

Planning and Development Acts 2000 to 2021

Planning Authority: South Dublin County Council

Planning Register Reference Number: SD21A/0338

APPEAL by Frank Reynolds care of Whyte Planning Consultants Limited of Great Connell, Newbridge, County Kildare against the decision made on the 15th day of February, 2022 by South Dublin County Council to refuse permission for the proposed development.

Proposed Development: Construction of a detached single storey bungalow, vehicular entrance, secondary effluent treatment system and all associated site works at Ringwood, Hazelhatch, Cellbridge, County Kildare.

Decision

REFUSE permission for the above proposed development for the reasons and considerations set out below.



Reasons and Considerations

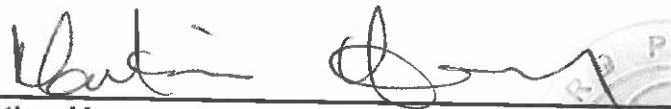
1. Having regard to:
 - (a) the relevant provisions of the South Dublin County Development Plan 2022-2028 and the location of the site within an area zoned 'RU' where Policy 18 restricts new or replacement dwellings on the basis of a genuine rural generated need and evidence of exceptional circumstances,
 - (b) the location of the site within a rural area identified as being under strong urban influence in accordance with the Sustainable Rural Housing Guidelines for Planning Authorities published by the Department of the Environment, Heritage and Local Government in April, 2005,
 - (c) Regional Policy Objective RPO 4.80 of the Eastern and Midland Regional Spatial and Economic Strategy 2019-2031, and
 - (d) National Policy Objective 19 of the National Planning Framework (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 demonstratable economic or social need to live in a rural area, having regard to the viability of smaller towns and rural settlements,

the Board is not satisfied, on the basis of the information submitted with the planning application and the appeal, that the applicant has a demonstrable economic or social need to live in this specific rural area. It is considered that the applicant does not come within the scope of housing need criteria, as set out in the development plan for the area, the Sustainable Rural Housing Guidelines and in national policy, for a house at this location. In the absence of any identified exceptional or locally based need for a house at this location, it is considered that the proposed development would result in a haphazard and unsustainable form of 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 undermine the settlement strategy set out in the South Dublin County Development Plan 2022-2028. The proposed development would be contrary to the provisions of the development plan for the area, the Ministerial Guidelines, and over-arching national policy and would, therefore, be contrary to the proper planning and sustainable development of the area.

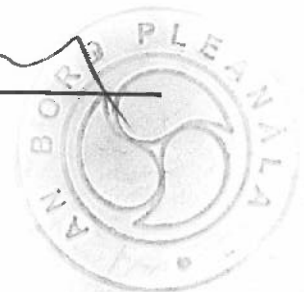
2. It is the policy of the planning authority, as set out in the South Dublin County Development Plan 2022-2028, to control urban sprawl. This policy is considered to be reasonable. The proposed development would be in conflict with this policy because, when taken in conjunction with existing and permitted development in the vicinity of the site, it would consolidate and contribute to the build-up of development in an open rural area. The proposed development would militate against the preservation of the rural environment and the need to maintain a clear distinction between nearby urban areas and the rural hinterland, would lead to demands for the provision of further public services and community facilities, and would be detrimental to the visual amenity and rural character of the surrounding area. The proposed development, by itself and the precedent it would set for further such development, would, therefore, be contrary to the proper planning and sustainable development of the area.



Martina Hennessy

Member of An Bord Pleanála

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



Dated this 14th day of June 2023.

