

An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2017

Fingal County Council

Planning Register Reference Number: F17A/0534

An Bord Pleanála Reference Number: ABP-300264-17

APPEAL by Suzanne McDonnell care of Donal McNally Architects of 6 White Swan Business Centre, South Circular Road, Dublin against the decision made on the 25th day of October, 2017 by Fingal County Council to refuse permission to the said Suzanne McDonnell.

PROPOSED DEVELOPMENT: Construction of a detached single storey three bedroom 197 square metres house with a private wastewater treatment system and percolation area and a detached single storey 62 square metres garage including boundary walls, a vehicular entrance gateway and associated site works, all at O'Brien's Lane, Clonmethan, Oldtown, 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

The site of the proposed development is located in a rural 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 and within lands with a zoning objective ‘RU-Rural’ as set out in the Fingal Development Plan 2017 – 2023, where objectives SS07 and RF39 aim to restrict housing to specified categories of persons who can establish that they have a rural-generated housing need. Based on the submissions made in connection with the application and appeal, it is considered that the applicant has not demonstrated that they meet the criteria for a rural-generated house under the provisions set out in Table RF03 of the Development Plan, whereby the applicant must have lived in the family home identified on the application or within the locality of the family home for at least 15 years and, where an additional home to the applicant’s family would be restricted by virtue of a family member having previously been permitted a house in the area subsequent to the 19th day of October 1999. The proposed development would contravene materially Objectives SS07 and RF39 of the Development Plan, 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 2018.