

COMHAIRLE CHONTAE ÁTHA CLIATH

P. C. Reference	LOCAL GOVERNMENT (PLANNING AND DEVELOPMENT) ACT 1963 & 1976 PLANNING REGISTER		REGISTER REFERENCE WA 897
1. LOCATION	Ballinascorney Upper, Co. Dublin. S		
2. PROPOSAL	Ret. of use of site as quarry,		
3. TYPE & DATE OF APPLICATION	TYPE P	Date Received 13th May, 1981	Date Further Particulars (a) Requested 1. 10th July, 1981 2. (b) Received 1. 1/9/81 2.
4. SUBMITTED BY	Name John Barnett, Address "Quarryview," Barnhill Grove, Dalkey, Co. Dublin.		
5. APPLICANT	Name John Fitzpatrick, Address Coolgreine, Rushbrooke, Co. Cork,		
6. DECISION	O.C.M. No. PA/2654/81 Date 30th Oct., 1981	Notified 30th Oct., 1981 Effect To refuse permission,	
7. GRANT	O.C.M. No. Date 	Notified Effect 	
8. APPEAL	Notified 1st Dec., 1981 Type 1st Party,	Decision Permission refused by An Bord Pleanala, Effect 11th Aug., 1982	
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.			

Prepared by

Checked by

Copy issued by Registrar.

Date

Co. Accts. Receipt No

AN BORD PLEANÁLA

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

County Dublin

Planning Register Reference Number: W.A. 897

APPEAL by John Fitzpatrick of Coolgreine, Rushbrooke, County Cork, against the decision made on the 30th day of October, 1981, by the Council of the County of Dublin deciding to refuse permission for development of land as a quarry at Ballinascorney Upper, County Dublin:

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

SCHEDULE

1. It is an objective of the planning authority as expressed in the Dublin County Development Plan to preserve the area in which the land is located as one of high amenity. This objective is considered reasonable and the proposed development would conflict with it and be seriously injurious to the amenities of the area.
2. The proposed development would endanger public safety by reason of traffic hazard as it would generate additional heavy vehicular movements on the existing inadequate road network in the area.
3. The proposed development would be likely to lead to pollution of waters in the catchment area of the River Dodder and would therefore be prejudicial to public health.



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

Dated this 11th day of August, 1982.

DUBLIN COUNTY COUNCIL

PLANNING DEPARTMENT
Block 2
Irish Life Centre
Lower Abbey Street
Dublin 1

Telephone 724755
Fax: 262/264

NOTIFICATION OF A DECISION TO REFUSE:

~~XXXXXXXXXXXXXXXXXXXX~~ PERMISSION: ~~XXXXXXXXXX~~

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

To;
John Barnett,
Quarryview,
Barnhill Grove,
Dalkey, Co. Dublin.

Register Reference No. **WA 887 897**
15310
Planning Control No.
13/5/81
Application Received
1/9/81.
Additional Inf. Recd.

APPLICANT **J. Fitzpatrick.**

In pursuance of its functions under the above mentioned Acts the Dublin County Council, being the Planning Authority for the County Health District of Dublin, did by order, P/ **A/2654/81.** dated **30/10/81.** decide to refuse:

~~XXXXXXXXXXXXXXXXXXXX~~

PERMISSION

~~XXXXXXXXXX~~

Retention of quarry permission at Ballinascorney Upr.

For.....

for the following reasons:

1. The site is located in an area zoned high amenity open space in the Development Plan. The industrial development proposed would contravene materially the above objective, would not be in accordance with the proper planning and development of the area and would seriously injure the amenities of the area.
2. Public piped services are not available to serve the proposal.
3. The proposed development would be premature by reason of the said existing deficiency in the provision of public water supply and sewerage facilities and the period within which such deficiency may reasonably be expected to be made good.
4. The proposed industrial development in this area of high amenity, would endanger public safety by reason of traffic hazard because of the generation of additional heavy vehicular movements to and from the site on the existing inadequate road network.
5. The proposed development would be likely to lead to the pollution of the Dodder Catchment area and would be prejudicial to public health.

Signed on behalf of the Dublin County Council

for PRINCIPAL OFFICER

30th October, 1981.

Date.....

NOTE: An appeal against the decision may be made to An Bord Pleanala 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 An Bord Pleanala, Floor 3, Blocks 6 & 7, Irish Life Centre, Lr. Abbey St., Dublin 1, and accompanied by a deposit of £10. When an appeal has been duly made and has not been withdrawn An Bord Pleanala will determine the application for permission as if it had been made to them in the first instance.

1494

WAS97

John Barnett,
"Quarryview",
Barnhill Grove,
Balkey,
Co. Dublin.

10th July, 1981.

re/ Proposed retention of quarry at Ballinascorney Upper for J. Fitzpatrick.

Dear Sir,

With reference to your planning application received here on 13th May, 1981 in connection with the above, I wish to inform you that before the application can be considered under the Local Government (Planning and Development) Acts, 1963 and 1976 the following additional information must be submitted in quadruplicate :-

1. A working drawing showing existing and finished contours for the area where the proposed quarrying activities are to take place.
2. A geological and hydrogeological survey of the proposed quarrying site should be carried out and the resultant data should be submitted with plans and sections of the site.
3. A general description of the "infill materials" - which the applicant intends to use to reclaim the worked out quarry - to include : (a) nature (solid?, liquid? etc.) (b) appearance (colour etc) and give a detailed description of the process/activity which give rise to this waste.
4. An accurate estimate of the amount of material it is proposed to excavate and the proposed programme for the carrying out of such works.
5. State the cubic capacity of the quarry and the percentage which has already been worked out.
6. State the means by which the infill waste is to be transported and the steps to be taken to be taken to prevent spillage on public roads.
7. Specify any special hazards for the handling/disposal of the infill waste.
8. Specify any relevant parameters/concentrations in relation to the composition of the infill waste.
9. Submit a phased working programme which specifies the proposed time scale for the completion of the various stages of the proposed development including the overall completion date and details of the final treatment of the surface of the filled area. This should include a detailed scheme and programme for landscaping and reinstatement works illustrated on a map to a scale of 1:2500.

Over/.....

Contd./.....

- 2 -

10. Details of proposals for the protection of the stream from storm water run off from the site and particularly from spillage areas.
11. Evidence to ensure that the proposed development will not contravene any of the provision of the Water Pollution Act.
12. Evidence that agreement has been reached with the Council's Roads Department regarding any necessary land required for road improvements.
13. Evidence of agreement with the Council's Roads Department regarding the access arrangements and any alternative access required. This will include suitable vision splays and adequate space for truck movement and storage together with necessary off street car parking.

Please mark your reply "Additional Information" and quote the Reg. Ref. No. given above.

Yours faithfully,


for Principal Officer