

## COMHAIRLE CHONTAE ÁTHA CLIATH

5

File Reference P.C. 17533	LOCAL GOVERNMENT (PLANNING AND DEVELOPMENT) ACT 1963 <b>PLANNING REGISTER</b>		REGISTER REFERENCE M. 3072
1. LOCATION	Ballybetagh Wood, Kilternan, Co. Dublin.		
2. PROPOSAL	Replacement dwellinghouse.		
3. TYPE & DATE OF APPLICATION	TYPE  P.	Date Received  28th Nov., 1977	Date Further Particulars (a) Requested 1. .... .... 2. .... .... (b) Received 1. .... .... 2. .... ....
4. SUBMITTED BY	Name Package Building Service Limited, Address Library Road, Dun Laoire, Co. Dublin.		
5. APPLICANT	Name Mr. L. M. Walsh, Address		
6. DECISION	O.C.M. No. P/190/78 Date 20/1/78	Notified 23rd January, 1978 Effect Permission Refused	
7. GRANT	O.C.M. No. Date	Notified Effect	
8. APPEAL	Notified 13/2/78 Type 1st Party	Decision 4th August, 1978 Effect Permission Refused by An Bord Pleanala	
9. APPLICATION SECTION 26 (3)	Date of application	Decision Effect	
10. COMPENSATION	Ref. in Compensation Register		
11. ENFORCEMENT	Ref. in Enforcement Register		
12. PURCHASE NOTICE			
13. REVOCATION or AMENDMENT			
14.			
15.			
16.			

Prepared by .....	Copy issued by .....Registrar.
Checked by .....	Date .....
Grid Ref.	O.S. Sheet
Co. Accts. Receipt No.....	

DUBLIN COUNTY COUNCIL

TELEPHONE: 42951 (EXT. 131)

Planning Department,  
46-49 Dame Street,  
Dublin 2.

NOTIFICATION OF A DECISION TO REFUSE:  
~~OUTLINE PERMISSION: PERMISSION: APPROVAL:~~  
LOCAL GOVERNMENT (PLANNING & DEVELOPMENT) ACT, 1963.

To: Mr. Louis M. Walsh,

Chairman,

Package Building Service Limited,

Library Road, Dun Laoire, Co. Dublin.

APPLICANT: Mr. Louis M. Walsh

Register Reference No. M.3072

Planning Control No. 17533

Application received 28/11/77.

In pursuance of its functions under the above mentioned Act the Dublin County Council, being the Planning Authority for the County Health District of Dublin, did by order P/190/78, dated 20/1/1978, decide to refuse:

~~OUTLINE PERMISSION;~~ PERMISSION; ~~APPROVAL;~~

for proposed replacement dwellinghouse at Sallybetagh Wood, Kilternan, Co. Dublin,

for the following reasons:

1. The proposal is located in an area for which the zoning objective of the County Plan is "to preserve an area of high amenity" and would conflict with such objective because the development would reduce the high amenity value of the area.
2. The proposal would be contrary to the proper planning and development of the area, as it is not related to farming or such indigenous use of the lands in an area of high amenity value.
3. Evidence has not been submitted to prove the potability of the proposed water supply (both Bacteriological and Chemical). The proposal, therefore, would endanger the health of persons occupying the structure and would also be prejudicial to public health.

Signed on behalf of the Dublin County Council:

*CMB*  
23  
Date: 20th January, 1978.

NOTE: An appeal against the decision may be made to the Minister by the applicant within one month from the date of receipt by the applicant of this notification or by any other person within twenty-one days of the date of the decision. The appeal shall be in writing and shall state the subject matter of the appeal and grounds of the appeal and should be addressed to the Secretary, (Planning Appeals Section), Department of Local Government, Custom House, Dublin 1. When an appeal has been duly made and has not been withdrawn the Minister for Local Government will determine the application for permission as if it had been made to him in the first instance.

PL. 6/5/41364

AN BORD PLEANÁLA

LOCAL GOVERNMENT (PLANNING AND DEVELOPMENT) ACTS, 1963 AND 1976

County Dublin

Planning Register Reference Number: M.3072

APPEAL by Louis Walsh, of The Cottage, Ballybetagh Wood, Kilternan, County Dublin, against the decision made on the 20th day of January, 1978, by the Council of the County of Dublin deciding to refuse to grant a permission for the erection of a house on a site at Ballybetagh Wood, Kilternan:

DECISION: Pursuant to the Local Government (Planning and Development) Acts, 1963 and 1976, permission is hereby refused for the erection of the said house for the reasons set out in the Schedule hereto.

SCHEDULE

The site is located in the Dublin Mountain zone, in an area of high scenic and recreational value. There is an existing house on the 33-acre site and it is not considered that the additional house now proposed could reasonably be regarded as a "replacement house" required in connection with the use or management of the land comprised in the site. It is the policy of the planning authority, as set out in the development plan, that any development not directly related to the area's amenity potential or its use for agricultural mountain or hill farming should be prohibited. This policy is considered reasonable and the proposed development would be in conflict with it.



JOHN S. CONWAY

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

Dated this 4th day of August, 1978.