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**Planning and Development Acts 2000 to 2018**

**Planning Authority: Dún Laoghaire-Rathdown County Council**

**Planning Register Reference Number: D18A/0643**

**APPEAL** by Ciaran and Roisin Greenan care of BPS Planning Consultants of 23 Saval Park Road, Dalkey, County Dublin against the decision made on the 23<sup>rd</sup> day of August, 2018 by Dún Laoghaire-Rathdown County Council to refuse permission for the proposed development.

**Proposed Development:** Construction of a new adapted three bedroom dormer bungalow, garage and sensory garden with new wastewater treatment system, new boundary fence and new entrance for existing house to adjoining private lane at Rock Lodge, Slate Cabin Lane, Sandyford, 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 as identified in 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 generated housing need, and the location of the site within an area where housing is restricted to persons demonstrating a genuine requirement for housing in accordance with policy RES16 and land use objective ‘B’ *“To protect and improve rural amenity and to provide for the development of agriculture”* of the Dún Laoghaire-Rathdown County Development Plan 2016-2022, and to National Policy Objective 19 of the National Planning Framework, adopted by the Government, in relation to rural areas under urban influence, such as in the current case, which states that it is policy to *“facilitate the provision of single housing in the countryside based on the core consideration of demonstrable 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 applicants have not demonstrated that they come within the scope of the housing need criteria as set out in the Guidelines and that they have not demonstrated an economic or social need to live in this rural area in accordance with national policy and the Dún Laoghaire-Rathdown County Development Plan 2016-2022. Furthermore, the Board is not satisfied that the applicant’s housing needs could not be satisfactorily met in an established smaller town or village/settlement centre. The proposed development, in the absence of any definable or demonstrable based need for a house in this rural area, would contribute to the

encroachment of random rural development in the area and would militate against the preservation of the rural environment and the efficient provision of public services and infrastructure. The proposed development would, therefore, materially contravene the Ministerial Guidelines and would be contrary to national policy. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

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**Stephen Bohan**

**Member of An Bord Pleanála**

**duly authorised to authenticate  
the seal of the Board.**

**Dated this            day of            2019.**