



An
Bord
Pleanála

Board Order
ABP-321004-24

Planning and Development Acts 2000 to 2022

Planning Authority: Fingal County Council

Planning Register Reference Number: F24A/0643

APPEAL by Vladimir Bariskov care of Michael O'Connor Associates of 18 Lissadel Wood, Swords Road, Malahide, Dublin against the decision made on the 10th day of September 2024, by Fingal County Council to refuse permission.

Proposed Development: Planning permission for the retention of a single storey commercial unit (circa 193 square metres) to include all associated and ancillary site works, on lands at Grange, Ballyboughal, 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 subject site is located in an area zoned objective 'RU' – Rural, in the Fingal Development Plan 2023-2029, where it is an objective of the planning authority to seek to 'protect and promote in a balanced way, the development of agriculture and rural related enterprise, biodiversity, the rural landscape, and the built and cultural heritage'. The Board considered that the proposed retention of a large commercial unit would be likely to significantly intensify the commercial use of the subject site in this rural area which would contravene the relevant zoning objective, as set out in the Fingal Development Plan 2023-2029, and would, therefore, be contrary to the proper planning and sustainable development of the area.
2. The subject development to be retained would likely result in the generation of increased volumes of traffic and an intensification of use of the access to the subject site. It is considered, based on the lack of information provided with respect to sightlines in both directions from the existing entrance, that the subject development would be likely to result in conflicting traffic movements which would interfere with the safety and free flow of traffic on the public road and would endanger public safety by reason of traffic hazard. The subject development would, therefore, be contrary to the proper planning and sustainable development of the area.



3. The Board is not satisfied, on the basis of the lack of information provided, that the existing effluent treatment system on the subject site has the capacity to effectively treat foul effluent arising from the additional loading from the development to be retained, in accordance with the Environmental Protection Agency's Code of Practice for Domestic Waste Water Treatment Systems (PE <10) (EPA 2021). It is considered that the subject development would, therefore, be prejudicial to public health and contrary to the proper planning and sustainable development of the area.



Liam McGree

Member of An Bord Pleanála

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

Dated this *06* day of *FEBRUARY* 2025.