



An  
Bord  
Pleanála

## Board Order ABP-316053-23

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### Planning and Development Acts 2000 to 2022

**Planning Authority:** Fingal County Council

**Planning Register Reference Number:** F22A/0690

**Appeal** by Catherine and Samuel Condrot care of Hughes Planning and Development Consultants of 85 Merrion Square, Dublin against the decision made on the 15<sup>th</sup> day of February, 2023 by Fingal County Council to refuse permission.

**Proposed Development:** Construction of a mixed-use scheme comprising 21 number residential units (15 number houses, five number duplexes and one number apartment) and a community work hub facility, as follows: construction of a two-storey residential block (Block A) comprising four number two-bed duplex units (House Type 4), construction of a three-storey mixed-use block (Block B) comprising community work hub facility consisting of community work hubs, office, kitchenette, store, buggy store at ground floor level and two number residential units, one number two-bed duplex (House Type 6) and one number two-bed apartment (House Type 5) at first and second floor levels, construction of 15 number dwellings consisting of five number two-storey (with attic/dormer conversion) four-bed terraced dwellings (House Type 3). Each residential unit will be provided with an area of private amenity space in the form of a private rear garden or terrace. Each unit will also be provided with solar PV panels at roof level. Construction of a single storey bin store to serve Block A apartments. The scheme will be served by 46 number car parking spaces to include two number EV spaces, two number disability spaces and

nine number visitor spaces and 60 number cycle parking spaces (including 30 number to serve the dwellings, 20 to serve the apartments and community hub, and 10 number to serve the public). Access to the scheme will be from Hand's Lane to the west (vehicular and pedestrian) and from Bollum Lane to the north (pedestrian only) and all associated site and infrastructural works, including foul and surface water drainage, hard and soft landscaping, refuse stores, internal footpaths and roads, lighting, signage and public open space necessary to facilitate the development, all on Lands zoned TC - Town Centre to the east of Hands Lane and south of Bollum Lane, Rush, County Dublin.

## **Decision**

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

## **Reasons and Considerations**

It is considered that the absence of suitable pedestrian connectivity to Rush Town Centre/Main Street would be contrary to the Core Strategy of the Fingal County Development Plan 2023-2029 Objective CSO6 (Phased Development) to 'Ensure the phased development of new housing areas in tandem with the delivery of physical and social infrastructure provision as identified within Local Area Plans or Masterplans, as informed by assessments carried out by the Planning Authority' and, given the absence of adequate accessibility for pedestrians and cyclists, the proposed development at this location would be premature, and would, therefore, be contrary to the proper planning and sustainable development of the area.

In deciding not to accept the Inspector's recommendation to grant permission, the Board decided that it did not have adequate evidence that the proposed development, if granted permission, would not create a significant conflict with more vulnerable road and path users and would interfere with the safety and free flow of pedestrian and traffic on a public road. The proposed development, by itself and by the precedent it would set, would, therefore, be contrary to the proper planning and sustainable development of the area.



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**Liam Bergin**

**Member of An Bord Pleanála**

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

**Dated this 19<sup>th</sup> day of December - 2024.**