



An
Bord
Pleanála

Board Order ABP-319896-24

Planning and Development Acts 2000 to 2022

Planning Authority: Fingal County Council

Planning Register Reference Number: FW24A/0134

Appeal by Tuthills Limited care of Kiaran O'Malley and Company Limited of 2 Priory Office Park, Stillorgan Road, Blackrock, County Dublin against the decision made on the 13th day of May, 2024 by Fingal County Council to refuse permission.

Proposed Development: Retention of a shed (49.8 metres long by 16.4 metres wide by 7.3 metres high to ridge level) comprising an extension (605.8 square metres floor area) to the existing commercial warehouse and storage facility and a domestic garage (206.5 square metres floor area) with mezzanine over (76.6 square metres floor area), concrete apron (circa 597.5 square metres), pre-fabricated ancillary office (30.3 square metres floor area) and storage container (14.1 square metres), all at Hillview, Clonee Road, Lucan, County Dublin.

Decision

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

Reasons and Considerations

1. The site is located within an area zoned 'HA' (High Amenity) where the objective is to 'protect and enhance high amenity areas.' The large scale of the development proposed to be retained is such that it cannot be considered to constitute a reasonable intensification relative to the non-conforming uses on the site and would be contrary to Objective ZO3 (Non-Conforming Uses) of the Fingal Development Plan 2023-2029 for the site and where the 'HA' zoning objective does not provide for these uses. Furthermore, the nature of the development proposed to be retained, with an industrial-type appearance on the site, would be contrary to Policy GINHP28 (Protection of High Amenity Areas) of the development plan. It is considered that the developer has not demonstrated that there is no significant negative impact on the landscape character of the area having regard to the significant views of the development available from the public road to the north where the development is visually obtrusive in this rural setting. The visual impact of this scale of development, when taken in conjunction with the existing three warehouses on the site, would be contrary to the 'HA' zoning objective, would be out of character in this sensitive rural landscape, and would not enhance the sense of place or distinctiveness. The development proposed to be retained would be contrary to Objective GINHO59 (Development and Sensitive Areas) and GINHO67 (Development and High Amenity Areas) of the Fingal Development Plan 2023-2029, and would, therefore, be contrary to the proper planning and sustainable development of the area.

2. The site is located on a minor road which is seriously substandard in terms of width and alignment and is not suitable to cater for commercial traffic movements associated with such commercial development. Furthermore, the sightlines at the entrance to the site to the south and forward visibility for right-turning vehicles entering the site are seriously deficient. The traffic generated by the development proposed to be retained would endanger public safety by reason of traffic hazard and obstruction of road users, and would, therefore, be contrary to the proper planning and sustainable development of the area.



Tom Rabbette

Member of An Bord Pleanála

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

Dated this ^{4th} day of Nov. 2024.