

	South Dublin County Council Local Government (Planning & Development) Acts 1963 to 1993 Planning Register (Part 1)	Plan Register No.  S97A/0317	
1. Location	Blessington Road, Brittas Big, Co. Dublin.		
2. Development	Retention of landfill on portion of site.		
3. Date of Application	20/05/97	Date Further Particulars (a) Requested (b) Received	
3a. Type of Application	Permission	1. 17/07/97 2.	1. 11/11/97 2.
4. Submitted by	Name: J.P. Behan Associates, Address: Grand Canal House, Lower Rathmines Road, Dublin 6.		
5. Applicant	Name: Mr. Paddy Eustace, Address: 174 Harolds Cross Road, Dublin 6W.		
6. Decision	O.C.M. No. 0248 Date 10/02/98	Effect RP REFUSE PERMISSION	
7. Grant	O.C.M. No. Date	Effect RP REFUSE PERMISSION	
8. Appeal Lodged	09/03/98	Written Representations	
9. Appeal Decision	30/10/98	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

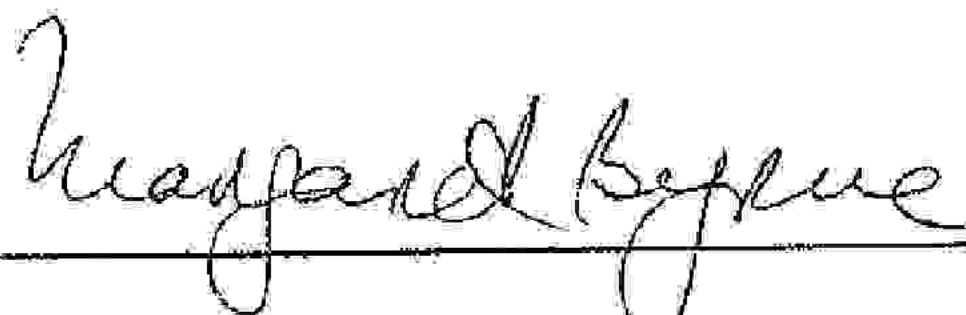
Planning Register Reference Number: S97A/0317

**APPEAL** by Paddy Eustace care of J. P. Behan Associates of Grand Canal House, Lower Rathmines Road, Dublin against the decision made on the 10th day of February, 1998 by the Council of the County of South Dublin to refuse a permission for development comprising retention of landfill on portion of site at Blessington Road, Brittas Big, County Dublin:

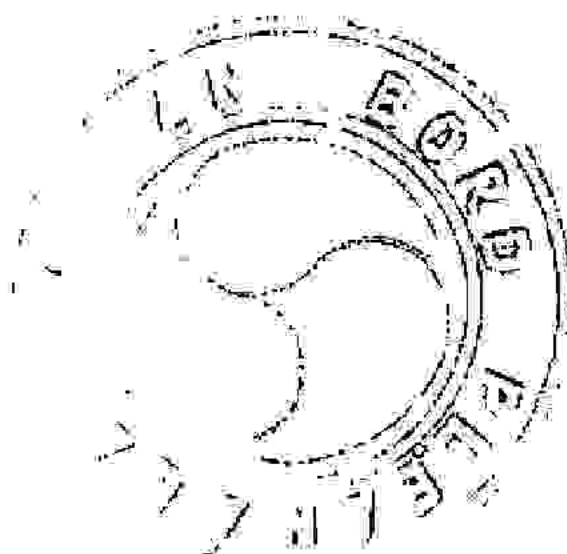
**DECISION:** Pursuant to the Local Government (Planning and Development) Acts, 1963 to 1998, permission is hereby refused for the said development for the reason set out in the Schedule hereto.

## SCHEDULE

The site of the development is located in an area zoned "G" in the current Development Plan for the area for which the objective is "to protect and improve high amenity areas". This objective is considered to be reasonable. It is a policy of the planning authority in relation to high amenity areas, as set out in the Development Plan, "that any development not related directly to the area's amenity potential or its use for agriculture, mountain or hill farming, shall not be permitted" (which policy is considered reasonable). It is considered that the development would contravene materially the development objective as set out in the Development Plan for the use primarily of the area for high amenity purposes and would, therefore, be contrary to the proper planning and development of the area.



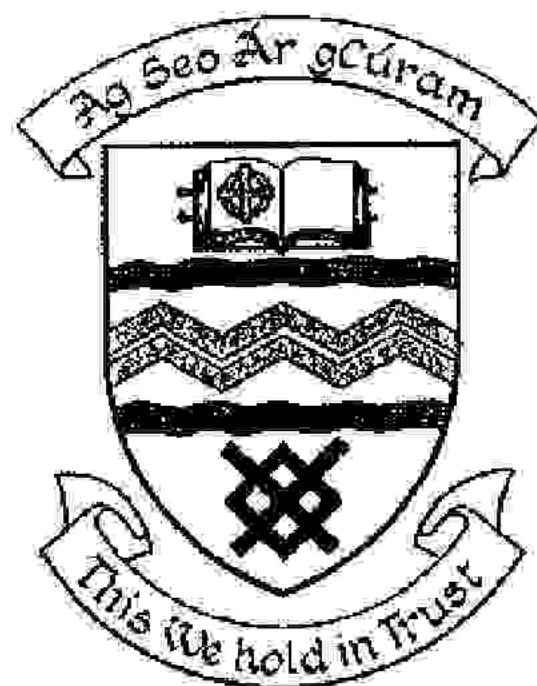
Member of An Bord Pleanála  
duly authorised to authenticate  
the seal of the Board.



Dated this 30<sup>th</sup> day of October 1998.



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



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

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

Decision Order Number 0248	Date of Decision 10/02/98
Register Reference S97A/0317	Date 20th May 1997

**Applicant** Mr. Paddy Eustace,  
**Development** Retention of landfill on portion of site.  
**Location** Blessington Road, Brittas Big, Co. Dublin.

**Floor Area** Sq Metres

**Time extension(s) up to and including** 12/02/98

**Additional Information Requested/Received** 17/07/97 /11/11/97

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 (1) Reasons on the attached Numbered Pages.

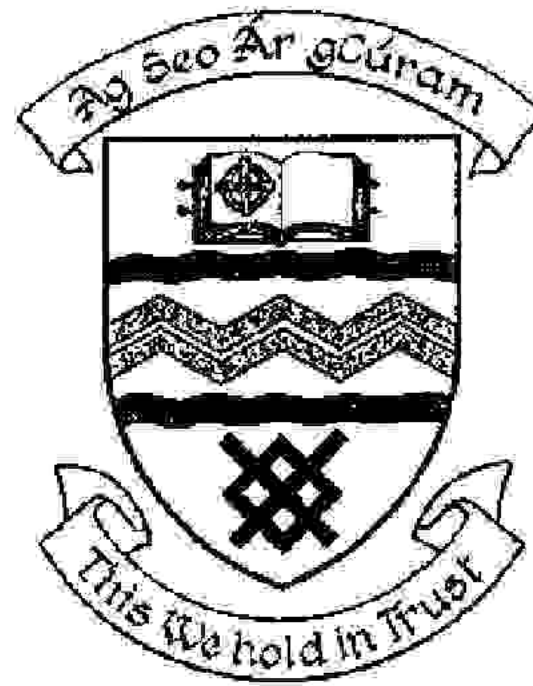
Signed on behalf of the South Dublin County Council

.....  
for SENIOR ADMINISTRATIVE OFFICER

10/02/98

J.P. Behan Associates,  
Grand Canal House,  
Lower Rathmines Road,  
Dublin 6.

SOUTH DUBLIN COUNTY COUNCIL  
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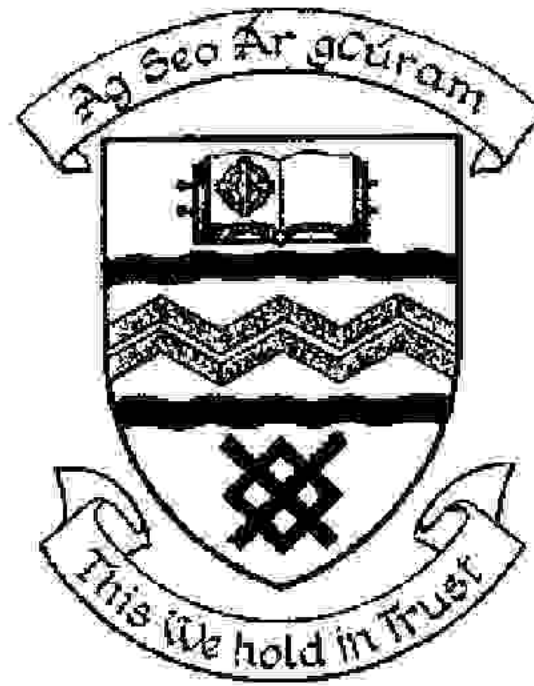
Reasons

- 1 The proposed development would be prejudicial to public health as the deposited fill material is within 200m of the well which is the sole public water supply for the village of Brittas. The Well Protection Plan prohibits waste disposal within Zone B (i.e. a radius of 300m from the well) due to the possibility of contamination caused by the fill material which is only recently deposited.

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LOCAL GOVERNMENT (PLANNING AND DEVELOPMENT) ACTS, 1963 TO 1993

Decision Order Number 0010	Date of Decision 07/01/98
Register Reference S97A/0317	Date 20th May 1997

Applicant Mr. Paddy Eustace,  
App. Type Permission  
Development Retention of landfill on portion of site.  
Location Blessington Road, Brittas Big, Co. Dublin.

Dear Sir / Madam,

In accordance with Section 26 (4A) of the Local Government (Planning and Development) Act 1963 as amended by Section 39 (f) of the Local Government (Planning and Development) Act 1976 the period for considering this application has been extended, up to and including 12/02/98

Yours faithfully

.....  
for SENIOR ADMINISTRATIVE OFFICER

07/01/98

J.P. Behan Associates,  
Grand Canal House,  
Lower Rathmines Road,  
Dublin 6.

SOUTH DUBLIN COUNTY COUNCIL  
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REG. REF. S97A/0317

DATE: 25/09/97

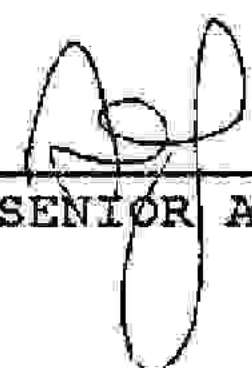
RE: Retention of landfill on portion of site.  
at Blessington Road, Brittas Big, Co. Dublin.

Dear Sir/Madam,

I refer to the above planning application which was the subject of a request for Additional Information on the 17/07/97.

I now wish to advise you that unless the information requested is submitted to this Department within fourteen days, the Planning Authority will determine the application in the absence of this Additional Information.

Yours faithfully,

  
\_\_\_\_\_  
for SENIOR ADMINISTRATIVE OFFICER

J.P. Behan Associates,  
Grand Canal House,  
Lower Rathmines Road,  
Dublin 6.



**SOUTH DUBLIN COUNTY COUNCIL**  
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**LOCAL GOVERNMENT (PLANNING AND DEVELOPMENT) ACTS, 1963 TO 1993**

<b>Decision Order Number 1434</b>	<b>Date of Decision 17/07/97</b>
<b>Register Reference S97A/0317</b>	<b>Date 20th May 1997</b>

**Applicant** Mr. Paddy Eustace,  
**Development** Retention of landfill on portion of site.  
**Location** Blessington Road, Brittas Big, Co. Dublin.  
**App. Type** Permission

Dear Sir/Madam,

With reference to your planning application, received on 20/05/97 in connection with the above, I wish to inform you that before the application can be considered under the Local Government (Planning & Development) Acts 1963-1993, the following **ADDITIONAL INFORMATION** must be submitted in quadruplicate:

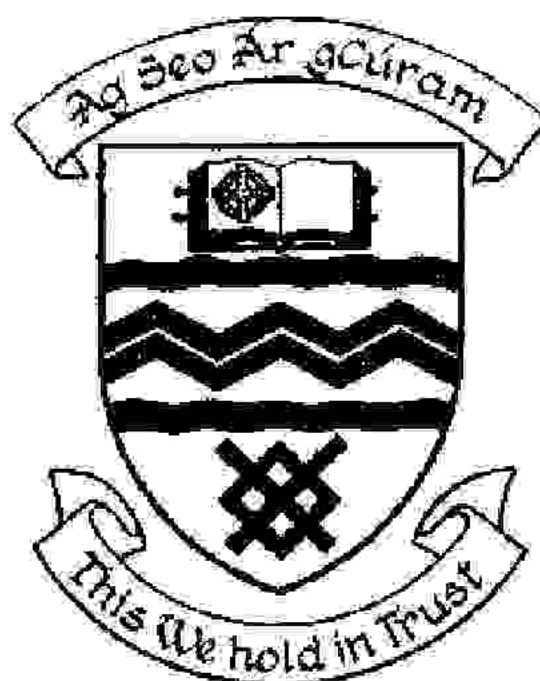
- 1 The applicant is requested to submit a revised site layout plan to indicate the full extent of the landfill area. The site as outlined in red does not reflect the whole area where landfill has taken place. The applicant should further submit revised section drawings to show the true depth of materials deposited. The 1.5m depth indicated on drawings is not borne out by site inspection which indicates a depth of up to 3.0m.

- 2 The applicant is requested to submit the following information in relation to landfill:-

- a. samples of adjacent watercourse should be taken upstream and downstream of landfill. Samples shall be analysed by a NAMAS accredited laboratory and results submitted to the Planning Authority;
- b. certification by a Chartered Engineer confirming the

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Grand Canal House,  
Lower Rathmines Road,  
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REG REF. S97A/0317

- stability of the landfill embankment adjoining the existing building at the southern corner of the site;
- c. trial pits of the landfill section shall be opened in order to ascertain the composition of the landfill mass. Trial pit results shall be certified by a Chartered Engineer and submitted to the Planning Authority;
- d. representative soil samples from trial pits shall be forwarded for analysis at a NAMAS accredited laboratory. The results shall be submitted to the Planning Authority.

**NOTE:** The applicant is advised that the site is within a proposed Natural Heritage Area being put forward by the Office of Public Work and any additional information will be referred for observation.

**NOTE:** A waste permit is required from the Environmental Services Section of South Dublin County Council to deposit waste soil under the European Community (Waste) Regulations, 1979.

- 3 The applicant is requested to clarify his intentions with regard to the unauthorised railings, and vehicular access to the site.

Signed on behalf of South Dublin County Council



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.....  
for Senior Administrative officer

17/07/97