



Planning and Development Acts 2000 to 2019

Planning Authority: Fingal County Council

Planning Register Reference Number: F19A/0506

APPEAL by Timothy Hanlon of 39 Forest Walk, River Valley, Swords, County Dublin against the decision made on the 12th day of December, 2019 by Fingal County Council to refuse permission for the proposed development.

Proposed Development: Construction of a three bedroom bungalow with wastewater treatment system, percolation area, R.W. Harvesting system and soakaway, together with driveway accessed by existing vehicular entrance gates, all at Aquarius, Hearse Road, Donabate, 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 subject site is located within an area zoned 'GB' in the Fingal Development Plan, 2017-2023 for which the objective is to 'protect and provide for a greenbelt and in a rural area under Strong Urban Influence as identified in the Sustainable Rural Housing Guidelines for Planning Authorities issued by the Department of the Environment, Heritage and Local Government in April 2005, and requires access from a busy regional road. Furthermore, it is national policy in such areas under urban influence, 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 such rural areas under urban influence. Residential development is permitted only on suitable sites where the applicant has established a genuine need to live in the rural area, such as long standing existing and immediate family ties to the area. The applicant has not demonstrated long standing family ties to the area and the proposed development would, therefore, contravene materially the rural settlement strategy of the Fingal Development Plan 2017-2023, and would be contrary to the Ministerial Guidelines and to the over-arching national policy set out in the National Planning Framework. The proposed development would, therefore, 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 2020.