



An
Coimisiún
Pleanála

Inspector's Addendum Report

ABP-321468A-24

Development	Construction of house with wastewater system and all associated site works
Location	Baldrumman, Lusk, Co. Dublin
Planning Authority	Fingal County Council
Planning Authority Reg. Ref.	F24A/0873E
Applicant(s)	Kate Barrett
Type of Application	Permission
Planning Authority Decision	Refuse permission
Type of Appeal	First Party V. Refusal
Appellant(s)	Kate Barrett
Observer(s)	None.
Date of Site Inspection	19/4/25
Inspector	Ronan Murphy

1.0 Introduction

- 1.1 This report is an addendum report to the Inspector's report in respect of ABP-322468-24 dated 14th April 2025.
- 1.2 On 25th April 2025 the Board issued a notice to all parties under Section 137 of the Planning and Development Act 2000 (as amended) relating to the following:
1. Whether a refusal of permission may be justified, having regard to the location of the proposed development which would result in five or more houses alongside 250 metres of road frontage, contrary to Objective SPQHO53 Ribbon Development of the Fingal County Development Plan 2023-2029 which provides that:

In areas which are subject to either the RU, GB, or HA zoning objective, presume against development which would contribute to or intensify existing ribbon development as defined by Sustainable Rural Housing, Guidelines for Planning Authorities, 2005. A relaxation may be considered where permission is sought on the grounds of meeting the housing needs of the owner of land which adjoins an existing house of a member of his/her immediate family where it is clearly demonstrated that no other suitable site is available.
 2. The justification for the layout of the proposed development including the proposed garage and stable structures, forward of the building line of the proposed dwelling and whether these structures could be laid out in a manner subservient to the main dwelling house.
- 1.3 A response was received from the Planning Authority by letter received on 9th May 2025 and from the applicant received 16th May 2025. As new drawings were submitted on 23rd June 2025 a statutory notice was issued under Section 131 of the Planning and Development Act 2000 (as amended) to both parties cross circulating their previous responses.
- 1.4 A response to the Section 131 notice was received from the Planning Authority on 7th July 2025 and from the applicant on 14th July 2025.
- 1.5 On 12th June 2025 the Coimisiún decided to request an addendum report from the inspector to consider the information provided by the parties.

2.0 Response to the Section 137 Notice

Planning Authority response

- 2.1 A response to the Section 137 Notice from the Planning Authority was received on 9th May 2025 stating that the applicant has failed to satisfactorily demonstrate that a dwelling could not be provided on the family landholding in close proximity to the family home and which materially contravenes Objective SPQHO89 of the *Fingal County Development Plan 2023-2029*.
- 2.2 In addition to this, the Planning Authority state that it would not object to a reason for refusal relating to objective SPQHO53 as the applicant failed to address this objective as part of their application. The Planning Authority outlines concerns with respect to piecemeal developments of land along this strip of road in recent years and the precedent that this may have which would be seriously injurious to the rural amenities of the County. This was not included as a reason for refusal as the applicant had failed to demonstrate compliance with the Council's Rural Settlement Strategy in the first instance.
- 2.3 The Planning Authority also state that it would not object to a reason for refusal relating to the scale and location of the proposed garage and stables in comparison to the main dwelling and adjacent structures. Had the applicant demonstrated compliance with the Council's Rural Settlement Strategy concerns relating to design would have been the subject of a request to revisit this element of the scheme.

First party response

- 2.4 A response was received from the applicant on 16th May 2025, the applicant's response included updated drawings and images.
- 2.5 The applicant states that an extensive review of the existing family farm was conducted which clearly demonstrated that there was not adequate space for an additional residence to accommodate the applicant.
- 2.6 The appeal site is within the required distance from the family home, is within family ownership and is a viable location for the proposed development. The letter sets out

that the location of the proposed dwelling is dictated by the location of a high-pressure gas line which traverses the site and the setbacks required from this infrastructure. It is also noted that the lands to the west are now set out as planted future forest and that the lands to the south are used for pasture for the family horse stock. These lands are accessed by a rural track which could not be upgraded.

- 2.7 To mitigate against potential ribbon development, the applicant presents an updated design which simplifies the house, garage and stable arrangement and to further set back the development from the roadway (to c.84m) allowing a substantial area of landscaping to the front of the dwelling, eliminating ribbon development and enhancing the existing biodiversity on this stretch of road.
- 2.8 In addition to this, the garage element of the proposal has been eliminated and the stable building set-back from the main house has been increased, to allow the main dwelling to become the dominant element of the composition.

3.0 Response to the Section 131 Notice

Planning Authority response

- 3.1 In response to the Section 131 notice a response was received from the Planning Authority on 7th July 2025 which states that the Planning Authority has no further comment to make in respect of this appeal and that An Coimisiún Pleanála is requested to uphold the decision of the Planning Authority. Should the appeal be successful then conditions relating to development contributions are requested.

First Party response

- 3.2 A response was received from the applicant on 14th July 2025. This response reiterates their previous responses.
- 3.3 The first party response includes Appendix A-Original first party appeal and Appendix B- response to Bord queries.

4.0 Assessment

- 4.1 I note the responses from both the Planning Authority and the first party to both the Section 131 Notice and the Section 137 notice issued by An Bord Pleanála.

Section 137 Notice-Ribbon Development

- 4.2 Ribbon development is defined as *development of a row of houses along a country road (resulting in five or more houses on any one side of a given 250m of road frontage)* in the *Fingal County Development Plan 2023-2029*.
- 4.3 In this regard I refer the Coimisiún to drawing No. 24-329-PL-001 Rev 02 '*Site Location Map and O.S Map*' which shows that the development of this dwelling would lead to 5 dwellings in a row within 250m.
- 4.4 Objective SPQHO53 outlines a presumption against development which would contribute to or intensify existing ribbon development. I note the Objective SPQHO53 includes a potential relaxation which may be considered on the grounds of meeting the housing needs of the owner of land which adjoins an existing house of a member of his / her immediate family where it is clearly demonstrated that no other suitable site is available.
- 4.5 Having fully considered Objective SPQHO53, I am not satisfied that the applicant can meet this requirement. I have come to this conclusion as the proposed house does not adjoin an existing house of a member of the applicant's immediate family. In addition to this, there are no further relaxations which could be applied to the proposed development as a result to Objective SPQHO53.
- 4.6 Therefore, I am not satisfied that granting permission considering Objective SPQHO53 would set a good precedent for similar development within Fingal.

Updated plans

- 4.7 I have considered the updated plans submitted by the applicant in response to the Section 137 notice. I acknowledge that the updated plans show an increased set back from the road, and increase in landscaping to the front, the omission of the garage and the increase in set back of the stable buildings from the proposed dwelling.
- 4.8 I am satisfied that the proposed design changes would improve the overall aesthetic of the proposed development and the increase in landscaping to the front would improve the visual amenity of the area.

5.0 Environmental Impact Assessment

- 5.1 Please refer to the Planning Inspectors report dated 14th April 2025. The further plans and particulars, as received on 16th May 2025, do not result in a change to the pre-screening determination.

6.0 Appropriate Assessment

- 6.1 Please refer to the Planning Inspectors report dated 14th April 2025. The further plans and particulars as received on 16th May 2026 do not result in a change to the screening determination contained within.

7.0 Recommendation

- 7.1 The outcome of my original assessment has not changed, and I recommend that planning permission is refused.

I confirm that this report represents my professional planning assessment, judgement and opinion on the matter assigned to me and that no person has influenced or sought to influence, directly or indirectly, the exercise of my professional judgement in an improper or inappropriate way.

Ronan Murphy

Planning Inspector

25th September 2025

