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**Planning and Development Acts 2000 to 2020**

**Planning Authority: South Dublin County Council**

**Planning Register Reference Number: SD20A/0267**

**APPEAL** by Richard O'Neill of Santa Maria, Raheen, Brittas, County Dublin against the decision made on the 15<sup>th</sup> day of December, 2020 by South Dublin County Council to refuse outline permission.

**Proposed Development:** Single storey dwelling and detached garage with bored well and packaged wastewater treatment system and polishing filter to Environmental Protection Agency Code of Practice, 2009, accessed from existing right-of-way. All at Crooksling, Mount Seskin Road, Brittas, County Dublin.

**Decision**

**REFUSE** outline 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.

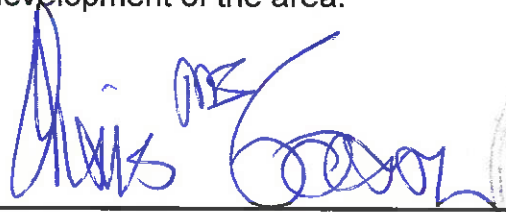
## Reasons and Considerations

1. The site of the proposed development is located within an “Area Under Strong Urban Influence” as set out in the “Sustainable Rural Housing Guidelines for Planning Authorities” issued by the Department of the Environment, Heritage and Local Government in April, 2005. Furthermore, the subject site is located in an area that is designated under urban influence, where it is national policy, as set out in National Policy Objective 19 of the National Planning Framework, 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 documentation submitted with the planning application and the appeal, the Board is not satisfied that the applicant has a demonstrable economic or social need to live in this rural area. It is considered, therefore, that the applicant does not come within the scope of the housing need criteria as set out in the Guidelines and in national policy for a house at this location. The proposed development would, therefore, be contrary to the Ministerial Guidelines and to the over-arching national policy, and having regard to the provisions of the South Dublin County Development Plan 2016-2022, and would be contrary to the proper planning and sustainable development of the area.

2. The proposed development would be located in the Athgoe and Saggart Hills landscape area, which has been designated under the South Dublin County Development Plan 2016-2022 following a Landscape Character Assessment of South Dublin County undertaken in 2015 as an area with a high landscape value and sensitivity and a Landscape Capacity which is negligible to low; meaning that the key characteristics of the landscape are highly vulnerable to development and that development would result in a significant change in landscape character and should be avoided if possible. Any increase in development in this area would have a negative impact on both the landscape value and sensitivity of this area, and would, therefore, materially contravene the South Dublin County Development Plan 2016-2022 Policy (HCL7) 'to preserve and enhance the character of the County's landscape particularly areas that have been deemed to have a medium to high Landscape Value or medium to high Landscape Sensitivity' and would be contrary to the proper planning and sustainable development of the area.
  
3. The application site is located with an area of the County that consists of protected views and prospects including Mount Seskin Road and Prospects 5 and 7 as set out in Table 9.2 of the South Dublin County Development Plan 2016-2022. The Board is not satisfied on the basis of the information submitted that the proposed development would have an acceptable impact on the views and prospects and, therefore, would be contrary to Policy HCL 8 of the South Dublin County Development Plan 2016-2022.

4. The Board is not satisfied on the basis of the information submitted in relation to the siting and landscaping that the proposed dwelling would have an acceptable visual impact on the site and surrounding area. The proposed development would, therefore, be contrary to Policy H27 'Rural House and Extension Guide' of the South Dublin County Development Plan 2016-2022.
  
5. On the basis of the information submitted with the planning application and the appeal, the Board cannot be satisfied that the proposed development would not adversely affect the archaeological heritage at the site including monument DU024-015, or the preserved and protected views to and from the site north-westwards to Verschoyle's Hill and eastwards to Knockannavea uplands. The proposed development would be contrary to Policies HCL1, HCL2, HCL7 and HCL8 of the South Dublin County Development Plan 2016-2022 and would, therefore, be contrary to the proper planning and sustainable development of the area.

6. The proposed development would be located on a substandard rural road network which is narrow in width and lacks pedestrian and public lighting. Having regard to this, the proposed development would endanger public safety by reason of traffic hazard. The road network in the area does not have the capacity for continued ribbon development. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.



**Chris McGarry**

**Member of An Bord Pleanála**

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



Dated this 31<sup>st</sup> day of May 2021.