



Planning and Development Acts 2000 to 2019

Planning Authority: Fingal County Council

Planning Register Reference Number: F19A/0068

APPEAL by Patrice and John Keegan care of Michael Halligan of Seapoint House, Balbriggan, County Dublin against the decision made on the 8th day of April, 2019 by Fingal County Council to refuse permission to the said Patrice and John Keegan.

Proposed Development A storey and a half dwelling with vehicular entrance to public road, domestic garage, waste water treatment system and all associated site works at Collinstown, Lusk, 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 application site is zoned 'RU' in the Fingal County Development Plan 2017 - 2023, and is in an area of 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. Under the 'RU' zoning objective and in such areas of strong urban influence, single house residential developments are only permitted where the applicant can demonstrate compliance with the Rural Settlement Strategy, as set out in the County Development Plan 2017 - 2023. Furthermore, in such areas designated as being under urban influence, it is national policy, as set out in National Policy Objective 19 of the National Planning Framework, 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. It is considered that the proposed development does not comply with Development Plan policies in relation to rural housing, in particular, Objectives RF39; RF20; DMS52 and RF57, and would not be consistent with the Ministerial Guidelines and to the over-arching national policy. The proposed development would, therefore, contravene these Development Plan objectives and, if permitted, would set an undesirable precedent for other future similar development in the area. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.
2. It is considered that the proposed vehicular access onto a heavily trafficked regional road would endanger public safety by reason of traffic hazard and would, therefore, be contrary to Objective DMS126 of

the Fingal County Development Plan 2017 - 2023, which seeks to restrict new accesses opening directly off regional roads. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

Dave Walsh

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

Dated this day of 2019.