



Planning and Development Acts 2000 to 2021

Planning Authority: Fingal County Council

Planning Register Reference Number: FW21A/0258

APPEAL by Terry Treacy care of CWPA Planning and Architecture of Unit 10, North Street Business Park, Seatown West, Swords, County Dublin against the decision made on the 23rd day of February, 2022 by Fingal County Council to refuse permission for the proposed development.

Proposed Development: Construction of a two-storey split level three number bedroom detached residential dwelling (circa 179 square metres), new vehicular site entrance via Rugged Lane, two number within curtilage car parking spaces, new on-site WWTP treatment system with percolation area, hard and soft landscaping works and all associated site development and engineering works necessary to facilitate the development, all at Rugged Lane, Astagob, Porterstown, Dublin.

Decision

REFUSE permission for the above proposed development for the reasons and considerations set out below.

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Reasons and Considerations

1. The site of the proposed development is located within an Area Under Strong Urban Influence, as set out in the Sustainable Rural Housing Guidelines for Planning Authorities issued by the Department of the Environment, Heritage and Local Government in April 2005, and within lands which are zoned HA (High Amenity) in the Fingal County Development Plan 2017-2023. Furthermore, the subject site is located in an area that is designated as an area under urban influence where it is national policy, as set out in National Policy Objective 19 of the National Planning Framework (2018), 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 documentation submitted with the planning application and the appeal, the Board is not satisfied that the applicant has a demonstrable economic or social need to live in this rural area, or that the housing need of the applicant could not be met elsewhere. The proposed development would be contrary to Objective RF32 of the Fingal County Development Plan 2017-2023, which seeks to 'Permit houses in areas with zoning objective HA, only to those who have a defined essential housing need based on their involvement in farming or exceptional health circumstances', as the applicant does not come within the scope of the housing need criteria. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

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2. The proposed development would result in a haphazard and unsustainable form of development in an un-serviced area, would contribute to the encroachment of random rural development in the area and would militate against the preservation of the rural environment which is sensitive to change. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

Peter Mullan

Peter Mullan

Member of An Bord Pleanála

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

Dated this *6th* day of *March*, 2023.

