

Planning and Development Acts 2000 to 2022

Planning Authority: Fingal County Council

Planning Register Reference Number: F22A/0685

APPEAL by Hazelwood Walk Holdings Limited care of Hughes Planning and Development Consultants of 85 Merrion Square, Dublin against the decision made on the 13th day of February, 2023 by Fingal County Council to refuse permission for the proposed development.

Proposed Development: (i) Construction of a two-storey extension to rear of existing guesthouse to accommodate 12 number ensuite double-bedrooms and ancillary lift, stairwell and circulation space, (ii) revision of external car park to provide for 14 number additional vehicular parking spaces; (iii) ancillary works, including SuDS drainage and landscaping, necessary to facilitate the development. The proposed works will increase the number of bedrooms within the guesthouse from 18 number to 30 number and the number of vehicular parking spaces serving the guesthouse from 37 number to 51 number, all at Hildan House, Lipspopple, Swords, County Dublin.

Decision

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

Reasons and Considerations

1. It is considered that the proposed development would endanger public safety by reason of a traffic hazard because of the additional traffic turning movements the development would generate on the R125 road at a point where sightlines are restricted in a south-easterly direction.
2. Having regard to: -
 - (a) the characteristics of the tributary of the Broadmeadow River, which runs along the southern boundary of the site, including the baseline water quality information provided in the course of the planning application and appeal, and
 - (b) Article 5 of the European Communities Environmental Objectives (Surface Waters) Regulations 2009, which requires that a public body in the performance of its functions shall not undertake those functions in a manner that knowingly causes or allows deterioration in the chemical or ecological status of a body of surface water,

the Board is not satisfied that the river has sufficient assimilated capacity to accept treated effluent from the on-site wastewater system currently in-situ or the proposed development in conjunction with treated effluent from other existing and committed development, given the Broadmeadow River tributary's connection to the Broadmeadow Swords Estuary Special Protection Area (Site Code: 004025). It is considered that the absence of evidence that the proposal would not result in a significant impact on the conservation objectives of European sites, precludes the Board from permitting the proposal. The proposed development would, therefore, pose an unacceptable risk of environmental pollution and would be contrary to the proper planning and sustainable development of the area.

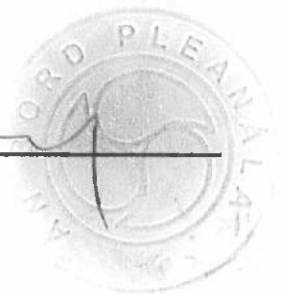
3. It is considered that, by reason of its nature, height, bulk and scale, the proposed development would be visually obtrusive at this open rural area, on 'RU' zoned lands, which have the objective to 'protect and promote in a balanced way, the development of agriculture and rural-related enterprise, biodiversity, the rural landscape, and the built and cultural heritage', and at a location on the R125 which has a specific objective to 'preserve views' and would, therefore, be contrary to the proper planning and sustainable development of the area.



Martina Hennessy

Member of An Bord Pleanála

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



Dated this 11th day of July 2023.