



Planning and Development Acts 2000 to 2019

Planning Authority: Fingal County Council

Planning Register Reference Number: F19A/0417

APPEAL by Scafftex Limited care of Jim Brogan of Unit B1, Laurel Lodge Business Centre, Laurel Lodge, Castleknock, Dublin against the decision made on the 29th day of October, 2019 by Fingal County Council to refuse permission.

Proposed Development: A scaffolding storage and distribution yard comprising of two number office containers, six number car spaces, a new vehicular entrance and all associated site works, all at the junction of R132 and Turvey Avenue, Donabate, County Dublin. The proposed development was revised by further public notices received by An Bord Pleanála on the 17th day of February, 2020.

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

Having regard to the characteristics of the site including the high water table, the vulnerability of the wider site to flooding, and the capacity of the proposed wastewater treatment system to operate effectively, the Board is not satisfied, on the basis of the submissions made in connection with the planning application and the appeal, that the proposed development would not be prejudicial to public health, and would not cause pollution that would adversely affect the integrity of the Malahide Estuary Special Area of Conservation (Site Code:000205) and the Malahide Estuary Special Protection Area (Site Code:004025), or any other European site, in view of the sites' Conservation Objectives. Accordingly, the Board is precluded from granting permission in these circumstances.

Dave Walsh

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

Dated this day of 2020.