

## COMHAIRLE CHONTAE ÁTHA CLIATH

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File Reference	LOCAL GOVERNMENT (PLANNING AND DEVELOPMENT) ACT 1963 & 1976 PLANNING REGISTER		REGISTER REFERENCE TA.1209
1. LOCATION	Ballinascorney Upper, Brittas, Co. Dublin.		
2. PROPOSAL	House and hay barn,		
3. TYPE & DATE OF APPLICATION	TYPE P	Date Received 27th June 1980	Date Further Particulars (a) Requested 1. 26th August 1980 2. _____ (b) Received 1. 14th Oct., 1980 2. _____
4. SUBMITTED BY	Name T. O'Donnell, Address 5 Glendoher Dr., Ballyboden Road, Dublin 14.		
5. APPLICANT	Name S. McCarthy, Address Main St., Castleknock, Co. Dublin.		
6. DECISION	O.C.M. No. PA/2319/80 Date 11th Nov., 1980		Notified 12th Nov., 1980 Effect To grant permission,
7. GRANT	O.C.M. No. Date		Notified Effect
8. APPEAL	Notified 17th Dec., 1980 Type 1st Party		Decision Permission granted by Effect An Bord Pleanala, 4th June, 1981
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. _____	

AN BORD PLEANALA

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

County Dublin

Planning Register Reference Number: T.A. 1209

APPEAL by Sean McCarthy of Whitehall House, Main Street, Castleknock, County Dublin, against the decision made on the 11th day of November, 1980, by the Council of the County of Dublin deciding to grant subject to conditions a permission for the erection of a bungalow and a haybarn on land at Ballinascorney Upper, Brittas, County Dublin, in accordance with plans and particulars lodged with the said Council:

DECISION: Pursuant to the Local Government (Planning and Development) Acts, 1963 and 1976, it is hereby decided, for the reason set out in the First Schedule hereto, to grant permission for the erection of the said bungalow and haybarn in accordance with the said plans and particulars, subject to the conditions specified in column 1 of the Second Schedule hereto, the reasons for the imposition of the said conditions being as set out in column 2 of the said Second Schedule and the said permission is hereby granted subject to the said conditions.

FIRST SCHEDULE

Having regard to the proposed use of the land by the developer for agricultural purposes and provided the conditions set out in the Second Schedule are complied with it is considered that the proposed development would be consistent with the proper planning and development of the area.

SECOND SCHEDULE

<u>Column 1 - Conditions</u>	<u>Column 2 - Reasons for Conditions</u>
1. Before the development is commenced, the owner of the area of approximately 39 acres outlined in green on the map lodged with the Dublin County Council on the 27th day of June, 1980, shall have entered into an agreement with the said Council under section 38 of the Local Government (Planning and Development) Act, 1963, to preserve the said area from any further housing development for so long as the area is zoned for agriculture or as an area of high amenity in the development plan.	1 and 2. The area is zoned as an area of high amenity in the current development plan. This zoning is considered reasonable and these conditions are intended to support it. The proposed development is acceptable only because it is put forward as being necessary for the use of the land affected for agricultural purposes.

Contd./.....

SECOND SCHEDULE (CONTD.)

Column 1 - Conditions	Column 2 - Reasons for Conditions
<p>If and when the developer obtains control of the adjoining lands of approximately 44 acres, outlined in yellow on the said map he shall also enter into an agreement under section 38 regarding the sterilization of these lands.</p> <p>2. Before any development is commenced the developer shall have entered into an agreement with the planning authority under Section 38 of the Local Government (Planning and Development) Act, 1963, providing for restricting the use of the proposed house to a person employed in farming the adjoining lands in the sterilized area, such restriction to apply for so long as the area in which the site is located is zoned for agricultural use in the development plan.</p> <p>3. The design of the roof of the proposed bungalow shall be revised to provide for a maximum height of 5 metres from the existing ground level to the roof ridge. Likewise the haybarn shall have a maximum height of 5 metres from existing ground level to roof ridge. The roof of the proposed bungalow shall be finished with tiles of a dark grey or blue/black colour and the walls shall be finished externally in brown brick. The galvanised iron roof and cladding of the proposed haybarn shall be painted a neutral brown colour.</p> <p>4. The screen planting provided for in the lodged plans shall be carried out at the earliest practicable date.</p> <p>5. The water supply and drainage arrangements, including</p>	<p>3 and 4. In the interests of visual amenity.</p> <p>5. In the interests of public health and orderly development.</p>

Contd./.....

SECOND SCHEDULE (CONTD.)

<u>Column 1 - Conditions</u>	<u>Column 2 - Reasons for Conditions</u>
those for the disposal of surface water shall comply with the requirements of the planning authority.	
6. The entrance gates shall be set back at least 4 metres from the carriageway of the public road and wing walls shall be splayed at an angle of 45°.	6. In the interests of traffic safety.

*A Denis Pringle*

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

Dated this 2<sup>nd</sup> day of June 1981

# DUBLIN COUNTY COUNCIL

Tel. 724755(Ext. 262/264)

PLANNING DEPARTMENT  
DUBLIN COUNTY COUNCIL  
IRISH LIFE CENTRE  
LOWER ABBEY STREET  
DUBLIN 1

Notification of Decision to Grant Permission/~~XXXXXX/XXXXXX~~  
Local Government (Planning and Development) Acts, 1963 & 1978

To: **Sean McCarthy,**  
**Whitehall House,**  
**Main Street,**  
**Castleknock, Co. Dublin.**  
Applicant **S. McCarthy.**

Decision Order **PA/2319/80: 11/11/80**  
Number and Date  
Register Reference No. **TA 1209**  
Planning Control No. **15570**  
Application Received on **27/6/80**  
Add. inf. rec. **14/10/80**

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 dated as above make a decision to grant Permission/~~XXXXXX~~ Approval for:-

**Proposed dwelling house and haybarn at Ballinascorney Upr. Brittas, Co. Dublin.**

SUBJECT TO THE FOLLOWING CONDITIONS:

CONDITIONS	REASONS FOR CONDITIONS
<p>1. Subject to the conditions of this permission, that the development be carried out and completed strictly in accordance with the plans and specification lodged with the application.</p> <p>2. That before development commences approval under the Building Bye-laws be obtained and all conditions of that approval be observed in the development.</p> <p>3. That the proposed house be used as a single dwelling unit.</p> <p>4. That the water supply and drainage arrangements, including the location, design and separation of water source and septic tank together with all necessary trial holes and percolation tests, be in accordance with the requirements of the County Council. The applicant must consult with the Health Inspector's Department 33 Gardiner Place, Dublin 1, with regard to these matters, before any constructional work takes place. An adequate and potable water supply is required.</p> <p>5. That the requirements of the Roads Department be ascertained and strictly adhered to in the development.</p> <p>6. That two rows of Llandi Cypress trees be planted as shown on the location map submitted prior to the commencement of development.</p>	<p>1. To ensure that the development shall be in accordance with the permission, and that effective control be maintained.</p> <p>2. In order to comply with the Sanitary Services Acts, 1878-1964.</p> <p>3. To prevent unauthorised development.</p> <p>4. In order to comply with the Sanitary Services Acts, 1878-1964.</p> <p>5. In the interest of the proper planning and development of the area.</p> <p>6. In the interest of visual amenity.</p> <p>Condt./...</p>

Signed on behalf of the Dublin County Council:.....

for Principal Officer

Date: **12th November, 1980.**

**IMPORTANT:** Turn overleaf for further information.

CONDITIONS	REASONS FOR CONDITIONS
<p>7. That the roof of the bungalow be finished in a black or blue slate and the walls in brown brick.</p> <p>8. That the galvanised iron cladding which comprises the roof and part of the front and rear elevation of the haybarn be painted a dull brown colour.</p> <p>9. That the house, when completed be occupied by the applicant and/or members of his immediate family.</p> <p>10. Prior to commencement of development an agreement to be entered into with the Planning Authority under Section 38 of the Local Government (Planning and Development) Act, 1953, to restrict the site of 32.10 acres as outlined in green on map lodged with the Council on 27/6/88 from further building development. This agreement to remain in force for so long as the land is zoned for the further development of agriculture or high amenity in the County Development Plan.</p>	<p>7. In the interest of visual amenity.</p> <p>8. In the interest of visual amenity.</p> <p>9. In the interest of the proper planning and development of the area.</p> <p>10. In the interest of the proper planning and development of the area.</p>
	<p><i>R.B.</i></p> <p>for Principal Officer.</p> <p><i>13/11/80</i></p>

**NOTE:**

If there is no appeal to An Bord Pleanála against this decision PERMISSION/APPROVAL will be granted by the Council as soon as may be after the expiration of the period for the taking of such appeal. If every appeal made in accordance with the Acts has been withdrawn, the Council will grant the PERMISSION/APPROVAL after the withdrawal.

An appeal against the decision may be made to Bord Pleanála. The applicant may appeal within one month from the date of receipt by him of this notification. ANY OTHER PERSON may appeal within twenty-one days beginning on the date of the decision.

An appeal shall be in writing and shall state the subject matter and grounds of the appeal. It should be addressed to:—

An Bord Pleanála, Floor 3, Block 6 & 7, Irish Life Centre, Dublin 1.

An appeal by the applicant for PERMISSION/APPROVAL should be accompanied by this form and a deposit of £10.

Approval of the Council under Building Bye-Laws must be obtained and the terms of the approval must be complied with in the carrying out of the work before any development which may be permitted is commenced.

TAA1209

Mr. Sean McCarthy,  
Main Street,  
Castleknock,  
Co. Dublin.  
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26th August, 1980.

re/ Proposed dwelling house and hay barn at Ballinascorney Upper,  
Brittas, Co. Dublin for Mr. Sean McCarthy.  
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Dear Sir,

With reference to your planning application received here on 27th June, 1980 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. Indication in relation to applicants position as regards this farm and the adjoining lands of 44 acres, as to whether he is prepared to enter into a Section 38 agreement restricting development on the lands the subject of this application and also on the lands the subject of the option should they come into his possession. A map indicating the location and extent of such lands the subject to option should be provided.
2. Evidence of suitability of site of septic tank and percolation areas for foul sewerage treatment.
3. The site of the adjoining septic tank and percolation area to be clearly shown in relation to proposed wall.

N.B. The applicant should mark his reply "Additional Information" and quote the Reg. Ref. No. given above.

Yours faithfully,

  
for Principal Officer.