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**Planning and Development Acts 2000 to 2022**

**Planning Authority: Fingal County Council**

**Planning Register Reference Number: F23A/0358**

**APPEAL** by Stateline Transport Limited care of CWPA of Unit 10, North Street Business Park, Seatown West, Swords, County Dublin against the decision made on the 14<sup>th</sup> day of August, 2023 by Fingal County Council to refuse permission.

**Proposed Development:** The proposed development will consist of the intensification of use of existing trailer depot for the storage of 20 number empty trailers on a circa 2.54 hectare site, including a revised site entrance and east boundary treatment and all associated site works necessary to facilitate the development at Stockhole Lane, Cloghran, Swords, County Dublin.

**Decision**

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

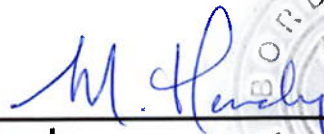
## Reasons and Considerations

1. The Board noted the appeal submission including the aerial photographs and concluded that the applicant had not substantiated the assertion that the existing use on site is a non-conforming use as defined in Section 13.3 of the Fingal County Development Plan 2023-2029.

Appendix 7 of the development plan provides Technical Guidance on what constitutes a Heavy Vehicle Park and the Board concurred with the planning authority that the proposed use could reasonably be considered to fall within this type of use.

The Board also decided that the proposed use as a heavy vehicle park would materially contravene the Greenbelt zoning objective for this site in the development plan, which seeks to protect and provide for Greenbelt'. The proposed development also fails to accord with Objective SPQHO102 of the development plan which seeks to promote development within the Greenbelts which has a demonstrated need for such a location, and which protects and promotes the permanency of the Greenbelt, and the open and rural character of the area. The proposed development, would, therefore contravene these objectives and would be contrary to the proper planning and sustainable development of the area.

2. The proposed removal of the existing roadside hedgerow and its replacement with a galvanised steel fence would introduce an incongruous boundary treatment which would fail to integrate with the established rural character of the area and, if permitted, would be detrimental to the visual amenities of the area. Furthermore, the proposal to remove the hedgerow would contravene Objective SPQH091 of the Fingal Development Plan 2023-2029 which in part seeks to ensure the retention of hedgerows. The proposed development would, therefore, contravene this objective, would be detrimental to the visual amenities of the area, and would be contrary to the proper planning and sustainable development of the area.



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**Mary Henchy**

**Member of An Bord Pleanála**

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

Dated this 13<sup>th</sup> day of June 2024.