

An
Bord
Pleanála

Board Order

ABP- 313772-22

Planning and Development Acts 2000 to 2021

Planning Authority: Fingal County Council

Planning Register Reference Number: F22A/0140

Appeal by Lorna Flynn, Foxville, Hynestown, Naul, County Dublin against the decision made on the 13th day of May, 2022 by Fingal County Council to refuse permission.

Proposed Development: A storey and a half dwelling with single storey annex to rear, domestic garage, wastewater treatment system, vehicular entrance to public road and all associated works at Rath Great, Naul, County Dublin.

Decision

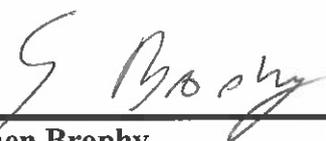
REFUSE permission for the above proposed development in accordance with the reasons and considerations set out below.

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, wherein it is the policy to distinguish between urban-generated and rural-generated housing need.

Furthermore, the subject site is located in an area that is designated under urban influence, where 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. On the basis of 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. 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.
2. The proposed development would contribute to and intensify existing ribbon development along the regional road at this location. In this regard, the proposed development is considered to be contrary to Objective RF55 of the Fingal Development Plan, 2017-2023 which sets out specific policy with respect to ribbon development. The proposed development would therefore be contrary to the proper planning and sustainable development of the area.

3. Having regard to the extent of works required to facilitate sightlines, specifically the felling of at least six number mature ash trees to the north of the appeal site and the setting back of hedgerow to the south of the proposed entrance, the proposed development would adversely impact the rural amenity and character of the area. The proposal would therefore be contrary to Objectives RF57 and RF59 of the Fingal Development Plan 2017- 2023 and would be contrary to the proper planning and sustainable development of the area.



Stephen Brophy

**Member of An Bord Pleanála
duly authorised to authenticate
the seal of the Board.**



Dated this *14* day of *March* 2023