



Board Direction

Ref: 06F.246299

The submissions on this file and the Inspector's report were considered at a Board meeting held on 18th, July 2016.

The Board decided to refuse permission generally in accordance with the Inspector's recommendation, for the reasons and considerations as set out below.

REASONS AND CONSIDERATIONS

1. The proposed development would be located within an attractive rural area which is zoned "HA" for High Amenity in the Fingal County Development Plan 2011-2017. This zoning objective seeks to "protect and enhance high amenity areas" and Objective RH07 seeks to "permit houses in areas with a zoning objective HA, only to those who have a defined essential housing need based on their involvement in farming or exceptional health circumstances." Notwithstanding the plans and particulars that were submitted with this application, the Board is not satisfied on the basis of the information provided that the applicant has demonstrated satisfactory compliance with Objective RH07. The proposed development would materially contravene Objective RH07 of the Fingal County Development Plan 2011-2017, and would, therefore, be contrary to the proper planning and sustainable development of the area.

Board Member: _____ Date: 18th, July 2016
Paddy Keogh

Note:

- (i) The Board noted that the proposed vehicular entrance would be located along a bend in the local road which is narrow and defined by mature hedgerows and trees which could restrict visibility. The Board considered that the applicant had not demonstrated that

adequate sightlines and visibility could be achieved at the proposed vehicular entrance in both directions along this local road. In the absence of such details, the proposed development could give to a traffic hazard and endanger the safety of other road users. However, the Board considered that this matter constituted a new issue and decided not to pursue the matter further in the context of the current appeal in light of the substantive reason for refusal as set out above.

- (ii) On the basis of the documentation submitted with the current application and appeal the Board was not satisfied that the site is suitable for the disposal of foul water by means of an on-site wastewater treatment system having regard to the stagnant ponding observed on site and to its location in an area identified by the EPA as being at very high risk from domestic wastewater pollution. However, the Board considered that this matter constituted a new issue in the context of the current appeal and decided not to pursue the matter in the context of the current appeal in light of the substantive reason for refusal as set out above.

- (iii) Having regard to its overall scale, form and prominent location within the site, the Board was not satisfied that the design of the proposed dwelling represented an appropriate design response for a dwelling at this location with designated in the development plan for its high amenity character. However, the Board considered that this matter constituted a new issue in the context of the current appeal and decided not to pursue the matter in the context of the current appeal in light of the substantive reason for refusal as set out above.

[Please issue a copy of the Board Direction with Board Order]