



An  
Bord  
Pleanála

## Inspector's Report ABP-301367-18.

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<b>Development</b>	Outline permission for the development of a dwelling house. The proposed development comprises details of siting of the proposed house, the creation of a new access, the installation of a wastewater treatment system and all associated ancillary works.
<b>Location</b>	Redgap & Coolmine, Rathcoole, Co. Dublin.
<b>Planning Authority</b>	South Dublin County Council.
<b>Planning Authority Reg. Ref.</b>	SD18A/0011.
<b>Applicant(s)</b>	David Mooney.
<b>Type of Application</b>	Outline permission.
<b>Planning Authority Decision</b>	Refuse.
<b>Type of Appeal</b>	First Party.
<b>Appellant(s)</b>	David Mooney.
<b>Observer(s)</b>	Rathcoole Community School Des Perry
<b>Date of Site Inspection</b>	11 <sup>th</sup> July, 2018.
<b>Inspector</b>	A. Considine.

## **1.0 Site Location and Description**

- 1.1. The appeal site is located approximately 1km to the south west of Rathcoole village in a rural area. There is evidence of ribbon development along the public road, and the site is located to the south of the road, known locally as Rathcoole Hill Road. This road is narrow, has no road markings and is a busy rural road.
- 1.2. The appeal site has a road frontage of 108m and comprises a stone wall. The site rises from the north towards the south (rear) and the existing access to the site is located to the northern corner of the site. This access also provides an agricultural access to the applicants lands located to the east of the subject site. The site is bound on the east by a post and wire fence, with mature trees and hedges east of the track. There is a house, with hedge boundary, located to the west of the proposed site.

## **2.0 Proposed Development**

- 2.1. Outline permission for the development of a dwelling house. The proposed development comprises details of siting of the proposed house, the creation of a new access, the installation of a wastewater treatment system and all associated ancillary works, all at Redgap & Coolmine, Rathcoole, Co. Dublin.
- 2.2. The proposed development proposes the creation of a new access point located centrally along the road side boundary and the installation of a waste water treatment system.

## **3.0 Planning Authority Decision**

### **3.1. Decision**

The Planning Authority decided to refuse permission for the retention of the works for 6 reasons, summarised as follows:

1. The applicant has not demonstrated 'exceptional circumstances', therefore the development would materially contravene the provisions of the CDP and the zoning objective for the area.

2. The site is located 500m from the urban area of Rathcoole, would contribute to ribbon development and demands for the provision of public infrastructure, contrary to the Sustainable Rural Housing guidelines.
3. Substandard road and would endanger public safety by reason of traffic hazard.
4. The development would constitute urban generated housing in contravention of objective H20 of the CDP.
5. The metropolitan area of the GDA has been identified as suffering from patterns of urban sprawl. Further development of the Metropolitan Area is to be consolidated. The proposed development would represent the proliferation of further one-off development and could prejudice the sustainable achievement of the approved Regional Settlement Strategy for the Greater Dublin Area.
6. The development would set an undesirable precedent.

### **3.2. Planning Authority Reports**

#### **3.2.1. Planning Reports**

The Planning report formed the basis for the Planning Authority's decision to refused permission. The report considered the planning history associated with the subject site and concluded that the applicant has not overcome the previous reasons for refusal. It is recommended that permission be refused.

#### **3.2.2. Other Technical Reports:**

Water Services: Further information needed.

Environmental Health Officer: Further information needed.

Parks & Landscape Services: No comments or objections.

Roads Department: Refusal is recommended based on the generation of additional traffic on a substandard rural road network and the proliferation of one-off rural housing in the area which will place additional demand for services

#### **3.2.3. Other reports:**

Irish Water: Further information needed.

#### 3.2.4. Third Party Submissions:

There are 7 third party submissions noted on the planning file, 4 of which support the proposed development and confirming the applicants connections with the local area. The parties are as follows:

1. Rathcoole Community Council Ltd
2. Mr. Niall Dowling
3. Deena & Marguerite Ramiah
4. Mr. David Mansfield
5. Mr. Alan Mansfield
6. Mr. Thomas Mansfield

There is 1 objection submitted in relation to the proposed development, from Lisheen Consulting Ltd on behalf of Mr. Des Perry. The issues raised are summarised as follows:

- None of the previous concerns which arose in the previous two refusals have been addressed.
- The development will have a significant negative visual impact and will exacerbate ribbon development.
- In order to achieve sightlines, the development will require the demolition / altering of almost 80m of the ancient famine heritage stone wall.
- The NRB report does not address the issue of road safety. The road network is not capable of catering for additional ribbon development.
- In terms of local need, and the zoning of the site which only permits residential development in exceptional circumstances, it is submitted that the applicant has not shown a 'need' only a 'preference' to live at this location.

This objection requests that permission be refused and copies of previous objections to previous applications are also submitted.

## 4.0 Planning History

The following is the relevant planning history relating to the subject site:

**PA ref SD16A/0269:** Permission refused to the current applicants, for the construction of a new dwelling house, on site treatment system and all associated site works.

This application sought a large 6 bed two storey house, with a floor area of 364.33m<sup>2</sup>, on a site covering 4.397ha. This site includes the front area of the current proposed site and the access to the site is also the same. Permission was refused for 5 reasons including non-compliance with the settlement location policy, ribbon development which is sub-urban in nature detracting from the rural character of the area, visual impact, proposed development would represent the proliferation of further one-off development and could prejudice the sustainable achievement of the approved Regional Settlement Strategy for the Greater Dublin Area and would set an undesirable precedent.

**PA ref SD17A/0046:** Permission refused to the current applicants, for the construction of a new dwelling house, on site treatment system and all associated site works.

This application sought a large 6 bed two storey house, with a floor area of 372.58m<sup>2</sup>, on a site covering 4.397ha. This site includes the front area of the current proposed site and the access to the site is also in the same location. Permission was refused for 7 reasons including those as summarised above, with an additional roads issue and backland location issue.

Sites in the vicinity:

**PA ref SD15A/0220:** Permission refused to Mr. Alan Mansfield for the construction of a new house, garage and associated site works to include alterations to the existing vehicular entrance for the provision of an additional entrance gate, on lands to the south west of the site.

The 6 reasons for refusal in this case include non-compliance with policy, substandard road and traffic hazard, would result in a sub-urban form of development in a rural area, over-development of the site, visual impact and public health hazard potential by reason of site suitability.

**PA ref SD16A/0089:** Permission refused to Mr. Alan Mansfield for the construction of a new house, garage and associated site works including a new well and water treatment system, on lands to the south west of the site.

The 5 reasons for refusal in this case include non-compliance with policy, substandard road and traffic hazard, would result in a sub-urban form of development in a rural area, over-development of the site, visual impact and public health hazard potential by reason of site suitability.

## **5.0 Policy Context**

### **5.1. Sustainable Rural Housing Guidelines for Planning Authorities**

The Guidelines refer to persons considered as constituting those with rural generated housing needs being persons who are an intrinsic part of the rural community, or working full-time or part-time in rural areas. The Guidelines refer to persons who are an intrinsic part of the community as having 'spent substantial periods of their lives, living in rural areas as members of the established rural community. Examples would include farmers, their sons and daughters and or any persons taking over the ownership and running of farms, as well as people who have lived most of their lives in rural areas and are building their first homes'.

Appendix 4 refers to Ribbon Development. It states:

These guidelines recommend against the creation of ribbon development for a variety of reasons relating to road safety, future demands for the provision of public infrastructure as well as visual impacts. Other forms of development, such as clustered development, well set back from the public road and served by an individual entrance can be used to overcome these problems in facilitating necessary development in rural areas.

And

...areas characterised by ribbon development will in most cases be located on the edges of cities and towns and will exhibit characteristics such as a high density of almost continuous road frontage type development, for example where 5 or more houses exist on any one side of a given 250 metres of road frontage.

Whether a given proposal will exacerbate such ribbon development or could be considered will depend on:

- The type of rural area and circumstances of the applicant,
- The degree to which the proposal might be considered infill development, and
- The degree to which existing ribbon development would be extended or whether distinct areas of ribbon development would coalesce as a result of the development.

## 5.2. Development Plan

5.2.1. The South Dublin County Development Plan 2016 – 2022 is the relevant policy document pertaining to the subject site. The site is located on lands which have an 'RU' Rural zoning. It is the stated objective of this zoning 'to protect and improve rural amenity and to provide for the development of agriculture'.

5.2.2. Section 2.5.0 of the Plan deals with Rural Housing and states that 'It is the policy of the Council to restrict the spread of dwellings into rural and high amenity areas'. The following policies are considered relevant:

Policy H20 states:

It is the policy of the Council to restrict the spread of dwellings in the rural 'RU', Dublin Mountain 'HA-DM', Liffey Valley 'HA-LV' and Dodder Valley 'HA-DV' zones and to focus such housing into existing settlements.

Policy H22 states:

It is the policy of the Council that within areas designated with Zoning Objective 'RU' (to protect and improve rural amenity and to provide for the development of agriculture) new or replacement dwellings will only be permitted in exceptional circumstances.

H22 Objective 1 states:

To consider new or replacement dwellings within areas designated with Zoning Objective "RU" (to protect and improve rural amenity and to provide for the development of agriculture) where:

- The applicant can establish a genuine need to reside in proximity to their employment (such employment being related to the rural community) OR
- The applicant has close family ties with the rural community.

Policy H27 Rural House & Extension Design:

It is policy of the Council to ensure that any new residential development in rural and high amenity areas, including houses and extensions are designed and sited to minimise visual impact on the character and visual setting of the surrounding landscape.

H27 Objective 1:

Ensure that all new rural housing and extensions within areas designated with Zoning Objective 'RU':

Is designed and sited to minimise impact on the landscape including views and prospects of natural beauty or interest or on the amenities of places and features of natural beauty or interest including natural and built heritage features; and

Retains and reinstates traditional roadside and field boundaries; and

Would not create or exacerbate ribbon or haphazard forms of development.

5.2.3. Chapter 9 of the CDP deals with Heritage, Conservation & Landscape and Section 9.2.0 identifies that South Dublin is defined by five Landscape Character Areas. The subject site is located within the Athgoe and Saggart Hills. The Landscape Character Assessment for South Dublin County (2015), identifies this area as LCA 3 and notes that:

'This LCA is predominantly agricultural in character with quite distinctive areas of contrasting character; the foothills overlooking the Newcastle Lowlands includes former villages such as Rathcoole and Saggart, which have expanded considerably in recent decades. Outside these towns, there is an increasingly rural character, though certain areas such as Redgap have seen considerable rural housing development activity.'



Outside the towns of Saggart and Rathcoole, settlement is largely dispersed with some clusters (former clachans?) present. The older buildings tend to be constructed from stone and rough plaster and some shelterbelts are associated with the older houses. Otherwise, the housing style is mixed with a notable concentration of 1990s style bungalows and two storey houses present around Redgap.'

5.2.4. Landscape Character Assessment for South Dublin County (2015), concludes that 'on the northern part of this LCA, housing pressures have in some areas detracted from the landscape character with a variety of boundary treatments, housing styles and siting locations that do not reflect the former agricultural vernacular. This contrasts again with areas that have retained a more rural and intact character, for example around Stonyhill Road.'

5.2.5. The Assessment identifies that the LCA 3 has a medium-high landscape character sensitivity and a high visual sensitivity, overall landscape sensitivity and landscape value with a landscape capacity of negligible to low. This means that key characteristics of the landscape are highly vulnerable to development where development would result in a significant change in landscape character and low where there may be limited opportunity to accommodate development without changing the landscape character. In terms of mitigation measures, the Assessment identifies 12 measures in order to protect the landscape character of the area.

5.2.6. Table 11.1 of Chapter 11 states that the objective of RU zoning is '*To protect and improve rural amenity and to provide for the development of agriculture*'. Residential development is '*Open for Consideration*' in accordance with Council policy for residential development in rural areas. Section 11.3.4 specifically refers to Rural Housing. Section 11.3.4(ii) states that 'A minimum road frontage of 60m should be provided for all new dwelling sites in rural areas and a proliferation of housing along stretches of road in a manner that creates ribbon development should be avoided'.

### 5.3. Natural Heritage Designations

The subject site is not located within, or adjacent to, any designated European Site. The Glenasmole Valley SAC (Site Code 001209) is located approximately 4km to the

south east of the site. In addition to the above, the following designated site are located within 15km of the appeal site:

- Wicklow Mountain SAC & SPA, Site Code 002122
- Poulaphouca Reservoir SPA & PNHA, Site Code 000731
- Red Bog SAC & PNHA, Site Code 000397

## **6.0 The Appeal**

### **6.1. Grounds of Appeal**

This is a first party appeal against the decision of the Planning Authority to refuse outline permission for a house. I have read all of the submitted and documents and the grounds of appeal are summarised as follows:

- The PA has erred in the proper consideration of the applicant.
- The applicant has a clear and proven local need and complies with the CDP, specifically Policy H22. This has been demonstrated on two occasions.
- The principle of safe access/egress can be provided in compliance with safety guidelines.
- The proposed house would not negatively impact on the surrounding settlement pattern or the ability of established settlements to expand.

There are a number of enclosures with the appeal and the appellant requested that the Board consider awarding expenses to the appellant as it is submitted that a full and proper consideration of the application documentation was not carried out by the Planning Authority.

### **6.2. Planning Authority Response**

The Planning Authority has responded to this appeal advising that the issues raised in the appeal have been covered in the planner's report. The PA confirms its decision.

### 6.3. Observations

There are two observations noted in relation to this appeal.

The first observation is from the Chairperson of Rathcoole Community Council. This observation notes that he was asked in good faith to supply a reference re association with the Rathcoole area for the applicants planning application. The submission further states that the Rathcoole Community Council do not support any planning applications for this area due, in their opinion, to the lack of proper infrastructure, ie roads, fresh water supply and sewerage.

The second submission, from Lisheen Consulting Ltd restates the objections raised during the Planning Authority's assessment of the proposed development.

## 7.0 Assessment

Having regard to the nature of this appeal, and having undertaken a site visit, as well as considering the information submitted, and proposed development, I suggest that it is appropriate to assess the proposed development under the following headings:

- The principle of the development and compliance with policy
- The site suitability for the proposed development.
- Roads & Traffic
- Appropriate Assessment

### 7.1. The principle of the development and compliance with policy

7.1.1. The subject site is located within a rural area which is identified as being under strong urban influence for one-off housing, as defined in the Sustainable Rural Housing Guidelines and the South Dublin County Development Plan. This is evident in the number of one-off houses in the vicinity of the subject site and is due to its proximity to the village of Rathcoole and being located within the commuting catchment for Dublin City. There is a presumption against development save for in instances where it can be demonstrated that an applicant complies with the Planning Authority's rural housing policy. Should the Board be minded to grant planning

permission in this instance it should be satisfied that the appellant adequately complies with the requirements of these stated policies.

7.1.2. The Board will note that the applicant has sought permission on two previous occasions for the construction of a dwelling house (two separate designs) at various locations on the land adjacent to the current site, but with the same proposed access, in the recent past. The decision to apply for outline planning permission in this instance, was made in order to focus on the applicants compliance with the PAs settlement location policy. To this end, a strong argument is made on behalf of the applicant and it is submitted that the Planning Authority has failed to fully take into account, all of the documents submitted with the planning application.

7.1.3. Housing Policy 22 - Rural Housing in RU Zone, is applicable in this instance and the policy provides that new or replacement dwellings will only be permitted in exceptional circumstances. H22 Objective 1 states the following criteria must be met by applicants in order to be considered positively for a dwelling in the Rural Housing Zone:

- The applicant can establish a genuine need to reside in proximity to their employment (such employment being related to the rural community) or
- The applicant has close family ties with the rural community.

7.1.4. In order to establish the needs of the applicant for rural housing, the appeal includes a number of documents. The appellant owns the subject site, having purchased it in the recent past and on return from South Africa, where he and his family resided for a period of approximately 8 years. It is submitted that Mr. Seoige grew up approximately 500m from the site and that his sister currently resides in the original family home. Mr. Seoiges parents relocated to another farm, of approximately 15ha, 2.6km to the south of the site (approximately 3.3km by road). The supporting documentation includes correspondence from applicants' parents and correspondence from the applicants primary and secondary schools. It is further submitted that the applicant is a part-time farmer. I did note a small number of sheep in the land to the rear of site on the date of my inspection. Other than stating that the applicant moved to South Africa to gain international experience for his work, no details in relation to his employment are provided.

7.1.5. In terms of compliance with Policy H22, the Board will note that the Planning Authority has concluded, for the third time, that the applicant has failed to demonstrate exceptional circumstances which would require him to reside at this location. However, H22 Objective 1 provides for an either / or scenario in terms of considering new dwellings within areas designated with Zoning Objective 'RU' and while I agree that the applicant has not established a genuine need to reside at the site by reason of proximity to their employment, I would accept that the applicant has established close family ties with the rural community.

7.1.6. While it is the stated policy of the Planning Authority, Policy H20 refers, to restrict the spread of dwellings in the rural 'RU' zone and to focus such housing into settlements, Section 2.5.2 of the Plan defines rural generated housing as 'where the applicant is indigenous to the rural area or has close family links to the rural area or who works in a type of employment intrinsic to the rural economy, which requires the applicant to live in the rural area and to be close to their rural-based employment.' In terms of the requirements of Policy H22 of the South Dublin County Council Development Plan, the establishment of close family ties with the rural community would appear to constitute exceptional circumstances. In this regard, and in terms of Policy H22, I do not consider that the application fails.

7.1.7. Further to the above, the Board will note the requirements of Policy H27 where it is the stated policy of the Council 'to ensure that any new residential development in rural and high amenity areas, including houses and extensions are designed and sited to minimise visual impact on the character and visual setting of the surrounding landscape.' H27 Objective 1 also seeks to ensure that all new rural housing and extensions within areas designated with Zoning Objective 'RU':

- retains and reinstates traditional roadside and field boundaries; and
- Would not create or exacerbate ribbon or haphazard forms of development.

7.1.8. In terms of the above, and given that this is an application for outline planning permission, no details of design have been presented for consideration. I note the previous applications sought permission for large 6 bed roomed two storey houses, with floor areas of between approximately 365-374m<sup>2</sup>. Should the Board be minded to grant permission in this instance, consideration must be given to the potential visual impact of a house of the scale previously sought. Existing houses in the

vicinity generally comprise single storey to dormer in style. However, the issue could be addressed by way of condition, should the Board be minded to grant permission.

7.1.9. The Board will note the intention to open a new access onto the local road network. It is submitted by third parties that the existing road boundary is a heritage wall which should be protected. I note the requirements of Chapter 11 of the Plan in this regard, where it stipulated that traditional field and roadside boundaries, including old stone boundary walls and hedgerows, should be retained or reinstated as much as possible. In terms of the potential visual impacts associated with the proposed development, I consider the proposed alteration of 70m of this old stone boundary wall, which is evident for a number of kilometres along the public roadway punctuated only by residential access points, is extremely excessive and unacceptable. The said alterations, which include the removal of a 6m section and the reduction in height of the remaining 64m indicated, from a visual point of view, would be inappropriate in my opinion, and would negatively impact upon the character and visual setting of the surrounding landscape. As an aside on this issue, the Board will note that there is an existing access to the applicants' lands located in the norther corner of the site which does not appear to have been considered. As such, and should the Board be minded to grant outline planning permission in this instance, no new access should be permitted and the existing access should be considered which would impact on the visual amenity of the existing roadside boundary. Issues of road safety will be addressed further below.

7.1.10. The Planning Authority reason for refusal no. 2 relates to the issue of ribbon development. The first Party Appeal has submitted that the proposed development would not negatively impact on the expansion of Rathcoole settlement or the surrounding community in Redgap. While it is acknowledged by the applicant that Redgap is an area under strong urban influence, it is argued that the sustainable residential development of rural generated need housing at the application site cannot be termed 'ribbon development' but instead low density rural development. It is further submitted that there is not a continuous line of houses between the subject site and the Rathcoole roundabout and that the site can be more associated with a low density rural cluster of houses concentrated in the townland of Redgap separate from Rathcoole.

7.1.11. I have considered this matter very carefully, acknowledging that I consider that the applicant complies with Policy H22, but I would not accept the conclusions of the applicant in this regard. From the submitted aerial photographs, together with my site inspection, I would have to agree with the Planning Authority that a grant of permission as proposed, would certainly exacerbate the extensive ribbon of development in the Redgap - Rathcoole area. I would also disagree that the description of this area is a low density rural development, or an infill or rural cluster development, as it is clear that the urban pressure has resulted in a significant visual impact on the character and visual setting of the surrounding rural landscape. As such, and notwithstanding the bone fides of the appellant in this instance, I do not consider that the proposed development accords with the requirements of Policy Objective H27 1 of the County Development Plan.

7.1.12. Further to the above, I note the implication by the appellant that compliance with Policy H22 should somehow override all other policies of the County Development Plan, where page 14 of the appeal submission states:

‘As residential development is ‘open for consideration or permissible subject to compliance with Housing Policy H22’, it is submitted that the alleged creation of further ribbon development would not materially contravene the ‘RU’ zoning objective.’

While I can appreciate the appellants frustrations regarding historical permissions in the area at a time when ‘local needs policy was not as restrictive or non-existent’, the fact is that the current CDP is applicable, and that the applicant purchased the land prior to securing planning permission for the dwelling he now seeks.

7.1.13. In conclusion, and notwithstanding the bone fides of the applicant, I consider that the proposed development, if permitted, would contribute to the build-up of ribbon development in the rural landscape. This would militate against the preservation of the rural environment and would have a negative visual impact, contrary to the requirements of Policy H27 of the South Dublin County Development Plan.

7.1.14. Notwithstanding the fact that this appeal relates to an outline planning permission, the Board will note that all site suitability issues are required to be considered. I will address these issues further below.

## 7.2. Site suitability issues:

- 7.2.1. In terms of site suitability, the Board will note that it is intended to install a packaged waste water treatment system with a sand polishing filter to service the house. It is also noted that the house is to be serviced by a private well for its water supply. Having considered the information provided on the planning authority file, it is clear that an assessment of the sites' suitability with regard to the treatment and disposal of waste water has been considered. The applicant submitted a completed site suitability assessment regarding the suitability of the proposed site in terms of the treatment and disposal of wastewater generated on the site. I noted on the date of my inspection, that the trial hole area was still fenced off. I could not gain access, however as there was an electric fence along the perimeter of the site.
- 7.2.2. The site characterisation assessment, submitted as part of the planning application, notes that bedrock was encountered in the trial pit, which was dug to 2.1m bgl, at 0.8m bgl with the water table encountered at 1.3m bgl. The assessment identifies that the site is located in an area where there is a Groundwater Protection Scheme and categorises the site as being a poor aquifer (p) with extreme vulnerability. A Groundwater Protection Repeal of R2<sup>1</sup> is indicated. The soil type is described as 'Till derived from Lower Palaeozoic rocks' and the bedrock type is 'Silurian Metasediments and Volcanics'. \*T tests were carried out on the site at a level of 0.85m bgl and yielded a value of 11.89. \*P tests were carried out at the site at a level of 0.4m bgl and yielded a value of 15.14. The report concludes recommending a packaged wastewater treatment system and polishing filter, including a Tertiary Sand Filter, with a capacity PE of 8.00 and a polishing filter of 20m<sup>2</sup> with a 60m<sup>2</sup> gravel infiltration bed. The system will discharge to groundwater with a hydraulic loading rate of 60.00 l/m<sup>2</sup>/d.
- 7.2.3. Overall, and while I acknowledge the submission on file with regard to the treatment and disposal of waste water arising from the site, I have serious concerns regarding the existing density of housing in the immediate vicinity of the site given the lack of any piped services. The submitted plans identify the existence of a septic tank within the proposed site – it is not clear what house this system serves, if any - but fails to identify any other private waste water treatment systems, or more importantly, private wells, which serve the existing houses in the vicinity of the site.



The Board will note that this issue was discussed in the Planning report from the Planning Authority. Given the lack of this information, together with the results of the P & T tests on the site, I am unable to conclude that the development will not impact on the quality of the groundwater feeding any proposed well, or indeed, any existing well. In addition, the concentration of private systems in the area also needs to be considered. While I acknowledge the submissions of the applicant in this regard, the concentration of private effluent treatment systems in this area would have potential to result in a public health hazard.

### **7.3. Roads & Traffic**

7.3.1. The Board will note that the receiving road is a narrow local road which accommodates a significant number of one-off houses. The Planning Authority refused permission for the proposed development on the grounds that the road network in the area is incapable of catering for the continuation of ribbon development and that, given the lack of pedestrian, public lighting and drainage facilities, the development would endanger public safety by reason of traffic hazard. The Board will note that the appellants engineers have submitted a report demonstrating that safe sightlines can be achieved, and that this has been accepted by the Roads department. An extract from the Roads Department report is provided on page 16 of the appeal, but it fails to provide the remaining text from the Roads Department report which ultimately recommends that permission be refused for the proposed development on the basis that 'the generation of additional traffic on a substandard rural road network and the proliferation of one-off rural housing in the area which will place additional demand for services along the road'.

7.3.2. Having undertaken a site visit, I can confirm that the local road network is narrow and given the significant housing developments, is moderately trafficked. Certainly, I consider that the poor vertical and horizontal alignment of the road, together with the lack of any pedestrian facilities significantly contributes to the substandard nature of the road, given the level of development it currently supports. The road is only capable of accommodating one vehicle passing in places and the Board will note the number of existing residential access points within 200m of the subject site. As such, I consider that the proposed development would give rise to

additional traffic turning movements, on this substandard road, which would endanger public safety by reason of a traffic hazard.

#### **7.4. Appropriate Assessment:**

7.4.1. The subject site is not located within, or adjacent to, any designated European Site. The Glenasmole Valley SAC (Site Code 001209) is located approximately 4km to the south east of the site. The Wicklow Mountain SAC & SPA, Site Code 002122, Poulaphouca Reservoir SPA & PNHA, Site Code 000731 and the Red Bog SAC & PNHA, Site Code 000397 are located within 15km of the site. The Board will be required to consider the potential effects of the proposed development on the identified SAC. The site must be subject to AA regarding its implications for the Natura 2000 site in view of the site's conservation objectives "if it cannot be excluded, on the basis of objective information, that it will have a significant effect on that site, either individually or in combination with other plans or projects" (EC, 2006). In other words, where doubt exists about the risk of a significant effect, an Appropriate Assessment must be carried out.

7.4.2. Having considered the nature and scale of the proposed development, on an existing greenfield rural site, together with the separation distance between same and the Natura 2000 site, it is appropriate to conclude that this project should not proceed to Stage 2 of the AA process and that an Appropriate Assessment is not necessary as there is little or no potential for significant effects to Natura 2000 sites.

### **8.0 Recommendation**

It is recommended that planning permission be REFUSED for outline planning permission development of a dwelling house at Redgap & Coolmine, Rathcoole, Co. Dublin, for the following reasons and considerations:

## 9.0 Reasons and Considerations

1. Policy H27 of the County Development Plan states that it is the policy of the Council to ensure that any new residential development in rural and high amenity areas, including houses and extensions are designed and sited to minimise visual impact on the character and visual setting of the surrounding landscape. It is considered that the proposed development, if permitted, would contribute to ribbon development in this unserviced rural area, would result in the significant alteration to the existing roadside boundary and would set an undesirable precedent for similar type developments in this rural landscape.  
  
It is considered that the proposed development of a house at this location would form a discordant and obtrusive feature on the landscape, would seriously injure the visual amenities of the area, would fail to be adequately absorbed and integrated into the landscape and would consolidate and contribute to the build-up of ribbon development in the rural landscape. This would militate against the preservation of the rural environment and lead to demands for the provision of further public services and community facilities and would set an undesirable precedent for other such prominently located development in the vicinity. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.
2. Taken in conjunction with existing and permitted development in the area, the proposed development would give rise to an excessive density of development in a rural area lacking certain public services, and community facilities and served by a poor road network. It is an objective of the planning authority, as expressed in the current Development Plan for the area, to channel housing into rural settlements and the protection of rural landscapes is a high priority of the Plan. These objectives are considered reasonable. It is considered that the proposed development would constitute an inappropriate form of development, would contravene the objective of the planning authority and would lead to demands for the uneconomic provision of further public

services and facilities in an area where these are not proposed. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

3. The site is located on a rural road which is seriously substandard in terms of width and alignment. It is considered that the additional traffic generated by the proposed development would endanger public safety by reason of traffic hazard and would lead to conflict between road users, that is, vehicular traffic, pedestrians and cyclists. The development therefore, would be contrary to the proper planning and sustainable development of the area.

4. It is considered that, taken in conjunction with existing development in the vicinity, the proposed development would result in an excessive concentration of development served by septic tanks and private wells in the area. Having regard to the lack of clear detail, together with the information presented in support of the proposed development, it is considered that, if permitted, the proposed development would be prejudicial to public health.

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A. Considine  
Inspectorate  
19/07/2018