



## Board Direction

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**Ref: PL06F.246379**

The submissions on this file and the Inspector's report were considered at a Board meeting held on 29<sup>th</sup> July 2016.

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

### REASONS AND CONSIDERATIONS

Objective BD27 of the Fingal Development Plan 2011 – 2017 is to protect existing woodlands, trees and hedgerows which are of amenity or biodiversity value and/or contribute to landscape character and ensure that proper provision is made for their protection and management. It is considered that the excessive extent of removal of trees and woodland to facilitate the development would result in the loss of the sylvan characteristics of the site, and would be seriously detrimental to the setting of the designated rural village. Furthermore, the proposed SUDS storage measures would dominate the public open space, and the Board is not satisfied that the implementation of those measures would not risk the survival of the limited number of existing trees that would be retained within the area to be developed. It is therefore considered that the proposed development would materially contravene both Objective BD27 and the RV zoning objective for the southern area of the site, which objective is to protect and promote the character of the Rural Village, as set out in the Fingal Development Plan 2011 – 2017, and would, therefore, be contrary to the proper planning and sustainable development of the area.

#### *Notes:*

- (i) The Board concurred with the Inspector that a flexible approach to the provision of a riparian strip would not in this instance materially conflict with the purpose of Objective BD23 as set out in Section 5.2 of the Development Plan (Ecological Corridors and Stepping Stones including Trees and Hedgerows), and therefore, decided not to refuse permission for this reason.
- (ii) The Board shared the Inspector's serious concerns in relation to Houses 8 and 9, and had further concerns in relation to the quality of the hard and soft landscaping in the proposed plaza and the level of boundary planting to the Ratoath Road, but considered that these matters might otherwise have been addressed by means of condition were it not for the reason for refusal.

- (iii) Having regard to the highly constrained nature of the site, and to the reason for refusal arising from the serious loss of trees within this mature setting, the Board would have no objection to underground SUDS storage where this would minimise the drainage footprint and consequent loss of and risk to trees.
  
- (iv) The Board considered that underground surface water attenuation might be considered for the northern section of the site, to serve at least the development proposed for that area, which would alleviate the scale of the drainage footprint that might still be necessary in the more sensitive southern area of the site, and considered that this matter should be investigated, particularly in light of the scale of hard surfaces in that area, notwithstanding the use of permeable paving.

*Please issue a copy of this Direction with the Board Order.*

Board Member: \_\_\_\_\_ Date: 29<sup>th</sup> July 2016  
Fionna O' Regan