



Planning and Development Acts 2000 to 2019

Planning Authority: Fingal County Council

Planning Register Reference Number: F19A/0307

APPEAL by Lesley Donnelly care of EM Hogan and Associates of 4 Hanlon's Lane, Malahide, County Dublin against the decision made on the 23rd day of August, 2019 by Fingal County Council to refuse permission for the proposed development.

Proposed Development: Construction of one number dormer three bed dwelling (to be located to the rear of existing dwelling), amendments to existing vehicular entrance to provide for a shared entrance, landscaping and all associated site development works necessary to facilitate the development at 1 Feltrim Road, Streamstown, Malahide, 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 appeal site is located within the Inner Airport Noise Zone as indicated in the Fingal County Development Plan 2017-2023. Objective DA07 of the Development Plan states that it shall be an objective to 'strictly control inappropriate development and require noise insulation where appropriate within the outer noise zone and actively resist new provision for residential development and other noise sensitive uses within the Inner Noise Zone'. Having regard to the location of the site within the inner noise zone and to the circumstances of the applicant, specifically the fact that they are not a member of a farming family, it is considered that the proposed development would materially contravene Objectives DA07 and RF41 of the Development Plan regarding development within the Inner Noise Zone and would, therefore, be contrary to the proper planning and sustainable development of the area.

In deciding not to accept the Inspector's recommendation to grant permission, the Board considered that the zoning objective for the site - Rural Cluster- did not overcome Objectives DA07 and RF41 of the Development Plan and that the proposed development of a house within the Inner Noise Zone would be contrary to these objectives.

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

Dated this day of 2020.