

	South Dublin County Council Local Government (Planning & Development) Acts 1963 to 1993 Planning Register (Part 1)	Plan Register No.  S97A/0839	
1. Location	Coolmine, Redgap, Rathcoole, Co. Dublin.		
2. Development	Construction of one storey over ground level five bedroom dwelling house to follow gradient of site including new gateway driveway, septic tank and landscaping.		
3. Date of Application	23/12/97	Date Further Particulars (a) Requested (b) Received	
3a. Type of Application	Permission	1.  2.	1.  2.
4. Submitted by	Name: John O'Keeffe and Associates Address: 17 Ailesbury Grove, Dundrum,		
5. Applicant	Name: Mr and Mrs Mc Hale Address: 13 Maple Grove, Rathcoole, Co. Dublin.		
6. Decision	O.C.M. No. 0305  Date 19/02/98	Effect RP REFUSE PERMISSION	
7. Grant	O.C.M. No.  Date	Effect RP REFUSE PERMISSION	
8. Appeal Lodged	18/03/98	Written Representations	
9. Appeal Decision	27/08/98	Refuse Permission	
10. Material Contravention			
11. Enforcement	Compensation	Purchase Notice	
0	0	0	
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: S97A/0839

**APPEAL** by Austin and Bernadette McHale care of John O'Keeffe and Associates of The Paddock, 17 Ailesbury Grove, Dundrum, Dublin against the decision made on the 19th day of February, 1998 by the Council of the County of South Dublin to refuse permission for development comprising the construction of one storey over ground level five bedroom house to follow gradient of site including new gateway driveway, septic tank and landscaping at Coolmine, Redgap, County Dublin:

**DECISION:** Pursuant to the Local Government (Planning and Development) Acts, 1963 to 1998, permission is hereby refused for the said development for the reasons set out in the Schedule hereto.

## SCHEDULE

1. The proposed development is located in an area zoned objective 'B' in the current Development Plan for the area which objective is "to protect and provide for the development of agriculture". This objective is considered to be reasonable. In this connection, it is a policy of the planning authority, as set out in the plan, to channel housing into serviced centres and to restrict development in rural areas to that necessary to serve the needs of those engaged in agriculture and other rural activities. The proposed development does not come within the scope of the housing need criteria as set out in the current Development Plan for the area, would contribute to ribbon development in the area and lead to demands for the uneconomic provision of public services and communal facilities in an area where these are neither available nor proposed. The proposed development would contravene materially the development objective as set out in the current Development Plan for the area and would seriously injure the amenities of the area and would be contrary to the proper planning and development of the area.
2. The proposed development would endanger public safety by reason of traffic hazard due to the generation of additional traffic turning movements on a substandard rural road network.

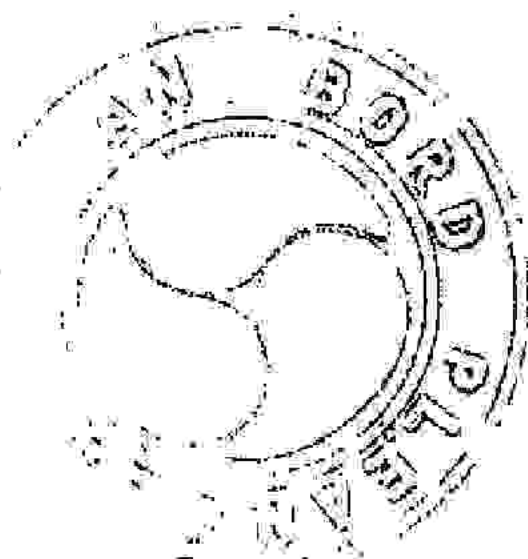


3. The Board is not satisfied on the basis of the submissions made with the planning application and the appeal that the site is capable of disposing of effluent from the proposed development in a satisfactory manner. It is considered, therefore, that the proposed development would be prejudicial to public health.

*M. J. Connell*

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

Dated this 27<sup>th</sup> day of August 1998.



**SOUTH DUBLIN COUNTY COUNCIL**  
**COMHAIRLE CHONTAE ÁTHA CLIATH THEAS**



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

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P.O. Box 4122,  
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**NOTIFICATION OF DECISION TO REFUSE PERMISSION**  
**LOCAL GOVERNMENT (PLANNING AND DEVELOPMENT) ACTS, 1963 TO 1993**

<b>Decision Order Number</b> 0305	<b>Date of Decision</b> 19/02/98
<b>Register Reference</b> S97A/0839	<b>Date</b> 23rd December 1997

**Applicant** Mr and Mrs Mc Hale

**Development** Construction of one storey over ground level five bedroom dwelling house to follow gradient of site including new gateway driveway, septic tank and landscaping.

**Location** Coolmine, Redgap, Rathcoole, 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

.....  
for SENIOR ADMINISTRATIVE OFFICER

19/02/98

John O'Keefe and Associates  
17 Ailesbury Grove,  
Dundrum,  
Dublin 16.



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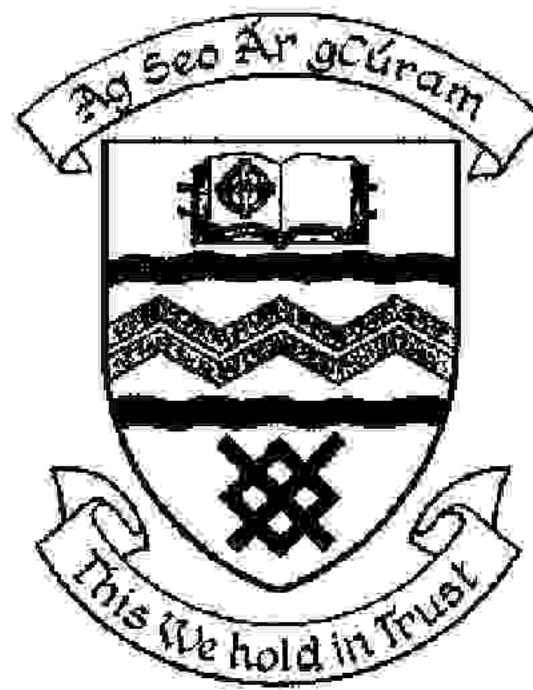
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**Reasons**

- 1 The site is located in an area to which zoning objective B 'to protect and provide for the development of agriculture', contained in the 1993 Dublin County Development Plan for the area, applies. It is the policy of the planning authority, as expressed in the said development plan, that housing will only be permitted in rural areas where the applicants can establish a genuine need to live in the countryside for reasons relating to proximity to their employment where related to the rural community, or reasons of close family ties with the rural community. It is considered that the proposed development does not come within the scope of the housing need criteria set out in the development plan. The proposed development would, therefore, contravene materially the objective of the planning authority and would be contrary to the proper planning and development of the area.
- 2 The proposed development constitutes undesirable ribbon development in an unserviced rural area and would lead to demands for the uneconomic provision of public services and communal facilities which would set an undesirable precedent for further similar developments in the area.
- 3 The proposed development would endanger public safety by reason of traffic hazard due to the generation of additional traffic and turning movements on a substandard rural road network.
- 4 The proposed development would be prejudicial to public health for the following reasons:-
  - a) septic tanks, percolation areas, watercourses and wells on adjoining sites have not been indicated.

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- b) the ground conditions on site are not suitable for the safe disposal of domestic effluent;
- c) the invert levels of the septic tank inlet, septic tank outlet and percolation pipes are not indicated on this steeply sloping site;
- d) the percolation area and reserve percolation area as shown do not comply with SR6:1991 published by EOLAS.