

An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2015

Fingal County

Planning Register Reference Number: F16A/0295

An Bord Pleanála Reference Number: PL 06F.247265

APPEAL by Samantha Doyle care of KT Designs of Fumbally Exchange, Railway Street, Balbriggan, County Dublin against the decision made on the 22nd day of August, 2016 by Fingal County Council to refuse permission.

PROPOSED DEVELOPMENT: Construction of a bungalow, accessed via a private entrance road, new wastewater treatment system and percolation area along with all associated site works, at Collinstown, Lusk, County Dublin.

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

1. The application site is zoned 'RU-Rural' in the Fingal County Development Plan 2011-2017. Under the 'RU' zoning objective, single house residential development is only permitted where the applicant can demonstrate compliance with the Rural Settlement Strategy, as set out in the Development Plan. Objective RH19 requires that new dwellings in the rural area of the County be sited at a location in close proximity to the family home. Where such an arrangement is clearly demonstrated not to be available, the new dwelling is permitted to be located on an alternative site which is within two kilometres from the family home. In this instance, the family home is located approximately 3.8 kilometres to the north, or over five kilometres by the most direct local road route, from the proposed dwelling. The proposed development would, therefore, contravene materially Objective RH19 of the Development Plan, and would set an undesirable precedent for other future similar development. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

2. Having regard to the site's location within an area under strong urban influence as set out in the Sustainable Rural Housing Guidelines for Planning Authorities issued by the Department of the Environment, Heritage and Local Government in April 2005, to the site's location within an area identified by the Environmental Protection Agency as being at high risk from domestic waste water and to the pattern of development in the area, it is considered that the proposed development would give rise to an over proliferation of houses dependent on on-site waste water treatment systems which would be prejudicial to public health, would contribute to the suburbanisation of a rural area, would seriously injure the visual amenities of the area 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 2017.