwelling house with landscaped gardens and care takers cottage to the front of the site. Immediately north and south of the site are single dwelling houses. The proposed site is located on the former front gardens of the large dwelling house. There is currently construction on adjacent site for granted planning permission F23A/0493. The surrounding locality is characterised by its edge of village location with a number one-off dwellings on individual plots in close proximity.

2.0 Proposed Development

- 2.1. The development subject to this appeal comprises the following:
 - Construction of a single storey residential dwelling, (100.97sqm)
 - Two car parking spaces
 - Construction of a storage structure
 - New site boundary walls
 - Relocation of entrance gates
 - Changes to landscaping & SUDS measures

3.0 Planning Authority Decision

3.1. The planning authority issued a Decision to refuse permission for the following reason:

1. Having regard to the existing pattern and density of development in the area, the edge of village location of the site and backland nature of the site and lack of connectivity to the village, the proposed development comprising a suburban style dwelling would in combination with existing and permitted dwellings on site, would result in an overdevelopment of this plot , which would constitute undesirable backland and piecemeal development which would be out of character with the prevailing pattern of development of the village and would be contrary to Objective SPQH042- Development of Underutilised Infill, Corner and Backland Sites and Objective SPQH056- Rural Villages as set out in the Fingal Development Plan 2023 – 2029. Furthermore in the absence of pedestrian and cycle infrastructure from the subject lands linking to the village centre and given the poor availability of public transport at this location , the proposed development is largely car dependent and would promote unsustainable transport modes. As such, the proposed development would be contrary to the proper planning and sustainable development of the area.

3.2. Planning Authority Reports

3.2.1. Planning Reports

- The report provides a description of the site, outlines the extensive planning history, identifies the ‘RV’ – Rural Village land use zoning designation and associated policy context from the Fingal Development Plan 2023-2029.
- The assessment notes that ‘Residential’ use class in ‘Permitted in Principle’ under the zoning the ‘RV’ – Rural Village zoning. The development would be permissible if the Planning Authority is satisfied the proposal is compatible with overall policies and objectives for the zone. However, the Planning Authority had concerns with respect to a number of elements of the proposal.

- With regard to the layout, design and visual impact, the Planning Authority note location of site in 'RV' – Rural zone but that the character is rural in nature.
- The dwelling design is considered to be suburban in style and out of character with area and would not be reflective of rural dwellings on the edge of a rural village. The development would be an overdevelopment of the site
- The scheme would be car dependant and promotes unsustainable modes of transport. There is an absence of pedestrian and cycle infrastructure.
- The proposed relocated access gate is considered acceptable
- There is no connection to the village.
- Landscaping proposals and boundary treatments are noted. Report received from Parks & Green Infrastructure Division indicates 'no objection' subject to conditions regarding public space provision, hedgerow works and implementation of a landscaping plan.
- In terms of impacts on residential amenity, it is not anticipated that the development will result in any undue level of overshadowing or loss of natural light on adjoining properties.
- Water Services indicate 'no objection' in respect of surface water drainage, subject to condition. Additional information is required to demonstrate capacity and condition of the pumping system. Details are also required in relation to the ownership and maintenance.
- Uisce Eireann raise no objection subject to condition regarding water services infrastructure.
- No issues raised with respect to AA. Comments returned from Inland Fisheries Ireland (IFI) regarding location of site within Ballyboughal System and that adequate capacity of foul/surface water drainage is required.
- No issues raised with respect to EIA.

3.2.2. Other Technical Reports

- Parks & Green Infrastructure: No objection, subject to condition.
- Water Services Department – no objection to the proposed development

- Transportation Section no objection to revised entrance and sightlines

3.3. Prescribed Bodies

- Dublin Airport Authority – no objection to principle of residential development

3.4. Third Party Observations

- None

4.0 Planning History

There is a considerable planning history associated with the subject site and immediate surrounding area. Applications deemed to be of relevance are detailed as follows:

Adjacent Site:

- 4.1.1. F24A/0907E- Permission granted by Fingal County Council on the 26th of February 2025 for the construction of a dwelling.
- 4.1.2. F23A/0493 – Permission granted by Fingal County Council for the construction of a dwelling house
- 4.1.3. F23A/0472 – Permission granted for single storey extension to the rear of existing caretaker cottage.
- 4.1.4. F24A/0651 – Permission refused by Fingal County Council for the provision of 4 no detached, two storey 3 bed dwellings, local alteration to existing local alteration to existing boundary walls, landscaping, swale with overflow to existing stream (SUDS), connection to existing pumping station and all associated site and other works.
Applicant: Naul Road Developments Ltd.

This application was appealed to An Coimisiun Pleanála under Ref. ABP-320990-24 and the decision to refuse was upheld subject to a single refusal reason as follows:

Having regard to the existing pattern and density of development in the area, the edge of village location of the site and lack of connectivity to the village, the proposed development comprising four suburban style dwellings would constitute and undesirable intensification of use and, in the absence of pedestrian and cycle

infrastructure from the subject site linking to the village centre, the proposed development would be largely car dependent and would promote unsuitable transport modes. The proposed development 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 Board considered that the proposed intensification of dwellings in the location would set an undesirable precedent and increase the potential for issues of pedestrian safety and would therefore be contrary to the proper planning and sustainable development of the area.

- 4.1.5. F23A/0374 Permission REFUSED by Fingal County Council for a new residential infill development at The Grange, Ballyboughal, Fingal, Co. Dublin, with the development to consist of the provision of 2 no. detached two storey 4-bed dwellings, local alteration to existing boundary walls, landscaping, swale with overflow to existing stream (SUDS), connection to existing pumping station and all associated site and other works. Applicant: Naul Road Developments Ltd.

This application was appealed to An Bord Pleanála under Ref. ABP-318005-23 and the decision to refuse was overturned and permission granted.

- 4.1.6. F22A/0403 Permission REFUSED by Fingal County Council for the provision of 1 no. detached two storey, 4-bed dwelling. local alteration to existing boundary walls, landscaping, swale with overflow to existing stream (SuDS), connecting pump station and all associated site and other works. Applicant: Naul Road Developments Ltd.

This application was appealed to An Bord Pleanála under Ref. ABP-314914-22 and the decision to refuse was overturned and permission granted.

- 4.1.7. F22A/0071 Permission REFUSED for a new residential infill development at The Grange, Ballyboughal, Fingal, Co. Dublin with development to consist of the provision of 3 no. detached two storey 4 bed dwellings, a bin store, the relocation of a ESB pole local alteration to existing footpaths, alterations to the existing site entrance and existing boundary walls, landscaping, soakaways, SUDS with overflow to existing stream, connection to existing pumping station and all associated site and other works. Applicant: Naul Road Development.

4.1.8. F17A/0156 Permission REFUSED for a dormer bungalow and ancillary works with the existing access road and entrance being utilised for site access on infill site. Applicant: P. Gough.

4.1.9. F08A/0035 Permission REFUSED by Fingal County Council for a dormer bungalow and associated site works with access from existing road on lands adjoining existing dwelling. Applicant: Julia C. O'Donovan.

This application was appealed to An Bord Pleanála under Ref. PL06F.228520 and the decision to refuse was upheld.

4.1.10. F06A/1902 Permission REFUSED by Fingal County Council for 3 no. dormer bungalows and associated site works on lands adjoining existing dwelling with access from existing road. Applicant: G. Donovan.

This application was appealed to An Bord Pleanála under Ref. PL06F.222348 and the decision to refuse was upheld.

4.1.11. F04A/0948 Permission REFUSED for the construction of 5 no. 2-storey, 4 bedroom residential units, including associated external works, landscaping and a new entrance. Applicant: Gerry Walsh.

4.1.12. F00A/0425 Permission REFUSED for three bungalows with biocycle units. Applicant: Ms. C Rooney.

4.1.13. F22A/0239 Permission GRANTED for alterations to the existing site entrance and piers to allow for increased sightlines, the relocation of a ESB pole, landscaping and all associated site and other works. Applicant: Naul Road Development Ltd.

5.0 Policy Context

The Fingal Development Plan 2023-2029 is the relevant Development Plan for the appeal site.

5.1.1. The appeal site is zoned 'RV' – Rural Village which has an objective to 'protect and promote the character of the Rural Village and promote a vibrant community in accordance with an approved land use plan, and the availability of physical and community infrastructure'.

5.1.2. The Vision for this zoning designation is as follows:

‘Protect and promote established villages within the rural landscape where people can settle and have access to community services, including remote work hubs. The villages are areas within the rural landscape where housing needs can be satisfied with minimal harm to the countryside and surrounding environment.

The villages will serve their rural catchment, provide local services and smaller scale rural enterprises. Levels of growth will be managed through approved land use plans to ensure that a critical mass for local services is encouraged without providing for growth beyond local need and unsustainable commuting patterns’.

Chapter 3: Sustainable Placemaking and Quality Homes

- 5.1.3. Section 3.5.13 of the Development Plan relates to Compact Growth, Consolidation and Regeneration. The following objectives are considered to be relevant:

Objective SPQHO39 – New Infill Development:

New infill development shall respect the height and massing of existing residential units. Infill development shall retain the physical character of the area including features such as boundary walls, pillars, gates/gateways, trees, landscaping, and fencing or railings

Objective SPQH042 - Development of Underutilised Infill, Corner and Backland Sites:

Encourage and promote the development of underutilised infill, corner and backland sites in existing residential areas subject to the character of the area and environment being protected.

- 5.1.4. Section 3.5.15.1 of the Development Plan relates to ‘Rural Villages’. The following policies and objectives are considered to be relevant:

Policy SPQHP51 – Protection of Rural Villages:

Support and protect Fingal’s Rural Villages by ensuring their appropriate sustainable development to preserve the character and viability of villages and support local services

Policy SPQHP52 – Growth of Rural Villages:

Ensure that Fingal’s Rural Villages accommodate additional growth in accordance with levels set out under the Housing Strategy in order to protect and enhance the character of existing settlements.

Policy SPQHP53 – Vitality of Town and Village Centres:

Encourage appropriate residential, social and community uses in town and village centres in order to enhance their vitality and viability while recognising diversity within communities and promoting balanced socially and economically sustainable communities

Objective SPQHO56 – Rural Villages:

Facilitate appropriate development within Rural Villages subject to compliance with the following:

- i. The scale of new residential development shall be in proportion to the pattern and grain of the existing settlement and shall be located within the defined development boundary.
- ii. Encourage and promote compact growth within Rural Villages including infill, brownfield development together with redevelopment of derelict/underutilised properties.
- iii. All development shall enhance the existing village character and create or strengthen a sense of identity and distinctiveness for the settlement.
- iv. New commercial development should be centrally located within the village and contribute positively to the streetscape and public realm.
- v. Encourage new community and social facilities in conjunction with residential development.

5.1.5. Chapter 15: Development Management Standards

This chapter sets out the development standards and criteria to ensure development occurs in an orderly and efficient manner. Proposals must comply with the standards and criteria that apply to particular development types, be consistent with the objectives set out in the Development Plan. In considering the subject proposal, I consider the following to be applicable:

- Section 14.5 – Consolidation of the Built Form: Design Parameters.
- Table 14.4 – Infill Development
- Section 14.6 – Design Criteria for Residential Development in Fingal.
 - Objective DMSO1 – Screening for Appropriate Assessment
 - Objective DMSO2 – Screening for Environmental Impact Assessment

- Objective DMSO19 – New Residential Development
- Objective DMSO20 – Schedule of Accommodation
- Objective DMSO21 – Floor Plans for Residential Development
- Section 14.6.5 – Open Space Serving Residential Development
- Section 14.6.6 – External Factors for Consideration
- Section 14.8 – Housing Development/Standards
- Section 14.8.3 – Private Open Space
- Section 14.10 – Additional Accommodation in Existing Built-Up Areas
 - Objective DMSO32 – Infill Development on Corner / Side Garden Sites
- Section 14.10 - Additional Accommodation in Existing Built-Up Areas
 - Objective DMSO196 – Public Foul Sewerage Network Connections.
 - Objective DMSO197 – Foul and Surface Water Drainage Systems

Section 14.13.2 – Quantity

- Objective DMSO52 – Public Open Space Provision
- Objective DMSO53 – Financial Contribution in Lieu of Public Open Space
- Objective DMSO54 – Financial Contribution in Lieu of Open Space Provision in Smaller Developments
- Section 14.20.3 - Sustainable Urban Drainage Systems (SuDS)
- Objective DMSO202 – SuDS

5.2. National and Regional Plans

5.2.1. The following regional and national planning documents are relevant:

- Project Ireland 2040 - National Planning Framework (NPF), 2018-2040
- Eastern & Midland Regional Assembly: Regional Spatial & Economic Strategy (RSES) 2019 to 2031.

5.3. National Guidance

5.3.1. The following national planning guidance are relevant:

- Sustainable Residential Development and Compact Settlements Guidelines for Planning Authorities (2024).
- Design Manual for Urban Roads and Streets (DMURS) (2019).

5.4. **Natural Heritage Designations**

The appeal site is not located within any designated Natura 2000 sites. The nearest designated sites are the Rogerstown Estuary Special Area of Conservation (Site Code: 000208) which is located approximately 5.13km to the east and Rogerstown Estuary Special Protection Area (Site Code: 004015) which is located approximately 5.94km to the east of the site.

6.0 **EIA Screening**

See completed form 2 on file. The proposed development has been subject to preliminary examination for environmental impact assessment (refer to Form 1 and Form 2 in Appendices of this report). Having regard to the characteristics and location of the proposed development and the types and characteristics of potential impacts, it is considered that there is no real likelihood of significant effects on the environment. The proposed development, therefore, does not trigger a requirement for environmental impact assessment screening and an EIAR is not required.

7.0 **The Appeal**

7.1. **Grounds of Appeal**

The First Party appeal has been prepared and submitted on behalf of the applicant against the Planning Authority's decision to refuse permission. The grounds of appeal can be summarised as follows:

- 7.1.1. The proposal, site background, site context, Development Plan and legislative framework is set out.
- 7.1.2. Location – The sites edge of village of location cannot be disputed but it does not constitute a basis for refusal. The site is included in the development boundary of the village and no policy or statutory objective within the statutory development plan precludes or advises against its development. The planning authority accepts the principle of development at this location.
- 7.1.3. Piecemeal – The development cannot be considered piecemeal development as the proposal is an infill development surrounding on all sides by existing and permitted

development. The decision is contrary to the permission granted under Planning Reference F24A/0907E.

- 7.1.4. Design – The planning authority consider that the suburban design of the dwelling to be an issue and not reflective of rural dwellings on the edge of a rural village. Such an assessment by the council is not consistent with the most recent planning assessment under planning reference F24A/0907E. It is submitted that the majority of dwellings in the immediate area are suburban type design . The existing pattern and density of development varies dramatically in terms of layout location and overall design. There is no definite suggestion anywhere of what rural dwellings on the edge of a village should look like
- 7.1.5. Connectivity – The applicant notes that there is no footpath into the village of Ballyboughal. However the proposal represents infill development and other houses namely the dwelling that got granted permission under F24A/0907E received planning permission under identical grounds. There is no justification for refusing the proposed development while allowing an identical development immediately adjacent. The applicant is happy to accept a condition requiring the construction of a footpath in agreement with the council road department.

7.2. **Planning Authority Response**

Fingal County Council submitted a response to the appeal on the 8th of September 2025.

The planning authority is satisfied with grounds of refusal as stated in original planners report dated 30th July 2025 which is considered fully relevant with respect to the grounds of appeal submitted to An Coimisiun Pleanala.

Where the appeal is successful the planning authority seeks that a financial contribution and condition in relation to a tree bond are provided.

7.3. **Observations**

- None

7.4. Prescribed Bodies

- Dublin Airport Authority

The proposed site is located within Airport Noise Zone D – there is no objection in principle to residential development located within noise zone D.

8.0 Assessment

8.1. Having examined the application details and all other documentation on the appeal file, including the appeal submission, and inspected the site, and having regard to relevant local, regional and national policies and guidance, I consider that the main issues in this appeal are those raised in the grounds of appeal. The issues can be addressed under the following headings:

- Principle of Development
- Design
- Connectivity
- Other Matters
- Appropriate Assessment

8.2. Principle of Development

8.2.1. The proposed development is for the construction of a small infill single storey dwelling, storage structure, site walls, relocation of entrance gates granted under planning permission F23A/0493, changes to landscaping, widening of existing roundabout and connection into existing services. The proposed dwelling will be located on an infill site and will finish out construction on zoned lands at this location. Under the Development Plan, the site is zoned 'RV – Rural Village', where residential use is 'permitted in principle'. Objective SPQH042 supports infill development on underutilised sites where the character of the area is respected. The village of Ballyboughal displays a varied form, including detached houses, clusters, and estates. In this context, a single detached dwelling on the subject lands can possibly integrate satisfactorily. Objective SPQH056 requires that new development in Rural Villages be proportionate to the settlement pattern, occur within defined boundaries, promote compact growth, and enhance village character. The appeal

site meets these criteria: the scale is modest, the location is within the zoned boundary, and the scheme contributes to compact growth without undermining the settlement's distinctiveness. The site is screened from the main village approach and would not detract from local character. I note the planning authority accepted the principle of development. I note that planning permission has been granted for two other dwelling houses and an extension to the immediate east of the site by Fingal County Council. The details of this planning history is set out under Section 4.0 above.

8.2.2. In conclusion, I am satisfied that the proposed development represents appropriate infill within the Rural Village zoning, consistent with Objectives SPQH042 and SPQH056. Having regard to the site's planning history and its context, I do not consider the proposal to constitute undesirable piecemeal or backland development. Rather, it would support compact growth on zoned lands, and I am satisfied that proposal may be acceptable in principle.

8.3. Design/ Overdevelopment

8.3.1. The planning authority has cited refusal on the basis that the proposed development, comprising a suburban-style dwelling, would, when considered in combination with existing and permitted dwellings on the site, result in overdevelopment. It is further contended that the proposal would constitute undesirable backland and piecemeal development, be out of character with the prevailing pattern of development within the village, and be contrary to Objective SPQH042. The proposed site is located on what was previously a larger site of a single large dwelling house with gatehouse. The development proposal is for the front gardens of the original two storey dwelling. Two other dwellings and an extension to the gate house are already permitted on these lands.

8.3.2. The proposed development consists of a single-storey dwelling with an overall height of 4.9 metres. The design adopts a long, narrow profile, with two bedrooms and associated bathrooms located to the rear of the dwelling, and kitchen/living/dining accommodation positioned to the front. In terms of both scale and layout, the proposal closely mirrors the previously permitted development under planning reference F24A/0907E on immediately adjacent site to the east. The similarities

between the two schemes are particularly notable in respect of height, footprint, massing and general design approach.

- 8.3.3. While it is acknowledged that the proposal represents a more compact form of development than has historically been permitted in the wider area, the subject lands are zoned for residential development and the principle of compact growth within settlements is strongly supported throughout the Fingal Development Plan 2023–2029. In particular, Chapter 2 of the Plan, relating to the Core Strategy, promotes consolidation and the efficient use of serviced land within established settlement boundaries.
- 8.3.4. Chapter 15 of the Development Plan sets out the relevant design criteria for dwelling houses within settlements. Objectives DMS031 and DMS032 specifically address infill development, while Section 14.10 provides guidance on development on corner and infill sites. This section states that infill housing on underutilised infill and corner sites in established residential areas will be encouraged where proposals are cognisant of the prevailing pattern of development and character of the area, and where all applicable development standards are met. The Development Plan further recognises the need to balance the protection of residential amenities and established character with the promotion of efficient land use, consolidation and compact growth.
- 8.3.5. Having regard to these provisions, I consider that the design and layout of the proposed dwelling are consistent with the development management objectives for infill development. The scheme is effectively a near mirror of development previously permitted under F24A/0907E and therefore aligns with the established pattern of recent permissions on immediately adjacent lands. While the site is restricted in size, there is no minimum site area requirement specified within the Development Plan for such infill development. The development proposal will connect into existing services.
- 8.3.6. I further note that the proposal provides private amenity space in accordance with the relevant development management standards. Adequate surface water (SUDS) management measures, car parking provision and comprehensive landscaping details have been submitted and are considered acceptable. There is no evidence to suggest that the proposal would result in unacceptable impacts on residential

amenity or would undermine the character of the area when considered in the context of recent permitted development in the immediate vicinity.

8.3.7. In my view, the proposed development represents an appropriate and policy-compliant infill scheme, consistent with the intent of Objectives DMS031 and DMS032 of the Fingal Development Plan 2023–2029. Accordingly, I do not consider that the issues of design or alleged overdevelopment constitute a substantive reason for refusal, particularly having regard to the precedent established by permissions granted on adjacent sites.

8.4. Connectivity

8.4.1. The planning authority refused permission on the basis that the absence of safe pedestrian and cycle connectivity between the site and Ballyboughal village would render the proposed development largely car-dependent and would promote unsustainable transport patterns. In response, the applicant has submitted that the application of this requirement to the subject proposal, when such connectivity was not required as part of permissions granted on immediately adjacent sites, is unreasonable and inconsistent.

8.4.2. The nearest section of public footpath is located approximately 148 metres north of the site entrance along the R108, adjacent to the Doorage estate. The applicant has submitted a drawing demonstrating how a 1.8-metre-wide footpath could be provided along the western side of the public road to link the site with this existing pedestrian infrastructure.

The applicant has further indicated a willingness to accept either:

- a special development contribution under Section 48(2)(c) of the Planning and Development Act to facilitate delivery of the footpath, or
- a standard planning condition requiring the works to be undertaken by the applicant, subject to agreement with the Roads Authority.

Notwithstanding the above, I note that no correspondence has been provided from the Transportation Section of Fingal County Council confirming acceptance or consent for the proposed works within the public road. It is also noted that the Transportation Section raised no objection to the proposed development on connectivity grounds. Furthermore, the revised site entrance details were accepted,

with adequate sightlines demonstrated in both directions, and I am satisfied that vehicles can enter and exit the site in a safe manner without detriment to traffic safety.

- 8.4.3. The Fingal Development Plan 2023–2029 places a strong emphasis on the promotion of walking and cycling. Policy S052 seeks to ensure the provision of safe and convenient pedestrian, cycling and road systems, while Chapter 6 of the Plan (“Connectivity and Movement”) prioritises the integration of walking and cycling infrastructure within both new and existing developments. Policy CMP057 further seeks to secure a high-quality, connected and inclusive pedestrian and cycling network. These objectives are consistent with national and regional policy promoting sustainable mobility as a core component of compact growth.
- 8.4.4. The site access is located within the 50 km/h speed limit zone of Ballyboughal village. While the immediate setting retains a semi-rural character, the subject lands are zoned for residential development and are located within the settlement boundary. In this context, the delivery of a new pedestrian link to the village core would represent a positive planning gain and would address the concerns raised in the refusal reason. Such infrastructure would also benefit approximately five existing dwellings fronting the R108, as well as a larger zoned greenfield site to the north, thereby contributing to wider settlement connectivity objectives.
- 8.4.5. However, while I acknowledge that the provision of a pedestrian link would be of benefit to the local area, I do not consider its delivery to be necessary or proportionate to facilitate the development of a single infill dwelling on zoned land. The proposal is modest in scale and is consistent with the established principle of residential development on this site, having regard to permissions granted for two dwellings on immediately adjoining lands. The acceptance of those developments without the delivery of pedestrian infrastructure establishes a clear precedent in this location. In this regard, I do not consider that the addition of a single infill dwelling would, in itself, materially alter travel patterns or undermine sustainable transport objectives for the area. The lack of pedestrian connectivity, while suboptimal, is not uncommon within edge-of-village contexts and does not, in this instance, outweigh

the established zoning, the principle of development, or the limited scale of the proposal.

8.4.6. Having regard to the zoning of the lands, the modest scale of the proposal and the clear precedent established by recently permitted residential development on adjacent sites, I consider that the lack of pedestrian and cycle connectivity does not constitute a substantive reason for refusal in the case of a single dwelling. The principle of residential development on the site is accepted, and I consider that it would be unreasonable and inconsistent to withhold permission on connectivity grounds in these circumstances.

8.5. Other Matters

8.5.1. **Water Framework Directive**

I have assessed the proposed development for the construction of a single residential dwelling and have considered the objectives as set out in Article 4 of the Water Framework Directive which seek to protect and, where necessary, restore surface & ground water waterbodies in order to reach good status (meaning both good chemical and good ecological status), and to prevent deterioration. Having considered the nature, scale and location of the project, I am satisfied that it can be eliminated from further assessment because there is no conceivable risk to a surface water

The reason for this conclusion is as follows:

- The best practice standard measures that will be employed to prevent groundwater and surface water pollution from the site.
- SUDS measures employed by the applicant

I conclude that on the basis of objective information, that the proposed development will not result in a risk of deterioration on any water body (rivers, lakes, groundwaters, transitional and coastal) either qualitatively or quantitatively or on a temporary or permanent basis or otherwise jeopardise any water body in reaching its WFD objectives and consequently can be excluded from further assessment.

9.0 AA Screening

- 9.1. I have considered the subject development in light of the requirements S177U of the Planning and Development Act 2000 (as amended).
- 9.2. The subject development is located in a rural area approximately 5.13km from the Rogerstown Estuary SAC (Site Code: 000208) and 5.94km Rogerstown Estuary SPA (Site Code: 004015) which are the nearest European Sites respectively. The subject development comprises the development of a single residential unit on an infill plot.
- 9.3. Having considered the nature, scale and location of the project, I am satisfied that it can be eliminated from further assessment as there is no conceivable risk to any European site. The reason for this conclusion is as follows:
- The scale and nature of the development;
 - The distance to the nearest European site and the lack of direct connections; and,
 - Taking into account the screening determination of the Planning Authority.
- 9.4. I conclude on the basis of objective information, that the proposed development would not have a likely significant effect on any European site either alone or in combination with other plans or projects. Likely significant effects are excluded and therefore a retrospective Appropriate Assessment (Stage 2) under Section 177V of the Planning and Development Act 2000 (as amended) is not required.

10.0 Recommendation

Following from the above assessment, I recommend that permission is GRANTED for the development as proposed due to the following reasons and considerations, and subject to the conditions set out below.

11.0 Reasons and Considerations

It is considered, subject to compliance with the conditions set out below, the proposed development would be consistent with the applicable Residential zoning

objectives and other policies and objectives. of the Fingal Development Plan 2023-2029. It is considered that the proposed design and layout of the infill scheme is consistent with policy Objectives DMS031 and DMS032 of the Fingal Development Plan 2023–2029. The proposal would appropriately intensify the residential use at the site as per policy CSP-14 and would constitute an acceptable mix and quantum of residential development as per the Development Management Standards of Fingal Development Plan 2023 -2029, would provide acceptable levels of residential amenity for future occupants, would not seriously injure the residential or visual amenities of property in the vicinity, would not cause adverse impacts on or serious pollution to biodiversity, lands or water.. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

12.0 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 plans and particulars received by An Bord Pleanála on the 15th of August 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. The proposed development shall be provided with noise insulation to an appropriate standard, having regard to the location of the site within Dublin Airport Noise Zone D.

Reason: In the interests of proper planning and sustainable development and residential amenity.

3. Site development and building works shall be carried out only between the hours of 0700 to 1900 on Mondays to Fridays inclusive, between 0800 to 1400 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.

4. a) The developer shall enter into water and/ or wastewater connection agreement(s) with Uisce Eireann, prior to commencement of development.
- b) All development shall be carried out in compliance with Uisce Eireann codes and practices.

Reason: In the interest of public health.

5. Prior to the commencement of development, a final Construction Environmental Management Plan (CEMP) shall be prepared and submitted to the planning authority for written agreement. The CEMP shall incorporate details for the following: collection and disposal of construction waste, surface water run-off from the site, on-site road construction, and environmental management measures during construction including working hours, noise control, dust and vibration control and monitoring of such measures. A record of daily checks that the construction works are being undertaken in accordance with the CEMP shall be kept at the construction site office for inspection by the planning authority. The agreed CEMP shall be implemented in full in the carrying out of the development.
- b) A detailed construction traffic management plan shall be submitted for the written approval of the planning authority prior to commencement of the development.

Reason: In the interest of residential amenities, public health and safety.

6. 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 interest of public health and surface water management

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. A financial contribution in lieu of a shortfall in public open space provision is required in accordance with section 48 of the Planning and Development Act 2000, as amended.

Reason: In the interest of nature conservation, residential amenity, and to ensure the satisfactory development of the open space areas and their continued use for this purpose.

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 Bord 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.

I confirm that this report represents my professional planning assessment, judgement and opinion on the matter assigned to me and that no person has influenced or sought to influence me, directly or indirectly, following my professional assessment and recommendation set out in my report in an improper or inappropriate way.

Darragh Ryan
Planning Inspector

19th of January 2026

Form 1 - EIA Pre-Screening

Case Reference	323404-25
Proposed Development Summary	Construction of single dwelling
Development Address	The Grange, Ballyboughal, Fingal, County Dublin, A41 TD25.
	In all cases check box /or leave blank
<p>1. Does the proposed development come within the definition of a 'project' for the purposes of EIA?</p> <p>(For the purposes of the Directive, "Project" means: - The execution of construction works or of other installations or schemes, - Other interventions in the natural surroundings and landscape including those involving the extraction of mineral resources)</p>	<input checked="" type="checkbox"/> Yes, it is a 'Project'. Proceed to Q2.
2. Is the proposed development of a CLASS specified in Part 1, Schedule 5 of the Planning and Development Regulations 2001 (as amended)?	
<input type="checkbox"/> Yes, it is a Class specified in Part 1. EIA is mandatory. No Screening required. EIAR to be requested. Discuss with ADP.	State the Class here
<input checked="" type="checkbox"/> No, it is not a Class specified in Part 1. Proceed to Q3	
3. Is the proposed development of a CLASS specified in Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended) OR a prescribed type of proposed road development under Article 8 of Roads Regulations 1994, AND does it meet/exceed the thresholds?	
<input type="checkbox"/> No, the development is not of a Class Specified in Part 2, Schedule 5 or a prescribed	

<p>type of proposed road development under Article 8 of the Roads Regulations, 1994.</p> <p>No Screening required.</p>	
<p><input type="checkbox"/> Yes, the proposed development is of a Class and meets/exceeds the threshold.</p> <p>EIA is Mandatory. No Screening Required</p>	
<p><input checked="" type="checkbox"/> Yes, the proposed development is of a Class but is sub-threshold.</p> <p>Preliminary examination required. (Form 2)</p> <p>OR</p> <p>If Schedule 7A information submitted proceed to Q4. (Form 3 Required)</p>	<p>State the Class and state the relevant threshold</p> <p>Class 10 (b)(i) Construction of more than 500 dwelling units - The proposed development is subthreshold as it relates to the construction of 4 no. dwellings.</p>

<p>4. Has Schedule 7A information been submitted AND is the development a Class of Development for the purposes of the EIA Directive (as identified in Q3)?</p>	
<p>Yes <input type="checkbox"/></p>	
<p>No <input checked="" type="checkbox"/></p>	<p>Pre-screening determination conclusion remains as above (Q1 to Q3) <i>[Delete if not relevant]</i></p>

Inspector: _____ Date: _____

Form 2 - EIA Preliminary Examination

Case Reference	323404-25
Proposed Development Summary	Construction of single dwelling
Development Address	The Grange, Ballyboughal, Fingal, County Dublin, A41 TD25.
This preliminary examination should be read with, and in the light of, the rest of the Inspector's Report attached herewith.	
Characteristics of proposed development (In particular, the size, design, cumulation with existing/proposed development, nature of demolition works, use of natural resources, production of waste, pollution and nuisance, risk of accidents/disasters and to human health).	size of the development would not be described as exceptional in the context of the existing environment. The proposal will not produce significant waste, emissions or pollutants. By virtue of its development type, it does not pose a risk of major accident and/or disaster, or is vulnerable to climate change.
Location of development (The environmental sensitivity of geographical areas likely to be affected by the development in particular existing and approved land use, abundance/capacity of natural resources, absorption capacity of natural environment e.g. wetland, coastal zones, nature reserves, European sites, densely populated areas, landscapes, sites of historic, cultural or archaeological significance).	The proposed development is situated in a Rural Village. There are no significant environmental sensitivities in the vicinity – potential impacts on the SACs is addressed under Appropriate Assessment (Screening).
Types and characteristics of potential impacts (Likely significant effects on environmental parameters, magnitude and spatial extent, nature of impact, transboundary, intensity and complexity, duration, cumulative effects and opportunities for mitigation).	Having regard to the limited nature and scale of the proposed development (i.e.1 no. dwelling on zoned lands), there is no potential for significant effects on the environmental factors listed in section 171A of the Act.
Conclusion	
Likelihood of Significant Effects	Conclusion in respect of EIA

<p>There is no real likelihood of significant effects on the environment.</p>	<p>EIA is not required.</p>
<p>There is significant and realistic doubt regarding the likelihood of significant effects on the environment.</p>	
<p>There is a real likelihood of significant effects on the environment.</p>	

Inspector: _____ **Date:** _____

DP/ADP: _____ **Date:** _____

(only where Schedule 7A information or EIAR required)