

Planning and Development Acts 2000 to 2021

Planning Authority: Fingal County Council

Planning Register Reference Number: F21A/0337

APPEAL by Aoife Parkinson care of Fingal Planning Consultants of 7C Balbriggan Street, Skerries, County Dublin against the decision made on the 9th day of August, 2021 by Fingal County Council to refuse permission.

Proposed Development: Retention for single storey dwelling behind family home, utilising existing vehicular entrance. Permission is also sought for on-site wastewater treatment unit and percolation area at Drishoge, Oldtown, 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.

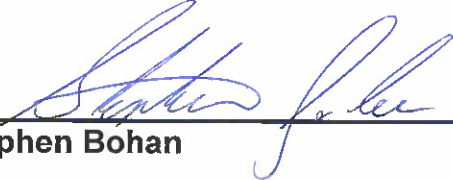
Reasons and Considerations

1. Having regard to the location of the site within an "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 in an area where housing is restricted to persons demonstrating rural housing need in accordance with the current Fingal County Development Plan 2017-2023, it is considered that the applicant does not fully comply with the requirements of Objectives RF39 and Table RF03(i) of the Development Plan. The development for which retention permission and permission is sought would materially contravene the 'RU' zoning objective of the site, whereby dwellings on such zoned lands require compliance with the Objectives of the Fingal Development Plan Rural Settlement Strategy. Furthermore, it is national policy, 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 a rural area, having regard to the viability of smaller towns and rural settlements. Having regard to the documentation submitted with the planning application and appeal, the Board is not satisfied that the applicant has a demonstrable economic or social need to live in this rural area.

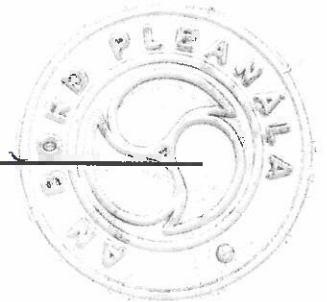
In the absence of an identified locally-based, site-specific economic or social need to live in the area and having regard to the substantial amount of one-off housing already existing in this rural area which is not zoned for residential development, it is considered that the proposed development would contribute to the development of random rural housing in the area, and would militate against the preservation of the rural environment and the efficient provision of public services and infrastructure. Furthermore, the Board is not satisfied that the applicant's

housing needs could not be satisfactorily met in an established smaller town or village/settlement centre. The proposed development for which retention permission and permission is sought would be contrary to the Ministerial Guidelines and to the overarching national policy and having regard to the relevant provisions of the Fingal County Development Plan 2017-2023 and would, therefore, be contrary to the proper planning and sustainable development of the area.

2. It is considered that the development for which retention permission and permission is sought under this application would endanger public safety by reason of traffic hazard due to intensification of an existing access on to a substandard rural road at a point where sightlines are restricted in both directions, where the width of the road is restricted, where the entrance serving the development is substandard in its design and layout to accommodate two dwellings and where the maximum posted speed limit applies.



Stephen Bohan
Member of An Bord Pleanála
duly authorised to authenticate
the seal of the Board



Dated this *26th* day of *April* 2022