

# Appeal to An Coimisiún Pleanála

The Secretary,  
An Coimisiún Pleanála,  
64 Marlborough Street,  
Dublin 1,  
D01 V902.

**Appellant:**

Bryan Fitzgerald & Danielle O’Riordan,  
7 The Park,  
St. Marnock’s Bay,  
Portmarnock,  
Co. Dublin,  
D13 KC9X.

AN COIMISIÚN PLEANÁLA	
LDG-	086155 26
ACP-	
13 JAN 2026	
Fee: €	200
Type:	Case
Time:	12:58
By:	Henry

12 January 2025

Planning Reference: LRD0058/S3E

Dear Sir / Madam,

We are the original third-party objectors to the above Large-Scale Residential Development and wish to appeal Fingal County Council’s decision dated 10 December 2025 to grant permission for Phase 1F of the St. Marnock’s Bay development.

Grounds of Appeal

1. Failure to Provide Childcare Infrastructure

Fingal County Council has granted permission for a further 296 residential units despite the complete absence of any delivered childcare facility within the existing St. Marnock’s Bay development, which already comprises approximately 576 dwellings. This decision is contrary to Objective CIO27 of the Fingal County Development Plan 2023–2029 and the Childcare Facilities – Guidelines for Planning Authorities, which recommend the provision of childcare at a rate of 20 places per 75 dwellings unless sufficient existing provision is available.

No evidence has been provided to demonstrate that adequate childcare capacity exists in Portmarnock or the surrounding area. On the contrary, all local childcare providers have extensive waiting lists extending several years as we have personally experienced and can attest to. As parents to a now eight-month-old child, we have been unable to secure a childcare place in the locality and are both required to return to full-time employment. Our child has been on the waiting list of every creche in the area since the early stages of pregnancy with little to no prospect of securing a place before we must return to full time employment. Our only solution, and that of many other families in the development, is to turn to expensive in-home childcare. This is not a

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viable long-term solution and should not be the only option available to families. Fingal County Council has failed to meaningfully address the shortfall of childcare and as such it is not acceptable to continue to further develop the area without addressing this.

## 2. Inconsistent Application of Public Safety Zone Constraints

Fingal County Council has previously relied on Public Safety Zone Constraints to justify the absence of childcare facilities, yet has simultaneously deemed it acceptable for hundreds of family homes to be occupied by young children within the same zones. This selective application of policy is irrational, inconsistent, and contrary to proper planning and sustainable development.

## 3. Failure to Create a Balanced and Sustainable Community

The permission undermines the principles of compact growth, 15-minute neighbourhoods, and sustainable communities by forcing families to travel significant distances for basic childcare services. This places undue pressure on families, increases traffic generation, and conflicts with national and local planning objectives.

## 4. Lack of Phased Social Infrastructure Delivery

The development has been allowed to progress in phases without any binding condition requiring the delivery of essential social infrastructure such as childcare. This represents a fundamental failure in development management and places existing and future residents at a significant disadvantage.

## Conclusion

We respectfully request that An Coimisiún Pleanála overturn the decision of Fingal County Council or, in the alternative, impose a condition requiring the provision of an appropriately sized childcare facility to serve the existing and proposed population of St. Marnock's Bay prior to any further development of residential units. The Public Safety Zone Constraints do not negate the requirement for childcare infrastructure or the relevance of national and local planning policies. We are asking that Fingal County Council or the developer, or both in conjunction, be obligated to provide childcare at a suitable location to serve the population of St. Marnock's Bay.

Along with this letter of appeal we are attaching the following:

- 1) Acknowledgement by Fingal County Council of receipt of our original submission to planning reference LRD0058/S3E dated 24 October 2025
- 2) Copy of the decision by Fingal County Council dated 10 December 2025

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Yours faithfully,

Bryan Fitzgerald & Danielle O'Riordan





Mr. Bryan Fitzgerald  
7 The Park  
St Marnocks Bay  
Portmarnock  
D13 KC9X

**Date:** 12-Dec-2025

**Register Ref.:** LRD0058/S3E

**Area:** Howth Malahide

**Development:** Portmarnock Real estate Developments Limited Intends to apply for Permission for a Large-scale Residential Development at this site (c. 12.3 Ha) generally bounded by the existing 'St.Marnock's Bay' and 'Dún Sí' residential developments (Phases 1A, 1Band 1C), the permitted Phases 1D and 1E both now under construction (ABP Ref. ABP-312112-21, as amended by FCC Reg. Ref. LRD0037/S3 and FCC Reg. Ref. LRD0002/S3 refers respectively) to the west, and former agricultural lands to the south and east within the townlands of Portmarnock and Maynetown, Portmarnock, Co. Dublin and is also partially located in the townland of Stapolin, Baldoyle, Dublin 13.

The development proposed (Phase 1F) will consist of: - 296no. residential units (254no. houses and 42no. duplexes), ranging from 1.5 - 3 storey's in height comprising the following: - 129no. 3-bed 2 storey houses (House Type: A2, A3, B1, B2, B3, C1, C3), 46no. 4-bed 2 storey houses (House Type: D2, D3, F4, J1, J2, J3, J4), 13no. 3-bed 1.5 storey houses (House Type: G), 14no. 4-bed 1.5 storey houses (House Type: H1 & H2), 14no. 4- bed 3 storey houses (House Type: K1 & K2), 38no. 2-bed 2 storey houses (House Type: N1, N2, P1, P2, P3), 21no. 2-bed duplex / apartments (House Type: L1 & L2) and 21no. 3-bed duplex / apartments (House Type: M1 & M2); Provision of public open space, including southern Monument Park (which also formed part of the Racecourse Park development permitted under ABP Ref. JP06F.311315); Private rear gardens are provided for all houses. Private patios / terraces and balconies are provided for all duplex / apartments; Vehicular access to serve the development will be provided from Station Road via existing road serving St. Marnock's Bay

('Monument View') and 3no. permitted roads serving St. Marnock's Bay ('Skylark Park Court', 'Skylark Park Drive' and an extension of 'Monument View') permitted under ABP Ref. ABP-312112-21 as amended by FCC Reg. Ref. LRD0037/S3, and also a new existing permanent road to the south which connects to Moyne Road (permitted under Phase 1D - ABP Ref. ABP-312112-21, as amended by FCC Reg. Ref. LRD0037/S3). All associated and ancillary site development, infrastructural, hard and soft landscaping and boundary treatment works, including: - A new (temporary) rising main to serve this phase and previous development phases (1A to 1E inclusive) c. 1.7km long, running from the interim St. Marnock's Pumping Station at Station Road/The Avenue (constructed under ABP Reg. Ref. 300514-17 & upgraded under ABP Reg. Ref. 312112-21) passing through the Racecourse Park development permitted under ABP Ref. JP06F.311315 and connecting to the North Fringe Sewer at a point which is located south of Moyne Road and the Mayne River within the townland of Stapolin, Baldoyle, Dublin 13; Upgrade of interim St. Marnock's Pumping Station and storage at Station Road/The Avenue as required; and all associated and ancillary site development and reinstatement. The proposed temporary rising main and interim St. Marnock's Pumping Station will be decommissioned and these lands will then discharge by gravity to a proposed new Uisce Éireann Pumping Station adjacent to Portmarnock Bridge when same is operational; all other ancillary site development and landscape works, including 289no. car parking spaces; 1, 455no. bicycle parking spaces; Bin stores and bicycle stores; 4no. ESB Sub-stations.

An Environmental Impact Assessment Report and a Natura Impact Statement has been prepared in respect of the proposed development and accompany this application.

Additional Information Received: 10th October 2025  
Additional Information deemed Significant Additional Information.  
Revised Public Notices Received: 16th October 2025.

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**Location:** Station Road, Portmarnock, Townland of Maynetown, Portmarnock, Dublin

**Applicant:** **Portmarnock Real Estate Developments Limited**

**App. Type:** LRD Application

**Date Recd:** **22-Jul-2025**

Dear Sir/Madam,

I wish to inform you that a **DECISION** to GRANT PERMISSION was made by Order dated 10-Dec-2025 for the above proposal. Details of the Planning Authority's conditions and reasons are attached.

It should be noted that valid objectors, applicants or prescribed bodies may appeal to An Coimisiún Pleanála against the decision or any conditions attached to the Council's decision **within four weeks** beginning on the date of the Council's decision.

Interested parties are advised to consult An Coimisiún Pleanála to ascertain if an appeal has been lodged by the applicant.

All appeals against decisions of the Planning Authority and all correspondence in relation to new and existing appeals should be addressed to The Secretary, An Bord Pleanála, 64 Marlborough Street, Dublin 1. (Tel.01-8588100). **Any appeal made to An Coimisiún Pleanála will be invalid unless it is fully complete and the correct fee is received by An Coimisiún Pleanála within the statutory appeal period.**

The fee for a third party appeal is €220, to request an Oral Hearing is a further €50, which must also be done within the statutory appeal period. For full details please refer to 'Making a Planning Appeal under the 2000 Planning Act' and 'Guide to Fees payable to the Board', which can be viewed on [www.pleanala.ie](http://www.pleanala.ie).

Submissions or observations made to An Coimisiún Pleanála by or on behalf of a person other than the applicant must be accompanied by a fee of €50 and must be received within **four weeks** from the receipt of the appeal by An Coimisiún Pleanála. Please see details of Conditions attached to Decision to GRANT PERMISSION.

Yours faithfully,

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*Submissions Team*

for **Senior Executive Officer**

NOTIFICATION OF DECISION TO GRANT PERMISSION

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In pursuance of its function under the Planning & Development Act 2000 -2007 a **DECISION** to GRANT PERMISSION was made by Order dated 10-Dec-2025 for the above proposal.

LOCATION: Station Road, Portmarnock, Townland of Maynetown,  
Portmarnock, Dublin

35 CONDITIONS(S) AND REASON(S) FOR GRANT PERMISSION

1. The development shall be carried out in its entirety in accordance with the plans, particulars and specifications lodged with the application on 22/07/2025 and as amended by the Significant Additional Information received on 16/10/25, save as may be required by the other conditions attached hereto.

Reason: To ensure that the development shall be in accordance with the permission, and that effective control be maintained.

2. This permission relates to the provision of 296 residential units, comprising 254 houses and 42 duplex units within the permitted scheme.  
Reason: In the interest of clarity.

3. The development shall be carried out on a phased basis, in accordance with the phasing scheme submitted to the Planning Authority on 10/10/2025 unless otherwise agreed in writing with the Planning Authority prior to commencement of development. In the event of any disagreement on phasing, between the developer and the planning authority, the matter shall be referred to An Coimisiún Pleanála for determination.

Reason: To ensure the timely provision of services and open space for the benefit of the occupants of the proposed dwellings.

4. Each dwelling unit shall be used as a single dwelling unit and shall not be used for multiple occupancy living units/non-residential uses, except where otherwise permitted by way of a separate grant of planning permission. The residential units shall not be used for short-term letting unless a prior grant of permission has been received from the Planning Authority, or An Coimisiun Pleanála on appeal. The units shall not be used for the purposes specified in Article 10(5) of the Planning and Development Regulations 2001, as amended, in respect of childminding except where permitted by way of grant of planning permission.

Reason: In the interest of clarity and to ensure proper planning and sustainable development and in the interest of public safety.

5. (a) Prior to the commencement of the development as permitted, the applicant or any person with an interest in the land shall enter into an agreement with the planning authority (such agreement must specify the number and location of each housing unit), pursuant to Section 47 of the Planning and Development Act 2000, that restricts all houses and duplex units permitted, to first occupation by individual purchasers i.e. those not being a corporate entity, and/or by those eligible for the occupation of social and/or affordable housing, including cost rental housing.
- (b) An agreement pursuant to Section 47 shall be applicable for the period of duration of the planning permission, except where after not less than two years from the date of completion of each specified housing unit, it is demonstrated to the satisfaction of the planning authority that it has not been possible to transact each of the residential units for use by individual purchasers and/or to those eligible for the occupation of social and/or affordable housing, including cost rental housing.
- (c) The determination of the planning authority as required in (b) shall be subject to receipt by the planning and housing authority of satisfactory documentary evidence from the applicant or any person with an interest in the land regarding the sales and marketing of the specified residential units, in which case the planning authority shall confirm in writing to the applicant or any person with an interest in the land that the Section 47 agreement has been terminated and that the requirement of this planning condition has been discharged in respect of each specified housing unit.

Reason: To restrict new housing development to use by persons of a particular class or description in order to ensure an adequate choice and supply of housing, including affordable housing, in the common good.

6. Prior to the commencement of works on site, a revised landscape plan shall be submitted and agreed in writing with the Planning Authority. The landscape plan shall include the following, unless otherwise agreed:
- (a) Services both above and below ground to be clearly shown;
  - (b) Contours;
  - (c) Cross sections of open space including the interface with roads /cycle path/ adjoining land;
  - (d) Full details of temporary and permanent treatment of land within Fingal's ownership which have been included within the red line of the application;
  - (e) The location of cycle links to the greenway to the east;
  - (f) Play provision of a minimum 1, 184sqm to be provided. Details including area in square metres as well as age groups they cater for, i.e. toddler play, 6-12 years and teenage play to be clearly shown and to be in compliance with BS EN 1176 and BS EN 1177;
  - (g) The inclusion of a native hedge along the eastern boundary of the development;
  - (h) A Street Tree Plan to include: Constructed tree pits for street and

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garden trees, noting a minimum of 16 cubic metres rooting volume for street trees. A seven-metre separation distance between street trees and public lighting to be clearly shown;

(i) Revised boundary treatment details;

(j) Management and maintenance details of all landscape features including play facilities to be provided.

(k) Full details of reinstatement works in relation to the temporary rising main to serve this phase and previous development phases (1A to 1E inclusive) and interim St. Marnock's Pumping Station and storage at Station Road/The Avenue.

(l) Where wildflower meadow planting / seed mixes are proposed these shall include only Irish sourced native species preferably of local provenance

Reason: To ensure the provision of amenity afforded by appropriate open space and landscape design.

7. Prior to the commencement of works on site, a revised Taking in Charge Plan shall be submitted and agreed in writing with the Planning Authority. The taking in charge drawing shall be based on the landscape plan agreed in accordance with Condition No. 6. All areas that are proposed to be taken in charge by Fingal County Council shall be constructed and maintained to the Council's standards for taking in charge, including roads, footpaths, verges, public lighting, open space, sewers, watermains or drains, forming part of the development.

REASON: In the interest of orderly development

8. Prior to commencement of development full details of all external finishes shall be submitted for the written agreement of the Planning Authority to include trade brochures. Sample panels shall be erected if required.

Reason: In the interests of visual amenity.

9. The developer shall comply with the following:

(a) Pedestrian links from 'road 3' to the existing 'Portmarnock to Baldoyle Greenway' shall be provided by the developer. The pedestrian links shall be provided in their entirety and shall tie-into the existing greenway infrastructure. The quantity, location, layout and detail of each of the links shall be agreed in writing with the planning authority prior to commencement of development.

(b) The shared cycle -pedestrian path that follows along 'road 5' shall be continued to tie-into the existing 'Portmarnock to Baldoyle Greenway' infrastructure. The tie-in shall be provided by the developer, and the layout and detail of the tie-in detail shall be agreed in writing with the planning authority prior to commencement of development.

(c) The applicant shall provide a cycleway and footpath along the north of

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road 11, as per the layout displayed on page 37 of the 'architectural design rationale report' submitted on 22nd of July 2025; and the layout and detail shall be agreed in writing with the planning authority prior to commencement of development.

Reason: In the interests of traffic safety and the proper planning and sustainable development of the area.

10. A detailed Construction Management Plan and Construction Traffic Management Plan shall be submitted for the written agreement of the Planning Authority prior to commencement of development. A dedicated 'liaison officer' shall be appointed by the developer for the duration of the construction phase to liaise with the residents of the surrounding residential development in regard to the 'construction traffic management plan'.

Reason: In the interests of traffic safety and the proper planning and sustainable development of the area.

11. The developer shall comply with the following:

(a) Road Safety Audits (Stage 2, Stage 3 and Stage 4) shall be carried out as part of the proposed development at all of the relevant stages as outlined in current edition of Transportation Infrastructure Ireland guidelines GE-STY-1027. Any works required to address an issue identified in a Road Safety Audit shall be agreed in writing with the Planning Authority prior to being implemented.

(b) Where permeable paving parking areas adjacent roads are proposed, construction details preventing the road edge being undermined by surface water shall be implemented.

(c) All underground or overhead services and poles shall be relocated, as may be necessary, to a suitable location at the Developer's own expense and according to the requirements of the relevant utility service provider/service owner/statutory undertaker.

(d) All stormwater shall be disposed of to soakpits or drains within the site and shall not discharge onto the public road surface.

Reason: In the interests of traffic safety and the proper planning and sustainable development of the area.

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12. The management and maintenance of the proposed development following its completion save for areas that are to be taken charge shall be the responsibility of a legally constituted management company. A management scheme providing adequate measures for the future maintenance of public open spaces, roads and communal areas including cycle parking areas, shall be submitted to, and agreed in writing with the planning authority prior to occupation of the development.

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Reason: To provide for the satisfactory future maintenance of this development in the interest of residential amenity.

13. The developer shall comply with the following:
- (a) The developer shall achieve the internal noise levels as per BSI Standards Publication BS8233:2014 Guidance on Sound Insulation and Noise Reduction for Buildings, Table 4: Indoor Ambient Noise Levels for Dwellings in all dwellings of the proposed development. Following the detailed design stage and prior to construction stage, the developer shall submit sound insulation performance requirements for glazing and ventilation to the Planning Authority for written agreement.
  - (b) The noise levels generated by the proposed development construction works shall not exceed construction noise thresholds defined in Table 12-7 of the EIAR at any noise sensitive location. The developer shall monitor and record construction noise levels at representative noise sensitive locations during construction. Monitoring results shall be submitted to the Planning Authority at intervals which shall be agreed in writing with the Planning Authority prior to commencement of development.
  - (c) Vibration arising from construction works shall not give rise to vibration levels above those specified in Table 12-9 of the EIAR at any sensitive receptor. The developer shall monitor and record construction vibration levels at representative sensitive locations. Monitoring results shall be submitted to the Planning Authority at intervals which shall be agreed in writing with the Planning Authority prior to commencement of development.
  - (d) In order to control plant noise associated with the operational phase of the development, the design recommendations and mitigation measures for building services plant noise as set out in Section 12.6.3.2 Building Services Plant of the EIAR shall be implemented in full. Tonal noise associated with building services plant shall not be audible at any nearby noise sensitive location.
- Reason: In the interests of residential amenity and the proper planning and sustainable development of the area.

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14. All construction works shall be managed in accordance with a Construction and Environmental Management Plan (CEMP) which shall be submitted to, and agreed in writing with, the Planning Authority prior to commencement of development. The CEMP shall include all applicable mitigation measures set out in the Environmental Impact Assessment Report and Natura Impact Statement and the content of other applicable conditions attached hereunder. It shall include details of the implementation of appropriate mitigation measures for noise, dust and vibration, and the monitoring and measurement of such levels during

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construction.

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

15. The following shall be complied with in full:

(a) All of the avoidance, remedial, mitigation and monitoring measures set out in the Environmental Impact Assessment Report (EIAR) and other particulars accompanying the application and conditions attached herein shall be implemented by the Developer in conjunction with the timelines set out therein, except as may otherwise be required in order to comply with the conditions of this permission.

(b) The developer shall appoint a project manager with appropriate experience to ensure the implementation of the mitigation measures during the construction stage.

(c) All mitigation measures as outlined in the submitted Natura Impact Statement shall be implemented in full.

Reason: To protect the environment, ensure the protection of the integrity of European sites and in the interest of the proper planning and sustainable development of the area.

16. Preconstruction bat, mammal and bird surveys shall be carried out by a suitably qualified ecologist to reconfirm the findings of the EIAR in advance of works commencing at the site.

Reason: In the interest of biodiversity protection and enhancement

17. On completion of the construction works the developer shall submit an environmental report to the planning authority confirming that all works have been completed in accordance with the mitigation measures identified in the Environmental Impact Assessment Report (EIAR), the Natura Impact Statement (NIS), the Construction Environmental Management Plan (CEMP); the Construction Traffic Management Plan (CTMP) and related documentation.

Reason: In order to mitigate the potential impact of the proposed development on the local environment.

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18. The developer shall comply with the following requirements in respect of archaeology:

(a) The developer shall engage the services of a suitably qualified archaeologist to co-ordinate the mitigation proposals contained in the Environmental Impact Assessment Report for archaeological excavation (preservation by record) of the archaeological features already identified in advance of construction works and the archaeological monitoring of ground disturbance at construction stages across the development site.

(b) The archaeologist shall oversee and implement the plan for the

preservation in situ, conservation and management of the subsurface ditched enclosure (SMR No. DU015-055----) as outlined in the Conservation and Management Plan (Courtney Deery Report).

(c) The archaeologist shall assist in the integration of the totality of the archaeological mitigation into the Construction and Environmental Management Plan.

(d) Should previously unidentified archaeological material be found during the course of monitoring, the archaeologist may have work on the site stopped, pending a decision as to how best to deal with the archaeology. The developer shall be prepared to be advised by the National Monuments Service of the Department with regard to any necessary mitigating action (e.g. preservation in situ, or excavation) and should facilitate the archaeologist in recording any material found.

(e) The Planning Authority and the National Monuments Service of the Department shall be furnished with a report describing the results of the monitoring for their written agreement prior to occupation of any of the dwellings in the proposed development.

Reason: To ensure the continued preservation (either in situ or by record) of places, caves, sites, features or other objects of archaeological interest

19. No additional development shall take place above roof parapet level, including air handling equipment, storage tanks, ducts or other external plant, telecommunication aerials, antennas or equipment, unless authorised by a further grant of planning permission.

Reason: To protect the visual amenities of the area.

20. All bathroom/ en-suite windows shall be fitted and permanently maintained with obscure glass. The use of film is not acceptable.

Reason: In the interests of residential amenity

21. The developer shall provide a piece of public art or sculpture or architectural feature, to be designed in consultation with the Public Art Coordinator, Fingal County Council (please contact Public Art Coordinator, within the Economic, Enterprise, Tourism & Cultural Department of Fingal County Council). The piece of art shall have a relationship with the area. The location of the piece of art shall be agreed with the Parks and Green Infrastructure Division prior to the commencement of works on site.

REASON: To comply with Objective DMS0194 of the Fingal Development Plan 2023 – 2029.

22. Bilingual proposals for an estate/street name, house numbering scheme and associated signage shall be submitted to, and agreed in writing with, the Planning Authority prior to commencement of development.

Thereafter, all estate and street signs, and house numbers, shall be

provided in accordance with the agreed scheme unless the planning authority agrees in writing to an alternative scheme. The proposed name(s) shall be based on local historical or topographical features, or other alternatives acceptable to the planning authority. No advertisements/marketing signage relating to the name(s) of the development shall be erected until the developer has obtained the Planning Authority's written agreement to the proposed name(s).

Reason: In the interest of the proper planning and sustainable development of the area.

23. The developer shall comply in full with the following:

- (a) No surface water / rainwater shall discharge into the foul water system under any circumstances.
- (b) The surface water drainage shall follow the principles of Sustainable Drainage Systems and in compliance with the principles outlined in the GDSDS (Greater Dublin Strategic Drainage Study) Regional Drainage Policies Volume 2, New Development, Aug 2005.

Reason: In the interest of public health.

24. Finished floor levels shall comply with the recommendation of the Strategic Flood Risk Assessment submitted with the application.

Reason: In the interest of public health.

25. Prior to the commencement of development, the developer shall prepare, Construction and Demolition Resource Waste Management Plan (RWMP) as set out in the Best Practice Guidelines for the Preparation of Resource and Waste Management Plans for C&D Projects (2021) for the written agreement of the Planning Authority. The RWMP shall include details of the various waste streams and expected tonnages which will be generated during site clearance, demolition and construction phases and any proposed exportation or importation of soil and stone material including destination/source locations, quantities and if any material will be assessed under By-Product notification. The RWMP shall also include specific proposals as to how the RWMP will be measured and monitored for effectiveness. All records (including for waste and all resources) pursuant to the agreed RWMP shall be made available for inspection at the site office at all times.

Reason: In the interest of residential amenity.

26. Prior to commencement of development, the applicant or other person with an interest in the land to which the application relates, shall enter into an agreement in writing with the Planning Authority in accordance

with the requirements of Section 96 of the Planning and Development Act 2000 as amended, unless an Exemption Certificate shall have been applied for and been granted under Section 97 of the Act, as amended.  
Reason: To comply with the Requirements of Part V of the Planning and Development Act 2000 as amended and to comply with the requirements of the housing strategy in the Development Plan of the area.

27. The applicant/developer shall enter into a Connection Agreement(s) with Uisce Éireann to provide for a service connection(s) to the public water supply and wastewater collection network.

Reason: To ensure adequate provision of public water and wastewater facilities.

28. Prior to the commencement of development, a final public lighting design and strategy shall be submitted to, and agreed in writing, with the Planning Authority. The design shall address the following::

The lighting design shall comply with the Fingal County Council Public Lighting Specification .

The report submitted references superseded lighting standards BS 5489-1:2013, this shall be reviewed under BS 5489-1:2020.

A full Lighting calculation report to be submitted preferably in Lighting Reality format, with separate calculation grids for different parts of the site (e.g. overall, paths around open spaces, site entrances, along the main road, home zone areas, etc. Note, all calculation grids must cover back of path to back of path.).

o Luminaire maintenance factor, colour temperature, mounting height, angle of tilt, outreach, and proposed luminaires shall be included in the calculation report.

o The existing public lighting locations at the site entrances and along the site boundary must also be included on the design.

Fingal County Council LED Technical details sheets shall be completed for each proposed luminaire.

Confirmation that the design is in line with Forest of Fingal policy which states lanterns should not be installed within a 7-meter radius of a tree.

Confirmation from a qualified ecologist that the proposal complies with the mitigation measures set out in Section 6.6.2.2 of the Environmental Impact Assessment Report.

Reason: In the interest of amenity and public safety and to prevent light pollution and protect biodiversity.

29. Clearance of vegetation from the development site shall only be carried out between September and February i.e. outside the main bird breeding

season.

REASON: To avoid the destruction of bird nests, eggs and nestlings and promote the biodiversity of the area.

30. The developer shall comply in full with the following:

(a) The hours of construction shall be restricted to between 7.00a.m. to 7.00p.m., Monday to Friday, and 9.00a.m. to 1.00p.m. on Saturdays.

(b) No activities shall take place on site on Sundays, bank or public holidays.

(c) Deviation from these times will only be allowed in exceptional circumstances where prior written approval has been received from Fingal County Council. Such approval may be given subject to conditions pertaining to the particular circumstances being set by Fingal County Council.

Reason: To protect the amenities of the area.

31. The developer shall comply in full with the following:

(a) All necessary measures shall be taken by the applicant/developer to prevent the spillage or deposit of any materials including clay, rubble, or other debris or adjoining roads during the course of development. In the event of any such spillage or deposit, immediate steps shall be taken to remove the material from the road surface at the applicant/developer's own expense.

(b) The applicant/developer shall be responsible for the full cost of repair in respect of any damage caused to the adjoining public road, arising from the construction work and shall either make good any damage to the satisfaction of the Planning Authority or pay the Planning Authority the cost of making good such damage upon issue of such a requirement by the Planning Authority.

Reason: To protect the amenities of the area.

32. All service cables associated with the proposed development (such as electrical or telecommunications cables) shall be located underground. Any relocation of utility infrastructure shall be agreed with the relevant utility provider. Ducting shall be provided by the developer to facilitate the provision of broadband infrastructure within the proposed development.

Reason: In the interest of visual and residential amenity.

33. A special financial contribution under section 48(2)(C) of the Planning and Development Act 2000, as amended, shall be paid by the developer to the Planning Authority in respect of the upgrade of the Station Road/Drumnigh Road (R124) junction. The contribution shall be assessed based on the area of the proposed development as a proportion of the

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total development lands within Portmarnock contributing to the junction upgrades, and shall be agreed with the Planning Authority prior to commencement of development. In default of such agreement, the matter shall be referred to An Coimisiún Pleanála for determination. The contribution shall be paid prior to commencement of development or in such phased payments as the planning authority may facilitate.

REASON: In the interest of orderly development

34. That no development under any permission granted pursuant to this decision be commenced until security for the provision and satisfactory completion of services, including maintenance, to the taking in charge standard of the Local Authority for roads, open spaces, car parks and drains has been given by:-

A. Lodgement with the Council of a Bond of any Body approved by the Planning Authority in the sum of €2, 368, 000.00 which shall be kept in force by him until such time as the Roads, Open Spaces, Car Parks and Drains are taken in charge by the Council.....OR/

B. Lodgement with the Council of a Cash Sum of €1, 184, 000.00 to be applied by the Council at its absolute discretion if such services are not duly provided to its satisfaction on the provisions and completion of such services to standard specification.

REASON: To ensure that a ready sanction may be available to the Council to induce the provision of services and prevent disamenity in the development.

35. Prior to Commencement of development the developer shall pay the sum of €4, 839, 824.33 (updated at date of commencement of development, in accordance with changes in the Tender Price Index) to the Planning Authority as a contribution towards expenditure that was and/or that is proposed to be incurred by the planning authority in respect of public infrastructure and facilities benefiting development in the area of the Authority as provided for in the Contribution Scheme for Fingal County
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reduced by the amount of the contribution associated with these services. A separate charge will be levied by Uisce Éireann in relation to the provision of water and/or wastewater treatment infrastructure and connections to same. Further details are available on the Uisce Éireann website [www.water.ie](http://www.water.ie) , Tel. (01) 6021000.

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### Planning Appeal Checklist

1.	You must put your appeal in writing (either typed or handwritten), you can use this <a href="#">form</a> to assist - but there is no official form required.
2.	You must clearly state your own name and address. If someone is acting for you, like a planning agent they must clearly state their own name and address as well as your name and address.
3.	You must give us enough details to allow us to identify the application you wish to appeal. Examples of the details we accept are: <ul style="list-style-type: none"> <li>▪ a copy of the planning authority decision, or</li> <li>▪ the name of the planning authority and the planning register reference number (for example: Ballytown City Council, 23719/18)</li> <li>▪</li> </ul>
4.	You must provide your planning grounds of appeal (reasons and arguments) for your appeal and any items you wish to support your grounds of appeal.
5.	If you are a third party, you must include the written acknowledgement given to you by the planning authority to confirm it received your submission or observation at planning application stage. We can also accept a copy of the acknowledgement.
6.	You must pay the correct fee.
7.	You must make your appeal within 4 weeks from the date that the planning authority has made its decision.
8.	You must post your appeal to : <ul style="list-style-type: none"> <li>▪ The Secretary, An Coimisiún Pleanála, 64 Marlborough Street, Dublin 1, D01 V902, or</li> <li>▪ deliver it in person to a member of An Coimisiún Pleanála staff at our office during office hours - Monday to Friday from 9.15am to 5.30pm. Please note that the security staff in our office cannot accept appeals.</li> </ul>

AN COIMISIÚN PLEANÁLA

13 JAN 2026

LTR DATED \_\_\_\_\_ FROM Appeal

LDG- \_\_\_\_\_

ACP- 3231616-26



**Mr. Bryan Fitzgerald**  
**7 The Park**  
**St Marnocks Bay**  
**Portmarnock**  
**D13 KC9X**

**Date:** 24 October, 2025

ACKNOWLEDGEMENT of RECEIPT of SUBMISSION or OBSERVATION on a  
PLANNING APPLICATION

**THIS IS AN IMPORTANT DOCUMENT!**

KEEP THIS DOCUMENT SAFELY, YOU WILL BE REQUIRED TO PRODUCE THIS ACKNOWLEDGEMENT TO AN BORD PLEANALA IF YOU WISH TO APPEAL THE DECISION OF THE PLANNING AUTHORITY. IT IS THE **ONLY** FORM OF EVIDENCE WHICH WILL BE ACCEPTED BY AN BORD PLEANÁLA THAT A SUBMISSION OR OBSERVATION HAS BEEN MADE TO THE PLANNING AUTHORITY ON THE PLANNING APPLICATION.

**PLANNING AUTHORITY NAME:** FINGAL COUNTY COUNCIL

**PLANNING APPLICATION REFERENCE NO.**                      **LRD0058/S3E**

**A submission/observation has been received from Mr. Bryan Fitzgerald, in relation to the above planning application.**

**The appropriate fee of €20.00 has been paid.** (Fee not applicable to prescribed bodies).

The submission/observation is in accordance with the appropriate provisions of the Planning and Development Regulations, 2001 -2013 and will be taken into account by the Planning Authority in its determination of the planning application.

*Submission Team*

\_\_\_\_\_  
**for Senior Executive Officer**

**Development:**

Portmarnock Real estate Developments Limited Intends to apply for Permission for a Large-scale Residential Development at this site (c. 12.3 Ha) generally bounded by the existing 'St.Marnock's Bay' and 'Dún Sí' residential developments (Phases 1A, 1B and 1C), the permitted Phases 1D and 1E both now under construction (ABP Ref. ABP-312112-21, as amended by FCC Reg. Ref. LRD0037/S3 and FCC Reg. Ref. LRD0002/S3 refers respectively) to the west, and former agricultural lands to the south and east within the townlands of Portmarnock and Maynetown, Portmarnock, Co. Dublin and is also partially located in the townland of Stapolin, Baldoyle, Dublin 13.

The development proposed (Phase 1F) will consist of: - 296no. residential units (254no. houses and 42no. duplexes), ranging from 1.5 - 3 storey's in height comprising the following: - 129no. 3-bed 2 storey houses (House Type: A2, A3, B1, B2, B3, C1, C3), 46no. 4-bed 2 storey houses (House Type: D2, D3, F4, J1, J2, J3, J4), 13no. 3-bed 1.5 storey houses (House Type: G), 14no. 4-bed 1.5 storey houses (House Type: H1 & H2), 14no. 4- bed 3 storey houses (House Type: K1 & K2), 38no. 2-bed 2 storey houses (House Type: N1, N2, P1, P2, P3), 21no. 2-bed duplex / apartments (House Type: L1 & L2) and 21no. 3-bed duplex / apartments (House Type: M1 & M2); Provision of public open space, including southern Monument Park (which also formed part of the Racecourse Park development permitted under ABP Ref. JP06F.311315); Private rear gardens are provided for all houses. Private patios / terraces and balconies are provided for all duplex / apartments; Vehicular access to serve the development will be provided from Station Road via existing road serving St. Marnock's Bay ('Monument View') and 3no. permitted roads serving St. Marnock's Bay ('Skylark Park Court', 'Skylark Park Drive' and an extension of 'Monument View') permitted under ABP Ref. ABP-312112-21 as amended by FCC Reg. Ref. LRD0037/S3, and also a new existing permanent road to the south which connects to Moyne Road (permitted under Phase 1D - ABP Ref. ABP-312112-21, as

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amended by FCC Reg. Ref. LRD0037/S3). All associated and ancillary site development, infrastructural, hard and soft landscaping and boundary treatment works, including: - A new (temporary) rising main to serve this phase and previous development phases (1A to 1E inclusive) c. 1.7km long, running from the interim St. Marnock's Pumping Station at Station Road/The Avenue (constructed under ABP Reg. Ref. 300514-17 & upgraded under ABP Reg. Ref. 312112-21) passing through the Racecourse Park development permitted under ABP Ref. JP06F.311315 and connecting to the North Fringe Sewer at a point which is located south of Moyne Road and the Mayne River within the townland of Stapolin, Baldoyle, Dublin 13; Upgrade of interim St. Marnock's Pumping Station and storage at Station Road/The Avenue as required; and all associated and ancillary site development and reinstatement. The proposed temporary rising main and interim St. Marnock's Pumping Station will be decommissioned and these lands will then discharge by gravity to a proposed new Uisce Éireann Pumping Station adjacent to Portmarnock Bridge when same is operational; all other ancillary site development and landscape works, including 289no. car parking spaces; 1, 455no. bicycle parking spaces; Bin stores and bicycle stores; 4no. ESB Sub-stations.

An Environmental Impact Assessment Report and a Natura Impact Statement has been prepared in respect of the proposed development and accompany this application.

Additional Information received 10/10/25  
AI deemed significant Awaiting public notices

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Revised Public Notices received 16th October 2025.

**Location:** Station Road, Portmarnock, Townland of Maynetown, Portmarnock, Dublin

**Area:** Howth Malahide

**Applicant:** Portmarnock Real Estate Developments Limited

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**Application Type:** LRD Application

**Date Received:** 22 July, 2025

**THIS IS AN IMPORTANT DOCUMENT!**

KEEP THIS DOCUMENT SAFELY, YOU WILL BE REQUIRED TO PRODUCE THIS  
ACKNOWLEDGEMENT TO AN BORD PLEANALA IF YOU WISH TO APPEAL THE DECISION OF  
THE PLANNING AUTHORITY.

**Please note that all planning applications, including  
submissions/objections will be published on the Council's website.**

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Who can appeal?

[ABOUT US \(/EN-IE/ABOUT-US\)](#)[PLANNING APPEALS \(/EN-IE/MAKE-AN-APPEAL\)](#)[INFRASTRUCTURE](#)[OBSERVATIONS \(/EN-IE/OBSERVATIONS\)](#)[OTHER CASES](#)[WEEKLY LISTS \(/EN-IE/LISTS\)](#)**You may be able to appeal if:**[NEWS \(/EN-IE/LATEST-NEWS\)](#)**1. You made an application to the planning authority for a proposed development (The Applicant).**You can make a **First Party** appeal.**2. You made a submission to the planning authority on a proposed development.**You can make a **Third Party** appeal.

You will need the acknowledgement from the planning authority when you made your submission.

- You are a person with an interest in the adjoining land: [apply for leave to appeal \(/en-IE/Leave-to-Appeal/Applying-for-Leave-to-Appeal\)](#)
- A prescribed body that was not notified of a planning application by the planning authority as required by law, or
- An environmental protection group can only appeal if an environmental impact assessment report (EIAR, formerly EIS) was needed to be submitted with the application and was **not**.

**How much time do I have to make an appeal?**You have **four weeks** beginning on the date the planning authority makes its decision.The decision date is the date that the planning authority's chief executive's order is signed. This is a **strict time limit**.If the **last day** for making your planning appeal falls on a day that the Commission's offices are closed (Saturday, Sunday, Public Holiday), your appeal will be valid if received on the next working day.**Use our calendar**

Select the date of the planning authority decision and you will see the last date to make your appeal.

< December 2025 >						
Sun	Mon	Tue	Wed	Thu	Fri	Sat
30	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31	1	2	3
4	5	6	7	8	9	10

Planning authority  
Decision date:  
**10-12-2025**

Closing Date for Appeal:  
**15-01-2026**

**How do I make an appeal****Checklist**

1. You must put your appeal in writing (either typed or handwritten), you can use this [form \(/getmedia/e0ff8a83-8cd9-428b-8093-c671ab1bd8f0/Planning-Appeal-Form-EN-type-in-answers.docx\)](#) to assist – but there is no official form required.
2. You must clearly state your own name and address. If someone is acting for you, like a planning agent they must clearly state their own name and address as well as your name and address.

