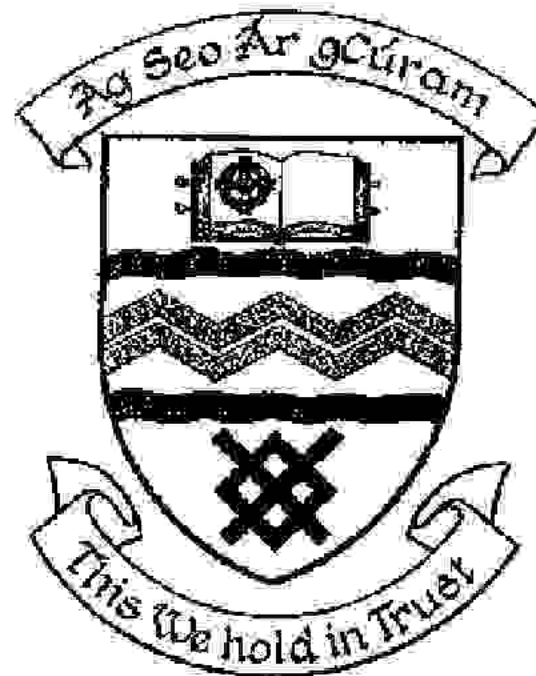


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**SOUTH DUBLIN COUNTY COUNCIL**  
**COMHAIRLE CHONTAE ÁTHA CLIATH THEAS**

Halla an Chontae,  
Lár an Bhaile, Tamhlacht,  
Baile Átha Cliath 24.

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**PLANNING  
DEPARTMENT**  
County Hall,  
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**NOTIFICATION OF DECISION TO REFUSE PERMISSION**  
**LOCAL GOVERNMENT (PLANNING AND DEVELOPMENT) ACTS, 1963 TO 1999**  
**AND PLANNING AND DEVELOPMENT ACT 2000**

Decision Order Number 0148	Date of Decision 18/01/2002
Register Reference S01A/0777	Date 22/11/01

Applicant Mark Kennedy,  
Development Dormer bungalow and biocycle waste water treatment system,  
Location Ballymana Lane, Tallaght, Dublin 24.

Floor Area Sq Metres

Time extension(s) up to and including

Additional Information Requested/Received /

Clarification of 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

..... 18/01/02  
for SENIOR ADMINISTRATIVE OFFICER

F L Bent (AP&DS),  
25 Grosvenor Court,  
Templeogue,  
Dublin 6W.

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REG REF. S01A/0777

**Reasons**

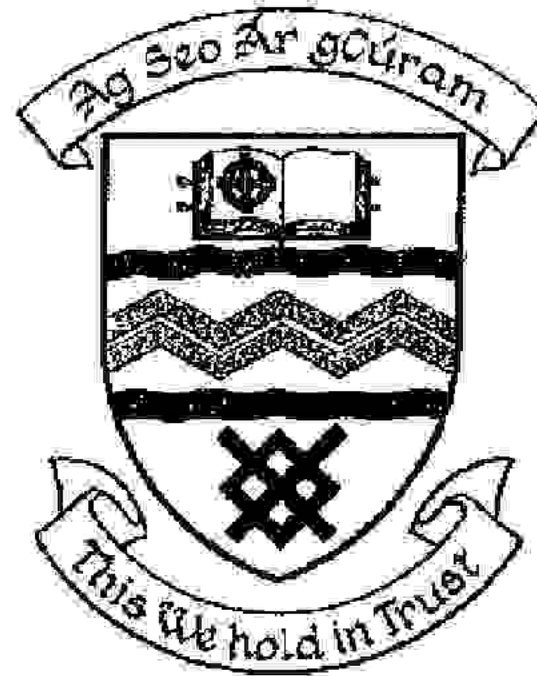
- 1 It is not permitted to use a wastewater treatment unit for more than one dwelling. The proposed development, by virtue of the fact that one Biocycle unit is proposed for up to four dwellings, would be prejudicial to public health.
- 2 The site is too small for the proposed development SR6:1991 (The National Standards Authority of Ireland Standards for Septic Tank Systems) states that each site should be no less than 2000 square metres where groundwater is afforded good natural protection and no less than 3000 square metres where groundwater is afforded limited natural protection. Water sampling test results of groundwater from wells in the locality have indicated poor groundwater quality. The proposal would therefore be prejudicial to public health.
- 3 Ballymana Lane in its present condition is inadequate to serve the vehicular/pedestrian traffic that would be generated by the development and would thereby endanger public safety by reason of a traffic hazard.
- 4 Development of this kind would set a precedent for further extension of the paved access road and for other access roads off Ballymana Lane. This would lead to the demand for uneconomic provision of services. The proposal is therefore contrary to the proper planning and development of the area.
- 5 Section 2.3.1ii of the 1998 South Dublin County Development Plan states, 'Within areas designated with Zoning Objective B ("to protect and improve rural amenity and to provide for the development of agriculture") dwellings will only be permitted on suitable sites where, (i) applicants can establish a genuine need to reside in proximity to their employment; (such employment being related to the rural community), or (ii) applicants have close family ties with the rural community'.

While the applicant has stated that he is currently engaged in farming the land, the applicant has not submitted any documentary evidence to support this. As such, to grant planning permission in this instance would be inconsistent with the proper planning and development of the area.

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- 6 The two storey height and suburban design of the proposed dwelling would conflict with the Guidelines on Siting and Design of Rural Dwellings as set out in Appendix D of the South Dublin County Development Plan, 1998. The proposed development would therefore visually detract from the character of the rural area and would contravene materially the Development Plan zoning objective for the area which is "to protect and/or improve residential amenity".