



Planning and Development Acts 2000 to 2017

Planning Authority: Fingal County Council

Planning Register Reference Number: F17A/0596

APPEAL by Joseph Flood care of Corr and Associates of Unit 4, Suite 4, First Floor, Saint Fintan's, North Street, Swords, County Dublin against the decision made on the 23rd day of November, 2017 by Fingal County Council to refuse permission.

Proposed Development: A replacement dwelling previously located at Newpark House and the reconstruction of the dwelling on a relocated site together with the installation of a wastewater treatment system with percolation area, associated site development works and accessed via an existing domestic vehicular entrance located at Newpark, The Ward, County Dublin.

Decision

REFUSE permission for the above proposed development in accordance with 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 relates to the construction of a new dwelling house to replace a former dwellinghouse which was sited in a location, circa 200 metres distant from the proposed site and which has since been demolished. As the former dwellinghouse has ceased to exist at its former location, which has since been incorporated into an expanded commercial yard, the proposal cannot reasonably be considered a replacement dwellinghouse. Under the Fingal Development Plan 2017-2023, the site is zoned 'GB-Greenbelt' within which new residential development is only permitted, where the applicant has established a rural generated housing need in accordance with Objectives RF34 (permit one additional dwelling per farm family) and RF39 (permit new rural dwellings in areas which have a zoning objective GB, where the applicant meets criteria set out in Table RF03). As sufficient documentary evidence has not been presented by the appellant such as would demonstrate compliance with these rural housing need objectives, the development would materially contravene the 'GB – Provide for a Greenbelt' land use zoning objective applicable to the site and the corresponding rural development strategy of the current Fingal Development Plan. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

2. The proposed development would result in an intensification of use of an existing road entrance onto a heavily trafficked Regional Road (R121) where inadequate vehicular sightlines are available such as would enable safe access and egress to and from the site. Accordingly, the proposed development would endanger public safety by reason of traffic hazard 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.