



Planning and Development Acts 2000 to 2019

Planning Authority: Dún Laoghaire-Rathdown County Council

Planning Register Reference Number: D19A/0117

APPEAL by Jana Keane and Stuart Thompson care of Frank Ó'Gallachóir and Associates Limited of 94 Rathdown Park, Greystones, County Wicklow against the decision made on the 15th day of April, 2019 by Dún Laoghaire-Rathdown County Council to refuse permission.

Proposed Development: Construction of a single storey dwelling and domestic garage, together with effluent treatment system all together with all associated and ancillary site works, at Boranaraltry Lane, Ballybrack Road, Glencullen, 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. The site of the proposed development is located in an area zoned 'Objective G; to protect and improve high amenity areas' under the Dún Laoghaire-Rathdown County Council County Development Plan 2016-2022. Residential development is open for consideration in such areas only where the application is in accordance with Council policy for development in rural areas. The applicants have not established compliance with Policy RES 16 of the development plan in terms of demonstrating a genuine requirement for housing in the area, and the proposed development would extend a pattern of residential sprawl and lead to demands for the uneconomic provision of public services and community facilities. The proposed development would, therefore, conflict with the requirements for rural housing as set out in the development plan, would contravene materially a development objective indicated in the development plan for the zoning of land for the use solely or primarily of particular areas for particular purposes, would set an undesirable precedent for future similar development and would be contrary to the proper planning and sustainable development of the area.

2. Having regard to the location of the site within a rural area under urban influence, and to National Policy Objective 19 of the National Planning Framework (February 2018) which, for rural areas under urban influence, seeks 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 applicant has not demonstrated an economic or social need to live in a rural area having regard to the viability of smaller towns and rural settlements and, therefore, the proposed development does not comply with National Policy Objective 19. Furthermore, the proposed development would contribute to the 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.

3. Policy RES 16 of the Dún Laoghaire-Rathdown County Council County Development Plan 2016-2022 also relates to the impact of a proposed development on views, prospects and the natural heritage of the area. There is an objective 'to preserve Views' along Boranaralty Lane identified on Map 12 of the development plan. It is considered that the development would extend a pattern of residential sprawl, would interfere with the character of the landscape and with a view of special amenity value which it is necessary to preserve, would conflict with the requirements for rural housing in 'High Amenity Zoning 'G' land as outlined under Policy RES 16 of the development plan and would be contrary to the proper planning and sustainable development of the area.

4. On the basis of the information provided with the application and the appeal and in the absence of a Natura Impact Statement, the Board cannot be satisfied that the proposed development individually, or in combination with other plans or projects would not be likely to have a significant effect on Knocksink Wood Special Area of Conservation (Site Code: 000725), or any other European site, in view of the site's conservation objectives. In such circumstances the Board is precluded from granting permission.

John Connolly

Member of An Bord Pleanála

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

Dated this day of 2019.