

An
Bord
Pleanála

Board Direction
BD-016656-24
ABP-318811-24

The submissions on this file and the Inspector's report were considered at a Board meeting held on 18/06/2024.

The Board decided to refuse permission for the following reasons and considerations.


Reasons and Considerations

The proposed development is located in an area zoned 'RU-Rural' in the Fingal County Development Plan 2023-2029 where the objective seeks to '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'. Based on the information provided with the application and appeal, the applicant has not satisfactorily demonstrated that they are employed in a full-time occupation which is considered to satisfy local needs by predominately serving the rural community/economy as detailed in Table 3.5(ii) of Section 3.5.15.5 of the Fingal County Development Plan 2023-2029. The development would therefore contravene materially the rural housing strategy and the relevant provisions relating to rural housing need set out in the Fingal County Development Plan 2023-2029 and would be contrary to National Policy Objective 19 of the National Planning Framework which 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 the rural area. The proposed development would therefore result in a haphazard and unsustainable form of development which would militate against the preservation of the rural environment and the efficient provision of public services and infrastructure. and would therefore be contrary to the proper planning and sustainable development of the area.

In deciding not to accept the Inspector's recommendation to grant permission, the Board did not share the view of the Inspector that a hair salon business located within an urban settlement would meet the requirements of Table 3.5 of the Fingal County Development Plan 2023-2029 in terms of constituting a role which predominately serves the rural community/economy. While accepting that other services which are not related to agri-business are also of major importance in serving and sustaining the rural community and economy and in the absence of these services rural dwellers would be required to travel outside of their area to avail of such services which would potentially impact on sustaining rural areas and rural communities, the Board did not agree with the Inspector that this would correlate with that the service provider needing to live in a rural area when the business itself is located within the urban area and customers travel to the urban area to avail of this service. In this regard the Board agreed with the Planning Authority and considered that notwithstanding the appellants undoubted contribution to the service economy within the wider area which includes a large rural hinterland, the carrying out of this activity would not require the appellant to be located within the rural part of this area.

The Board also noted that the development as proposed would exacerbate ribbon development in the area but noted that this would comprise a new issue and given the substantive reason for refusal above it decided not to pursue this matter as part of the subject development.

Board Member


Una Crosse

Date: 18/06/2024