



An  
Bord  
Pleanála

**Board Order**

**ABP- 314367-22**

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**Planning and Development Acts 2000 to 2022**

**Planning Authority: Fingal County Council**

**Planning Register Reference Number: F22A/0183**

**Appeal** by Phil Casey care of CWPA Planning and Architecture of Unit 10, North Street Business Park, Seatown West, Swords, County Dublin against the decision made on the 20<sup>th</sup> day of July, 2022 by Fingal County Council to refuse permission.

**Proposed Development:** Construction of a storey and half dwelling with single storey detached domestic garage to the north of the existing dwelling at Ben Lomond, comprising ground floor living accommodation and utilities with three bedrooms, master en-suite, main bathroom and home office at first floor level. Boundary walls and pillars. Off-street parking from private internal access roadway. To include the demolition/part demolition of an existing storey and a half stone shed building to the west of Ben Lomond to provide vehicular access onto private internal access road leading onto Channel Road. Including connection to the foul water sewer on Channel Road and all associated services at Ben Lomond, Channel Road, Rush, County Dublin.

## **Decision**

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

## Reasons and Considerations

Having regard to:

- the relevant provisions of the Fingal County Development Plan, 2023-2029 which provide for consideration to be given to the development of rural housing in areas under strong urban influence for those with a definable social or economic need to live in the open countryside,
- the documentation on the file, including the applicant's links to the area and his current and previous housing circumstances,
- the location of the site within a rural area under strong urban influence in accordance with the Sustainable Rural Housing Guidelines for Planning Authorities published by the Department of the Environment, Heritage and Local Government in April, 2005,
- 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 demonstratable economic or social need to live in a rural area, having regard to the viability of smaller towns and rural settlements,

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the Board is not satisfied, on the basis of the information submitted with the application and the appeal, that the applicant has a demonstratable economic or social need to live in this specific rural area. It is considered, therefore, that the applicant does not come within the scope of the housing need criteria, for a house at this location. In the absence of any identified locally based need for the house at this location, it is considered that the proposed development would result in a haphazard and unsustainable form of development, would contribute to the encroachment of random rural development in the area, would militate against the preservation of the rural environment and the efficient provision of public services and infrastructure, and would be contrary to the settlement strategy and the relevant provisions relating to rural housing need as set out in the Fingal County Development Plan, 2023-2029. The proposed development would be contrary to the Ministerial Guidelines and to the over-arching national policy, having regard to the provisions of the Fingal County Development Plan, 2023-2029 and would, therefore, be contrary to the proper planning and sustainable development of the area.



**Mary Henchy**

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



Dated this 10<sup>th</sup> day of July 2023

