



An  
Bord  
Pleanála

## Inspector's Report ABP-306032-19.

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<b>Development</b>	Permission for the construction of detached two storey gate lodge style house and construction of a detached two storey house located within the curtilage of a protected structure.
<b>Location</b>	Finnstown House, Newcastle Road, Lucan, Co. Dublin.
<b>Planning Authority</b>	South Dublin County Council.
<b>Planning Authority Reg. Ref.</b>	SD19A/0284.
<b>Applicant(s)</b>	Finnstown House.
<b>Type of Application</b>	Permission.
<b>Planning Authority Decision</b>	Refuse.
<b>Type of Appeal</b>	First Party
<b>Appellant(s)</b>	Finnstown House.
<b>Observer(s)</b>	None.
<b>Date of Site Inspection</b>	19/02/2020.
<b>Inspector</b>	A. Considine.

## **1.0 Site Location and Description**

- 1.1. The subject site is located within the grounds of Finnstown House Hotel, Lucan, Co. Dublin. The site lies inside the gates of the entrance to the hotel and to the south of the long avenue which provides access to the hotel from the western side of the Newcastle Road, the R120. The existing hotel on the site is a protected structure and dates from 1850-1880. This building has over the years, been extended and altered, and is identified in the NIAH.
- 1.2. The area in the immediate vicinity of the site is can be described as sub-urban and characterised by a mix of residential developments and the Adamstown SDZ lies to the west of the site. the main Dublin Connolly to Sligo railway line lies to the south of the site and the Lucan Shopping Centre is located to the north.
- 1.3. The site has a stated area of 0.42ha and currently comprises an area of open space associated with the 4\* Finnstown Castle Hotel.

## **2.0 Proposed Development**

- 2.1. Permission is sought, as per the public notices for the construction of a detached two storey gate lodge style house to be used as a security managers house, construction of a detached two storey house with integrated garage to be used as a hotel managers house, connection to existing foul sewer, access of existing access road to Finnstown Castle Hotel and all associated site works. The proposed development is located within the curtilage of a protected structure – Finnstown House, RPS Ref 112.
- 2.2. The application included a number of supporting documents including as follows;
  - Plans, particulars and completed planning application form
  - Planning Report

## 3.0 Planning Authority Decision

### 3.1. Decision

The Planning Authority decided to refuse planning permission for the proposed development for the following stated reason:

1. In the South Dublin County Development Plan 2016-2022 the site is zoned 'OS', the objective for which is 'to preserve and provide for open space and recreational amenities'. Notwithstanding that residential use is open for consideration under this zoning, the proposed development would not achieve the stated aims of the zoning objectives or contribute to these objectives. As such, the proposal would materially contravene the Development Plan zoning objective for the area and would be contrary to the proper planning and sustainable development of the area.
2. Having regard to the location of the proposed dwellings, at the front entrance and adjacent to the original avenue to Finnstown House, and the overall scale, design, height and mass, the dwellings would be highly visible on approach to Finnstown House, Protected Structure Ref. 112 and would cause an overly seriously negative visual impact on the protected structure and its setting. The proposed development would therefore not be in accordance with Section 11.5.2(ii) and materially contravene HCL3 Objective 2 of the County Development Plan and would be therefore contrary to the proper planning and sustainable development of the area.
3. Insufficient information was provided in relation to surface water drainage and the impact of the proposed development on trees in the vicinity. The proposal is therefore seriously deficient in this regard and could therefore prejudice public health and safety and could compromise the amenities of the area.
4. The proposed development would set an undesirable precedent for other similar developments, which would in themselves and cumulatively, be harmful to the visual amenities of the area and would be contrary to the proper planning and sustainable development of the area.

## 3.2. Planning Authority Reports

### 3.2.1. Planning Reports

The Planning report considered the proposed development in the context of the details submitted with the application, internal technical reports, planning history and the County Development Plan policies and objectives. The planning report considered the main issues for consideration are compliance with zoning & Council policy, impact on Protected Structure, design and visual amenity, access, car parking and drainage.

Planning Officer recommends that permission be refused for the proposed development, for reasons as detailed above. This Planning Report formed the basis of the Planning Authority's decision to refuse planning permission.

### 3.2.2. Other Technical Reports

**Architectural Conservation Officer:** The report notes that the sites are located within the curtilage of Finnstown House, Protected Structure.

The report considers that the proposed development will be highly visible on approach from the main entrance gates along the avenue and will be the first buildings to be viewed when entering the sites. Gate lodges were unobtrusive single-storey structures placed behind/beside the entrance walls / wing walls of the main entrance to the principle house to ensure that they were subservient to the Main House.

The proposed design, height and mass of the proposed gate lodge is unacceptable at this location and the overall context of the site has not been fully considered. The design does not reflect the architectural character of the protected structure. The requirement for a new entrance to the two houses will require the removal of trees on the avenue.

The proposed two storey house is particularly large in scale therefore its overall design, height and mass allows it to be a dominate structure at this location. No architectural impact assessment has been submitted and there is no design rationale provided for the building within the curtilage of a Protected

Structure.

The report concludes recommending that planning permission be refused for the development as it is unacceptable in the context of Finnstown House.

**Roads Department:** The addition of the two houses will have a negligible effect on traffic movements. No objection subject to compliance with conditions which includes the need for the removal of a number of trees to achieve 2.0m x 23m vision line.

**Water Services:** Further information required as there is no report showing percolation test results at the location of proposed soakaway. No objection in terms of flood risk subject to compliance with conditions.

**Parks & Landscape Services / Public Realm:** The report highlights a number of concerns in terms of the proposed development being located within the root protection zone of existing tree and hedgerow with no tree protection measures provided. In addition, it is submitted that surfacing needlessly cuts through green area when a much shorter route could be achieved elsewhere. No landscaping plan has been submitted and nor has an arborist report. Conditions recommended in the event of a grant of planning permission.

### 3.2.3. Prescribed Bodies

**An Taisce:** Requires that the application be assessed with regard to impact on the amenity of the area and the relevant provisions of the CDP. Particular care should be taken to see that the ambiance of the Protected Structure is not affected by the works.

### 3.2.4. Third Party Submissions

There are no third-party objections/submissions noted on the planning authority file.

## 4.0 Planning History

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

**PA ref. SD17A/0179:** Permission refused for the construction of a two-storey dwelling and integrated garage, access from the access avenue to Finnstown Castle Hotel for the following reasons:

1. In the south Dublin County Development Plan 2016-2022, the site is zoned 'OS', the objective of which is 'to preserve and provide for open space and recreational amenities'. Notwithstanding that residential use is open for consideration under this zoning, the proposed development would not achieve the stated aims of the zoning objectives or contribute to these objectives. As such, the proposal would materially contravene the Development Plan zoning objective for the area and would be contrary to the proper planning and sustainable development of the area.
2. Having regard to the location of the proposed house, at the front entrance and adjacent to the original avenue to Finnstown House, and its overall scale, design, height and mass, the dwelling would be highly visible on approach to Finnstown House, Protected Structure Ref 112 and would cause an overall seriously negative visual impact on the protected structure and its setting. The proposed development would therefore not be in accordance with Section 11.5.2(ii) and materially contravene HCL3 Objective 2 of the County Development Plan and would therefore be contrary to the proper planning and sustainable development of the area.
3. Insufficient information was provided in relation to surface water drainage and the impact of the proposed development on trees in the vicinity. The proposal is therefore seriously deficient in this regard and could therefore prejudice public health and safety and could compromise the amenities of the area.
4. The proposed development would set an undesirable precedent for other similar developments, which would in themselves and

cumulatively, be harmful to the visual amenities of the area and would be contrary to the proper planning and sustainable development of the area.

The following files relate to developments at the hotel

**PA ref. S17A/0181:** Permission granted for the demolition of 2 buildings containing 4 single storey 'Golf Suites' and their replacement with staff accommodation.

**PA ref. S15A/0365:** Permission granted for a single storey extension to the north of the existing function room.

**PA ref. S14A/0168:** Permission granted for a two-storey extension (3,085.6sq.m.) to the east and south of the existing 'Lawn Suites' hotel building on the southern side of the hotel grounds.

**PA Ref. SD14A/0072:** Permission granted in June 2014 for 3.85m high single storey extension to the west and south (583sq.m.) of the existing Leisure Centre Building.

**PA ref. 11A/0171:** Permission granted for retention of extensions and alterations to the hotel, a Protected Structure.

**ABP ref. PL06S.232488 (PA ref. SD08/0749):** Permission refused on appeal for a mobile phone mast and associated compound and works within the curtilage of the protected structure / hotel, to the east of the subject structures. The reason for refusal was:

Having regard to the location of the site within the grounds of a protected structure and in an established wooded area, it is considered that the proposed development, by reason of its design, form and scale, would detract from the character and setting of the protected structure, Finnstown House, would not integrate satisfactorily within the overall site, would be visually obtrusive and would, therefore, be contrary to the proper planning and sustainable development of the area.

In deciding not to accept the Inspector's recommendation to grant permission, the Board considered that the general degree of interference in this woodland setting would be such as to warrant a refusal in this instance.

## 5.0 Policy and Context

### 5.1. Development Plan

- 5.1.1. The South Dublin County Council Development Plan 2016 – 2020, is the relevant policy document relating to the subject site. The subject site is zoned ‘OS’, the objective of which is ‘to preserve and provide for open space and recreational amenities’. Table 11.15 of the Plan deals with the zoning objective ‘OS’ and details the developments which are permitted in principle, are open for consideration and not permitted as follows:

<b>USE CLASSES RELATED TO ZONING OBJECTIVE</b>	
Permitted in Principle	Allotments, Community Centre, Cultural Use, Open Space, Recreational Facility, Sports Club/Facility.
Open for Consideration	Agriculture, Bed & Breakfast <sup>a</sup> , Camp Site, Carpark <sup>h</sup> , Cemetery <sup>e</sup> , Childcare Facilities, Crematorium, Education, Garden Centre, Guest House <sup>a</sup> , Home Based Economic Activities <sup>a</sup> , Hotel/Hostel, Housing for Older People, Outdoor Entertainment Park, Place of Worship <sup>a</sup> , Public Services, Recycling Facility, <u>Residential</u> , Restaurant/Café, Shop-Local, Stadium, Traveller Accommodation.

a In existing premises

h For small-scale amenity or recreational purposes only

e If provided in the form of a lawn cemetery

- 5.1.2. The Plan provides further policies and objectives for housing. As the site lies within the curtilage of a protected structure, ref. 112, Section 9.1.2 of the CDP is relevant as are the following:

- Heritage, Conservation and Landscapes (HCL) Policy 3 Protected Structures, which states:

It is the policy of the Council to conserve and protect buildings, structures and sites contained in the Record of Protected Structures and to carefully consider any proposals for development that would affect the special character or



appearance of a Protected Structure including its historic curtilage, both directly and indirectly.’

- HCL 3 Objective 1 seeks:

To ensure the protection of all structures (or parts of structures) and the immediate surroundings including the curtilage and attendant grounds of structures contained in the Record of Protected Structures.

- HCL 3 Objective 2 seeks:

To ensure that all development proposals that affect a Protected Structure and its setting including proposals to extend, alter or refurbish any Protected Structure are sympathetic to its special character and integrity and are appropriate in terms of architectural treatment, character, scale and form. All such proposals shall be consistent with the Architectural Heritage Guidelines for Planning Authorities, DAHG (2011) including the principles of conservation.

## 5.2. Natural Heritage Designations

The site is not located within any designated site. The closest Natura 2000 site is the Rye Water Valley/Cartron SAC (& pNHA)(Site Code: 001398) which lies approximately 3.5km to the north west of the subject site.

The South Dublin Bay and River Tolka SPA (Site Code: 004024) is located approximately 15km to the east of the site. The South Dublin Bay SAC (& pNHA) (Site Code: 000210) also lies approximately 16km to the east of the site.

The following pNHAs are also in proximity to the site:

- The Grand Canal pNHA (Site Code 002104) is located approximately 1km to the south of the Dublin.
- The Liffey Valley pNHA (Site Code: 000128) is located approximately 1.7km to the north of the site.
- The North Dublin Bay pNHA, (Site Code 000206), is located approximately 15km to the east of the site.

### 5.3. EIA Screening

Having regard to the nature and scale of the development there is no real likelihood of significant effects on the environment arising from the proposed development. The need for environmental impact assessment can, therefore, be excluded at preliminary examination and a screening determination is not required.

## 6.0 The Appeal

### 6.1. Grounds of Appeal

This is a first party appeal against the decision of the Planning Authority to refuse planning permission for the proposed development. The issues raised are summarised as follows:

- The PA pre-determined the application without assessing the application in a fair and balanced manner.
- The proposed development is a small development intrinsically linked to the existing established Finnstown House Hotel and are not two stand-alone houses.
- The PA did not take into account the existing high density 3 and 4 storey residential development located significantly closer to Finnstown House than the proposed development.
- The development is a commercial development and the reason for refusal no. 3 is entirely exaggerated and totally devoid of any reasonable logical assessment.

Reason no. 1:

- It is submitted that the development is not a material contravention of the Development Plan as the use is 'open for consideration'.
- The proposed site represents a small portion of a larger plot of lands and while the lands are zoned open space, they are not used as open space as they are private lands and not accessible to the public.

- There is adequate OS land left over and the lands are bordered by high density residential developments, all closer to the Protected Structure than the subject site.
- One of the houses is required for a security manager and the other for the hotel manager. They are not random houses placed on open space and are intrinsically linked to the operation of the hotel.
- The design of the gate lodge is inspired from the gate lodge at the K Club, Co. Kildare and is an architectural style that has been successfully integrated in similar settings. The concept of the gate lodge is to allow for a more secure and safe hotel.
- The hotel managers house is required because the manager is now required to live full-time on site.

Reason no. 2:

- Raises issue with the term 'materially contravene' is not appropriate. The style of the gate lodge is a good example of mid-Victorian, Italianate-style hunting lodge and is suitably designed to reflect the architecture of the time of Finnstown House. The PAs opinion is entirely subjective and has not been subject to a fair, reasonable and balanced appraisal.
- The proposed lodge is located 494m from Finnstown Hotel and there is no visual impact or direct sight line between the two buildings.
- The Managers house is large as it has to accommodate a manager and their family.
- There is no visual impact or direct sight line between the managers house and Finnstown House.
- The PA granted permission for a large two storey building between the proposed managers house and the hotel so the reason for refusal on visual impact grounds does not appear to be a reasonable and balanced assessment of the proposed development.

Reason no. 3:

- The reason for refusal relating to surface water drainage is not a proper reason for refusal and is added to bolster the refusal of the application.
- The proposed development of 2 houses will have no impact on surface water drainage.
- The closest tree to the house will be 12m and all soakholes will be 5m from the house and 10m from trees.
- This issue could be dealt with by way of condition of permission and the development will in no way be prejudicial to public health and safety.

Reason 4:

- With regard to the issue of precedent which will have a visual impact, it is submitted that the development is intrinsically linked to the hotel, is located at a sufficient distance from the hotel, has existing permitted large density residential development located closer to the hotel and permission has been granted for development between the proposed development and the hotel.
- The development cannot have a negative impact on Finnstown House.

It is submitted that the PA failed to read and assess the application in a balanced and fair manner and there is no pathway offered to the applicant to understand how the reasons for refusal can be addressed.

## 6.2. Observations

None.

## 7.0 Assessment

Having undertaken a site visit and having regard to the relevant policies pertaining to the subject site, the nature of existing uses on and in the vicinity of the site, the nature and scale of the proposed development and the nature of existing and permitted development in the immediate vicinity of the site, I consider that the main issues pertaining to the proposed development can be assessed under the following headings:

1. Principle of the development
2. Visual Impacts
3. Other Issues
4. Appropriate Assessment

### 7.1. Principle of the development:

- 7.1.1. The subject site is located within the urban area of Lucan and on lands zoned Open Space in the South Dublin County Council Development Plan 2016 – 2020. The objective of this zoning is ‘to preserve and provide for open space and recreational amenities’. Table 11.15 of the Plan deals with the zoning objective ‘OS’ and details the developments which are open for consideration and includes residential. The Plan, in Chapter 2 Housing, states ‘in a predominantly urban county such as South Dublin, new housing will be delivered in established areas through sustainable intensification, infill development and the re-use of brownfield lands while respecting the amenity value of existing public open spaces’.
- 7.1.2. The Board will note that the appellant submits that the site does not comprise an area of public open space and is privately owned. It does not comprise part of a community open space and is associated with the Finnstown Castle Hotel. It is further submitted that there is adequate open space land left over across the overall landholding and that the lands are bordered by high density residential developments, all closer to the Protected Structure than the subject site.
- 7.1.3. In the context of the above, Chapter 8 of the CDP deals with Green Infrastructure and notes that the green infrastructure network supports native plant and animal species and provides corridors for their movement, maintains natural ecological

processes and biodiversity, sustains air and water quality and provides vital amenity and recreational spaces for communities, thereby contributing to the health and quality of life of residents and visitors to the County. In this regard, I would note that the retention of open spaces, public or private, is supported by the Plan in the interests of the wider amenity of the area. In addition, the Plan notes that many components within the urban environment, including residential gardens, collectively contribute to a strengthened Green Infrastructure network.

- 7.1.4. Schedule 5 of the CDP provides definitions of use classes and a zoning matrix table. Open space is defined as:

Open space relates to spaces that are predominantly free from development and have an element of public value or potential public value. Such spaces do not relate exclusively to lands and can include water bodies such as rivers, canals, lakes and reservoirs, which offer important opportunities for sports and recreation and can also act as a visual amenity. Open spaces include public or privately-owned lands and passive and active amenity spaces.

In the context of the site and zoning, a hotel / hostel and residential are uses which are open for consideration on lands zoned OS.

- 7.1.5. Chapter 9 of the Plan deals with Heritage, Conservation and Landscapes, with Section 9.1.0 relates to 'Built Heritage And Architectural Conservation' and Section 9.1.2 deals with Protected Structures. The Plan states that 'where a structure is protected under the RPS, the protection includes (unless otherwise stated) the structure, its interior and the land within its curtilage and other structures within that curtilage (including their interiors) and all fixtures and features which form part of the interior or exterior of all these structures'. HCL Policy 3 states that 'It is the policy of the Council to conserve and protect buildings, structures and sites contained in the Record of Protected Structures and to carefully consider any proposals for development that would affect the special character or appearance of a Protected Structure including its historic curtilage, both directly and indirectly.

- 7.1.6. The Board will note that it is argued that the proposed development, comprising two new houses, will not be visible from the Protected Structure, and that the site of the proposed development is detached from Finnstown House and therefore, will not have any impacts on the protected structure. Having undertaken a site visit, I would

note that there have been other developments associated with the hotel immediately adjacent to Finnstown House. I would not concur with the appellants submission that the PAs opinion is 'entirely subjective and has not been subject to a fair, reasonable and balanced appraisal'. I also would note that the context and setting of the protected structure extends to the curtilage of Finnstown House and would suggest that the entrance, gates and treelined avenue to the house warrant consideration and protection in terms of the protected status of the house.

- 7.1.7. Having considered all of the submissions made on the PA file, I refer the Board to the submission of the Conservation Officer. There is no doubt that if permitted, the development of the two large houses at the entrance to Finnstown House will have a significant impact on the setting of the Protected Structure.

## 7.2. Visual Impacts

- 7.2.1. The applicant submits that the proposed development should be considered to be commercial development associated with the operation of the permitted hotel on the site. Both houses are to be inhabited by the Hotel Manager and the Security Manager for the Hotel and their families, and both will be located to the south of the existing avenue and will share an entrance from the avenue with the proposed gate lodge. In the context of the proposed designs I would consider as follows:

Gate Lodge:

- 7.2.2. The Board will note that there is an existing 'gate lodge' at the entrance to Finnstown House, which is not in the ownership of the applicant. The detached three-bay single-storey former gate lodge, c.1860, now in use as a private house, sits behind the entrance walls to Finnstown House, in an unobtrusive manner, and includes its own gardens. The purpose of a gate lodge for large houses were to provide security at the entrance to the house and would have always been structures which were unobtrusive buildings, usually single storey in nature, which would have been located so as to be clearly subservient to the main house, for which the gate lodge served.
- 7.2.3. The proposed development of a new gate lodge, to be inhabited by the Security Manager for the hotel, will be located to the left of the entrance gates and avenue. The applicant submits that the design of the gate lodge is inspired from the gate lodge at the K Club, Co. Kildare and is an architectural style that has been

successfully integrated in similar settings. The style of the gate lodge is submitted to be a good example of mid-Victorian, Italianate-style hunting lodge and is suitably designed to reflect the architecture of the time of Finnstown House.

- 7.2.4. The gate lodge proposes a large two storey two bedroomed house with a floor area of 193m<sup>2</sup>. The overall height of the building is proposed at 8.945m with internal floor to ceiling heights of 3.2m at ground floor level and 2.7m at first floor level. A balcony is proposed from the master bedroom which faces west. The roof will be finished with a natural slate and hardwood timber sash windows with a painted finish are proposed. The building will have a nap plaster finish and will include decorative facia.
- 7.2.5. In terms of the comparison with the gate lodge at the K Club, I would submit that the scale of the sites are significantly different. The K Club includes an area of approximately 550 acres associated with Straffan House, constructed in the 1830s and, in fact, the original gate lodge to the K Club is a single-story building on the Barberstown Road.
- 7.2.6. Overall, I would wholly disagree that the overall design and scale of the proposed gate lodge is acceptable at this location. In arriving at this conclusion, I would disagree that the proposed gate lodge has had any regard to the architectural character of Finnstown House and could not be considered as being subservient to the main house. I would also disagree that the PAs assessment was subjective or was not subject to a fair, reasonable and balanced appraisal. The proposal will also require the removal of a number of trees to accommodate the access to the new houses, which will, in my opinion, detract from the character and setting of the Protected Structure and its curtilage.

Managers House:

- 7.2.7. The proposed new Managers House, to be inhabited by the Hotel Manager and their family, will also be located to the left of the avenue and will share an entrance from the avenue with the proposed gate lodge. The applicant submits that the proposed development should be considered to be commercial development associated with the operation of the permitted hotel on the site.
- 7.2.8. The Managers House proposes a large two storey, four ensuite bedroomed house with a floor area of 415m<sup>2</sup> and a double garage with a floor area of 60m<sup>2</sup>. The overall height of the building is proposed at 9.15m with internal floor to ceiling heights of 3m



at ground floor level and 4m at first floor level. The house will provide for a large entrance hall with separate sitting room, a sunroom, a large kitchen, utility and boot room, dining room, living room and small WC at ground floor level. A large orangery connects the double garage to the house. At first floor level, the house will provide for 4 large double ensuite bedrooms and family bathroom. The roof will be finished with blue/black slate and uPVC/hardwood windows and a nap plaster finish. The block plan of the house proposes a building which will extend to 34.15m in length and 18.25m at its widest point.

- 7.2.9. I am of the opinion that the development of the two houses at the location proposed will have a significant visual impact on the approach to Finnstown House, Protected Structure. While development adjacent to the property has occurred, including the high-density residential development at Adamstown to the west, and other apartment developments to the south, the entrance to the hotel has retained its tree lined avenue, and is an established feature of Finnstown House. While I acknowledge the developments adjacent to the protected structure, I would not consider the proposed development to be acceptable as an appropriate form of development at this location.

### 7.3. **Other Issues**

#### 7.3.1. **Water Services**

The Board will note that reason for refusal no 3 of the PAs decision relates to surface water drainage issues. The appellant considers that the issues raised could reasonably be addressed by way of condition of planning permission. Having undertaken a site inspection and considering the information available on the file, I am inclined to agree with the appellant. Subject to compliance with conditions requiring appropriate distances from existing trees, issues relating to surface water drainage can be appropriately dealt with by way of condition of planning permission.

#### 7.3.1. **Development Contribution**

In the event of a grant of planning permission, the subject development is liable to pay development contribution. A condition to this effect should be included in any grant of planning permission.

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

The site is not located within any designated site. The closest Natura 2000 site is the Rye Water Valley/Cartron SAC (& pNHA)(Site Code: 001398) which lies approximately 3.5km to the north west of the subject site.

The South Dublin Bay and River Tolka SPA (Site Code: 004024) is located approximately 15km to the east of the site. The South Dublin Bay SAC (& pNHA) (Site Code: 000210) also lies approximately 16km to the east of the site.

The following pNHAs are also in proximity to the site:

- The Grand Canal pNHA (Site Code 002104) is located approximately 1km to the south of the Dublin.
- The Liffey Valley pNHA (Site Code: 000128) is located approximately 1.7km to the north of the site.
- The North Dublin Bay pNHA, (Site Code 000206), is located approximately 15km to the east of the site.

Overall, I consider it is reasonable to conclude on the basis of the information available that the proposal individually or in combination with other plans or projects, would not adversely affect the integrity of a Natura 2000 site having regard to the nature and scale of the proposed development and separation distances involved to adjoining Natura 2000 sites. It is also not considered that the development would be likely to have a significant effect individually or in combination with other plans or projects on a European Site.

#### **8.0 Recommendation**

Having carried out a site inspection and acknowledging the requirements of the appellant in terms of the need to provide appropriate accommodation for members of staff, I consider that the principle of providing such accommodation might reasonably be considered acceptable within the grounds of the Finnstown House Hotel.

However, having regard to the design, scale and massing of the buildings proposed, together with the proposed location, siting and layout, I do not accept that the development is acceptable. I would further consider that the overall landholding may

facilitate appropriate scaled and designed accommodation which would not so significantly impact upon the character and setting of Finnstown House.

I recommend that planning permission be refused for the proposed development for the following stated reasons.

## 9.0 Reasons and Considerations

1. The site is zoned 'OS' in the South Dublin County Development Plan 2016-2022 where it is the stated objective 'to preserve and provide for open space and recreational amenities'. Notwithstanding that residential use is open for consideration under this zoning, the proposed development would not achieve the stated aims of the zoning objectives or contribute to these objectives. As such, the proposal would materially contravene the Development Plan zoning objective for the area and would be contrary to the proper planning and sustainable development of the area.
2. Having regard to the location of the proposed dwellings, at the front entrance and adjacent to the original avenue to Finnstown House, Protected Structure Ref. 112, it is considered that the development as proposed is not sympathetic to its special character and integrity and would not be appropriate in terms of architectural treatment, character, scale and form. The proposed dwellings would be highly visible on approach to Finnstown House and would constitute a significant negative visual impact on the protected structure and in particular, its curtilage and attendant grounds, contrary to the requirements of Section 11.5.2(ii), HCL 3 Objective 1 and HCL3 Objective 2 of the County Development Plan. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

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A. Considine  
Planning Inspector  
13<sup>th</sup> March, 2020