



An
Bord
Pleanála

Board Order ABP-317770-23

Planning and Development Acts 2000 to 2022

Planning Authority: Fingal County Council

Planning Register Reference Number: F22A/0534

Appeal by Elaine Scanlon care of Stephen Foley of Beaver Lodge, Ballalease North, Donabate, County Dublin against the decision made on the 18th day of July, 2023 by Fingal County Council to refuse permission.

Proposed Development: Demolition of an existing one-storey dwellinghouse and construction of a new dwelling in its place with associated landscaping, including a proposed vehicular entrance, alterations to the existing vehicular entrance and alterations to the boundary wall, all at Hollybush, Beach Lane, The Burrow, Portrane, County Dublin, as revised by the further public notices received by the planning authority on the 24th day of May, 2023.

Decision

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

Reasons and Considerations

1. In the absence of sufficient documentary evidence which demonstrates that exceptional circumstances exist which warrant such development, it is considered that to permit the development, as proposed, at this time would be contrary to Policy SPQHP57 and Objective SPQHO100 of the Fingal Development Plan 2023-2029 and, specifically, the requirement that to satisfy the requirements of Objective DMS047 that "It can be demonstrated that no impacts arise, including accumulative impacts, in relation to European Sites". The proposed development would set an undesirable precedent for similar development of this type in the vicinity and would, therefore, be contrary to the proper planning and sustainable development of the area.
2. The proposed development is in an area which is deemed to be at risk of coastal flooding (Flood Zone A and Flood Zone B), by reference to the Fingal County Development Plan 2023-2029 and accompanying Strategic Flood Risk Assessment. Accordingly, in the absence of adequate information and analysis relating to the risk of flooding and appropriate mitigating measures to address any such risk, and the likely impacts of climate change, the proposed development, if permitted, would be contrary to Objective DMSO212, Objective DMSO213 and DMSO215 of the Fingal Development Plan 2023-2029. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

3. Having regard to the existing character and the prevailing pattern of development and the site location, it is considered that the proposed development, by reason of its overall layout and its scale, height and design, would be out of scale with its surroundings, and would seriously detract from the character and appearance of the area. The proposed development would adversely affect the character of the area, would seriously injure the visual amenities of the area, and would, therefore, be contrary to the proper planning and sustainable development of the area.



Liam Bergin

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

Dated this 11th day of April 2024.