

	South Dublin County Council Local Government (Planning & Development) Acts 1963 to 1993 Planning Register (Part 1)		Plan Register No. S96A/0617	
1. Location	Cruagh, Rockbrook, Rathfarnham, Dublin 14.			
2. Development	Single storey house together with a new entrance and septic tank on c. 1 acre.			
3. Date of Application	15/11/96	Date Further Particulars (a) Requested (b) Received		
3a. Type of Application	Permission	1.	1.	
		2.	2.	
4. Submitted by	Name: Albert Noonan, Address: Architect, 130 South Circular Road, Dublin 8.			
5. Applicant	Name: Mr. D. Keane, Address: The Chase Cruagh, Rockbrook, Rathfarnham, Dublin 14.			
6. Decision	O.C.M. No. 0071 Date 13/01/97	Effect RP REFUSE PERMISSION		
7. Grant	O.C.M. No. Date	Effect RP REFUSE PERMISSION		
8. Appeal Lodged	12/02/97	Written Representations		
9. Appeal Decision	11/06/97	Refuse Permission		
10. Material Contravention				
11. Enforcement	0	Compensation	0	Purchase Notice
12. Revocation or Amendment				
13. E.I.S. Requested	E.I.S. Received		E.I.S. Appeal	
14. Registrar	Date		Receipt No.	

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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 1993

County South Dublin

Planning Register Reference Number: S96A/0617

APPEAL by David Keane care of Albert Noonan of 130 South Circular Road, Dublin against the decision made on the 13th day of January, 1997 by the Council of the County of South Dublin to refuse permission for development comprising a single storey house together with a new entrance and septic tank on a circa one acre site at Cruagh, Rockbrook, Rathfarnham, County Dublin:

DECISION: Pursuant to the Local Government (Planning and Development) Acts, 1963 to 1993, permission is hereby refused for the said development for the reasons set out in the Schedule hereto.

SCHEDULE

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 current development plan for the area, applies. This objective is considered reasonable. 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. This policy is considered reasonable. 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 would endanger public safety by reason of traffic hazard due to substandard sight distance availability at the proposed entrance which is located on a bend in the road.



Margaret Byrne

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

Dated this 11th day of June 1997.

SOUTH DUBLIN COUNTY COUNCIL
COMHAIRLE CHONTAE ÁTHA CLIATH THEAS



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

Telefon: 01-462 0000
Facs: 01-462 0104

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

Telephone: 01-462 0000
Fax: 01-462 0104

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

Decision Order Number 0071	Date of Decision 13/01/97
Register Reference S96A/0617	Date 15th November 1996

Applicant Mr. D. Keane,
Development Single storey house together with a new entrance and
septic tank on c. 1 acre.
Location Cruagh, Rockbrook, Rathfarnham, Dublin 14.
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.

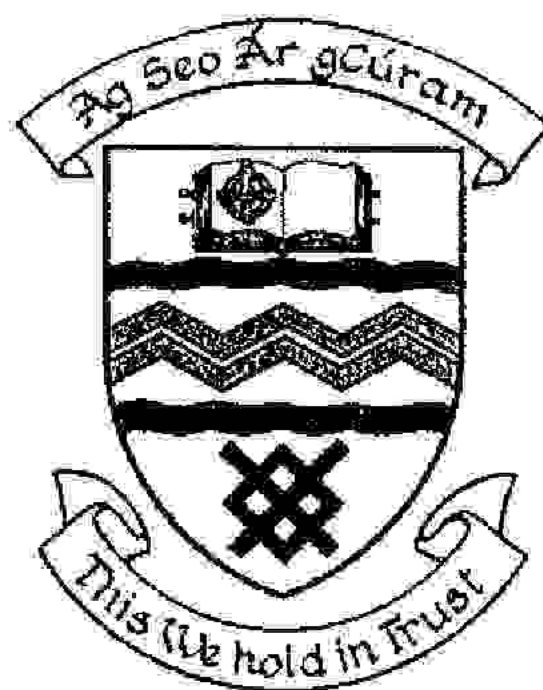
for the (6) Reasons on the attached Numbered Pages.

Signed on behalf of the South Dublin County Council

..... 13/01/97
for SENIOR ADMINISTRATIVE OFFICER

Albert Noonan,
Architect,
130 South Circular Road,
Dublin 8.

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REG REF. S96A/0617

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Reasons

- 1 The proposed development would materially contravene condition no. 7 of decision to grant planning permission by Decision Order No. P/3404/91 dated 1/8/91 Ref. 91A/0937, which states as follows:-

"That prior to the commencement of development, the applicant is to enter into an agreement with the Planning Authority under Section 38 of the Local Government (Planning and Development) Act, 1963, sterilizing the lands outlined in blue on Drawing No. 2091/04 from any future development apart from the construction of agricultural structures which would be considered exempted development. When executed the agreement to be registered by the applicant."
- 2 The proposed development would contravene materially the development objective indicated in the 1993 Dublin County Development Plan for the use solely or primarily of the area for agricultural purposes. It is the policy of the Planning Authority to restrict housing development in the area to applicants with a genuine need to reside in proximity to their employment where related to the rural community, or reasons of close family ties with the rural community. As there is already one dwellinghouse on this 27acre land holding it is considered that a further dwellinghouse would be contrary to the proper planning and development of the area.
- 3 The proposed dwellinghouse located at some distance from the existing house and stables with a separate entrance would constitute ribbon development and would lead to further fragmentation of the building form in the area. It would,

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REG. REF. S96A/0617

therefore, be contrary to the proper planning and
development of the area.

- 4 The proposed development would endanger public safety by reason of traffic hazard due to substandard sight distance availability at the proposed entrance which is located on a bend in the road.
- 5 The proposed development would set a precedent for further similar developments on a substandard road network in an unserviced rural area which would lead to a demand for the uneconomic provision of services.
- 6 The proposed development could be prejudicial to public health because the applicant has failed to establish the suitability of the soil for the disposal of domestic effluent from the development.