



---

**Planning and Development Acts 2000 to 2018**

**Planning Authority: Fingal County Council**

**Planning Register Reference Number: F18A/0418**

**APPEAL** by Kieran Buckley care of Corr and Associates of Unit 4, First Floor, Saint Fintan's, North Street, Swords, County Dublin against the decision made on the 10<sup>th</sup> day of September, 2018 by Fingal County Council to refuse permission.

**Proposed Development:** The construction of a four number bedroom detached dwelling (circa 223 square metres ground floor area) in compliance with Map Based Local Objective Number 28 of the Fingal Development Plan 2017-2023, including required minimum site area of 0.135 hectares, connection to mains foul drainage network and associated pumping station, within curtilage parking as per development plan standards, vehicular access onto Burrow Road and all associated site development and engineering works necessary to facilitate the development at the Burrow Road, The Burrow, Portrane, 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**

The site of the proposed development is located 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. Furthermore, the subject site is located in an area that is under strong urban influence, where it is national policy, as set out in National Policy Objective 19 of the National Planning Framework (February, 2018), to facilitate the provision of single housing in the countryside based on the core consideration of demonstrable economic or social need to live in a rural area. The Board is not satisfied, on the basis of the submissions made in connection with the planning application and the appeal, that the applicant has a demonstrable economic or social need to live in this rural area. Notwithstanding the provisions of the Fingal County Development Plan 2017-2023, it is considered, that the applicant does not come within the scope of the housing need criteria as set out in the Guidelines and in national policy for a house at this location. Furthermore, the proposed development would be contrary to the Criteria for Eligible Applicants from the Rural Community for Planning Permission as set out in Table RF03 of the Fingal County Development Plan 2017-2023 given that a dwelling for a family member on the basis of close family ties has already been granted planning permission.

The proposed development would, therefore, be contrary to these Ministerial Guidelines, the National Planning Framework and the Development Plan and would be contrary to the proper planning and sustainable development of the area.

---

**Paul Hyde**

**Member of An Bord Pleanála  
duly authorised to authenticate  
the seal of the Board.**

**Dated this            day of            2019.**