



An
Bord
Pleanála

Board Direction
BD-007111-20
ABP-307894-20

The submissions on this file and the Inspector's report were considered at a Board meeting held on 07/12/2020.

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

Reasons and Considerations

1. Having regard to the location of the site within a rural area under urban influence, and to National Policy Objective 19 of the National Planning Framework (February 2018) which, for rural areas under urban influence, seeks to facilitate the provision of single housing in the countryside based on the core consideration of demonstrable economic or social need to live in a rural area, having regard to the viability of smaller towns and rural settlements, it is considered that the applicant has not demonstrated an economic or social need to live in a rural area having regard to the viability of smaller towns and rural settlements and, therefore, the proposed development does not comply with National Policy Objective 19. The proposed development would contribute to the encroachment of random rural development in the area, would militate against the preservation of the rural environment and the efficient provision of public services and infrastructure and would contravene the provisions of the National Planning Framework. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

2. The eligibility criteria set out under Objective RF39 (Table RF03) stipulates that an applicant may be considered under close family ties criteria for a new rural dwelling where permission has not already been granted to a family member by reason of close family ties since 19th October 1999. As the applicant's parents were permitted a dwelling within the rural area of Fingal under Reg. Ref. F99A/0512 on the 24th November 1999 under close family ties criteria, the applicant is not eligible to be considered for a dwelling in the rural area of Fingal in accordance with Objective RF39 of the Fingal Development Plan 2017-2023. The applicant has therefore not demonstrated his eligibility to be considered for a dwelling in a rural area of Fingal on the basis of 'close family ties'. The proposed development would be contrary to the rural settlement strategy of the Fingal Development Plan 2017-2023 including Objective RF39, would be contrary to the Ministerial Guidelines and to the over-arching national policy in the National Planning Framework. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.
3. The proposed backland house would be the 6th house along a 250m stretch of roadway, in a location which demonstrates ribbon development. The proposed house would therefore contravene objective RF55 which presumes against development which would contribute to or intensify existing ribbon development.'

Board Member

Date: 07/12/2020

Michelle Fagan