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

**Planning Authority: Fingal County Council**

**Planning Register Reference Number: F25A/0572E**

**APPEAL** by Kazimierz Andrzej Onuch against the decision made on the 20<sup>th</sup> day of August, 2025 by Fingal County Council to refuse permission for the proposed development.

**Proposed Development:** Planning permission is sought for: (1) demolition of one number existing prefabricated dwelling, (2) conversion of three number prefabricated dwellings to storage unit, office unit, and canteen unit respectively, (3) retention for wind turbine and (4) retention for solar panel array and associated site works at Ballaghstown, Lusk, County Dublin.

## **Decision**

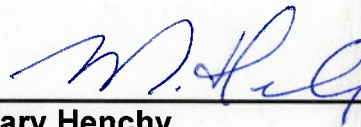
**REFUSE** permission for the above proposed development in accordance with the reasons and considerations set out below.

## Reasons and Considerations

1. The site is located on lands designated 'RU Rural' in the Fingal County Development Plan 2023-2029, where the objective is 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'. Having regard to the inadequate information provided regarding the use of the lands for horticultural farming, it has not been demonstrated that the proposed development is necessary to support the use of the lands for agriculture and rural related enterprise consistent with the zoning objective for the site. It is considered that the proposed development would be contrary to the objectives of the Fingal County Development Plan and would result in the haphazard development of the site. The proposed development would, therefore, be contrary to proper planning and sustainable development.
2. In the absence of documentary evidence to show that the entrance and the associated access and parking arrangements for the site can accommodate the traffic movements associated with the proposed development and that sightlines are achievable at the entrance at a point on a substandard road, it is considered that the proposed development would endanger public safety by reason of traffic hazard. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

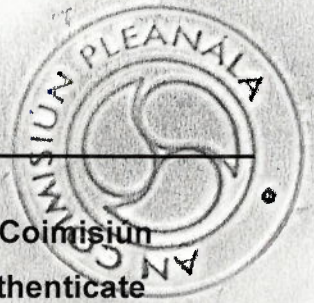


3. In the absence of information regarding the existing on-site septic tank system, there is insufficient evidence to show that this system is of adequate standard and that it can accommodate the loading from the proposed development and that effluent can be treated and disposed on site in an acceptable manner. Furthermore, there is insufficient evidence to show that surface water is collected and disposed of in an acceptable manner. The proposed development would, therefore, be prejudicial to public health. In the absence of the applicant demonstrating that effluent can be disposed of from the proposed development in an acceptable manner, the proposed development poses a risk to groundwater quality and would jeopardise the Water Framework Directive objective to protect groundwater.



**Mary Henchy**

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



Dated this *21<sup>st</sup>* day of *January* 2026.