



An
Bord
Pleanála

Inspector's Report

ABP-321133-24

Development	Demolition of 3 derelict houses and outbuildings; erection of front boundary wall; replacement of access gates; widening and improvement works to existing vehicular access and all ancillary works.
Location	Main Street, Rathcoole, Co. Dublin
Planning Authority	South Dublin County Council
Planning Authority Reg. Ref.	SD24B/0025W
Applicant(s)	Liam Fyans
Type of Application	Permission
Planning Authority Decision	Refuse Permission
Type of Appeal	First Party
Appellant(s)	Liam Fyans
Observer(s)	None
Date of Site Inspection	17 th January 2025
Inspector	Aoife McCarthy

1.0 Site Location and Description

- 1.1. The subject site has a stated area of 0.29 hectares is located at the eastern end of Main Street, Rathcoole, Co. Dublin. The site fronts onto the Main Street and forms part of Rathcoole Architectural Conservation Area (ACA). The northern boundary abuts The Square (an access road); the grounds of Rathcoole Community College to the northwest; the grounds of Scoil Chrónáin National School (N.S.) to the east and Main Street to the south. A laneway extends along the eastern boundary between the subject site and the grounds of Scoil Chrónáin N.S.
- 1.2. The site includes a terrace of 3 no. two storey dwellings fronting the public footpath of Main Street. To note, these properties are recorded as a pair of semi-detached houses on the National Inventory of Architectural Heritage (NIAH), (Codes 11213019 and 111213020 refer).
- 1.3. To the rear of the site is a modern bungalow, set back within the site, with private amenity space to front and rear, driveways with space for off-street parking to the front, and 2 no. garden sheds within the rear (northern) garden.
- 1.4. The site is served by 3 no. access points from Main Street; two located to the west and centre of the site serving the bungalow and the third to the east the 3 no. terraced properties as referenced above.
- 1.5. Rathcoole village includes a mix of retail, commercial, residential, community and educational uses, in buildings generally ranging in height from single to three storeys.

2.0 Proposed Development

- 2.1. The proposed development consists of the demolition of 3 no. two storey derelict houses and an associated rear outbuilding, erection of a replacement 1.8m high concrete boundary wall; replacement of 1.5m high aluminium access gates adjacent to eastern boundary. The works will serve an existing bungalow within the site, and include widening and improvement works to the existing vehicular access from Main Street, landscaping and ancillary works.

3.0 Planning Authority Decision

3.1. Decision

- 3.1.1. The Planning Authority issued a Decision to refuse permission on the 3rd October 2024, for one no. reason, as summarised below;

The Planning Authority considered that the proposed demolition of structures / built fabric and provision of the subject 1.8m high boundary wall, prominently along Main Street, and contained within the ACA for Rathcoole Village (Ref.: ACA001), would alter the form and character of the streetscape, would undermine and diminish the form and character of the streetscape and objectives within the SDCC Development Plan. The applicant has not satisfactorily addressed the concerns raised in the request for AI and has not overcome the previous reasons for refusal (P.A. Reg. Ref.: SD21A/0342). The proposed development would not be in accordance with section 3.5.3, 3.6.1, 3.6.2 and would contravene CDP policy objective; NCBH24 Objective 1, NCBH20 Objective 1, NCBH20 Objective 2 and NCBH20 Objective 3 South Dublin County Council Development Plan 2022-2028.

3.2. Planning Authority Reports

3.2.1. Planning Report (3rd October 2024)

- The site is subject to two zoning objectives, RES which seeks *“to protect and/or improve residential amenity”* within the northern section; and Village Centre (VC), within the southern section, which seeks *“to protect, improve and provide for the future development of Village Centres”*.
- The demolition of existing dwellings would be acceptable in principle, under the VC and RES zoning objectives, subject to compliance with relevant Development Plan standards.
- Items raised within the Architectural Conservation Officer (ACO) Report should be addressed by way of Further Information (FI).
- With reference to NCBH20 Objective 3, the proposed boundary wall should be of a higher architectural quality, providing architectural interest within the ACA and would not contribute positively to the residential and visual amenity of the streetscape.

- Items raised within the Roads Dept. should be addressed by condition.
- No reports received from Water Services Dept. and Uisce Éireann. Suitable conditions to be attached in the event of a grant of permission.
- The proposal is acceptable in terms of Screening for Appropriate Assessment and Environmental Impact Assessment Report (EIAR).
- The report recommends that Further Information (FI) is sought relating to architectural conservation. This formed the basis of a Request for FI (dated 25th March 2024), requesting the applicant to submit alternate proposals to make the existing structures/built fabric safe until such time that a sensitive development can be considered for this site. Any proposed works should secure the site, provide hoarding along the front facades and existing gate in order to address the safety considerations raised in the planning application; to secure the site and reduce alleged direct impacts from these structures along the public footpath.
- A response to this request was received on 6th September 2024. Revised plans included changes to material/finish of proposed 1.8m high boundary wall. However, the revised proposal does not include measures to ensure the building line and the retention of the built form.
- The report refers to the rationale of the applicant with respect to the omission of an alternate design proposal for the site.
- Commentary from the Council's ACO still stand in light of the FI response.
- Separate legislation relating to Dangerous Structures is noted.
- The proposed development would alter the form and character of the streetscape and subsequently undermine and diminish the objectives of the Development Plan. The applicant has not satisfactorily addressed the matters raised in the request for FI and has not overcome previous reasons for refusal (P.A. Reg. Ref.: SD21A/0342).
- The proposal would contravene and undermine the ACA objectives within the Development Plan and the ACA for Rathcoole Village.

- The proposed would therefore not be in accordance with sections 3.5.3, 3.6.1, 3.6.2, would contravene Development Plan Policy NCBH24 Objective 1, NCBH20 Objective 1, NCBH20 Objective 2 and NCBH20 Objective 3.
- The proposed development would set an undesirable precedent for other similar developments which could in themselves and cumulatively be harmful to the amenities of the area.
- The report recommends that permission should be refused on that basis.

3.3. Other Technical Reports

- **Roads Department Planning Report (20th February 2024)**

3.3.1. The report recommends that the following matters are addressed by way of FI:

- The applicant to submit a Construction Traffic Management Plan for the written agreement of the Planning Authority.
- Vehicular access points shall be limited to a width of 3.5 metres.
- Boundary walls at vehicle access points shall be limited to a maximum height of 0.9m, and any boundary pillars shall be limited to a maximum height of 1.2m, in order to improve forward visibility for vehicles.
- Footpath and kerb shall be dished and widened, and the dropped crossing shall be constructed to the satisfaction of South Dublin County Council and at the applicant's expense. The footpath and kerb shall be dished and widened to the full width of the proposed widened driveway entrance.
- Any gates shall open inwards and not out over the public domain.
- **Architectural Conservation Officer's Report (dated 14th March 2024)**
 - The existing semi-detached buildings on the subject site are not Protected Structures.
 - Existing buildings whilst in a derelict state provide form to, and "*much needed*" street frontage, anchoring buildings to Main Street.
 - A justification for the demolition of structures within the ACA is required.
 - Any replacement building should be of a higher architectural quality in providing architectural interest. As the application does not include a proposed replacement development at this stage, any new development cannot be considered in regard to justification for demolition.

- The current condition and safety considerations held in relation to the properties are fully understood, however, the proposed demolition of the three properties and construction on a 1.8m high rendered wall will directly impact the overall character and visual context of the site along Main Street.
- The ACO recommends that FI is sought requesting the applicant to provide alternate options to make safe the existing structures on site, until such time that a new proposed sensitive development can be considered for this site.
- Any proposed works should secure the site, provide a hoarding along the front facades and existing gate in order to address safety concerns raised in the planning application, secure the site and reduce safety concerns and direct impacts along the public path. Marking the buildings off with appropriate hoarding or other measures will ensure the building line and street form is kept in place until such time a proposed development is provided which would address the street frontage and keep the established building line.

3.4. Prescribed Bodies

3.4.1. None.

3.5. Third Party Observations

3.5.1. None received.

4.0 Planning History

4.1. Subject Site

- 4.1.1. **P. A. Reg. Ref.: SD21A/0342:** Permission refused in February 2022 for the demolition of a habitable house (the western of the pair of properties fronting to Main Street) and new boundary fence. Permission was refused as the proposed development would significantly alter the historic form and character of the streetscape and diminish the character and special interest of the ACA. The proposal would not be in accordance with Section 11.5.3 and would contravene UC Policy 3

Objective 1, HCL4 Objectives 1 and 3, HCL Policy 5, HCL5 Objective 3 of the South Dublin County Council Development Plan 2016-2022.

- 4.1.2. **P. A. Reg. Ref.: SD09A/0302:** Outline Permission granted in November 2009 for 3 no. ground floor retail units (256m²); first floor offices (256m²); 3 no. 2 bed apartments at second floor with storage, study, private residential roof gardens, pedestrian access including gallery, lobby, at ground, 1st and 2nd floors, the demolition of 1 no. habitable house and ancillary site development works including 23 no. off street car parking spaces, the demolition of two derelict cottages and sundry outbuildings.

4.2. **Relevant Planning History in the Environs of Subject Site**

- 4.2.1. **P. A. Reg. Ref.: SD11A/0276:** Hayden House, The Cottage & Rathcoole Business Centre, Main Street, Rathcoole. Permission granted by SDCC in July 2012 for the demolition of existing structures and construction of 2 storey mixed use retail unit and office development totalling 923m² and all ancillary site works.
- 4.2.2. **P. A. Reg. Ref.: SD08A/0354; PL06S.232988:** - Main Street, Rathcoole. Permission granted by SDCC in February 2009 and subsequently by An Bord Pleanála in July 2009 for the demolition of single storey, detached dwelling and the construction of (a) a 3 storey over basement building with 1 no. retail unit at ground floor level (181.8m².) and office space on the first and second floor (total office space (531.4 m²) with landscaped first floor roof terrace (b) 4 no. 3 bedroom, 3 storey terrace houses (119.7m² each) and 2 no. 1 bed apartments at ground and first floor levels, basement including 23 no. car parking spaces with ramped vehicular entrance from Main Street and all associated works. The conditions of permission included the omission of the 2 no. apartments.
- 4.2.3. **P. A. Reg. Ref.: SD05A/0400** - Main Street, Rathcoole. Permission granted by SDCC in April 2006 for the demolition of single-storey structures attached to The Glebe House and construction of 3 no. -1 to -3 storey blocks; Glebe House to be retained and converted to office use; consisting of 39 no. apartments and 96 no. car parking spaces within landscaped open spaces and site works, with access from Main Street. The Glebe House is a protected structure.
- 4.2.4. **P. A. Reg. Ref.: SD05A/0282; PL06S.212919:** - Spar Shop, Main Street, Rathcoole: Permission refused by SDCC in June 2005 and by ABP in June 2006 for works

comprising a single storey pitched roof extension (672m²) to rear of existing Spar Shop with 66 no. car parking spaces, new service yard, new vehicular access and all associated works.

- 4.2.5. **P. A. Reg. Ref.: SD04A/0854; PL06S.213487** - Main Street, Rathcoole: Permission granted by SDCC in July 2005 and subsequently by An Bord Pleanála in July 2006 for the demolition of a derelict structure and construction of a convenience shop (370m² GFA) signage, a service yard, car parking and landscaping.

5.0 Policy and Context

5.1. Architectural Heritage Guidelines for Planning Authorities, 2011

- 5.1.1. Section 3.10.2 of the Architectural Heritage Guidelines for Planning Authorities (the Architectural Heritage Guidelines) sets out the following with respect to proposals for demolition in an ACA.

Where it is proposed to demolish a structure that contributes to the character of an ACA or to demolish behind a retained façade, the onus should be on the applicant to make the case for demolition. The planning authority should consider the effect both on the character of the area and on any adjacent protected structures. When it is proposed to demolish an undistinguished building in an ACA, the proposed replacement should not be of lesser quality or interest than the existing one and should not adversely affect the character of the area.

- 5.2. Section 3.10.3 of the Guidelines sets out that the applicant and the planning authority should consider the material effect that that proposed demolition may have on the character of the ACA.

5.3. South Dublin County Development Plan 2022-2028

5.4. Land Use Zoning

- 5.4.1. The northern portion of the site is subject to RES zoning objective, which seeks “*to protect and/or improve residential amenity*”. The southern section of the site is subject to VC zoning objective, which seeks “*to protect, improve and provide for the future development of Village Centres.*”
- 5.4.2. The site is principally located within the ACA for Rathcoole Village (Ref.: ACA 001); extending beyond this boundary within the north-western section of the site. Section 3.5.3 of the Development Plan states the following:

“The main concentration of historic buildings, dating from the late eighteenth and nineteenth centuries, are in the eastern and central part of the village. The village core remains apparent as a distinct urban focus, despite the late twentieth century residential and road development surrounding the village.”

5.1. Development Plan – Conservation and Heritage

5.1.1. The Development Plan includes the following relevant policies with respect to conservation and heritage:

Policy NCBH20: Architectural Conservation Areas: - Preserve and enhance the historic character and visual setting of Architectural Conservation Areas and carefully consider any proposals for development that would affect the special value of such areas.

NCBH20 Objective 1: To avoid the removal of distinctive features that positively contribute to the character of Architectural Conservation Areas including building features, shop fronts, boundary treatments (including walls), street furniture, landscaping, and paving.

NCBH20 Objective 2: To prohibit demolition of a structure that positively contributes to the architectural character of the ACA.

NCBH20 Objective 3: To ensure that new development, including infill development, extensions and renovation works within or adjacent to an Architectural Conservation Area (ACA) preserves or enhances the special character and visual setting of the ACA including vistas, streetscapes and roofscapes.

NCBH20 Objective 4: To address dereliction and to welcome, encourage and promote appropriate and sensitive reuse and rehabilitation of buildings, building features and sites within Architectural Conservation Areas.

NCBH20 Objective 6: To promote and support the reimagining of public spaces and places within Architectural Conservation Areas as part of improving positive placemaking (refer to Section 3.6.2 subsection Placemaking and the Historic Built Environment).

Policy NCBH21: Vernacular / Traditional and Older Buildings, Estates and Streetscapes: Ensure appropriate design of new-build elements and interventions in historic buildings and environments.

NCBH21 Objective 1: To retain existing buildings that, while not listed as Protected Structures, are considered to contribute to historic character, local character, visual setting, rural amenity, or streetscape value within the County.

NCBH21 Objective 3: To encourage the retention, rehabilitation, renovation and re-use of older buildings and their original features, where such buildings and features

contribute to the visual setting, collective interest, or character of the surrounding area.

NCBH21 Objective 5: To encourage the retention and / or reinstatement of the original fabric of our vernacular and historic building stock such as windows, doors, roof coverings, shop and public house fronts and other special features.

NCBH24 Objective 1: To encourage the repurposing and reuse of older vacant and derelict structures, particularly within towns, villages, and Architectural Conservation Areas.

NCBH24 Objective 2: To prohibit demolition or full replacement, where there are re-use options for historic buildings in order to promote a reduction in carbon footprint

5.2. Natural Heritage Designations

- 5.2.1. The closest European site to the subject site is Glenasmole Valley SAC (site code 001209) located 6.7km to the southeast.
- 5.2.2. The closest site with a Natural Heritage Designation is the Slade of Saggart and Crooksling Glen pNHA (site code 000211), located c.2.3km to the southeast.

5.3. EIA Screening

- 5.3.1. Having regard to the nature, size and location of the proposed development, and to the criteria set out in Schedule 7 of the Regulations. I have concluded at preliminary examination that there is no real likelihood of significant effects on the environment arising from the proposed development. EIA, or EIA determination, therefore, is not required. (Form 1, Appendix 1 refers).

6.0 The Appeal

6.1. Grounds of Appeal

- 6.1.1. A first party appeal has been lodged on behalf of the Applicant, largely reflecting the Planning Statement submitted with the application. The grounds of the appeal can be summarised as follows:

- The Planning Authority has not given sufficient consideration to the RFI response as submitted by the Appellant.

- SDCC issued a Section 11 Notice under the Derelict Sites Act 1990 (November 2022), declaring the site containing the three vacant houses to be a Derelict Site within the meaning of this Section of the Act.
- A Structural Engineer's Report concludes that the houses constitute dangerous structures.
- The derelict state of these properties raises health and safety considerations as the buildings front directly onto the public footpath, used as, inter alia, a principal pedestrian route to Scoil Chrónáin N.S. to the east.
- Engineering inputs submitted at FI stage advise that it is not possible to make the buildings safe; and the only option to address public safety considerations is to demolish the subject buildings.
- This represents exceptional circumstances and justification for demolition of these non-protected structures within the ACA.
- Planning precedent supports the demolition of single storey structures within Rathcoole (P.A. Ref.: SD11A/0276, SD05A/0400, SD04A//0854; ABP Ref.: PL06S.213487) (as discussed below).
- The buildings do not contain features of special interest to warrant their retention, as required under section 3.8.2 of the Architectural Heritage Guidelines.
- Substantial works would be required to make the buildings safe; the works would result in further loss to the original fabric, introduction of new materials and invasive alterations to the front elevation.
- As there are no protected structures adjoining, or in close proximity to the site, the demolition would not adversely affect the character of protected structures in the Rathcoole ACA.
- The proposed alternate replacement boundary wall would not adversely affect the character of the area.
- The cost of carrying out the works cannot be justified on economic grounds.

- The structures have been removed from the Record of Protected Structures (RPS) of the Council and this rationale should apply to the proposed development in this instance.

6.2. **Applicant Response**

6.2.1. Not applicable.

6.3. **Planning Authority Response**

6.3.1. The Planning Authority sets out that the issues raised in the first party appeal have been addressed in the Chief Executive Order, which as detailed above, refusing permission for the proposed development.

6.4. **Observations**

6.4.1. None.

6.5. **Further Responses**

6.5.1. Not applicable.

7.0 Assessment

7.1. Having examined the application details and all other documentation on file, including the report of the local authority, having inspected the site and having regard to the relevant local and national policies and guidance, I consider the substantive issues in this appeal are as follows:

- Principle of Development
- Architectural Heritage

7.2. Principle of Development

7.2.1. The South Dublin County Development Plan 2022-2028 (the Development Plan) is the relevant development for this area.

7.2.2. The site is located on lands which are subject to 'RES' –and 'VC' (Village Centre) uses under the Development Plan. The proposed demolition of three dwellings and associated outbuilding is permissible in principle, subject to compliance with the relevant provisions of the Development Plan and all other planning considerations.

7.3. Architectural Heritage

7.3.1. The proposed development relates to the demolition of 3 no. existing buildings, fronting to Main Street Rathcoole. This component of the proposed development, located within the ACA for Rathcoole Village.

7.3.2. The subject buildings are not within the RPS of the South Dublin County Development Plan 2022-2028.

7.3.3. The structures are of Regional Importance on the NIAH and are referred to as a pair of semi-detached houses. The Appraisal notes that each structure forms "*a strong group with its neighbour, retaining much of the original fabric and showing the former character of the village street, with street fronted dwellings lacking any parallel commercial usage.*"

7.3.4. The NIAH also refers to the single storey outbuilding, located to the rear (north) of the eastern most property.

7.3.5. In this context, the proposed development includes the replacement of these structures with a 1.8m high boundary wall, to Main Street. The works also include the

replacement of an access gate to the subject bungalow a range of landscaping works to serve the property.

- 7.3.6. In this context, I refer the Board to Policy Objective NCB20 relating to development within an ACA, which seeks to preserve and enhance the historic character and visual setting of ACAs, to carefully consider proposals that would affect the special value of such areas.
- 7.3.7. Moreover, NCBH20 Obj. 1, seeks to avoid the removal of distinctive features that positively contribute to the character of the ACA; NCBH20 Obj. 2, prohibits the demolition of a structure that positively contributes to the architectural character of the ACA. NCBH20 Obj. 3 seeks “*to ensure that new development, including infill development, extensions and renovation works within or adjacent to an Architectural Conservation Area (ACA) preserves or enhances the special character and visual setting of the ACA including vistas, streetscapes and roofscapes.*”
- 7.3.8. I also refer the Board to NCBH24 Obj.1, which seeks to encourage the repurposing and reuse of older vacant and derelict structures, particularly within towns, villages, and ACAs; and NCBH24 Obj.2, with the objective “*to prohibit demolition or full replacement, where there are re-use options for historic buildings in order to promote a reduction in carbon footprint*”.
- 7.3.9. As noted above, the form and structure of existing buildings within the village includes single and two storey former dwellings/cottages fronting to Main Street. In this context, the subject two storey pair of semi-detached former houses fronting to the public footpath, within a village location, in my opinion, contribute significantly to the historic character and setting of Rathcoole ACA. I consider that this is the case from positions close to the site and at wider viewpoints within the environs of the site.
- 7.3.10. I note that this matter formed the subject of a FI Item in which the applicant was requested to, *inter alia*, submit alternate proposals to make existing structures/built fabric safe, “*until such time that a new proposed sensitive development can be considered for this site.*”
- 7.3.11. The request also specified that any proposed works should secure the site, provide a hoarding along the front façade and existing gate, to address the safety concerns relating to the location of the structures fronting Main Street, and adjacent Scoil Chrónáin N.S. This will allow the necessary works to secure the site and reduce

safety concerns and potential direct impacts from these structures along the public footpath. The PA also requested that the applicant to ensure the building line and street form are kept in place until such as time as a development proposal is brought forward for the site.

- 7.3.12. In this context, the agent for the First Party has set out that the Applicant is not in a position to provide a suitable design proposal for the site at this time; including on the grounds of financial costs of such a project, the age of the applicant, resident within the existing bungalow on site.
- 7.3.13. The documentation as submitted notes that the three properties (referring to the pair of semi-detached structures as identified within the NIAH) have been designated as a Derelict Site under the Derelict Sites Act 1990, in November 2022.
- 7.3.14. The report also includes reference to “*dangerous structures*” and “*dangerous place*”, as referenced under the Local Government Sanitary Services Act, 1964. However, there is no reference on file of any action under this Act, by the local authority in this regard.
- 7.3.15. The response to FI (and first party appeal) is accompanied by a report prepared by the Structural engineer, confirming that the only viable development strategy in terms of making the buildings safe is by way of demolition. The report sets out a series of concerns relating to the structural integrity of the structure and associated risks to public safety.
- 7.3.16. The report notes that works to make the existing structures/build fabric safe would include “*major repairs and restoration*” and that these works would of themselves interfere with the integrity of the structures and could give rise to local collapse around the area of the works, prior to full collapse of the structures.
- 7.3.17. The appellant also argues that the shape form of the structures does not lend itself to be retained and integrated with a new mixed use development, whilst also noting a series of structural works which would be required; including provision of suitable foundations to loadbearing walls and new slated roof.
- 7.3.18. The position of the applicant is noted and I accept the case that there is a need to demolish the buildings. However the demolition of the buildings in the absence of a suitable replacement, would in my opinion, significantly detract from the form and

character of the streetscape, would detract from the historic character and visual setting of the Rathcoole village, and would therefore be contrary to sections 3.5.3, Policy NCBH20, Policy NCBH20 Objectives 1, 2, and 3; and Policy NCBH24 Objective 2 of the Development Plan.

- 7.3.19. In addition, I consider that the proposed development would negatively impact on the amenities of the site and the wider environs of the village.
- 7.3.20. The appellant has included reference to planning precedent within the environs of the site, relating to, *inter alia*, the demolition of structures including Protected Structures (P.A. Reg. Ref.: SD11A/0276, P. A. Reg. Ref.: SD05A/0400, P. A. Reg. Ref.: SD04A/0854; PL06S.213487 refer). In this context, I note however, that these permissions include replacement development proposals, and are noted to be located on alternate sites with differing site-specific characteristics, and under differing planning policy guidance to the subject proposal. None of these buildings were on the NIAH.

8.0 Appropriate Assessment Screening

- 8.1. I have considered the proposed development in light of the requirements S177U of the Planning and Development Act 2000 (as amended).
- 8.2. The proposed development comprises Permission for the demolition of 3 no. derelict dwellings and rear outbuilding, landscaping and boundary treatment works on a site at Main Street, Rathcoole, Co. Dublin.
- 8.3. The closest European site to the subject site is the Glenasmole Valley SAC, located c.6.7km to the southeast.
- 8.4. No nature conservation concerns were raised in the planning appeal.
- 8.5. Having considered the nature, scale and location of the project, I am satisfied that it can be eliminated from further assessment because there is no conceivable risk to any European Site. The reason for this conclusion relates to:
- The limited extent of works forming part of this project, within an established residential development.
 - The distance of the project to the closest European Site.
 - The screening determination as prepared by the local planning authority.
- 8.6. I conclude that on the basis of objective information, that the proposed development would not have a likely significant effect on any European Site either alone or in combination with other plans or projects.

Likely significant effects are excluded and therefore Appropriate Assessment (stage 2) (under Section 177V of the Planning and Development Act 2000) is not required.

9.0 Recommendation

- 9.1. I recommend that permission be refused for the reasons and considerations stated below.

10.0 Reasons and Considerations

The proposed development is located primarily within the Architectural Conservation Area for Rathcoole Village (Ref.:001). The proposed development includes the demolition of structures fronting to Main Street, which are considered to be of

conservation merit. In the absence of a suitable replacement development, it is considered that the proposed development would detract from the form and character of this streetscape, and would negatively affect the character and setting of the ACA. The development fails to accord with Policy NCBH20, Policy Objectives 1, 2, and 3, Policy NCBH24 Objective 2 of the South Dublin County Council Development Plan 2022-2028. The proposed development would be contrary to the proper planning and sustainable development of the area.

I confirm that this report represents my professional planning assessment, judgement and opinion on the matter assigned to me and that no person has influenced or sought to influence, directly or indirectly, the exercise of my professional judgement in an improper or inappropriate way.

Aoife McCarthy
Planning Inspector

6th February 2025

Form 1: EIA Pre-Screening

An Bord Pleanála Case Reference	ABP 321133-24		
Proposed Development Summary	Demolition of 3 derelict houses and outbuilding; erection of front boundary wall; replacement of access gates; widening and improvement works to existing vehicular access and all ancillary works.		
Development Address	Main Street, Rathcoole, Co. Dublin		
1. Does the proposed development come within the definition of a 'project' for the purposes of EIA? (that is involving construction works, demolition, or interventions in the natural surroundings)		Yes	X
		No	
2. Is the proposed development of a CLASS specified in Part 1 or Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended)?			
Yes			Proceed to Q3.
No	X		No further action required
3. Does the proposed development equal or exceed any relevant THRESHOLD set out in the relevant Class?			
Yes			EIA Mandatory EIAR required
No			Proceed to Q4
4. Is the proposed development below the relevant threshold for the Class of development [sub-threshold development]?			
Yes			Preliminary examination required (Form 2)
5. Has Schedule 7A information been submitted?			
No	X	Pre-screening determination conclusion remains as above (Q1 to Q4)	
Yes		Screening Determination required	

Inspector: _____ Date: _____