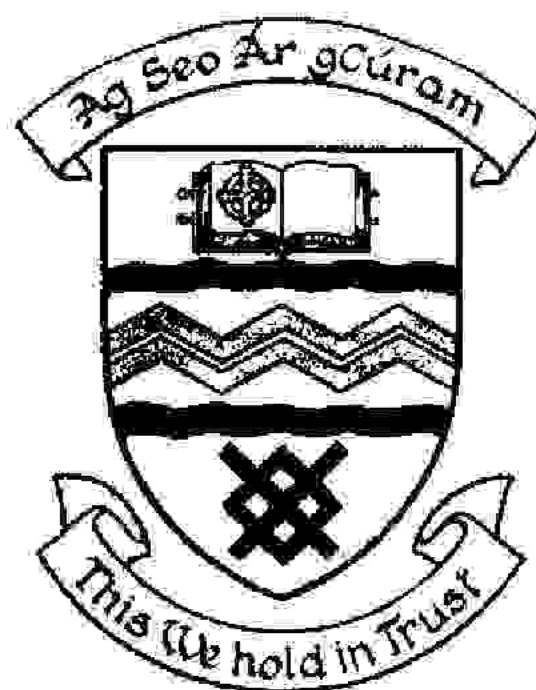


| | | | |
|-----------------------------|--|--|--------------|
| | South Dublin County Council Local Government (Planning & Development) Acts 1963 to 1993 Planning Register (Part 1) | Plan Register No. S96A/0391 | |
| 1. Location | On site at Ballymorefinn, Tallaght, Dublin 24. | | |
| 2. Development | Dormer dwelling, detached double garage, septic tank, and upgrading of existing entrance. | | |
| 3. Date of Application | 08/07/96 | Date Further Particulars (a) Requested (b) Received | |
| 3a. Type of Application | Permission | 1. 2. | 1. 2. |
| 4. Submitted by | Name: Michelle Byrne and Mark McGrath, Address: Glassavilawn, Tallaght, | | |
| 5. Applicant | Name: M. McGrath and M. Byrne, Address: Glassavilawn, Tallaght, Dublin 24. | | |
| 6. Decision | O.C.M. No. 1717 Date 03/09/96 | Effect RP REFUSE PERMISSION | |
| 7. Grant | O.C.M. No. Date | Effect | |
| 8. Appeal Lodged | | | |
| 9. Appeal Decision | | | |
| 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. | |

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



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

Telefon: 01-462 0000
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**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 1717 | Date of Decision 03/09/96 |
| Register Reference S96A/0391 | Date 8th July 1996 |

Applicant M. McGrath and M. Byrne,
Development Dormer dwelling, detached double garage, septic tank, and
upgrading of existing entrance.
Location On site at Ballymorefinn, Tallaght, Dublin 24.
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 (7) Reasons on the attached Numbered Pages.

signed on behalf of the South Dublin County Council

.....
for SENIOR ADMINISTRATIVE OFFICER

03/09/96

Michelle Byrne and Mark McGrath,
Glassavilawn,
Tallaght,
Dublin 24.

SOUTH DUBLIN COUNTY COUNCIL
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Reasons

- 1 The proposed site is located in an area where the zoning objective in the 1993 Dublin County Development Plan is "to protect and improve high amenity areas". It is the policy of the Planning Authority that housing will only be permitted where the applicant is a native of the area and can demonstrate a genuine need for housing in the area. This application does not satisfy these criteria. The proposed development would, therefore, be contrary to the proper planning and development of the area.
- 2 The proposed house by virtue of its height, bulk and location on a steeply sloping site would be unduly obtrusive and would interfere with listed views from the access road and a listed prospect from roads in the valley to the mountains which are necessary to preserve. The proposed development would seriously injure the visual amenities of the area, would contravene materially provisions of the Development Plan and would be contrary to the proper planning and development of the area.
- 3 The proposed development is located within the catchment area of the Bohernabreena Reservoir. It is a policy of the planning authority, as expressed in the current development plan for the area, to protect this reservoir and catchment area. Having regard to existing and permitted development, it is considered that the proposed development would have a serious impact on the reservoir and catchment area and would be prejudicial to public health.

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-
- 4 The proposal constitutes undesirable ribbon development in an unserviced rural area where demand would be created for the uneconomic provision of services which would set an undesirable precedent for further similar developments in the area.
- 5 The road network in the area of the proposed development is substandard. The proposed development, therefore, would endanger public safety by reason of traffic hazard.
- 6 The proposed development could be prejudicial to public health because the applicants have ~~failed~~ not included sufficient data to establish the suitability of the soil for the disposal of domestic effluent or surface water run-off.
- 7 The proposed house design conflicts with the recommendations of Appendix C - 'Housing in Rural Areas' - Design Guidelines which has been included in the 1993 Dublin County Development Plan. The proposed development would, therefore, be contrary to the proper planning and development of the area.

AN BORD PLEANÁLA

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

County South Dublin

Planning Register Reference Number: S96A/0392

APPEAL by Francis Rafferty care of Gerald Cantan of Unit 2, Edel House, 51-52 Bolton Street, Dublin against the decision made on the 5th day of September, 1996 by the Council of the County of South Dublin to refuse permission for development comprising new two-storey building containing three one bedroom apartments and one two bedroom apartment beside existing building containing multiple dwellings with new site walls, car parking and paving at 21 Whitehall Road West, Kimmage, 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. Having regard to the following factors:

- (a) the siting of the proposed residential building at a distance of one metre from the existing residential building on the site,
- (b) the proposed use of the intervening space as the principal means of access to the latter, and
- (c) the existence of windows at ground floor level and first floor level in the existing building and the siting of windows at ground and first floor level in the proposed building, a number of which are almost opposite each other, on either side of this space,

the proposed development would result in serious injury to the residential amenities of dwelling units in both the existing and proposed building by reason of excessive overlooking, diminution of privacy, inadequate access of light and excessive noise and disturbance and would, therefore, be contrary to the proper planning and development of the area.

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