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**Planning and Development Acts 2000 to 2018**

**Planning Authority: South Dublin County Council**

**Planning Register Reference Number: SD18A/0402**

**APPEAL** by Geotechnical Investigations Limited care of MDG-AT of Belgrave Building, Unit W4-D1 Ladytown Business Park, Naas, County Kildare against the decision made on the 15<sup>th</sup> day of January, 2019 by South Dublin County Council to refuse permission to the said Geotechnical Investigations Limited.

**Proposed Development** Residential development consisting of five number units: (A) one number three-bedroom, two-storey, detached house on site 1 - Type H; two number three- bedroom, two-storey, semi-detached houses on sites 2 and 3 - Type J; two number three-bedroom, two-storey, semi-detached houses on sites 4 and 5 - Type K; (B) access roads taken from School Road and roundabout, connection to mains sewer, footpaths, landscaping and all associated site development works. The proposed site is within the approved housing development granted under planning register reference SD17A/0378, all at New School Road, Newcastle, 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**

1. Having regard to the streetscape, the layout of the proposed development, in particular the location and layout of private amenity spaces serving Unit Numbers 1 and 4 and presentation of the development to Street 3 and the Burgage footpath to the east, it is considered that the proposed development would have a negative impact on the visual amenity and character of the area and would result in private amenity spaces that are subject to overbearing visual impact and lack of privacy. The proposed development would, therefore, seriously injure the amenities of residential properties in the vicinity, would result in a sub-standard form of residential development for future occupants and would be contrary to the proper planning and sustainable development of the area.

2. In the absence of detailed layouts for foul drainage and water supply, and surface water attenuation proposals and calculations for the site and adjoining development lands to the north, the Board is not satisfied that it has been demonstrated that the proposed development would not result in a risk of surface water flooding and would be capable of connection to the existing public drainage network in the vicinity of the site. The proposed development would, therefore, be contrary to IE Policy 1 (Water and Wastewater) and IE Policy 2 Objectives 4 and 5 (SuDS) of the current South Dublin County Development Plan and would, therefore, be contrary to the proper planning and sustainable development of the area.
  
3. The proposed development would not comply with the provisions of the current Newcastle Local Area Plan in which the site is identified as public open space and as a neighbourhood park, would not comply with the Board's decision on appeal reference number ABP-301421-18, which confirmed condition 2(e) of South Dublin County Council's decision relating to planning register reference number SD17A/0378 and would, therefore, be contrary to the proper planning and sustainable development of the area.

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**Terry Ó Niadh**

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

**Dated this            day of            2019.**