

An
Bord
Pleanála

Board Order
ABP-314085-22

Planning and Development Acts 2000 to 2022

Planning Authority: South Dublin County Council

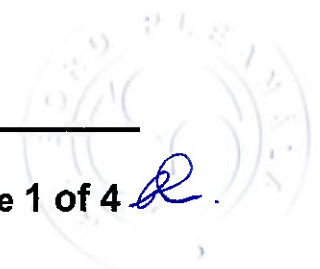
Planning Register Reference Number: SD22A/0117

APPEAL by Annette and Alan Richie care of Design and Consultancy Services of The Nook, Hillside, Kilcullen, County Kildare against the decision made on the 16th day of June, 2022 by South Dublin County Council to refuse permission for the proposed development.

Proposed Development: Construction of a single storey dwelling with wastewater treatment system, well, three polytunnels in relation to proposed on-site strawberry farm enterprise and all site works, all at McDonaghs Lane, Glenaraneen, Brittas, County Dublin.

Decision

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



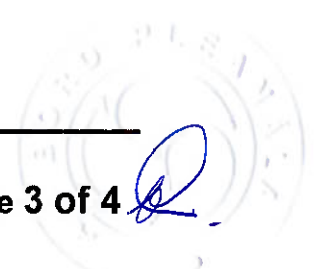
Reasons and Considerations

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, and within lands which are zoned HA-DM (High Amenity Dublin Mountains) in the South Dublin County Development Plan 2022-2028. Furthermore, the subject site is located in an area that is designated as an area under urban influence where it is national policy, as set out in National Policy Objective 19 of the National Planning Framework (2018), 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, or that the housing need of the applicant could not be met elsewhere. The proposed development would be contrary to Policy H19 of the South Dublin County Development Plan 2022-2028 whereby 'New or replacement dwellings within areas designated Zoning Objective 'HA-DM' (to protect and enhance the outstanding natural character of the Dublin Mountains Area) will only be considered in exceptional circumstances.'

It is considered that the applicant does not come within the scope of the housing need criteria as set out in local, regional and in national policy for a house at this location. The proposed development would result in a haphazard and unsustainable form of development in an un-serviced area, would contribute to the encroachment of random rural development in the area, would militate against the preservation of the rural environment that is sensitive to change, and would, therefore, be contrary to the proper planning and sustainable development of the area.

2. Having regard to the location of the subject site on lands zoned Objective HA-DM (High Amenity Dublin Mountains) which seeks 'To protect and enhance the outstanding natural character of the Dublin Mountains Area', and the specific objective to 'Protect and Preserve Significant Views' along both sides of McDonagh's Lane, it is considered that, by reason of its location on an elevated and prominent site, the proposed development would be contrary to Policy NCBH6 (Dublin Mountains) of the South Dublin County Development Plan 2022-2028 whereby it is an objective to 'Protect and enhance the visual, environmental, ecological, geological, archaeological, recreational and amenity value of the Dublin Mountains' as a key element of the county's Green Infrastructure network. The proposed development would adversely affect the significant views along McDonagh's Lane, would seriously injure the visual amenities of the area and would, therefore, be contrary to the proper planning and sustainable development of the area.

3. The proposed development would result in a form of development that would lead to haphazard development along this section of McDonagh's Lane. The proposed development would be contrary to H23 Objective 1 of the South Dublin County Council Development Plan 2022-2028 which seeks to ensure that all new rural housing and extensions on lands zoned HA-DM would not create or exacerbate ribbon or haphazard forms of development. Furthermore, the proposed development would be contrary to section 12.6.9 (Rural Housing) (Rural Housing Design) of the South Dublin County Council Development Plan 2022-2028 and would militate against the preservation of the rural environment. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.



4. The proposed development would be located on a substandard rural road network which is narrow in width and has poor vertical and horizontal alignment, which lacks pedestrian, public lighting and drainage facilities, and is characterised by a proliferation of one-off houses. It is considered that the generation of additional traffic movements associated with the proposed development would endanger public safety by reason of traffic hazard. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

5. On the basis of the information provided in connection with the planning application and the appeal, it is considered that the applicant has failed to adequately demonstrate that the proposed development would be in compliance with the EPA's Code of Practice Wastewater Treatment Systems Serving Single Houses (2009), or that there would be no potential risk of it being prejudicial to public health, or that it would not give rise to the diminishment of ground water quality in the area. The proposed development would be contrary to H23 Objective 1 and section 12.6.9 (Rural Housing) (Wastewater Treatment) of the South Dublin County Development Plan 2022-2028, would be prejudicial to public health, and would, therefore, be contrary to the proper planning and sustainable development of the area.



Mick Long

Member of An Bord Pleanála

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

Dated this *18th* day of *October* 2023.