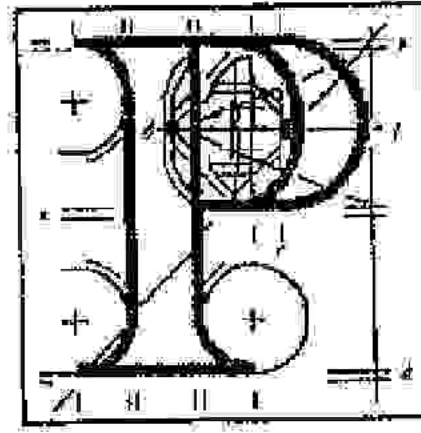


	South Dublin County Council Local Government (Planning & Development) Acts 1963 to 1999 and Planning & Development Act 2000 Planning Register (Part 1)	Plan Register No. S00A/0471	
1. Location	Friarstown Lower, Bohernabreena, Co. Dublin.		
2. Development	Dormer bungalow with bio-cycle waste treatment unit with new vehicular access.		
3. Date of Application	07/07/00	Date Further Particulars (a) Requested (b) Received	
3a. Type of Application	Permission	1. 2.	1. 2.
4. Submitted by	Name: Deirdre McGrane, Address: Friarstown Lower, Bohernabreena,		
5. Applicant	Name: Deirdre McGrane, Address: Friarstown Lower, Bohernabreena, Co. Dublin.		
6. Decision	O.C.M. No. 2027 Date 05/09/2000	Effect RP REFUSE PERMISSION	
7. Grant	O.C.M. No. Date	Effect RP REFUSE PERMISSION	
8. Appeal Lodged	03/10/2000	Written Representations	
9. Appeal Decision	02/05/2001	Refuse Permission	
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.	

An Bord Pleanála



LOCAL GOVERNMENT (PLANNING AND DEVELOPMENT) ACTS, 1963 TO 1999

County South Dublin

Planning Register Reference Number: S00A/0471

APPEAL by Deirdre McGrane of 'Shalimar', Friarstown Lower, Bohernabreena, County Dublin against the decision made on the 5th day of September, 2000 by the Council of the County of South Dublin to refuse a permission for development comprising the construction of a dormer bungalow with Bio-cycle waste treatment unit with new vehicular access at Friarstown, Bohernabreena, County Dublin:

DECISION: Pursuant to the Local Government (Planning and Development) Acts, 1963 to 1999, permission is hereby refused for the said development for the reasons set out in the Schedule hereto.

SCHEDULE

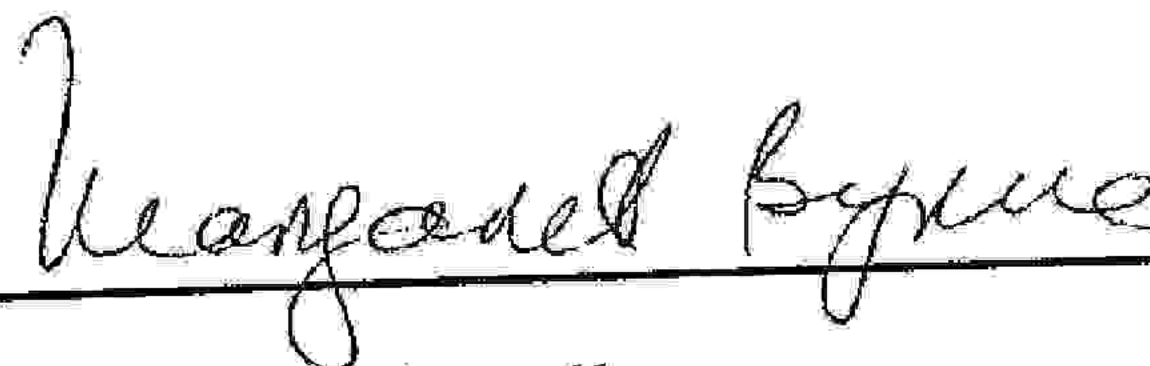
1. The proposed development is located in an area zoned "to protect and enhance the outstanding natural character of the Dublin Mountain Area" in the current South Dublin County Development Plan. Section 2.3.1(iii) of the Development Plan states the following:


"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:

- 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."

It has not been demonstrated that the proposed development is directly related to the area's amenity potential or to its use for agriculture, mountain or hill farming, or that the proposal would not prejudice the environmental capacity of the area or be in keeping with the character of the mountain area. The erection of what is effectively a two-storey dwellinghouse unrelated to agriculture, mountain or hill farming, would contravene materially the zoning objective for the area and be contrary to the proper planning and development of the area.

2. The access way serving the site is deficient in width, alignment, drainage and lacks footpaths. The proposed access point is deficient with regard to the provision of adequate visibility. The traffic movements generated by the proposed development would, therefore, endanger public safety by reason of traffic hazard.



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

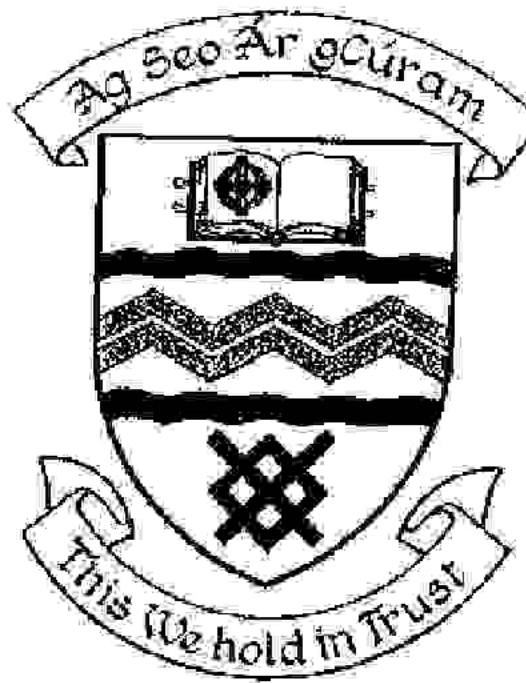
Dated this 2nd day of May 2001.

	South Dublin County Council Local Government (Planning & Development) Acts 1963 to 1993 Planning Register (Part 1)		Plan Register No. S00A/0471	
1. Location	Friarstown Lower, Bohernabreena, Co. Dublin.			
2. Development	Dormer bungalow with bio-cycle waste treatment unit with new vehicular access.			
3. Date of Application	07/07/00	Date Further Particulars (a) Requested (b) Received		
3a. Type of Application	Permission	1. 2.	1. 2.	
4. Submitted by	Name: Deirdre McGrane, Address: Friarstown Lower, Bohernabreena,			
5. Applicant	Name: Deirdre McGrane, Address: Friarstown Lower, Bohernabreena, Co. Dublin.			
6. Decision	O.C.M. No. 2027 Date 05/09/2000	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.		

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 1993

Decision Order Number 2027	Date of Decision 05/09/2000
Register Reference S00A/0471	Date 07/07/00

Applicant Deirdre McGrane,
Development Dormer bungalow with bio-cycle waste treatment unit with
new vehicular access.
Location Friarstown Lower, Bohernabreena, 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

.....*MY*.....
for SENIOR ADMINISTRATIVE OFFICER

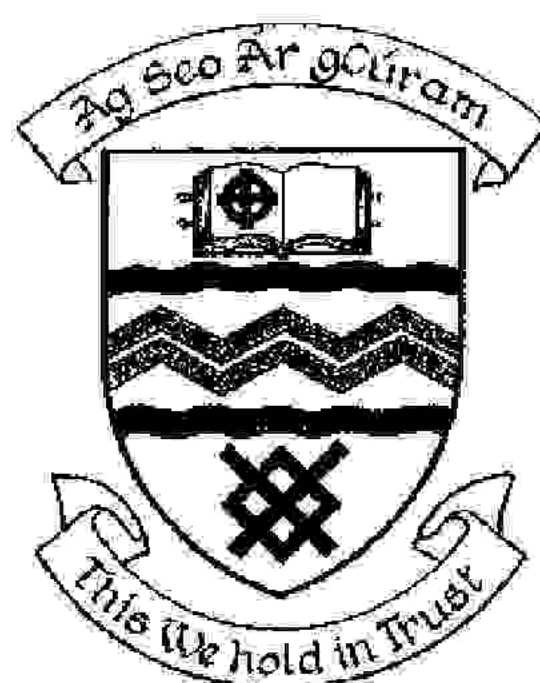
06/09/00

Deirdre McGrane,
Friarstown Lower,
Bohernabreena,
Co. Dublin.

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. S00A/0471

Reasons

- 1 The proposed development is located in an area zoned "to protect and enhance the outstanding natural character of the Dublin Mountain Area". Section 2.3.1(iii) of the South Dublin County Development Plan 1998 states the following. "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:
- 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".

On the basis of the information submitted in the application it is considered that the above requirements have not been met. The proposed development would therefore, materially contravene the said zoning objective and would be contrary to the proper planning and development of the area.

- 2 The proposal would endanger public safety by reason of a traffic hazard due to the generation of traffic movements on a laneway which already serves a large number of houses and which is seriously substandard in width, alignment, drainage and has no footpaths.
- 3 The proposal would lead to a demand for the uneconomic provision of services and would set an undesirable precedent for further similar developments in the area.
- 4 The proposed access is deficient with regard to the vision splays available and therefore the proposal would endanger public safety by reason of traffic hazard.

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 1993

Decision Order Number 2027	Date of Decision 05/09/2000
Register Reference S00A/0471	Date 07/07/00

Applicant Deirdre McGrane,
Development Dormer bungalow with bio-cycle waste treatment unit with
new vehicular access.
Location Friarstown Lower, Bohernabreena, 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

.....my..... 06/09/00
for SENIOR ADMINISTRATIVE OFFICER

Deirdre McGrane,
Friarstown Lower,
Bohernabreena,
Co. Dublin.

**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. S00A/0471

Reasons

- 1 The proposed development is located in an area zoned "to protect and enhance the outstanding natural character of the Dublin Mountain Area". Section 2.3.1(iii) of the South Dublin County Development Plan 1998 states the following. "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;
 - 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".

On the basis of the information submitted in the application it is considered that the above requirements have not been met. The proposed development would therefore, materially contravene the said zoning objective and would be contrary to the proper planning and development of the area.

- 2 The proposal would endanger public safety by reason of a traffic hazard due to the generation of traffic movements on a laneway which already serves a large number of houses and which is seriously substandard in width, alignment, drainage and has no footpaths.
- 3 The proposal would lead to a demand for the uneconomic provision of services and would set an undesirable precedent for further similar developments in the area.
- 4 The proposed access is deficient with regard to the vision splays available and therefore the proposal would endanger public safety by reason of traffic hazard.