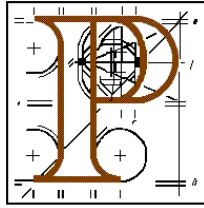


An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2015

Fingal County

Planning Register Reference Number: FW15A/0114

An Bord Pleanála Reference Number: PL 06F.246379

APPEAL by Crekav Landbank Investments Limited of 4 Inver Mews, Old Chapel Ground, Arklow, County Wicklow against the decision made on the 3rd day of March, 2016 by Fingal County Council to refuse permission.

PROPOSED DEVELOPMENT: Mixed use residential and commercial development comprising a total of 19 number dwellings, including the existing two-storey detached 'Duinch' dwelling with proposed associated boundary changes and the provision of 18 number new dwellings (four number three bed, two and a half storey, terraced houses; four number three bed, two and a half storey, semi-detached dwellings; 10 number four bed, two-storey, detached dwellings); a two-storey commercial building comprising a retail unit (300 square metres gross floor area) at ground floor level and a medical centre (363 square metres gross floor area) at first floor level with a terrace/breakout area on its northern elevation; and a single storey café/coffee shop (96 square metres gross floor area). The proposed development will also consist of amendments to the existing vehicular entrance to 'Duinch' to accommodate the proposed developments as well as the provision of a new vehicular and pedestrian entrance, car, motorcycle and bicycle parking, bin storage area, landscaping, boundary treatment and all associated site and engineering works necessary to facilitate the development. The development will be served by a new pumping station and a new 100 millimetre foul rising main along the adjoining Ratoath Road and R121 Road before discharging to the existing Fingal County Council pumping station at Hollywoodrath to the south-west of the site, all at 'Duinch' and adjoining lands, Hollystown, Hollywoodrath, Dublin, as revised by the further public notices received by the planning authority on the 1st day of December, 2015 and the 5th day of February, 2016.

DECISION

REFUSE permission for the above proposed development based on the reasons and considerations set out below.

MATTERS CONSIDERED

In making its decision, the Board had regard to those matters to which, by virtue of the Planning and Development Acts and Regulations made thereunder, it was required to have regard. Such matters included any submissions and observations received by it in accordance with statutory provisions.

REASONS AND CONSIDERATIONS

Objective BD27 of the planning authority, as set out in 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.

**Member of An Bord Pleanála
duly authorised to authenticate
the seal of the Board.**

Dated this day of 2016.

