

An
Coimisiún
Pleanála

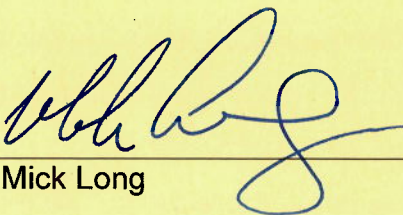
Direction
CD-020678-25
ABP-322514-25

The submissions on this file and the Inspector's report were considered at a meeting held on 15/09/2025.

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

Planning

Commissioner:


Mick Long

Date: 15/09/2025

DRAFT WORDING FOR ORDER

Reasons and Considerations

1. The site is located within Flood Zone A (Coastal Flooding) and in order to comply with the requirements of the Fingal Strategic Flood Risk Assessment, the proposed finished floor level should be a minimum of 4.66 metres. The development proposed to be retained is provided with a stated finished floor level of 3.24 metres. Having regard to the location of the site in an area which is prone to flooding and, on the basis of the information provided in connection with the planning application and the appeal, the Commission is not satisfied that the development proposed to be retained would not give rise to an increased risk of flooding of the site or of property in the vicinity. The development proposed to be retained would be prejudicial to public safety,

and would, therefore, be contrary to the proper planning and sustainable development of the area.

2. The development proposed to be retained is on lands zoned RU – Rural in the Fingal Development Plan 2023-2029 and includes an on-site treatment system which is not in accordance with Local Objective No. 18 of the Fingal Development Plan 2023-2029 which requires all new houses to connect to mains drainage and would be prejudicial to public safety, and would, therefore, be contrary to the proper planning and sustainable development of the area.

Note:

The development proposed to be retained is stated to be for a replacement dwelling on land zoned RU – Rural in the Fingal Development Plan 2023-2029. The Commission was not satisfied that evidence of a dwelling to be replaced was provided and considered therefore the application to be one for a new dwelling. There is no indication that the applicant satisfies Section 14.12.8 of the development plan which provides for requirements for 'New Housing for the rural community other than those actively engaged in farming'. Table 14.10 provides the relevant criteria for eligibility for a house in the rural area, and it is considered that the applicant has not demonstrated compliance with these requirements. Give the substantive nature of the reasons for refusal the Commission did not raise this matter further.