

Planning and Development Act 2000, as amended

Planning Authority: Fingal County Council

Planning Register Reference Number: F25A/0548E

APPEAL by Martin Taylor care of Downey Planning of 29 Merrion Square, Dublin against the decision made on the 11th day of August 2025, by Fingal County Council to refuse permission for the proposed development.

Proposed Development: The development will consist of the construction of a detached four-bedroom dormer dwelling with on-site wastewater treatment system, percolation area and rainwater harvesting system; new vehicular access to the R127; landscaping and boundary treatment; and all associated site works necessary to facilitate the proposed development at Rallekaystown, Skerries 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

1. Having regard to the location of the site within an area designated 'RU - Rural' in the Fingal Development Plan 2023-2029, it is considered that, based on the information submitted with the planning application and the appeal, the applicant has not demonstrated compliance with the locational requirements for a new rural dwelling, as set out under Objective SPQH089 (Proximity to the Family Home) and Objective DMS043 (Siting of New Dwellings in a Rural Area) of the Fingal Development Plan 2023-2029, which state that where it is clearly demonstrated that land at the family home is not available for development of a new dwelling, a new dwelling may be permissible on an alternative site within 2 kilometres of the family home. The subject site is located in excess of 2 kilometres from the applicant's family home, and the applicant has not submitted any details of 'HA' zoned lands in their ownership, which would allow for the 3.5 kilometre extent to be applied to the proposed development. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.
2. It is considered that, by reason of its proposed new access and the extent of loss of existing roadside hedgerow, the proposed development would be contrary to Policy GINHP21 (Protection of Trees and Hedgerows) and Objectives SPQH055 (Preservation of roadside hedging and trees), GINH060 (Protection of Views and Prospects), DMS041 (New Dwellings in Rural Areas), DMS0140 (Protection of Existing Landscape) and Table 14.9 (Design Guidelines for Rural Dwellings) of the Fingal Development Plan 2023-2029. The proposed development would be visually obtrusive, would set a precedent for further inappropriate development in the vicinity, would fail to protect views and prospects, would seriously injure the visual amenities of the locality, and would, therefore, be contrary to the proper planning and sustainable development of the area.

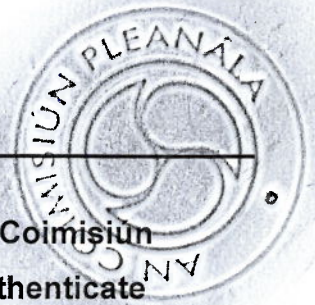
R

3. It is considered that the revised site layout plan, submitted with the planning appeal, would be contrary to Objectives SPQH054 (Vehicular entrances), SPQH055 (Preservation of roadside hedging and trees) and Table 14.9 (Design Guidelines for Rural Dwellings) of the Fingal Development Plan 2023-2029, and has failed to demonstrate that a safe access to and from the proposed site, and of road users in general, can be provided in accordance with DN-GEO-03060 Standards (Transport Infrastructure Ireland). The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.



Mick Long

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



Dated this 5th day of January 2026