



An
Coimisiún
Pleanála

Inspector's Report PL-500363-DF-25

Development	Construction of stables with all associated site works.
Location	Courtlyough, Balrothery, Co. Dublin.
Planning Authority	Fingal County Council
Planning Authority Reg. Ref.	F24A/1119E
Applicant(s)	Stephen Thorne
Type of Application	Planning Permission
Planning Authority Decision	Grant permission
Type of Appeal	Third Party Normal Planning Appeals
Appellant(s)	Andrew Gaffney
Observer(s)	None
Date of Site Inspection	28 th April 2026
Inspector	Dan Aspell

1.0 Site Location and Description

- 1.1.1. The site is in Courtlough, Balrothery and comprises an agricultural field. The stated site area is 9.1ha. The L1190 local road bounds the site to the west. Agricultural lands extend to the north-east, east and south-east. There is a dwelling adjacent the site to the south, and one to the north. Agricultural lands, Flynn Park outdoor adventure park and Courtlough Shooting Grounds are across the L1190 to the west.
- 1.1.2. The topography of the site falls away generally from a central high point to the north, south and east. There are a number of open drains within and around the site, including along the eastern and western boundaries, and running east-west through the site. Access to the site is from the L1190. The site boundaries generally comprise open ditches, with mature trees & hedgerows along the northern, eastern, and southern boundaries.

2.0 Proposed Development

- 2.1.1. The proposed development is for a horse training facility. It would comprise 20 stables; gallops; storage barn; horse walker; lunge ring; dungstead and soiled water tank; waste water treatment system & percolation area; entrance to public road; landscaping; and internal access laneway.
- 2.1.2. The applicant provided a flood risk assessment; soakaway design report; road engineers report; Appropriate Assessment screening report; Pre-Connection Enquiry; landscaping proposals; visual impact assessment; site suitability assessments; hydrogeological assessment; and accompanying drawings.

3.0 Planning Authority Decision

3.1. Decision

- 3.1.1. Fingal County Council issued a notification to grant permission subject to 14 no. Conditions. I note the following in particular:
- Condition 3: External finishes as indicated and to be maintained as such;
 - Condition 4: No increase in concrete / gravel area without a grant of permission;

- Condition 5: Standard drainage conditions;
- Condition 6: Standard roads conditions;
- Condition 7: Standard landscaping conditions;
- Condition 9: External colour of cycle shelter;
- Conditions 10, 11, 13 & 14: Construction management;
- Condition 12: Standard Uisce Eireann conditions.

3.2. Planning Authority Reports

3.2.1. Planning report: The Planner report recommended permission be granted. I note the following points:

- Principle: Proposal is compatible with the zoning. Conditions restricting human habitation are required;
- Amenity: Report noted the proposed buildings are at an elevated location in the site but are grouped to reduce visual impact. The proposed colours comply with the Development Plan. Details of surface treatments are provided; a condition limiting the size of concrete, gravel & sand areas is required. Proposals are adequate subject to conditions relating to landscaping and the proposed colours;
- Landscaping & boundaries: The landscaping proposals mitigate impacts and are generally acceptable. Planner report stated a preference for the hedgerow planting to continue along the entire length of the roadway boundary. Proposals are generally acceptable, subject to conditions relating to approval for the proposed art feature and for the landscape plans to comply with the requirements of the Parks Department;
- Transportation & access: No objection subject to conditions;
- Sightlines: Transportation Section were satisfied sightlines exceed TII requirements;
- Parking: Turning area and parking is appropriate. Reduced gravel/hardcore area is proposed. Conditions for the cycle parking to harmonise with adjacent buildings is required. No objection subject to conditions;

- Waste: No objection subject to standard conditions;
- Water services & drainage: No objection on grounds of flood risk or surface water disposal subject to standard conditions. Site is in the outer source zone of Bog-of Ring groundwater abstraction scheme. Uisce Eireann Confirmation of Feasibility is submitted. Planner report noted the submitted Hydrogeological Assessment concluded the proposal will not pose a significant risk to the groundwater environment. Report noted comments submitted from Uisce Eireann and the EPA in this regard. Applicant submits an appropriately detailed assessment of potential accumulation of nitrate / microbiological contamination. Report noted Water Services Department have no objection subject to conditions. Proposal is considered acceptable subject to standard conditions;
- Previous reasons for refusal: Previous reasons have been addressed;
- Appropriate Assessment: Report concurred with submitted AA screening report that there is no realistic pathway to European Sites;
- EIA: No EIAR required;
- Conclusion: Proposal will alter existing views but is appropriately sited and in a suitable location. Landscaping proposals provide for appropriate visual screening. Proposed buildings accord with the Development Plan. Subject to conditions no undue negative impacts on the rural or residential amenities of the area are foreseen. Proposal is supported by Development Plan Objective EEO82 which supports expansion of equine industry.

Other Technical Reports

- Parks Division: No objection subject to conditions.
- Transportation Planning Section: No objection subject to conditions.
- Water Services Department: No objection subject to conditions.
- Environment, Climate Action, Active Travel & Sports Department: No objection subject to conditions.

3.2.2. The Planner Report refers to a report from the Air & Noise Officer Section however no such report is on the Commission case file. The Planner Report stated that the report stated no objection and no conditions. I am satisfied this report is not

necessary to make a decision on the appeal, however the Commission may be inclined to seek a copy of this report for the Commission case file.

3.3. **Prescribed Bodies**

3.3.1. Uisce Eireann: No objection in principle subject to conditions.

3.4. **Third Party Observations**

- 3.4.1. During the planning application stage 3 no. observers made submission to the Planning Authority. These were Mr & Mrs Gaffney; Andrew Gaffney; and Rob O'Donoghue TD (letter of support).
- 3.4.2. The issue raised related to: impacts on environment, ecology and wildlife, including impacts on numerous species including bats and corncrake; construction traffic, including impacts on drains and surface water; proposed dungsteaed & vermin control; future development in the area; commercial development which is out of character with the area; inaccuracies in the submitted information; increase in traffic; impact on drainage; and flood risk.
- 3.4.3. The letter of support stated the application addressed the issues outlined in the previous application (Reg. Ref. F24A/0634) and provides for equine sports.

4.0 **Relevant Planning History**

4.1. **Subject site**

- 4.1.1. Reg. Ref. F24A/0634: Planning permission refused by the Planning Authority in 2024 for a horse training facility comprising: stable barn with 20 horse stables; feed storage room; tack room; office; canteen; W/C; portal frame barn for the storage of hay straw and machinery; roofed horse walker; lunge ring; dungstead; soiled water tank; 2 no. wood cabins to be occupied by employees of the development; waste water treatment unit and percolation area, new road entrance and internal access road and all associated site works.
- 4.1.2. Permission was refused for 5 no. reasons, generally as follows: (1) substandard sightlines; (2) rural housing need; (3) amenity impact of wood cabins; (4) visual

impact in the absence of boundary treatments; (5) lack of adequate information on water supply (well) and flood risk.

4.2. **Nearby sites:**

Lands to the west:

- 4.2.1. Reg. Ref. F25A/0713E: Planning permission granted by the Planning Authority in 2025 for a new 2-storey dwelling and vehicular access off the L1155;
- 4.2.2. Reg. Ref. F24A/0230: Planning permission granted by the Planning Authority in 2024 for alterations to Courtlough Shooting Grounds including increase in gross floor area by 357sqm and alterations to external material finish;
- 4.2.3. Reg. Ref. F21A/0211: Planning permission granted by the Planning Authority in 2022 for: changing facility; indoor activity centre; one-way vehicular entrance from the Balrothery Road (L1155); car parking; SUDS drainage, foul treatment system, landscaping, boundary treatments and all associated works;
- 4.2.4. Reg. Ref. F20A/0556 (ABP-309282-21): Planning permission granted by the Board in 2021 for a single storey extension to side of existing bungalow, on-site wastewater treatment unit and percolation area & associated site works.

5.0 **Policy Context**

5.1. **Relevant National & Regional Policy / Ministerial Guidelines**

National Biodiversity Action Plan 2023, including its Objectives and Targets.

EPA Code of Practice Domestic Waste Water Treatment Systems 2021.

Planning System & Flood Risk Management Guidelines 2009.

5.2. **Development Plan**

- 5.2.1. The site is zoned 'RU – Rural' in the Fingal County Development Plan 2023-2029.

Agriculture & Equine

Objective EEO82: *“Support and Encourage the Equine Industry Support and encourage the development and expansion of the equine industry in the County,*

including supporting equine related activities of an appropriate size and at suitable locations.”;

Sections 7.5.3 ‘Rural Economy and 7.5.3.3 ‘Rural enterprise’;

Section 15.15.5 ‘Agriculture Development’;

Objective DMSO100 ‘Agricultural Buildings’; Objective DMSO101 ‘Design of Agricultural Buildings’, Objective DMSO102 ‘Assessment of Agricultural Development’;

Landscape & views

Section 9.6.13 ‘Landscape’, Section 9.6.14 ‘Landscape Character Assessment’; Objective GINHO60 ‘Protection of Views and Prospects’; and Policy GINHP26 ‘Preservation of Views and Prospects’;

Trees & hedgerows

Section 9.6.9 ‘Protection of Trees and Hedgerows’; Policy GINHP21 ‘Protection of Trees and Hedgerows’; and Objective DMSO126 ‘Protection of Trees and Hedgerows during Development’;

Biodiversity

Sections 9.5.1.1 ‘Biodiversity’; 9.6.1 ‘Biodiversity Conservation in Fingal’; and 9.6.7 ‘Nature Development Areas’. Section 9.6.7 states: *“‘Nature Development Areas’, are locations where nature conservation can be combined with existing activities such as farming, forestry, quarrying and recreation (e.g. golf courses). These areas are reservoirs of biodiversity in the wider countryside and together with the corridors and stepping-stones allow species to move through the landscape. Specific objectives have been developed for the Nature Development Areas in the Fingal Biodiversity Action Plan and the Council will work with landowners to achieve benefits for biodiversity in these areas.”;*

Policies GINHP11 ‘Biodiversity Action Plan’ and GINHP13 – Fingal Ecological Network;

Objective GINHO37 ‘Nature Development Areas’: *“Maintain and/or enhance the biodiversity of the Nature Development Areas indicated on the Green Infrastructure maps”;*

Section 14.18.2.3 ‘Nature Development Areas’

Objective DMSO152 ‘Planning Guidelines for Nature Development Areas’:

“Implement planning guidelines for Nature Development Areas and corridors as outlined in the Fingal Biodiversity Action Plan.”;

Art

Section 14.9.8 ‘Arts’;

Fingal Biodiversity Action Plan 2023-2030, incl. Section 8.3 ‘Nature Development Areas and Appendices XII and XIII.

5.3. Natural Heritage Designations

5.3.1. North-West Irish Sea SPA is approx. 2.9km to the east.

6.0 Environmental Impact Assessment (EIA) screening

6.1.1. The proposed development has been subject to preliminary examination for environment impact assessment (See Form 1 & 2 Appendix 1 of this report). Having regard to the characteristics and location of the development and the types and characteristics of potential impacts, I consider that there is no real likelihood of significant effects on the environment. The development, therefore, does not trigger requirement for EIA screening and an EIAR is not required.

7.0 The Appeal

7.1. Grounds of Third-Party Appeal

7.1.1. A third-party appeal was received, from Andrew Gaffney, summarised as follows:

- Council failed to take into consideration all relevant factors. Requests the Commission review the file and all relevant submissions;
- Height and prominence: Neighbouring dwellings (Reg. Ref. F20A/0556) had a height restriction placed on their dwelling;

- Local need: Applicants own and farm in the area but have never lived in the locality. Area is a high amenity area on the edge of the green belt; appellant question applicant's qualification;
- Environmental: There was a large group of nesting Lapwings occupying the site this year. The Lapwing is protected. The Irish Parks & Wildlife Services, Birdwatch Ireland, and Fingal Environmental Officer were on site to observe which shows what an important ecological environment this is and needs protecting.

7.1.2. The appeal includes information on chakras and the planning history of the site.

7.2. **First-Party Response to Third-Party Appeal**

7.2.1. None.

7.3. **Planning Authority Response**

7.3.1. Response stated no further comment and requested standard financial contributions.

7.4. **Observations**

7.4.1. None.

7.5. **Further Responses**

7.5.1. None.

8.0 **Assessment**

8.1.1. Having regard to the foregoing; having examined the application, appeal, Planning Authority reports, and all other documentation on file including all of the submissions received in relation to the appeal; and having inspected the area within and around the site; and having regard to relevant local, regional and national policies, objectives and guidance, I consider the main issues in this appeal are as follows:

- Principle of development;
- Height and prominence;

- Ecology / Biodiversity;
- Related matters raised in the course of the appeal.

8.2. Principle of Development

8.2.1. The site is within an area zoned '*RU – Rural*' in the Fingal County Development Plan. The land use zoning objective is: "*Protect and promote in a balanced way, the development of agriculture and rural related enterprise, biodiversity, the rural landscape, and the built and cultural heritage*". Development Plan Section 7.5.3.3 'Rural enterprise' states that within the rural countryside, equine, enterprise is promoted. Agricultural buildings are permitted in principle on RU zoned lands. No residential development is proposed. I am satisfied the proposed development is acceptable in principle subject to the considerations below.

8.3. Height and prominence

- 8.3.1. The appeal raises concern with the height and prominence of the proposed structures and refers to precedent height restrictions on dwellings in the area. I note related points made in the Observations on file regarding the development being a commercial development that would be out of character in the area.
- 8.3.2. I note that the permission for a neighbouring dwelling (Reg. Ref. F20A/0556) had a height restriction placed on the dwelling.
- 8.3.3. The Planner Report discussed the visual and amenity impact of the proposal in detail. Condition 3 of the decision restricted the external finishes to those proposed, and Condition 9 restricted the colour of the cycle shelter. Condition 7 provided standard landscaping and boundary treatment conditions.
- 8.3.4. I have reviewed the submitted architectural plans, elevations, sections and contiguous elevations; landscape plans and landscape proposals submitted at application, further information, and clarification of further information stages.
- 8.3.5. The proposed development is for a stables, a storage barn, walker, lunge, dungstead and related structures. The stables building would be pitch roofed and would measure approx. 45m by 12.8m, and would be approx. 7.6m at its apex. A small office, shower, toilet and canteen wing would adjoin this. The proposed barn

comprises a pitch roofed concrete and metal agricultural shed finished in dark green. It would measure approx. 12.8 by 38.6m and the roof apex would be approx. 7.6m high at maximum. The lunge would be approx. 31m in diameter and comprises a post and rail fence. The proposed horse walker would be approx. 20m in diameter and 4.2m in height at maximum. Minimal details of the walker finishes are provided. The proposed gallops would run south-north generally within and between the low points in the site (south, east and north). Paddocks, vehicular circulation, driveway, walkways, grassed showing area, and a walkway are marked out on the site layout.

- 8.3.6. The site topography falls away to the south, east and north, and the majority of proposed structures are to be located away from the high point of the site which is along the western boundary. There are mature hedgerows to the south, east and north. I note again the existing dwellings adjacent the south-western and northern boundaries. Planting is proposed inside a section of the western boundary only. There is also mature hedgerow along the field boundary across the road to the west.

Assessment

Design and visual amenity

- 8.3.7. The appellant describes the site as prominent, however I consider that whilst the site is a relatively large open field with views to east, the proposed development is reasonably typical in scale and well-sited within the field away from the road and existing house to the south. In this regard the existing and proposed boundaries, and the existing topography would also provide a reasonable degree of screening. I also note the horse walker and lunge would be to the rear of the proposed structures, which sit parallel to each other. I consider these factors, alongside the existing and proposed boundaries, would provide for a good degree of screening and would minimise the visual impact and prominence of the proposed development, which would in the main appear coherent and well-ordered within the site. I accept that the development would be visible and prominent in the immediate vicinity, however overall I am satisfied the development would not be out of place in the rural area and would be of a reasonable form, scale and design for the area.
- 8.3.8. Regarding the proposed structures, I have had regard to the submitted plans and particulars. Overall I am satisfied the proposed agricultural-type buildings and associated works generally comply with Development Plan requirements in relation

to grouping, colour, construction, layout, unobtrusiveness, finish, scale, materials, size, form, and in terms of impact on the landscape and skyline. I am satisfied the proposal is acceptable subject to standard conditions relating to materials, colours and finishes, including for the colour and finish of the proposed wall.

Boundaries, planting & landscaping

- 8.3.9. Regarding boundary treatments, planting and landscaping, the site layout indicates the site boundaries are to comprise screen planting. The landscape plan however indicates partial additional boundary treatments, restricted to parts of the southern, eastern and western boundaries. The submitted landscape proposal notes that no hedge exists along the road frontage, and states that two enclosures of beech hedgerow will be planted at the southern end of the development stepped back from the existing boundaries. It states that within the enclosures, birch, rowan, ash, hazel and native wildflowers will be planted, and that a beech hedge with native trees and wildflower will also be planted at the stable entrance. It states that for the open paddocks and gallops no landscaping is proposed. The existing trees, hedgerows and drains along the northern, eastern and southern boundaries are indicated to be retained.
- 8.3.10. Review of the submitted information indicates that 5 enclosures of beech hedgerow are proposed. Generally, these are to be around the proposed structures, focussing on the area between the proposed buildings and the road. 'Standard' trees are also proposed along the southern boundary. I consider the arrangement of these enclosures will provide a reasonable degree of screening around the structures.
- 8.3.11. Overall regarding boundaries, I consider the proposals are broadly acceptable. I note that a reasonable degree of screening would be in place between the development and the adjacent dwellings to the north and south. A reasonable degree of planting would be provided to provide some screening around the development when viewed from the public road and house to the south. I consider however that there is lack of consistency and a lack of detail within the submitted information. In this regard I note the submitted architectural layout indicates the western boundary along the road is to comprise screen planting, however planting is only proposed inside the southern portion of the western boundary within the submitted landscape plan. I consider that

a standard condition for the agreement of landscaping details is warranted (condition 7 of Planning Authority decision).

Views and landscape

8.3.12. The site is within a 'Highly Sensitive' and 'High lying Agricultural Landscape Character Area'. There is a 'Preserve Views' objective along the public road adjacent the western site boundary. As above the proposed buildings are generally clustered away from the high point in the site, which I consider is appropriate for the surrounding landscape and character area. I note also that whilst the Planner Report considered that planting along the full western boundary would be preferable, I note the proposed planting along the western boundary is again located at a lower point topographically within the site and restricted to the areas around the proposed buildings. I am satisfied the proposal to retain the open nature of the remainder of the western boundary strikes an appropriate balance between screening the proposed development whilst supporting the objective to preserve views from the road, subject to standard boundary conditions.

Character

8.3.13. I note points made in this regard by Observers to the application. Having reviewed the submitted information, and the nature, form and design and the proposed structures, I am broadly satisfied the development as proposed would not be out of character in the area. In this regard I note the proposal would be a horse training facility. The proposed structures are reasonably typical for such development and reasonably typical in the area. I also note the significant commercial / sporting development to the west (in particular Flynn Park outdoor adventure park). Accordingly, I am satisfied the development would not have a significant detrimental impact on the character of the area.

Previous reason for refusal

8.3.14. The previous application on the site was refused on grounds of the amenity impact of the previously proposed wood cabins (refusal reason 3) and visual impact in the absence of boundary treatments (reason 4). Wood cabins do not form part of the subject case. Reasonable boundary treatments are proposed in the subject case, however I consider as above that agreement of details by condition in this regard is

warranted. Accordingly, I am satisfied that these previous reasons for refusal do not arise in this case, subject to standard landscaping and materials conditions.

Precedent

- 8.3.15. Having regard to the foregoing, I am broadly satisfied the proposed development complies with the provisions of the Development Plan and the proper planning and sustainable development of the area and would not provide for an inappropriate precedent in the area.

Conclusion

- 8.3.16. Overall I am satisfied the proposal is acceptable in the above regards, subject to the attachment of conditions for the agreement of a final landscape, planting and boundary treatment.

8.4. Ecology / Biodiversity

- 8.4.1. I note the appellant points in relation to potential impacts in relation to Lapwings. I also note concerns from Observers regarding a large number of species not referenced in the appeal, including bats and Corncrake in the area. No evidence of such species within or adjacent the site is provided by the appellant or Observers.
- 8.4.2. The appellant states the National Parks & Wildlife Services, Birdwatch Ireland, and Fingal Environmental Officer visited the site. No submissions are received from these organisations.
- 8.4.3. The Planning Authority internal reports did not clearly address this matter. No related technical reports specifically dealing with these matters were submitted by the applicant. For completeness I note points made in the Appropriate Assessment screening report, however no reference is made to Lapwing or Corncrake. No appeal response has been submitted from the applicant.
- 8.4.4. I note in particular that amongst the numerous species referenced by the Observations as being in the area, reference is made to the Corncrake. Publicly available Fingal County Council Development Plan mapping indicates the site is located within a 'Parks Biodiversity Nature Development Area'. It also refers to the type of Nature Development Area as 'Farmland' and that the 'features' recorded for the area include Corncrake.

8.4.5. Development Plan Section 9.6.7 'Nature Development Areas' states that Nature Development Areas, are locations where nature conservation can be combined with activities such as farming. Objective GINHO37 'Nature Development Areas' seeks to maintain and/or enhance the biodiversity of Nature Development Areas. Objective DMSO152 'Planning Guidelines for Nature Development Areas' seeks to implement planning guidelines for Nature Development Areas and corridors as outlined in the Fingal Biodiversity Action Plan. I have reviewed the Fingal Biodiversity Action Plan including Section 8.3 and Appendices XII and XIII in relation to provisions for Nature Development Areas.

Assessment

8.4.6. The site comprises previously harvested arable land was idle at the time of my site visit. The submitted landscape proposal indicates existing boundaries are largely to be retained, with additional tree, hedgerow and wildflower planting proposed within the site. The proposed structures are for a horse training facility, and are clustered centrally within the site away from the site boundaries, with the majority of the site to be in open pasture.

8.4.7. Overall in this regard, whilst no technical assessments in relation to the above bird species are on the file, having regard to the nature of the site and adjacent areas which are largely agricultural, residential and commercial; having regard to the minimal impact proposed on adjacent trees and hedgerows; having regard to the extensive greenfield lands in the area; and having regard to my site visit, I am broadly satisfied the proposed development is acceptable in this location and would not have an undue or significantly detrimental impact on habitats and species beyond the immediate local impact. As above I consider that standard construction management conditions are warranted to ensure the protection of trees and hedgerows and mitigate construction phase impacts on the immediate area.

8.4.8. Regarding the Nature Development Area specifically, having regard to the above provisions of the Development Plan and Fingal Biodiversity Action Plan, I am generally satisfied the proposed development meets the relevant local planning requirements. In this regard I consider there are limited existing wildlife features within the site, and those that remain are to be largely retained (boundary trees and hedgerows). Supplementary planting and screen planting are proposed within the

site set back from the boundaries. Native tree, hedge and undergrowth species are proposed. The site is in agricultural use. Extensive parts of the site are to be kept in open pasture. Proposed buildings and related structures are clustered together. I am satisfied that bird and other species can continue to move through the site.

8.4.9. Regarding bats, no information on bats in the area is provided on the file. I have reviewed the National Bat Database of Ireland which does not record bat species as being present in the area. The existing trees and hedgerows along the site boundaries are to be largely retained. I am satisfied that the proposal is acceptable in this regard, subject to standard construction management conditions.

8.4.10. Regarding Appropriate Assessment, refer to Section 9.0 and Appendix 2 of this report.

8.5. Related matters raised in the course of the appeal

Rural housing need

8.5.1. I note the previous reason for refusal on the site (Reg. Ref. F24A/0634, refusal reason 2) and points made by the appellant in relation to housing need in the subject case. As no housing is proposed as part of this case, I am satisfied these matters do not arise.

Access & traffic

8.5.2. I have reviewed the nature of the proposed development; the road network serving the site; comments from the Observers in this regard; and the report from the Transportation Planning Section. I have also had regard to the proposed access, parking, and vehicular circulation.

8.5.3. Whilst the road serving the site is a local road, I am satisfied it can accommodate two vehicles passing simultaneously. Overall I have no significant concerns with the proposed development in this regard. I note condition 6 of Planning Authority decision and the recommendations of the Transportation Section report in this regard. I am satisfied the layout submitted generally meets the requirements of Condition 6 and the Transportation Section report, and as such that standard condition 1 suffices in this regard.

- 8.5.4. Regarding the proposed access, I have had regard to the proposed layout and elevations submitted, including the sightlines indicated. The previous application on the site was refused (reason 1) on grounds of inadequate sightlines. Having regard to the information submitted, and the location and layout of the proposed access, I am satisfied that the previous reasons for refusal have been resolved.
- 8.5.5. Regarding construction traffic, I note the points made by the Observers and appellant on this case, particularly in relation to potential impacts of construction traffic on the drains adjacent the road and resulting potential impacts on surface water. I consider that a condition for the management of construction and construction traffic is warranted (conditions 10, 11, 13 & 14 of Planning Authority decision).

Water services and drainage

- 8.5.6. Water services and drainage matters were not raised within the appeal, however I note the Observer points in relation to the potential impact of the proposed development on drainage in the area and related impacts regarding flood risk in the area, particularly arising from construction traffic. The previous reason for refusal on the site (Reg. Ref. F24A/0634), reason 5) related to lack of adequate information on water supply (proposed well) and flood risk. I have had regard to the Planning Authority internal reports, including Water Services Department reports on the case.
- 8.5.7. The proposal includes for a toilet and shower. A soakaway, wastewater treatment system, and polishing filter are proposed. I note the proposed dungstead design, including effluent storage. I also note the proposed gravel, hardcore and structures proposed. Existing drains are to be largely retained as is. Water supply is to be taken from the public mains.
- 8.5.8. I have had regard to the submitted flood risk assessment; soakaway design report; engineers report; AA screening report; site suitability assessments; hydrogeological assessment and drawings. A submission from Uisce Eireann was received which stated no objection in principle subject to standard conditions. I note the Planner Report commentary in this regard.
- 8.5.9. Overall I am satisfied the proposal is acceptable in these regards, subject to standard conditions relating to Uisce Eireann (condition 12 of Planning Authority decision), construction management, the proposed waste water treatment system

(condition 5 of Planning Authority decision), and related standard conditions in relation to drainage including in relation to agriculture.

8.5.10. I note refusal reason 5 from the previous application on the site. The applicant included a flood risk assessment with the application. The site is in flood risk zone C. I am satisfied that outstanding matters in this regard are satisfactorily resolved.

Inaccuracies in submitted information

8.5.11. I note points in this regard from the appellant and Observers on file, including in relation to characterisations of the area as residential and distances to neighbouring dwellings. Having reviewed the submitted information and having visited the area, I am satisfied that the information submitted is broadly satisfactory for the purposes of considering this appeal.

Conditions

8.5.12. In addition to the foregoing, should the Commission be minded to grant permission I also consider the following regarding conditions:

- Art feature: An art feature is proposed. Condition 8 required agreement of details in this regard. I do not consider this is warranted;
- Finishes: Conditions 3 (maintenance of finishes) and Condition 9 (colour of cycle shelter) can be replaced by a single condition;
- Surfaces: I consider that given the size of the site, the materials proposed, the proposed layout include planting, and the extent of green areas to be retained, that Condition 4 (no increase in concrete or gravel areas) of the Planning Authority decision is not warranted and can be replaced by standard surface water management conditions;
- Construction management: I consider that conditions 10, 11, 13 and 14 of the Planning Authority decision can be consolidated into a single condition;
- Human habitation: The proposed development is for a horse training facility. No residential component is proposed. I am satisfied condition 2 of the Planning Authority decision (restriction on human habitation) is not warranted and that standard condition 1 suffices;

- Waste: I do not consider that a standalone condition in this regard (condition 10 of the Planning Authority decision (resource waste management plan)) is required;
- Contributions: Standard Section 48.

9.0 **Appropriate Assessment screening**

9.1.1. Refer to Section 8 and Appendix 2 of this report.

9.1.2. In accordance with Section 177U of the Planning and Development Act 2000 (as amended) and on the basis of the information considered in this AA screening, I conclude that the proposed development individually or in combination with other plans or projects would not be likely to give rise to significant effects on any European Sites including the North-West Irish Sea SPA in view of the conservation objectives of these sites and is therefore excluded from further consideration. Appropriate Assessment is not required. This determination is based on the nature of the proposed works and the location and distance from nearest European site and lack of connections.

10.0 **Water Framework Directive**

10.1.1. The subject site is located approx. 191m south of the Gibbonsmoor stream / Matt river. The proposed development comprises a horse training facility. No water deterioration concerns were raised in the planning appeal. I have assessed the project 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 prevent deterioration. Having considered the nature, scale and location of the project, I am satisfied it can be eliminated from further assessment because there is no conceivable risk to any surface and/or groundwater water bodies either qualitatively or quantitatively, or otherwise jeopardise any water body in reaching its WFD objectives. The reason for this conclusion is as follows: the nature of works e.g. small scale and nature of the development, and the location-distance from nearest Water bodies and lack of hydrological connections. I conclude that on the basis of objective information, 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.

11.0 Recommendation

11.1.1. I recommend permission be **Granted**, for the reasons and consideration below.

12.0 Reasons and Considerations

Having regard to the nature, extent and layout of the proposed facility; and to the existing and permitted pattern of development in the area, it is considered that the proposed development generally complies with the policies and objectives of the Fingal County Development Plan 2023-2029, including having regard to the 'RU - Rural' land use zoning objectives for the area, and the provisions of Policy Objective EEO82 and Section 7.5.3.3 of the County Development Plan. On balance it is considered that the proposed development would not impact unduly on amenities, traffic, public health or ecology of the local environment, and that therefore the proposed development would be in accordance with the proper planning and sustainable development of the area, subject to the conditions below.

13.0 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 further plans and particulars received by the Planning Authority on the 25 th day of April 2025, and clarification of further information received by the Planning Authority on 7 th October 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
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	<p>shall be carried out and completed in accordance with the agreed particulars. Reason: In the interest of clarity.</p>
2.	<p>Details of the finishes of the stables, barn, and walker, and the location of fencing of paddocks and other areas 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 orderly development.</p>
3.	<p>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:</p> <ul style="list-style-type: none"> (a) A plan to scale of not less than [1:500] showing – <ul style="list-style-type: none"> (i) Existing trees, hedgerows and drains, 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 (iii) The species, variety, number, size and locations of all proposed trees and shrubs which shall comprise predominantly native species such as mountain ash, birch, willow, sycamore, pine, oak, hawthorn, holly, hazel, beech or alder which shall not include prunus species; (iv) Details of screen planting which shall not include cupressocyparis x leylandii (v) Details of roadside/street planting which shall not include prunus species; (vi) Hard landscaping works, specifying surfacing materials, and finished levels. (b) Specifications for mounding, levelling, cultivation and other operations associated with plant and grass establishment (c) A timescale for implementation including details of phasing <p>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>

4.	<p>(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 and shall be in accordance with the standards set out in the document entitled “Code of Practice - Domestic Waste Water Treatment Systems (Population Equivalent ≤ 10) ” – Environmental Protection Agency, 2021.</p> <p>(b) Treated effluent from the septic tank/ wastewater treatment system shall be discharged to a percolation area/ polishing filter which shall be provided in accordance with the standards set out in the document entitled “Code of Practice - Domestic Waste Water Treatment Systems (Population Equivalent ≤ 10)” – Environmental Protection Agency, 2021. (c) Within three months of the first occupation of the dwelling, the developer shall submit a report to the planning authority from a suitably qualified person (with professional indemnity insurance) certifying that the septic tank/ 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.</p> <p>Reason: In the interest of public health and to prevent water pollution AG wastewater</p>
5.	<p>Water supply and drainage arrangements for the site, including the disposal of surface and soiled water, shall comply with the requirements of the planning authority for such works and services. In this regard-</p> <p>(a) uncontaminated surface water run-off shall be disposed of directly in a sealed system to ground in appropriately sized soakaways</p> <p>(b) all soiled waters shall be directed to an appropriately sized soiled water storage tank (in accordance with the requirements of the European Union (Good Agricultural Practice for the Protection of Waters (Amendment) Regulations 2022, as amended, or to a slatted tank. Drainage details shall be submitted to and agreed in writing with the planning authority, prior to commencement of development.</p> <p>(c) all separation distances for potable water supplies as outlined in the European Union (Good Agricultural Practice for the Protection of Waters)(Amendment) Regulations 2022, as amended shall be</p>

	<p>strictly adhered to.</p> <p>Reason: In the interest of environmental protection and public health.</p>
6.	<p>Prior to the commencement of development the developer shall enter into a Connection Agreement(s) with Uisce Éireann (Irish Water) to provide for a service connection(s) to the public water supply and/or wastewater collection network.</p> <p>Reason: In the interest of public health and to ensure adequate water/wastewater facilities.</p>
7.	<p>Prior to commencement of works, the developer shall submit to, and agree in writing with the planning authority, a Construction Management Plan, which shall be adhered to during construction. This plan shall provide details of intended construction practice for the development, including hours of working, noise and dust management measures, construction traffic management, and off-site disposal of construction/demolition waste.</p> <p>Reason: In the interest of public safety and amenity.</p>
8.	<p>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.</p> <p>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.</p>

-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.-

Dan Aspell
Planning Inspector
11th May 2026

APPENDIX 1

Form 1: EIA Pre-Screening

Case Reference	PL-500363-DF-25
Proposed Development Summary	Construction of stables with all associated site works.
Development Address	Courtclough, Balrothery, Co. Dublin
1. Does the proposed development come within the definition of a 'project' for the purposes of EIA?	
	<input checked="" type="checkbox"/> Yes, it is a 'Project'. Proceed to Q2.
	<input type="checkbox"/> No, No further action required.
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.	
<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 type of proposed road development under Article 8 of the Roads Regulations, 1994. No Screening required.	
<input type="checkbox"/> Yes, the proposed development is of a Class and meets/exceeds the threshold. EIA is Mandatory. No Screening Required.	
<input checked="" type="checkbox"/> Yes, the proposed development is of a Class but is sub-threshold. Preliminary examination required. (Form 2) OR If Schedule 7A information submitted proceed to Q4. (Form 3 Required)	Class 10(dd) private roads
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)?	
Yes <input type="checkbox"/>	Screening Determination required (Complete Form 3)
No <input checked="" type="checkbox"/>	Pre-screening determination conclusion remains as above (Q1 to Q3)

Inspector: _____ **Date:** __ 7th May 2026 __

Form 2: EIA Preliminary Examination

Case Reference	PL-500363-DF-25
Proposed Development Summary	Construction of stables with all associated site works.
Development Address	Courtough, Balrothery, Co. Dublin
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	Proposed development comprises construction of stables with all associated site works in a rural area. The proposed development has a modest footprint, comes forward as a standalone project, requires no demolition works, does not require the use of substantial natural resources, or give rise to production of significant waste, significant risk of pollution or nuisance. The development, by virtue of its type, does not pose a risk of major accident and/or disaster, human health or is vulnerable to climate change.
Location of development	The development is located in a rural area on agricultural land. The receiving location is not particularly environmentally sensitive and is removed from sensitive natural habitats, designated sites and identified landscapes of significance in the County Development Plan. The site is not of historic and cultural significance. Given the scale and nature of development and mitigation proposed there will be no significant environmental effects arising.
Types and characteristics of potential impacts	Having regard to the characteristics and modest nature of the proposed development, the sensitivity of its location removed from sensitive habitats/features, likely limited magnitude and spatial extent of effects, and absence of in combination effects, 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
There is no real likelihood of significant effects on the environment.	EIA is not required.
There is significant and realistic doubt regarding the likelihood of significant effects on the environment.	Schedule 7A Information required to enable a Screening Determination to be carried out.
There is a real likelihood of significant effects on the environment.	EIA is not required.

Inspector: _____ Date: 7th May 2026

DP/ADP: _____ Date: _____

APPENDIX 2

Screening for Appropriate Assessment - Test for likely significant effects				
Step 1: Description of the project and local site characteristics				
Brief description of project		Construction of stables with all associated site works.		
Brief description of development site characteristics and potential impact mechanisms		Site measures 9.100ha and comprises agricultural land. Site is approx. Skerries Islands SPA is approx. 5.89km to the east and Rogerstown Estuary SAC and Rogerstown Estuary SPA are approx. 6.93km to the south.		
Screening report		Yes		
Natura Impact Statement		No		
Relevant submissions		Planning Authority screening		
Step 2. Identification of relevant European sites using the Source-pathway-receptor model				
European Site (code)	Qualifying interests Link to conservation objectives (NPWS, date)	Distance from proposed development (km)	Ecological connection	Consider further in screening Y/N
The submitted Appropriate Assessment screening report from Noreen McLoughlin Environmental Consultant identifies a large number (11) of European Sites within a 15km zone of influence. The report screens all the Sites out on grounds of no source-pathway. I identify the following Sites on grounds the source-pathway-receptor model. This Site was considered and discounted in the submitted Appropriate Assessment screening report				
North West Irish Sea SPA (004236)	https://www.npws.ie/protected-sites/spa/004236	2.0km	No feasible connection.	No
Step 3. Describe the likely effects of the project (if any, alone or in combination) on European Sites AA Screening matrix				
Site name Qualifying interests		Possibility of significant effects (alone) in view of the conservation objectives of the site*		
		Impacts	Effects	
North-west Irish Sea SPA (004236) Red-throated Diver <i>Gavia stellata</i> Great Northern Diver <i>Gavia immer</i> Fulmar <i>Fulmarus glacialis</i> Manx Shearwater <i>Puffinus puffinus</i> Cormorant <i>Phalacrocorax carbo</i> Shag <i>Phalacrocorax aristotelis</i> Common Scoter <i>Melanitta nigra</i> Black-headed Gull <i>Chroicocephalus ridibundus</i> ommon Gull <i>Larus canus</i> Lesser Black-backed Gull <i>Larus fuscus</i> Herring Gull <i>Larus argentatus</i> Great Black-backed Gull <i>Larus marinus</i> Kittiwake <i>Rissa tridactyla</i> Roseate Tern <i>Sterna dougallii</i> ommon Tern <i>Sterna Hirundo</i> Arctic Tern <i>Sterna paradisaea</i> Little Tern <i>Sterna albifrons</i> Guillemot <i>Uria aalge</i> Razorbill <i>Alca torda</i> Puffin <i>Fratercula arctica</i> Little Gull <i>Hydrocoloeus minutus</i>		No direct, indirect, ex situ or in combination impacts.	No significant effects likely.	

<p>The Conservation Objectives for the SPA are to maintain and restore the favourable conservation conditions of the identified Qualifying Interests. I consider the project would not compromise the objective of restoration or make restoration more difficult.</p>		
<p>No</p>	<p>Likelihood of significant effects from proposed development (alone): No</p>	
<p>No</p>	<p>If No, is there likelihood of significant effects occurring in combination with other plans or projects? No</p>	
<p>Step 4 Conclude if the proposed development could result in likely significant effects on a European site</p>		
<p>I conclude that the proposed development (alone) would not result in likely significant effects on European site(s) including the North West Irish Sea SPA. The proposed development would have no likely significant effect in combination with other plans and projects on any European site(s). No further assessment is required for the project. No mitigation measures are required to come to these conclusions.</p>		