

	South Dublin County Council Local Government (Planning & Development) Acts 1963 to 1993 Planning Register (Part 1)	Plan Register No. S98A/0443	
1. Location	Tay Lane, Commons Little, Newcastle, Co. Dublin.		
2. Development	Dwelling house, domestic garage and septic tank system.		
3. Date of Application	30/06/1998	Date Further Particulars (a) Requested (b) Received	
3a. Type of Application	Permission	1. 2.	1. 2.
4. Submitted by	Name: Herr Engineering & Design Ltd., Address: 2 Jocelyn Place, Dundalk,		
5. Applicant	Name: Bill McEvoy, Address: 1 Monastery Park, Clondalkin, Dublin 22.		
6. Decision	O.C.M. No. 1717 Date 27/08/1998	Effect RP REFUSE PERMISSION	
7. Grant	O.C.M. No. Date	Effect RP REFUSE PERMISSION	
8. Appeal Lodged	24/09/1998	Written Representations	
9. Appeal Decision	21/04/1999	Refuse Permission	
10. Material Contravention			
11. Enforcement		Compensation	Purchase Notice
12. Revocation or Amendment			
13. E.I.S. Requested	E.I.S. Received	E.I.S. Appeal	
14. Registrar Date Receipt No.	

AN BORD PLEANÁLA

LOCAL GOVERNMENT (PLANNING AND DEVELOPMENT) ACTS, 1963 TO 1998

County South Dublin


Planning Register Reference Number: S98A/0443

APPEAL by Bill McEvoy care of Stephen Ward Town Planning and Development Consultants Limited of 2 Jocelyn Place, Dundalk, County Louth against the decision made on the 27th day of August, 1998 by the Council of the County of South Dublin to refuse permission for the construction of a house, domestic garage and septic tank system at Tay Lane, Commons Little, Newcastle, County Dublin:

DECISION: Pursuant to the Local Government (Planning and Development) Acts, 1963 to 1998, permission is hereby refused for the construction of the said house, domestic garage and septic tank system for the reasons set out in the Schedule hereto.

SCHEDULE

1. The site is located in a rural area for which the zoning objective in the current Development Plan is "to protect and improve rural amenity and to provide for the development of agriculture", which objective is considered reasonable. It is the policy of the planning authority, as set out in the Development Plan relating to areas designated with this zoning objective, to permit houses only on suitable sites where the applicants can establish a genuine need to reside in proximity to their employment or who have close family ties with the rural community. It is considered in this case, that the applicant does not satisfy these criteria. The proposed development would, therefore, conflict with this policy and would be contrary to the proper planning and development of the area.
2. The proposed development would give rise to undesirable ribbon development in a rural area which would lead to the demand for the uneconomic provision of services which would be contrary to the proper planning and development of the area.



Donagh A. Murphy

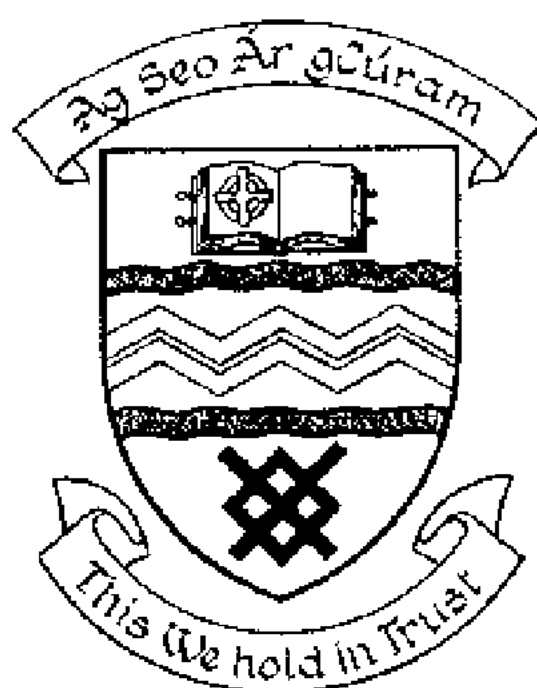
Member of An Bord Pleanála
duly authorised to authenticate
the seal of the Board.

Dated this 21st day of April 1999.

SOUTH DUBLIN COUNTY COUNCIL
COMHAIRLE CHONTAE ÁTHA CLIATH THEAS

Bosca 4122,
Lár an Bhaile, Tamhlacht,
Baile Átha Cliath 24.

Telefon: 01-414 9000
Facs: 01-414 9104



PLANNING
DEPARTMENT
P.O. Box 4122,
Town Centre, Tallaght,
Dublin 24.

Telephone: 01-414 9000
Fax: 01-414 9104

NOTIFICATION OF DECISION TO REFUSE PERMISSION
LOCAL GOVERNMENT (PLANNING AND DEVELOPMENT) ACTS, 1963 TO 1993

Decision Order Number 1717	Date of Decision 27/08/98
Register Reference S98A/0443	Date 30th June 1998

Applicant Bill McEvoy,
Development Dwelling house, domestic garage and septic tank system.
Location Tay Lane, Commons Little, Newcastle, Co. Dublin.

Floor Area Sq Metres

Time extension(s) up to and including

Additional Information Requested/Received /

In pursuance of its functions under the above mentioned Acts, the South Dublin County Council, being the Planning Authority for the County Health District of Dublin, did by order dated as above make a decision to **REFUSE PERMISSION** in respect of the above proposal.

for the (4) Reasons on the attached Numbered Pages.

signed on behalf of the South Dublin County Council

.....²..... 27/08/98
for SENIOR ADMINISTRATIVE OFFICER

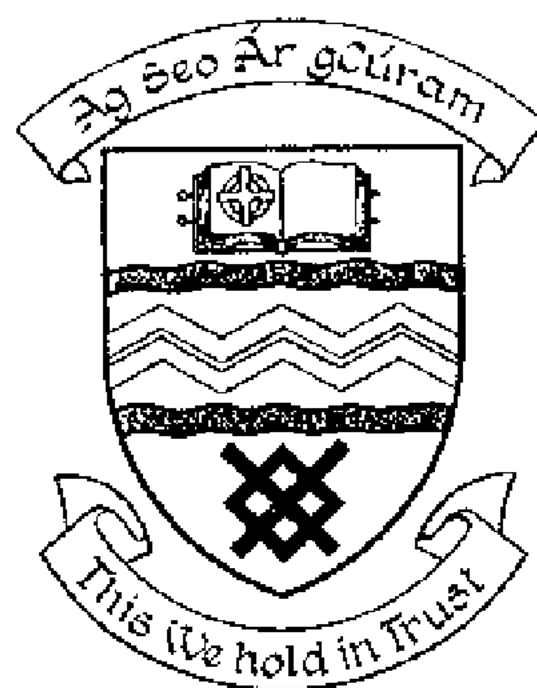
Herr Engineering & Design Ltd.,
2 Jocelyn Place,
Dundalk,
Co. Louth.

SOUTH DUBLIN COUNTY COUNCIL
COMHAIRLE CHONTAE ÁTHA CLIATH THEAS

Bosca 4122,
Lár an Bhaile, Tamhlacht,
Baile Átha Cliath 24.

Telefon: 01-414 9000
Facs: 01-414 9104

REG-REF. S98A/0443



PLANNING
DEPARTMENT
P.O. Box 4122,
Town Centre, Tallaght,
Dublin 24.

Telephone: 01-414 9000
Fax: 01-414 9104

Reasons

- 1 The proposed development would materially contravene County Council's policies as set out in Paragraph 2.3.6 of the Dublin County Development Plan, 1993 for residential development in rural areas in that the applicant cannot establish a 'genuine need' for housing at this location. As a result the proposed development would be contrary to the proper planning and development of the area.
- 2 The proposed development constitutes undesirable ribbon development on a substandard rural road network which would lead to a demand for uneconomic provision of services and which would set an undesirable precedent for further similar development in the area.
- 3 The site and newspaper notices indicate proposals for a 'dwelling house, domestic garage and septic tank system', whereas the lodged plans show proposals appropriate for a puraflo system. The applicant's exact proposals for effluent disposal are unclear.
- 4 The proposed development would have an inadequate building line set back from the public road. In this regard it is noted that the building line is 5 metres from the road boundary. Such a building line would be completely contradictory to the Council's policy as stated in Section 3.3.13.i of the 1993 Dublin County Development Plan. This section states that the building line should not be less than 20 metres.