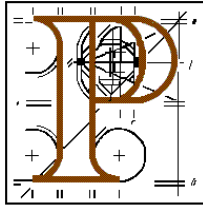


An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2017

Fingal County Council

Planning Register Reference Number: F17A/0685

An Bord Pleanála Reference Number: ABP-300822-18

APPEAL by Michael McKeever care of Corr and Associates of Unit 4, First Floor, St Fintan's, North Street, Swords, County Dublin against the decision made on the 8th day of January, 2018 by Fingal County Council to refuse permission.

PROPOSED DEVELOPMENT: Demolition of the existing single storey detached dwelling, construction of a replacement two-storey four number bedroom detached dwelling (215 square metres), within curtilage parking, vehicular access onto Healy's Lane and all associated site development and engineering works necessary to facilitate the development, all at Mallows, Healy's Lane, Portrane, 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 site is located in an area zoned High Amenity in the Fingal County Development Plan 2017-2023, for which the objective is to protect and enhance high amenity areas. It is an objective of the planning authority, as set out in the Development Plan, to limit new housing development in the High Amenity area, to persons who have a defined essential housing need based on their involvement in farming or based on exceptional health circumstances (Objective RF32). The replacement or conversion of existing coastal chalets or seaside huts will also be considered in the High Amenity area, in exceptional circumstances, where the criteria set out in the Development Plan are met (Objective RF42). The Board is not satisfied, on the basis of the submissions made in connection with the application and appeal, that there is an established residential use on the appeal site, that the applicant has a defined essential housing need based on their involvement in farming or based on exceptional health circumstances, or that the criteria for the replacement or conversion of existing coastal chalets and seaside huts, are met. It is, therefore, considered that the proposed development would contravene materially the zoning objective for the area and the policies set out in the Fingal County Development Plan 2017-2023 in relation to the protection of high amenity areas. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

2. It is an objective of the planning authority, as set out in the Development Plan, to prohibit new development outside of urban areas, in coastal areas that are at risk from coastal erosion unless it can be objectively established based on the best scientific information available at the time of the application, that the likelihood of erosion at a specific location is minimal (Objective DMS174). Furthermore, it is the objective of the planning authority, to prohibit development along the coast, outside existing urban areas, where such development could not be adequately safeguarded over the lifetime of the development without the need to construct additional coastal defences (Objective NH61). The proposed development would be situated in an area that is identified in the Fingal Development Plan 2017-2023 (Green Infrastructure Maps) as being at risk of coastal erosion and it is considered, based on current conditions and future coastal erosion predictions, that coastal protection measures would be required to avoid damage by the sea at this location in the future. It is, therefore, considered that the proposed development would contravene materially Objective NH61 of the Fingal County Development Plan 2017-2023 in relation to development in areas that are at risk of coastal erosion. 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 2018.