

An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2016

South Dublin County

Planning Register Reference Number: SD16A/0347

An Bord Pleanála Reference Number: PL 06S.247795

APPEAL by Ronan Gough of Saint Annes, Glenasmole, Bohernabreena, Dublin against the decision made on the 29th day of November, 2016 by South Dublin County Council to refuse permission.

PROPOSED DEVELOPMENT: Erection of a new single storey bungalow dwellinghouse on footprint of original dwellinghouse on site, with new bored well and packaged wastewater treatment system and percolation area, and for alteration of existing vehicular access to site and partly setting back existing front site boundary for vision splays to site front, on site at Lower Castlekelly Road, Glenasmole, Dublin.

DECISION

REFUSE permission for the above proposed development based on 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

1. The site is located in the Dublin Mountain Zone where it is the policy of the planning authority, as set out in the South Dublin County Development Plan 2016-2022, “to protect and enhance the outstanding natural character of the Dublin Mountains” and to strictly control the development of new or replacement housing. It is also in an area identified as being under strong urban influence in the “Sustainable Rural Housing Guidelines for Planning Authorities” issued by the Department of the Environment, Heritage and Local Government in 2005. It is considered that the applicant does not come within the scope of exceptional circumstances outlined in Policy H23 Objective 1, as set out in the Development Plan, for a house in this area. The proposed development would, therefore, contravene materially an objective, as set out in the Development Pan and be contrary to the proper planning and sustainable development of the area.
2. The proposed dwelling, by reason of (a) its location in an area of outstanding natural character as part of the Dublin Mountains which is visible from the surrounding hinterland, (b) the Landscape Capacity, and (c) the Specific Objective ‘To Preserve Views’ across the site from the Lower Castlekelly Road, would detract significantly from the open character and natural beauty of the surrounding Dublin Mountain area. The development would be contrary to Policy (HCL7), and the zoning objective ‘To protect and enhance the outstanding natural character and amenity of the Dublin Mountains’ as provided for in the South Dublin County Development Plan 2016-2022. The proposed development would, therefore, seriously injure the visual amenities of the area and be contrary to the proper planning and sustainable development of the area.

3. 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. Accordingly, it is considered that the proposed development would be prejudicial to public health, would give rise to a serious risk of water pollution and would be contrary to the proper planning and sustainable development of the area.

4. The site is located upstream of the Glenasmole Valley Special Area of Conservation (Site Code 001209), and in close proximity to the Glenasmole Valley and Bohernabreena Waterworks, the conservation and protection of which is an objective of the South Dublin County Development Plan 2016-2022. Having regard to the nature of the proposed development, which includes a proprietary wastewater treatment system and percolation area, on a site where ground conditions are characterised by poor drainage and a high water table, and the proximity to the Special Area of Conservation and reservoir, the Board is not satisfied, on the basis of the submissions made in connection with the application and appeal, that the proposed development, either individually or in combination with other plans or projects, would not adversely affect the integrity of the European Site in view of the site's conservation objectives. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

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

Dated this day of 2017.