



An
Bord
Pleanála

Board Order ABP-318671-23

Planning and Development Acts 2000 to 2022

Planning Authority: South Dublin County Council

Planning Register Reference Number: SD23A/0235

Appeal by Lee Boggans and Michelle Nolan-Kissane care of David Mulcahy Planning Consultants Limited of 67 The Old Mill Race, Athgarvan, County Kildare against the decision made on the 15th day of November, 2023 by South Dublin County Council to refuse permission.

Proposed Development: Permission for construction of a new four-bed dormer house, new site entrance, new septic tank with percolation area and all associated site works and retention permission for existing horse stables, all at Athgoe North, Newcastle, County Dublin.

Decision

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

Reasons and Considerations

Having regard to the location of the site within an area zoned 'RU' in the South Dublin County Development Plan 2022-2028 where Policy H18 restricts new or replacement dwellings on the basis of a genuine rural generated need and evidence of exceptional circumstances, and having regard to the provisions of the Sustainable Rural Housing Guidelines for Planning Authorities issued by the Department of the Environment, Heritage and Local Government in April 2005, Regional Policy Objective RPO 4.80 of the Eastern and Midland Regional Spatial and Economic Strategy and National Policy Objective 19 of the National Planning Framework (2018), which seek to manage the growth of areas that are under strong urban influence to avoid overdevelopment and to ensure that the provision of single housing in rural areas under urban influence are provided based upon demonstrable economic or social need to live in a rural area, it is considered that the applicants have not demonstrated exceptional circumstances that would justify the grant of planning permission for a dwelling at this rural location as required by Policy H18 Objective 1 as set out in the Development Plan and, therefore, would not be in accordance with the National Policy Objective 19 or Regional Policy Objective RPO 4.80. The proposed development, in the absence of a demonstrable economic or social need for the house, 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, therefore, be contrary to the proper planning and sustainable development of the area.



Una Crosse
Member of An Bord Pleanála,
duly authorised to authenticate
the seal of the Board.

Dated this 26th day of June 2024.