



---

**Planning and Development Acts 2000 to 2020**

**Planning Authority: Fingal County Council**

**Planning Register Reference Number: F20A/0038**

**Appeal** by Markus Josef Odermatt, Manuel Ambrosio Sanchez and Paul Fox care of Marston Planning Consultancy of 23 Grange Park, Foxrock, Dublin against the decision made on the 20<sup>th</sup> day of March, 2020 by Fingal County Council in relation to an application for permission for the proposed change of use of the single storey workshop to a place of worship (186.5 square metres), relocation of the existing vehicular access off the public road to the north to form a new shared vehicular access that will serve the new place of worship and the existing dormer dwelling on site. The place of worship will be served by 30 number car parking spaces and two number spaces serving the existing dwelling. The development also consists of the retention of works to the workshop that includes the retention of the filling in of doors and windows to the west and north elevations of the building, retention of the removal of the rooflights above, as well as the retention of new double doors to the south elevation and the retention of all landscaping and paths. The works will include the decommissioning of the existing septic tank that serves the dwelling on site and the implementation of a new wastewater treatment system to serve both the existing house and the place of worship as well as all ancillary service and other works required to facilitate the development at Leaca Bán, Tooman, Lusk, County Dublin in accordance with the plans and particulars lodged with the said Council (which decision was to grant subject

to conditions permission for retention of works to the workshop, including the filling in of doors and windows on the west and north elevations, the removal of rooflights, new double doors to the south elevation and all landscaping and paths and to refuse permission for change of use of a workshop to a place of worship/church, the relocation of the existing vehicular access/provision of a shared vehicular access and associated car parking, the decommissioning of the existing septic tank and provision of new wastewater treatment system).

## **Decision**

**GRANT permission for works to the workshop, including the filling in of doors and windows to the west and north elevations, the removal of rooflights, new double doors to the south elevation and all landscaping works and paths in accordance with the said plans and particulars based on the reasons and considerations marked (1) under and subject to the conditions set out below.**

**REFUSE permission for the proposed change of use of the single storey workshop to a place of worship (186.5 square metres), relocation of the existing vehicular access off the public road to the north to form a new shared vehicular access that will serve the new place of worship and the existing dormer dwelling on site, associated car parking and new wastewater treatment system to serve both the existing house and place of worship as well as all ancillary service and other works required to facilitate the development based on the reasons and considerations marked (2) under.**

## **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)**

Having regard to the nature of the development proposed for retention, it is considered that, subject to compliance with the conditions set out below, the development proposed for retention would not seriously injure the amenities of the area and would, therefore, be in accordance with the proper planning and sustainable development of the area.

## **Conditions**

1. The development shall be retained in accordance with the plans and particulars lodged with the application, except as may otherwise be required in order to comply with the following condition.

**Reason:** In the interest of clarity.

2. The use of the building shall be for workshop and purposes ancillary to the use of the dwelling house.

**Reason:** In the interest of clarity.

## **Reasons and Considerations (2)**

The proposed change of use from a workshop associated with a dwellinghouse to a place of worship for a dispersed congregation in an unserviced rural area, distant from a settlement and not related to agriculture and rural related resources or for the benefit of the local community would be car dependent and lead to additional traffic generated on the narrow local road network and to traffic hazard where sightlines are deficient at the entrance and would, therefore, contravene the 'RU' Rural zoning objective and Objective PM85 of the Fingal County Development Plan 2017-2023. The proposed development would set an undesirable precedent for such uses unrelated to the rural area, which are more suited to appropriately zoned and serviced land in an urban area and would, therefore, be contrary to the proper planning and sustainable development of the area.

---

**John Connolly**

**Member of An Bord Pleanála**

**duly authorised to authenticate  
the seal of the Board.**

**Dated this            day of            2020.**