



Planning and Development Acts 2000 to 2020

Planning Authority: Fingal County Council

Planning Register Reference Number: F20A/0143

APPEAL by Sutton Castle Developments Limited (in liquidation) care of Downey against the decision made on the 2nd day of July, 2020 by Fingal County Council to refuse permission.

Proposed Development: The change of use of the existing single storey detached one bedroom 'caretaker's lodge' (previously granted under planning register reference number F05A/1172) to residential use to now provide one number single storey detached two bedroom residential unit, associated internal and elevational changes, landscaping, boundary treatments as well as all associated site development and engineering works necessary to facilitate the proposed development. Permission is also sought to amend condition 3 of planning register reference number F05A/1172 to now permit residential use in lieu of caretaker, storage or similar use, at Sutton Castle (Protected Structure), Red Rock, Sutton, 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 proposed development would contravene condition number 3 attached to an existing planning permission for the development granted under planning register reference number F05A/1172, and would, therefore, be contrary to the proper planning and sustainable development of the area.
2. The subject site is zoned under Objective HA - High Amenity within the Fingal County Development Plan 2017-2023. The applicant has not demonstrated satisfactorily compliance with the Rural Housing Policy as set out within Table RF03 of the Fingal County Development Plan 2017-2023. The proposed development would, therefore, materially contravene the Objective RF31, Objective RF32 and Objective RF34 of the current Development Plan.

In deciding not to accept the Inspector's recommendation to grant permission, the Board considered that the intent of the original permission granted under planning register reference number F05A/1172 clearly linked the current and future use/occupancy of the caretaker's lodge to the parent apartment development complex on the grounds of the former Sutton Castle Hotel, and that it would be inappropriate to alter the terms of this condition, which might undermine this related use.

Dave Walsh

Member of An Bord Pleanála

duly authorised to authenticate

the seal of the Board.

Dated this day of 2020