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**Planning and Development Acts 2000 to 2020**

**Planning Authority: Fingal County Council**

**Planning Register Reference Number: F20A/0584**

**APPEAL** by Cahal Flynn care of Downey Planning of 1 Westland Square, Pearse Street, Dublin against the decision made on the 20<sup>th</sup> day of January, 2021 by Fingal County Council to refuse permission for the proposed development.

**Proposed Development:** The construction of one number detached, two-storey four-bedroom dwelling, a single storey detached garage, new vehicular entrance and driveway from Balheary Road and on-site wastewater treatment system, landscaping, boundary treatment along with all associated ancillary site development and engineering works necessary to facilitate the development on lands at Balheary Road, Dollards, Swords, County Dublin.

**Decision**

**REFUSE** permission for the above proposed development in accordance with the reasons and considerations set out below.

## Matters Considered

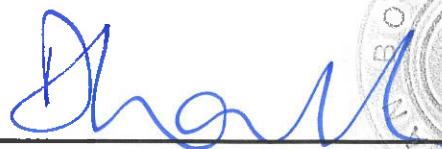
In making its decision, the Board had regard to those matters to which, by virtue of the Planning and Development Acts and Regulations made thereunder, it was required to have regard. Such matters included any submissions and observations received by it in accordance with statutory provisions.

## Reasons and Considerations

1. The subject site is located within the Greenbelt zoning objective under the Fingal Development Plan 2017-2023, the objective of which is “to protect and provide for a Greenbelt”. Table RF01 and Objective RF31 of the Fingal Development Plan 2017-2023 indicate that the maximum number of houses which will be permitted within the zoning objective is one dwelling (plus 1 for exceptional health reasons). Having regard to the previous grant of permission for the applicant's brother (under planning reference F17A/0147) on a greenbelt land, it is considered that the proposed development would be contrary to Objective RF31 of the Fingal Development Plan 2017-2023 and would, therefore, be contrary to the proper planning and sustainable development of the area.

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2. Having regard to the location of the site within an "Area Under Strong Urban Influence" as identified in Sustainable Rural Housing Guidelines for Planning Authorities issued by the Department of the Environment, Heritage and Local Government in April, 2005 and to National Policy Objective 19 of the National Planning Framework (February 2018) which, for rural areas under urban influence, seeks to facilitate the provision of single housing in the countryside, based on the core consideration of demonstrable economic or social need to live in a rural area, and in an area where housing is restricted to persons demonstrating local need in accordance with the relevant objectives of the Fingal County Development Plan 2017-2023, it is considered that it has not been sufficiently demonstrated that the applicant comes within the scope of the housing need criteria as set out in the National Planning Policy, the Guidelines or the Development Plan for a house at this location. In the absence of an identified locally based, site specific economic or social need to live in the area, it is considered that the proposed development would contribute to the development of random rural housing in the area, would exacerbate the existing pattern of ribbon development and would militate against the preservation of the rural environment and the efficient provision of public services and infrastructure. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.



**Dave Walsh**

**Member of An Bord Pleanála**

**duly authorised to authenticate**

**the seal of the Board.**

Dated this *18<sup>th</sup>* day of *June* 2021.