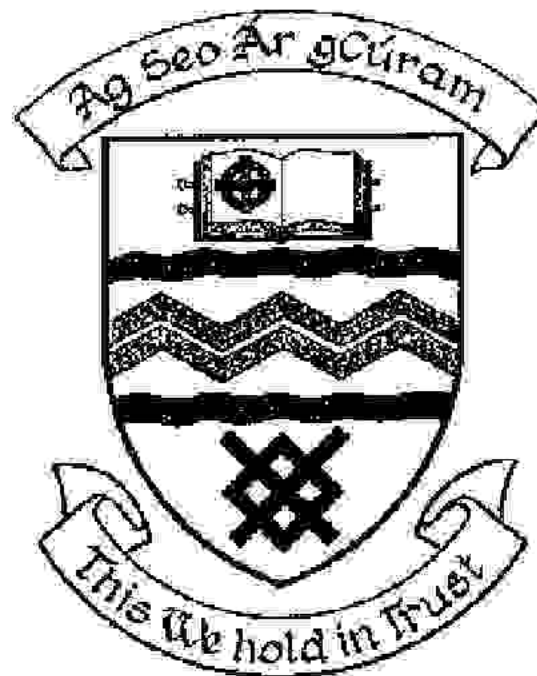


C

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

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

Telefon: 01-414 9000  
Facs: 01-414 9104



**PLANNING  
DEPARTMENT**  
County Hall,  
Town Centre, Tallaght,  
Dublin 24.

Telephone: 01-414 9000  
Fax: 01-414 9104

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

Decision Order Number 0135	Date of Decision 17/01/2002
Register Reference S01A/0761	Date 20/11/01

**Applicant** Mary & Joe Murphy,

**Development** Demolition of 2 existing buildings, the construction of a dormer bungalow with adjoining garage, effluent treatment system, new site entrance and all associated site works.

**Location** Piperstown, Bohernabreena, 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 (5) Reasons on the attached Numbered Pages.

Signed on behalf of the South Dublin County Council

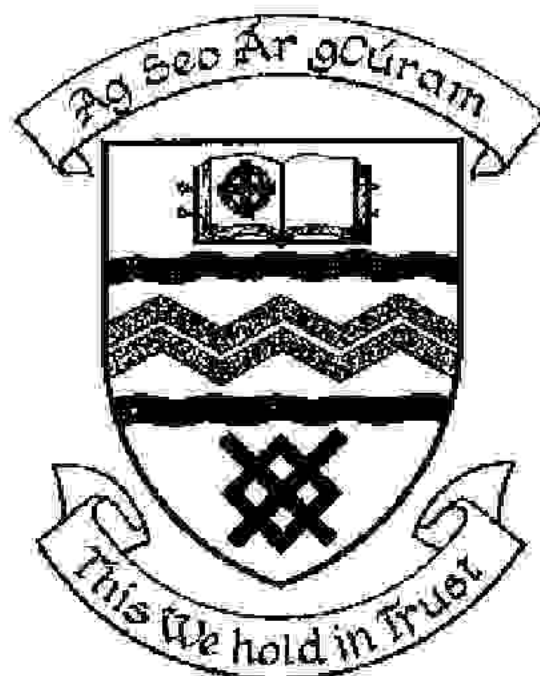
  
..... 17/01/02  
for SENIOR ADMINISTRATIVE OFFICER

Conor Furey & Associates,  
Abbins House,  
Eyre Street,  
Newbridge,  
Co. Kildare.

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

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

Telefon: 01-414 9000  
Facs: 01-414 9104



**PLANNING  
DEPARTMENT**  
County Hall,  
Town Centre, Tallaght,  
Dublin 24.

Telephone: 01-414 9000  
Fax: 01-414 9104

REG REF. S01A/0761

Reasons

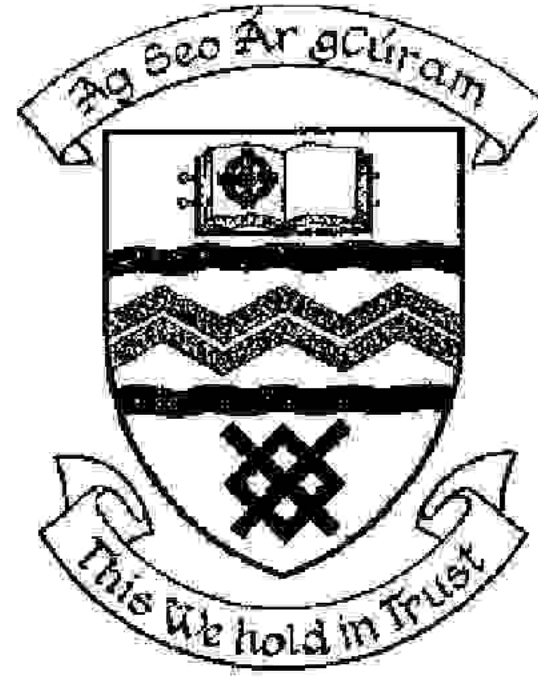
- 1 Section 3.4.22.xiv of the South Dublin County Council Development Plan, 1998 states that 'the Council will prohibit development in the catchment area of the [Bohernabreena] Reservoir, which is used as a water supply for domestic use and human consumption'. The site the subject of the proposed development is also located adjacent to the Piperstown Stream, which is piped directly into the raw water supply to Ballyboden Treatment Works. Therefore the proposed development, by reason of its location within the Bohernabreena Reservoir Catchment Area, and its close proximity to the Piperstown Stream, would be prejudicial to public health.
- 2 The generation of additional traffic on the seriously substandard Newtown Lane would endanger public safety by reason of a traffic hazard.
- 3 The vision splay available at the proposed access on the left hand side when exiting is completely substandard and the generation of traffic turning movements at this point would create a traffic hazard.
- 4 Section 2.3.1(iii) of the South Dublin County Development Plan 1998 states, "Within areas designated with Zoning Objective 'H' ("to protect and enhance the outstanding natural character of the Dublin Mountain Area") dwellings will only be permitted where:
  - (a) the applicant is a native of the area and,
  - (b) the applicant can demonstrate a genuine need for housing in that particular area and,
  - (c) the development is related directly to the area's amenity potential or to its use for agriculture, mountain or hill farming and,
  - (d) the development would not prejudice the environmental capacity of the area and that it be in keeping with the character of the mountain area".

The applicant has not demonstrated that the proposal would satisfy all four criteria listed above. As such, the proposed development would contravene materially the Development Plan zoning objective for the area.

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

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

Telefon: 01-414 9000  
Facs: 01-414 9104



**PLANNING  
DEPARTMENT**  
County Hall,  
Town Centre, Tallaght,  
Dublin 24.

Telephone: 01-414 9000  
Fax: 01-414 9104

REG. REF. S01A/0761

- 5 The proposal constitutes undesirable ribbon development on a substandard rural road network, which will lead to a demand for the uneconomic provision of services and would set an undesirable precedent for further similar developments in the area.