



An  
Bord  
Pleanála

**Board Direction**  
**BD-007000-20**  
**ABP-307660-20**

The submissions on this file and the Inspector's report were considered at a Board meeting held on 23/11/2020.

The Board decided to refuse permission, generally in accordance with the Inspector's recommendation, for the following reasons and considerations.

### Reasons and Considerations

1.	The site is located on lands zoned as High Amenity Dublin Mountains 'HA-DM' with the objective ' <i>To protect and enhance the outstanding natural character of the Dublin Mountains Area</i> ' and associated policy strictly controlling new rural dwellings in the South Dublin Development Plan 2016-2022. The proposed development does not come within the scope of exceptional circumstances as the qualifying criteria for a new rural dwelling at this location have not been met. The proposed development is contrary to Policy H23 and would, therefore, materially contravene the 'HA-DM' zoning objective and be contrary to the proper planning and sustainable development of the area.
2.	Having regard to National Policy Objective 19 of the National Planning Framework (February 2018) which requires for rural areas under urban influence, seeks to facilitate the provision of single housing in the countryside based on the core consideration of demonstratable economic or social need to live in a rural area, having regard to the viability of smaller towns and rural settlements, it is considered that the applicant has not demonstrated an economic or social need to live in a rural area

	<p>having regard to the viability of smaller towns and rural settlements and therefore, the proposed development does not comply with National Policy Objective 19. The proposed development would contribute encroachment of random rural development in the area, would militate against the preservation of the rural environment and the efficient provision of public services and infrastructure and would contravene the provisions of the National Planning Framework. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.</p>
3.	<p>The proposed dwelling, by reason of: its two storey design and scale adjacent to modestly scaled single storey structures; its siting on a sloping hill-face at an elevated level; and its dominant form when viewed from protected view designations, is considered to not be consistent with the established pattern of development in the area; to not be in keeping with the natural character of this mountainous area; and to be obtrusive within this highly valued and sensitive landscape. The proposed development is contrary to Policies H27, HCL7, HCL9, HCL13 and the 'HA-DM' zoning objective of the South Dublin Development Plan 2016-2022, and would, therefore, seriously injure the amenities of the area and be contrary to the proper planning and sustainable development of the area.</p>
4.	<p>The proposed development does not provide for a properly designed surface water system that has been demonstrated to protect and enhance ground and surface water quality. The proposed development is contrary to Policy IE2 and Section 11.6.1 of the South Dublin Development Plan 2016-2022, and would, therefore, give rise to a serious risk of water pollution, be prejudicial to public health and be contrary to the proper planning and sustainable development of the area.</p>
5.	<p>On the basis of the information submitted with the application and appeal, the Board is not satisfied that the subject site is suitable for the safe disposal of foul effluent arising from the proposed development or that a safe water supply source can be provided to serve the proposed dwelling. The proposed development is contrary to Policy H27 and</p>

	Section 11.3.4 of the South Dublin Development Plan 2016-2022 and would, therefore, give rise to a serious risk of water pollution, be prejudicial to public health, and be contrary to the proper planning and sustainable development of the area.
6.	On the basis of the information submitted with the planning application and appeal, in particular insufficient information relating to surface water and foul drainage, the Board is not satisfied that it is adequate to allow a screening determination to be made in respect of whether the proposed development, individually or in combination with other plans or projects, would not be likely to have a significant effect on the Glenasmole Valley SAC in view of the site's conservation objectives. The proposed development is contrary to Policy HCL12 and would, therefore, be contrary to the proper planning and sustainable development of the area.

**Board Member**

**Date:** 23/11/2020

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Maria FitzGerald