

An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2015

Fingal County

Planning Register Reference Number: F16A/0312

An Bord Pleanála Reference Number: PL 06F.247328

APPEAL by Seamus Russell care of Fingal Planning Consultants of Suite 7C, Balbriggan Street, Skerries, County Dublin against the decision made on the 2nd day of September, 2016 by Fingal County Council to refuse permission.

PROPOSED DEVELOPMENT: A detached bungalow, associated car parking and site works on a site to the rear of 9 Rush Road, Skerries, 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 proposed development, which has a stated site area of 0.0547 hectares, would not comply with Objective RC02 of the Fingal Development Plan 2011-2017, which requires that applications for planning permission for a house within a Rural Cluster have a minimum site area of 0.125 hectares where an applicant is connecting to a public sewer. The proposed development, by reason of its inadequate site area, would serve to undermine the rural nature of the Rural Cluster and would materially contravene Objective RC02 of the said development plan. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

2. The subject site is within the 'RC' zoning objective under the Fingal Development Plan 2011-2017, the objective of which is to 'provide for small scale infill development serving local needs while maintaining the rural nature of the cluster'. Objective RC02 restricts new dwellings to applicants who comply with the eligibility criteria set out in Objective RC02. Residential development is only permitted where the applicant has established a need to live in the rural area. Specifically, applicants are required to either be currently living and who have lived continuously for the past ten years or have previously lived for a minimum of ten continuous years, or persons working continuously for the past ten years. Notwithstanding the applicant's documented links to this area, the applicant is already a resident in the parent property, number 9 Rush Road, which he owns. It is not considered that a need for an additional dwelling for the applicant has been established. Therefore, it is considered that the applicant fails to satisfy the Development Plan requirements in relation to additional dwellings in Residential Cluster areas. The proposed development 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.