



An  
Bord  
Pleanála

## Board Order ABP-318866-24

**Planning and Development Acts 2000 to 2022**

**Planning Authority: Fingal County Council**

**Planning Register Reference Number: F23A/0655**

**Appeal** by Sharon Coyle care of CWPA Planning and Architecture of Unit 10 North Stret Business Park, Seatown West, Swords, County Dublin against the decision made on the 12<sup>th</sup> day of December, 2023 by Fingal County Council to refuse permission for the proposed development.

**Proposed Development:** Revise condition number 2 of An Bord Pleanála decision, register reference number PL06F231677, to grant permission, to subdivide the site located at Saint Catherine's, Rathbeale Road, Swords, County Dublin into two separate folios.

### **Decision**

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

## Reasons and Considerations

1. The proposed development to revise condition number 2 of An Bord Pleanála appeal reference number: PL 06F.231677, in order to sub-divide the site location, would, if permitted, provide for two separate dwellings located within an area zoned as 'GB – Greenbelt' as set out in the Fingal Development Plan 2023-2029 and which seeks to 'protect and provide for a Greenbelt.' Policy SPQHP46 of the Fingal Development Plan 2023-2029 seeks inter alia to 'permit housing development within the countryside only for those people who have a genuine rural generated housing need in accordance with the Council's Rural Housing Policy'. The applicant has not submitted documentary evidence to demonstrate satisfactory compliance with Policy SPQHP46, or to demonstrate compliance with the Fingal Rural Settlement Strategy Rural Generated Housing Need as set out in Section 3.5.15.3 of the development plan, or with the requirements of Table 3.5 Criteria for Eligible Applicants from the Rural Community for planning permission for new rural housing. Accordingly, and in the absence of such verifiable documentary evidence, the development as proposed would be contrary to Objective 19 of the National Planning Framework, would contravene Policy SPQHP46 – Rural Settlement Strategy of the Fingal Development Plan 2023-2029, and would set an undesirable precedent for other similar development in the area. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

2. The proposed development would, if permitted, endanger public safety by reason of a traffic hazard as the required sightlines are not achieved along the Rathbeale Road, and due to proposed intensification of use of the existing entrance. The proposed development would, therefore, be contrary to the requirements of Objective DMSO118 of the Fingal Development Plan 2023-2029 in relation to the creation of traffic hazards and would, therefore, be contrary to the proper planning and sustainable development of the area.

*Eamonn James Kelly*

**Eamonn James Kelly**

**Member of An Bord Pleanála**

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

Dated this *24<sup>th</sup>* day of *June*, 2024.