



An  
Bord  
Pleanála

**Board Order**  
**ABP-317159-23**

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**Planning and Development Acts 2000 to 2022**

**Planning Authority: Fingal County Council**

**Planning Register Reference Number: F23A/0071**

**APPEAL** by Denis Walsh of Cooks Road, Forrest Great, Swords, County Dublin against the decision made on the 24<sup>th</sup> day of April, 2023 by Fingal County Council to refuse permission.

**Proposed Development:** The proposed development, for which permission for development is sought, will consist of the construction of an extension to the north and west of the existing two-storey/storey and a half vernacular dwelling, which will provide for a part single-storey, part two-storey, four-bedroom detached dwelling (circa 202 square meters total gross floor area including part of the existing dwelling). The development, for which permission for development is sought, will also consist of the refurbishment, repair and upgrade of the existing dwelling (including replacement roof); the provision of new vehicular entrance (and associated gates, piers and railings), driveway and car parking; the provision of landscaping, including boundary treatments; the provision of all other associated site excavation, infrastructural and site development works above and below ground, including a proprietary waste water treatment system. The proposed development, for which retention permission and temporary permission for development is sought, consists of: a portable cabin (circa 33.5 square metres gross floor area) comprising an

entrance lobby, a kitchen/dining room, a living room, a bedroom and bathroom and for all other associated site excavation, infrastructural and site development works above and below ground, including a proprietary waste water treatment system. Temporary permission is sought for the continued use of the existing portable cabin for a period of three number years, all on lands at Cooks Road, Forrest Great, Swords, County Dublin.

## **Decision**

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

## **Reasons and Considerations**

The Board considered that the remains of a former dwelling does not comprise substantial standing remains of a vernacular structure which are structurally capable of sustaining redevelopment as required under Table 14.26 of the Fingal Development Plan 2023 - 2029 and the associated Development Management Standard Objective 190 for the purpose of the restoration and reuse of a vernacular dwelling. The Board further considered that so little remains of the original dwelling that it does not constitute a vernacular dwelling for the purposes of section 3.5.15.13 'Vernacular Buildings' of the Fingal Development Plan 2023-2029 and, therefore, the construction of a dwelling on the site must come within the Rural Settlement Strategy for housing in the countryside. In that regard, the site is located in an area where the land use zoning objective is GB 'To protect and provide for a Greenbelt'. The applicant has failed to demonstrate that he meets the criteria of Table 3.5 of the development plan and, therefore, the proposed dwelling

and the use of a portacabin for residential use on the site would contravene Sustainable Placemaking and Quality Homes Objective 81, relating to new rural dwellings in areas which have zoning objectives RU or GB, and conflict with the greenbelt land use zoning objective of the development plan. The proposed development 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 retention permission for a portable cabin and temporary permission for the continued use of the portable cabin as a dwelling, the Board considered that the applicant did not satisfactorily demonstrate that he meets the criteria of Table 3.5 of the development plan.



**Tom Rabbette**

**Member of An Bord Pleanála**

**duly authorised to authenticate**

**the seal of the Board.**

Dated this <sup>9<sup>th</sup></sup> day of March 2024.