



An  
Bord  
Pleanála

## Board Order ABP-318611-23

**Planning and Development Acts 2000 to 2022**

**Planning Authority: South Dublin County Council**

**Planning Register Reference Number: SD23A/0226**

**Appeal** by Naomi Hanlon care of Kieran O'Malley and Company Limited of 2 Priory Office Park, Stillorgan Road, Blackrock, County Dublin against the decision made on the 8<sup>th</sup> day of November, 2023 by South Dublin County Council to refuse permission for the proposed development.

**Proposed Development:** The construction of a split level single storey dwelling (199 square metres) with a detached garage (40 square metres), an on-site proprietary wastewater treatment plant and percolation area, modifications to existing agricultural entrance at the L2019 to access the proposed dwelling and all ancillary site development works at Carrigeen Farm, Windmillhill, Rathcoole, County Dublin.

### Decision

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

## Reasons and Considerations

1. Having regard to:

- (a) the 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,
- (b) the Regional Policy Objective RPO 4.80 (urban generated growth in Rural Areas under Strong Urban Influence) of the Eastern and Midland Regional Spatial and Economic Strategy 2019-2031,
- (c) 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,
- (d) the site's location in an area zoned RU 'To protect and improve rural amenity and to provide for the development of agriculture' in the South Dublin County Development Plan 2022-2028, and proximity to Rathcoole village, and
- (e) the Rural Housing Policy as set out in policy objectives H18, H23 and Section 12.6.9 in the development plan whereby applicants must provide documentary evidence to show how the applicant complies with the rural housing requirements, provides a strong justification in relation to the need for an additional dwelling in the rural area, and a rationale clearly detailing why a family flat is not a suitable alternative,

it is considered that the Board is not satisfied that the applicant's housing needs could not be satisfactorily met in Rathcoole, an established and viable settlement. Notwithstanding the applicant has family connections to the area and operates a farm and equestrian centre, a demonstrable economic or social need to live in this rural area has not been established. The proposed

development would, therefore, be contrary to the proper planning and sustainable development of the area.

2. The proposed development would exacerbate ribbon development in the area and contribute to the encroachment of rural housing development in an area under strong urban influence, would militate against the preservation of the rural environment, and the efficient provision of public services and infrastructure, and would materially contravene the provisions of the National Planning Framework, and the development plan for the area. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.



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**Una Crosse**

**Member of An Bord Pleanála,**

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

Dated this *26<sup>th</sup>* day of *June* 2024.