

An  
Coimisiún  
Pleanála

Commission Order  
ACP-322800-25

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**Planning and Development Act 2000, as amended**

**Planning Authority: Fingal County Council**

**Planning Register Reference Number: F25A/0287E**

**APPEAL** by Sophie McGarry-Hand against the decision made on the 22<sup>nd</sup> day of May 2025, by Fingal County Council to refuse permission for the proposed development.

**Proposed Development:** The development will consist of a storey and a half dwelling, wastewater treatment system, private well, vehicular entrance to public and all associated site works at Causestown, Quickpenny Road, Lusk, County Dublin.

## **Decision**


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

## Reasons and Considerations

The site is in a rural area, designated as a low-lying character type in the Fingal Development Plan 2023-2029. It is a policy of the development plan to require that all new dwellings in the rural area are sensitively sited, demonstrate consistency with the immediate Landscape Character Type, and make best use of the natural landscape for a sustainable, carbon efficient and sensitive design. The proposed dwelling, both as indicated in the plans and particulars submitted to the planning authority at application stage and the amended proposal received by An Coimisiún Pleanála on the 10<sup>th</sup> day of December 2025, due to its bulk, form and design, which incorporates a number of suburban features and elements alien to the Irish rural landscape, and its location on an open and exposed site would be out of character and incongruous in this rural landscape and would be contrary to the design guidelines and objectives of the development plan. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

In deciding not to accept the Inspector's recommended refusal reason number 1, the Commission was satisfied that the applicant did demonstrate compliance with the new rural housing criteria as outlined in Section 3.5.15.3 and Table 3.5 of the Fingal County Development Plan 2023-2029 and would not, therefore, contravene Policy SPQHP46 of that plan. The Commission accepted that the existing family home on the associated landholding was not granted permission on the basis of 'close family ties' but on the grounds of agricultural employment needs at the time of that application. The proposed dwelling would constitute the first dwelling on the landholding to be granted permission on the grounds of 'close family ties' since the 19<sup>th</sup> day of October 1999 and, therefore, complies with criterion (i) of Table 3.5 of the statutory development plan.

The Commission agreed with the Inspector's concerns relating to the design of the dwelling and the applicant was afforded an opportunity to address those concerns in the interests of justice (as this issue was not raised in the planning authority's decision to refuse permission). However, the Commission considered that the amendments to the design of the dwelling as indicated in the plans and particulars, received by An Coimisiún Pleanála on the 10<sup>th</sup> day of December 2025, failed to appropriately address the concerns in relation to the design and decided to refuse permission as indicated above.



**Tom Rabbette**

**Planning Commissioner of An Coimisiún  
Pleanála duly authorised to authenticate  
the seal of the Commission.**



Dated this 23<sup>rd</sup> day of Jan. 2026.