

	South Dublin County Council Local Government (Planning & Development) Acts 1963 to 1999 and Planning & Development Act 2000 Planning Register (Part 1)	Plan Register No. S01A/0310	
1. Location	Upper Ballinascorney, Co. Dublin.		
2. Development	Bungalow and biofilter treatment unit.		
3. Date of Application	23/05/01	Date Further Particulars (a) Requested (b) Received	
3a. Type of Application	Permission	1. 2.	1. 2.
4. Submitted by	Name: H.K. O'Daly & Associates Address: Kingswood, Naas Road,		
5. Applicant	Name: Elizabeth & Tony O'Brien Address: 52 Rossmore Avenue, Ballyfermot, Dublin 10.		
6. Decision	O.C.M. No. 2448 Date 19/07/2001	Effect RP REFUSE PERMISSION	
7. Grant	O.C.M. No. Date	Effect RP REFUSE PERMISSION	
8. Appeal Lodged			
9. Appeal Decision			
10. Material Contravention			
11. Enforcement		Compensation	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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SOUTH DUBLIN COUNTY COUNCIL
COMHAIRLE CHONTAE ÁTHA CLIATH THEAS

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**PLANNING
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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 2448	Date of Decision 19/07/2001
Register Reference S01A/0310	Date 23/05/01

Applicant Elizabeth & Tony O'Brien
Development Bungalow and biofilter treatment unit.
Location Upper Ballinascorney, Co. Dublin.

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 (4) Reasons on the attached Numbered Pages.

Signed on behalf of the South Dublin County Council

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for SENIOR ADMINISTRATIVE OFFICER

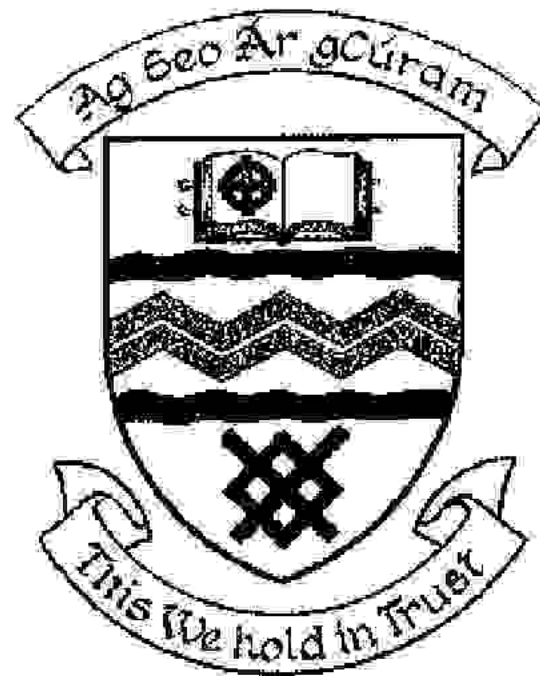
20/07/01

H.K. O'Daly & Associates
Kingswood,
Naas Road,
Clondalkin,
Dublin 22.

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Reasons

- 1 The site is located above the 350m contour line where residential development is not permitted. As such, the proposed development would contravene materially an objective of the South Dublin County Development Plan, 1998. The proposed development, by virtue of its location in an isolated part of the Dublin Mountains Area, would result in the encroachment of random housing on a highly scenic area, would be an obtrusive feature on the landscape, and as such, would be seriously injurious to outstanding natural character of the area. The proposed development would therefore materially contravene the Development Plan zoning objective for the area and would be contrary to the proper planning and development of the area.
- 2 Section 2.3.1.iii of the South Dublin County Development Plan 1998 states the following. "Within areas designated Zoning Objective 'H' ("to protect and enhance the outstanding natural character of the Dublin Mountain area") dwellings will only be permitted where;
 - the applicant is a native of the area and,
 - the applicant can demonstrate a genuine need for housing in that particular area and,
 - the development is related directly to the area's amenity potential or to its use for agriculture, mountain or hill farming and,
 - the development would not prejudice the environmental capacity of the area, and that it be in keeping with the character of the mountain area."

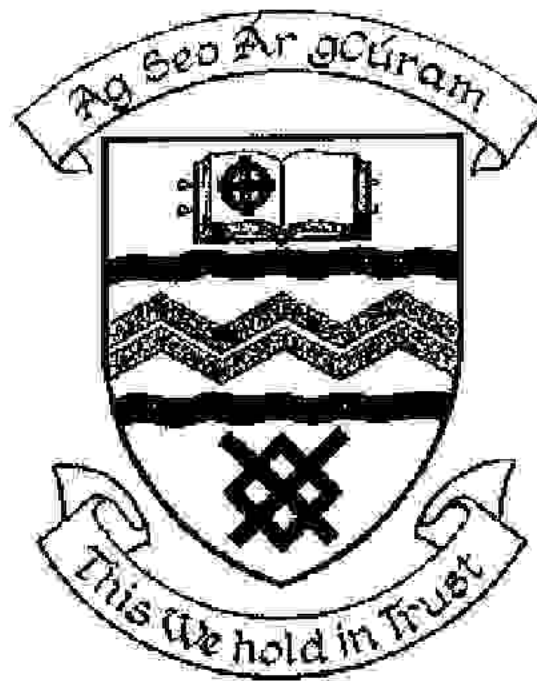
The applicants have not submitted any information to demonstrate that the development would satisfy the requirements of the above policy. As such, the proposed development would contravene materially the Development Plan zoning objective for the area and would not be in accordance with the proper planning and development of the area.

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

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- 4 No visibility splays are shown at the proposed access point.
As such, the proposal would endanger public safety by reason
of traffic hazard.