



Planning and Development Acts 2000 to 2020

Planning Authority: Dun Laoghaire Rathdown County Council

Planning Register Reference Number: D20A/0390

APPEAL by Eoin Norton care of Downey Planning of 1 Westland Square, Pearse Street, Dublin against the decision made on the 30th day of November, 2020 by Dun Laoghaire Rathdown County Council to refuse permission for the proposed development.

Proposed Development: Construction of a split level detached dwellinghouse (2,335 square foot), detached garage, minor modifications to the existing entrance off the Ballyedmonduff Road, septic tank and raised bed percolation area with associated ancillary site works, all on lands off the Ballyedmonduff Road, Stepside, Dublin. The subject site is 1.53 acres.

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 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, based on the documentation submitted with the application and appeal, 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 would not comply with National Policy Objective 19. 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 be contrary to the provisions of the National Planning Framework. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.
2. Having regard to the location of the site within 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 and in an

area where housing is restricted to persons demonstrating local need in accordance with the current Dun Laoghaire Rathdown County Development Plan, it is considered that, based on the documentation submitted with the application and appeal, the applicant does not come within the scope of the housing need criteria as set out in the Guidelines or the Development Plan for a house at this location. The proposed development, in the absence of any identified locally based need for the house, 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, be contrary to the Ministerial Guidelines and to the proper planning and sustainable development of the area.

3. It is a policy of the planning authority, as set out in the Dun Laoghaire Rathdown County Development Plan 2016 to 2022, to protect and encourage the enjoyment of views and prospects of special amenity value or special interest. The proposed development would be visible in views from the Ballyedmonduff Road in a manner as to seriously injure the visual amenity of the area and contravene the policy set out in the Development Plan. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.



John Connolly

Member of An Bord Pleanála

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

Dated this 3rd day of August 2021.