



Planning and Development Acts 2000 to 2020

Planning Authority: South Dublin County Council

Planning Register Reference Number: SD19A/0317

APPEAL by Robert and Helen Kavanagh care of Leahy Planning Limited of Mill Road House, Mill Road, Ennis, County Clare against the decision made on the 9th day of April, 2020 by South Dublin County Council to refuse permission.

Proposed Development: (i) Demolition of an existing two storey, three bedroom dwelling and storage shed, (ii) construction of a new replacement two storey, detached four bedroom contemporary dwelling with a roof terrace to rear, and roof lights, (iii) new side garden wall to the south west, (iv) new landscaping, SUDS drainage, and all associated site and ground works necessary to facilitate the development at Hallowedes Hill, Redgap, Rathcoole, County Dublin.

Decision

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

Matters Considered

In making its decision, the Board had regard to those matters to which, by virtue of the Planning and Development Acts and Regulations made thereunder, it was required to have regard. Such matters included any submissions and observations received by it in accordance with statutory provisions.

Reasons and Considerations

Having regard to the location of the site within an area under strong urban influence in accordance with the “Sustainable Rural Housing Guidelines for Planning Authorities” issued by the Department of the Environment, Heritage and Local Government in April, 2005, wherein it is policy to distinguish between urban-generated and rural generate housing need, and in an area subject to the zoning objective ‘RU’ - ‘to protect and improve rural amenity and to provide for the development of agriculture’ of the South Dublin County Development Plan 2016-2022, where policy Objective H22 restricts new or replacement dwellings on the basis of a genuine rural generated housing need and evidence of exceptional circumstances. Having regard to the provisions of Section 2.5.0 ‘Rural Housing’ strategy of the current Development Plan, it is considered that the applicants have not demonstrated a genuine rural-generated housing need and that exceptional circumstances do not apply to justify the proposed replacement house. The proposed development would be contrary to the Guidelines, the ‘RU’ zoning objective and in particular policy Objective H22, and would, therefore, be contrary to the proper planning and sustainable development of the area.

Maria FitzGerald
Member of An Bord Pleanála
duly authorised to authenticate
the seal of the Board.

Dated this day of 2020