

**South Dublin County Council**  
**An Rannóg Talamhúsáide, Pleanála agus Iompair**  
**Land Use, Planning & Transportation Department**  
**Telephone: 01 4149000 Fax: 01 4149104 Email: [planning.dept@sdblincoco.ie](mailto:planning.dept@sdblincoco.ie)**

**Brendan McDonagh Jnr.**  
**McDonaghs Lane**  
**Glenaraneen**  
**Brittas**  
**Co. Dublin**

**NOTIFICATION OF DECISION TO REFUSE PERMISSION FOR RETENTION  
PLANNING & DEVELOPMENT ACT 2000 (as amended) AND  
PLANNING REGULATIONS THEREUNDER**

<b>Decision Order No.</b>	<b>0635</b>	<b>Date of Decision</b>	19-May-2022
<b>Register Reference</b>	SD22A/0084	<b>Date</b>	25-Mar-2022

**Applicant:** Brendan McDonagh Jnr.  
**Development:** Retention of construction of a single storey timber residential structure.  
**Location:** McDonaghs Lane, Glenaraneen, Brittas, Co. Dublin  
**Time extension(s) up to and including:**  
**Additional Information Requested/Received:** /  
**Clarification of Additional Information Requested/Received:** /

**DECISION:** Pursuant to the Planning and Development Act 2000 (as amended), dated as above a decision to **REFUSE PERMISSION FOR RETENTION** is hereby made for the said development for the reason(s) set out on the Schedule hereto.

**REASON(S)**

1. Having regard to:
  - (i) Zoning Objective HA-DM which seeks ‘To protect and enhance the outstanding natural character of the Dublin Mountains Area’ as set out in South Dublin County Council Development Plan 2016-2022,

(ii) Policy H23 Objective 1 relating to rural housing policy where it is the policy that dwellings will only be permitted on suitable sites on lands zoned Objective HA-DM where,

- (a) the applicant is a native of the area and,
- (b) the applicant can demonstrate a genuine need for housing in that particular area and,
- (c) the development is related directly to the area's amenity potential or to its use for agriculture, mountain or hill farming and,
- (d) the development would not prejudice the environmental capacity of the area, and that it would be in keeping with the character of the mountain area,

the applicant has not demonstrated compliance with the criteria detailed in Policy H23 and has failed to demonstrate a genuine need for housing in this particular area and therefore the development to be retained would materially contravene the zoning objective for the area and the proper planning and sustainable development of the area. The application for retention has not overcome previous reasons for refusal as per Reg. Ref SD17A/0347 and ABP-300459-17 for a similar development.

2. The development to be retained would lead to a demand for uneconomic provision of services and would set an undesirable precedent for other similar developments, which would in themselves and cumulatively be harmful to the outstanding natural character and visual amenity of the surrounding Dublin Mountain area. The proposal would not accord with Policy H27 Objective 1 of the South Dublin County Development Plan 2016-2022 in that it would exacerbate ribbon or haphazard forms of development and thereby would be contrary to the proper planning and sustainable development of the area.
3. The development to be retained would endanger public safety by reason of a traffic hazard resulting from additional traffic on McDonagh's Lane from the proposed residential unit.
4. (a) The development to be retained is located in the Athgoe and Saggart Hills landscape area, which has been designated as an area with a medium/high landscape value and sensitivity and a Landscape Capacity which is negligible; meaning that the key characteristics of the landscape are highly vulnerable to development and that development would result in a significant change in landscape character and should be avoided if possible. Any increase in development in this area will have a negative impact on both the landscape value and sensitivity of this area, and would therefore be contrary to Policy (HCL7) 'to preserve and enhance the character of the County's landscapes particularly areas that have been deemed to have a medium to high Landscape Value or medium to high Landscape Sensitivity' and would be contrary to the proper planning and sustainable development of the area.  
(b) The SDCC County Development Plan Maps 2016-2022 show that there is an objective to Protect and Preserve Significant Views to the north and south of Mc Donagh's Lane where the dwelling seeking retention permission is located. The application for retention would be contrary to HCL Policy 8 of the SDCC Development Plan.
5. Considering the 'HA-DM' zoning objective, the Landscape Character Assessment and the precedent that would be established by this development in the area, it is considered that the application for retention would by itself and cumulatively, constitute the proliferation of housing

in a rural area. This would further erode the rural character, compromise the landscape, lead to the demand for the uneconomic and unsustainable provision of public services and community facilities and would therefore contravene the 'HA-DM' zoning objective, the policies and objectives of the South Dublin County Development Plan 2016-2022, the National Planning Framework, and the Regional Spatial and Economic Strategy 2019 – 2031, and would therefore be contrary to the proper planning and sustainable development of the area.

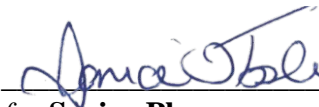
6. Due to insufficient information submitted regarding the requisite 5 metre separation between the septic tank and the surface water soakaway the Planning Authority is not satisfied that the development seeking retention would not be prejudicial to public health.

Please note that upon receipt of this document you are obliged to remove the planning site notice in compliance with Article 20 of the Planning and Development Regulations 2001 (as amended). Please note that any valid submissions or observations received in accordance with the provisions of the Planning and Development Regulations 2001 (as amended), have been considered in the determination of this application.

**Register Reference: SD22A/0084**

Signed on behalf of the South Dublin County Council.

Yours faithfully,

  
20-May-2022  
for **Senior Planner**