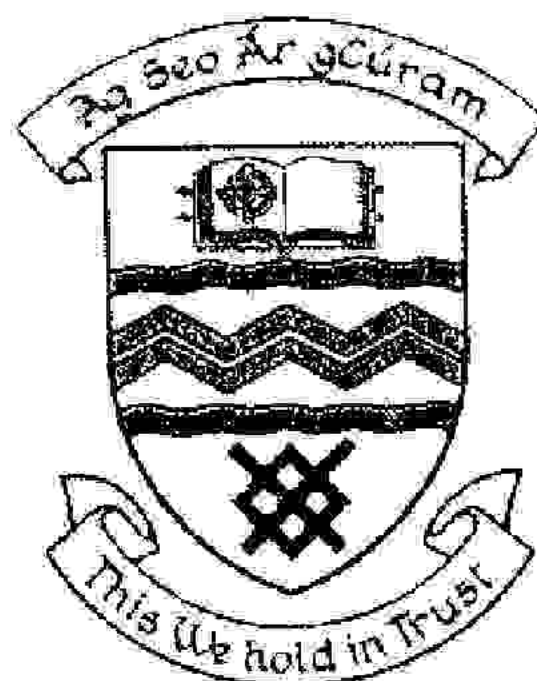


	South Dublin County Council Local Government (Planning & Development) Acts 1963 to 1993 Planning Register (Part 1)	Plan Register No. S00A/0400	
1. Location	Cunard, Bohernabreena, County Dublin.		
2. Development	To use derelict dwelling as out house and to construct replacement 2 storey dwelling and proprietary treatment system		
3. Date of Application	13/06/00	Date Further Particulars (a) Requested (b) Received	
3a. Type of Application	Permission	1. 2.	1. 2.
4. Submitted by	Name: D. McCarthy & Co., Address: Lynwood House, Ballinteer Road,		
5. Applicant	Name: Myles Murphy, Address: Glenasmole, Bohernabreena, County Dublin.		
6. Decision	O.C.M. No. 1807 Date 11/08/2000	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
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NOTIFICATION OF DECISION TO REFUSE PERMISSION
LOCAL GOVERNMENT (PLANNING AND DEVELOPMENT) ACTS, 1963 TO 1993

Decision Order Number 1807	Date of Decision 11/08/2000
Register Reference S00A/0400	Date 13/06/00

Applicant Myles Murphy,

Development To use derelict dwelling as out house and to construct replacement 2 storey dwelling and proprietary treatment system

Location Cunard, Bohernabreena, County Dublin.

Floor Area Sq Metres

Time extension(s) up to and including 24/08/2000

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.

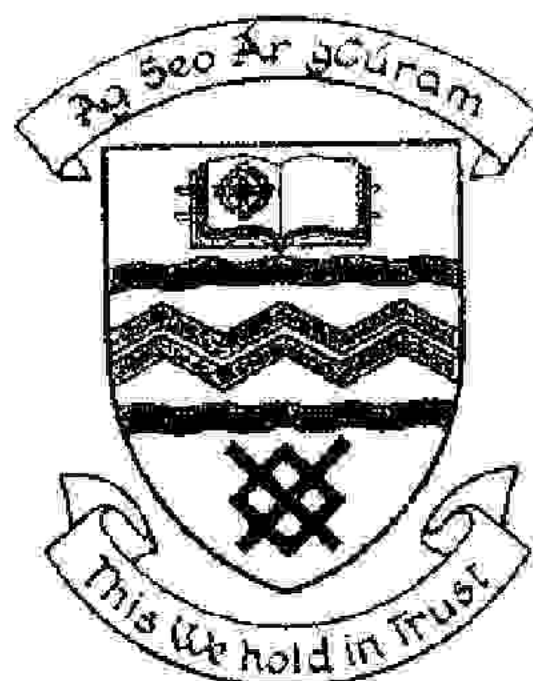
Signed on behalf of the South Dublin County Council

.....M.Y.....
for SENIOR ADMINISTRATIVE OFFICER

11/08/00

D. McCarthy & Co.,
Lynwood House,
Ballinteer Road,
Dublin 16.

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Reasons

- 1 Section 2.10.2 of the South Dublin County Council Development Plan 1998 states that 'It is the policy of the Council to protect the Bohernabreena Reservoir and Catchment Area in the interests of public health and to prohibit development in the catchment' and further that 'The run-off in the Bohernabreena catchment area is used as a water supply for domestic use and human consumption. The Council will use its development control powers to prevent development in the area to protect the water supplies'. The proposed dwelling house is located within the Bohernabreena Reservoir Catchment Area, and as such would be prejudicial to public health.
- 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".

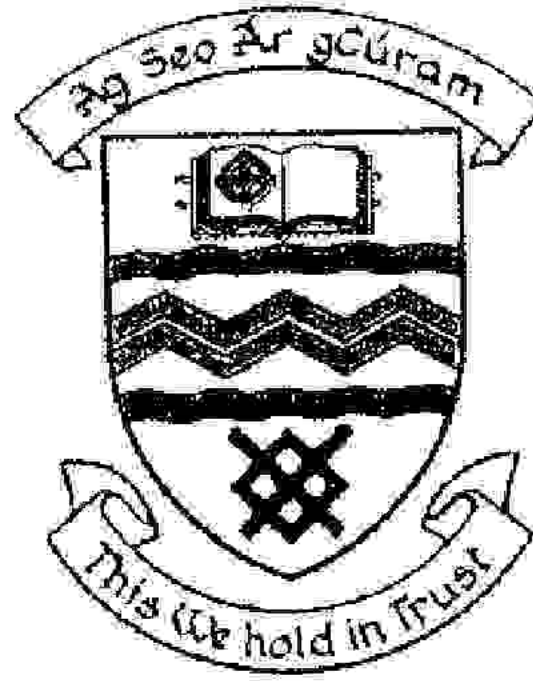
Insufficient information has been provided to establish a genuine need for housing in this particular location in that the extent of the involvement of the applicant in agriculture is unclear. As such, the proposed development would materially contravene a zoning objective of the Development Plan and would therefore be contrary to the proper planning and development of the area.

- 3 Policy RH2 of the South Dublin County Development Plan 1998 states that "It is the policy of the Council, when considering applications for the refurbishment or replacement of existing dwellings in rural, mountain and high amenity zones to;

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- (a) be satisfied that there is a genuine need of replacement and/or refurbishment
- (b) be satisfied that the roof, internal and external walls of the dwelling are substantially intact'.

In the supporting information provided with the application, it is stated that a replacement house has already been constructed by the applicant's parents. As such, a further house would be unacceptable.

- 4 The proposed development 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. The roadway is not wide enough for 2 cars to pass each other safely, vertical/horizontal alignment is seriously substandard and the left hand vision splays (when exiting) is inadequate. As such, the proposed development would endanger public safety by reason of traffic hazard.
- 5 The proposed development would be contrary to the County Development Plan policy H i.e. "To conserve the existing character of High Amenity and Dublin Mountain Zones". In addition Section 3.4.22 of the Development Plan which deals with dwellings in rural areas states that 'in the Dublin Mountain Zone, new dwellings should be low rise, generally single storey structures'. The proposed house is two storey which is considered unacceptable in this location.