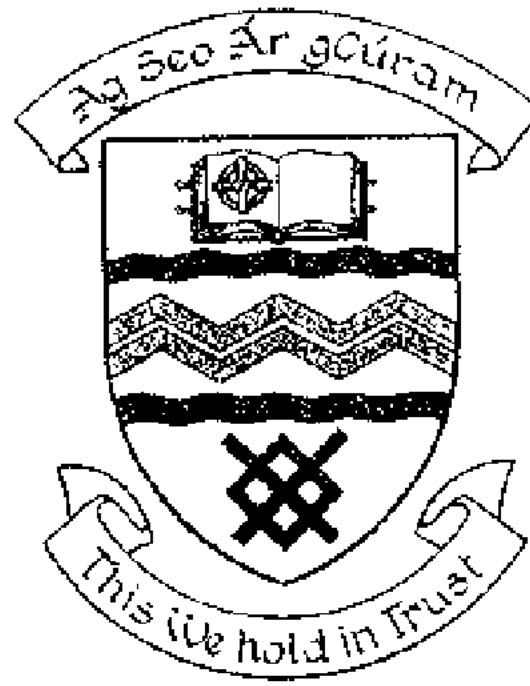


	South Dublin County Council Local Government (Planning & Development) Acts 1963 to 1993 Planning Register (Part 1)	Plan Register No. S99A/0940	
1. Location	Upper Ballinascorney, Co. Dublin.		
2. Development	Bungalow and biofilter treatment plant.		
3. Date of Application	23/12/99	Date Further Particulars (a) Requested (b) Received	
3a. Type of Application	Permission	1. 20/01/2000 2.	1. 14/02/2000 2.
4. Submitted by	Name: H. K. O'Daly & Associates, Address: Kingswood, Naas Road,		
5. Applicant	Name: Elizabeth & Tony O'Brien, Address: 52 Rossmore Avenue, Ballyfermot, Dublin 10.		
6. Decision	O.C.M. No. 0731 Date 10/04/2000	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



Bosca 4122,
Lár an Bhaile, Tamhlacht,
Baile Átha Cliath 24.

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PLANNING
DEPARTMENT
P.O. Box 4122,
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Dublin 24.

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NOTIFICATION OF DECISION TO REFUSE PERMISSION
LOCAL GOVERNMENT (PLANNING AND DEVELOPMENT) ACTS, 1963 TO 1993

Decision Order Number 0731	Date of Decision 10/04/2000
Register Reference S99A/0940	Date 23/12/99

Applicant Elizabeth & Tony O'Brien,
Development Bungalow and biofilter treatment plant.
Location Upper Ballinascorney, Co. Dublin.

Floor Area Sq Metres

Time extension(s) up to and including

Additional Information Requested/Received 20/01/2000 /14/02/2000

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 (6) Reasons on the attached Numbered Pages.

Signed on behalf of the South Dublin County Council

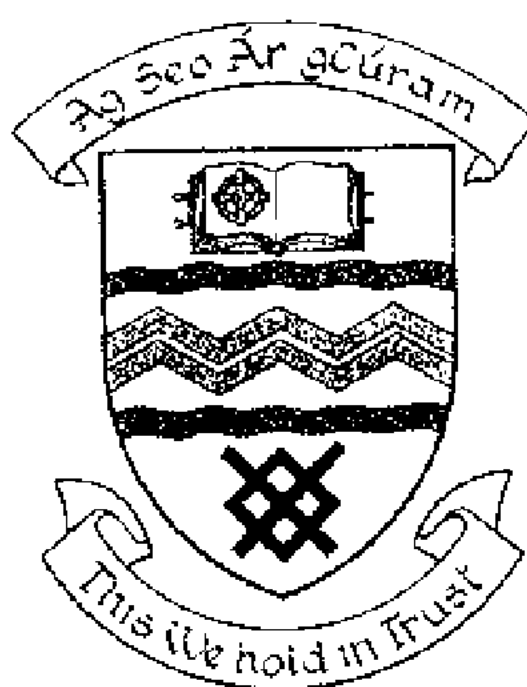
10/04/00
for SENIOR ADMINISTRATIVE OFFICER

H. K. O'Daly & Associates,
Kingswood,
Naas Road,
Clondalkin,
Dublin 22.

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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 areas 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 submitted information the applicant and the proposed development have not met these requirements. The proposed development would therefore, materially contravene the said zoning objective and would be contrary to the proper planning an development of the area.
- 2 The proposed development does not comply with the recommended minimum for road frontage of 60 metres for dwellings in rural areas as stated in Section 3.4.22vi of the South Dublin County Development Plan, 1998. The proposed development would therefore, be contrary to the proper planning and development of the area.
- 3 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 similar developments in the area.
- 4 The proposed development would endanger public safety by reason of traffic hazard due to the generation of traffic turning movements at a location where vision is deficient as a result of substandard vision splays.

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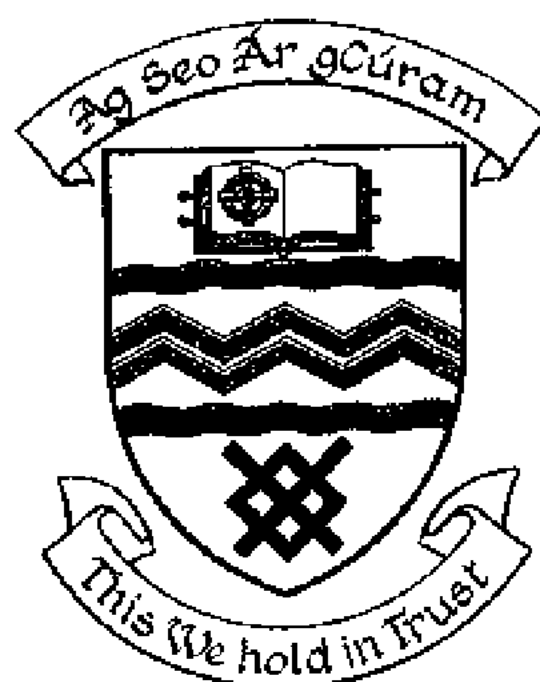
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- 5 The site is located above the 350m contour line, above which no residential development is permitted. The proposed development would therefore conflict with the provisions of the Development Plan. The proposed development, by reason of its location in an isolated area of the Dublin Mountain Area, would result in the encroachment of random housing on a highly scenic area, would be an obtrusive feature on the landscape and, as such, would be seriously injurious to the amenities of the area. The proposed development would therefore be contrary to the proper planning and development of the area.
- 6 Insufficient detail has been submitted to demonstrate the suitability of the site for the disposal of effluent. As such the proposed development must be considered to be prejudicial to public health.

**SOUTH DUBLIN COUNTY COUNCIL
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LOCAL GOVERNMENT (PLANNING AND DEVELOPMENT) ACTS, 1963 TO 1993

Order Number 0120	Date of Order 20/01/2000
Register Reference S99A/0940	Date 23/12/99

Applicant Elizabeth & Tony O'Brien,
Development Bungalow and biofilter treatment plant.
Location Upper Ballinascorney, Co. Dublin.

Dear Sir/Madam,

An inspection carried out on 17/01/00 has shown that a site notice was not erected in respect of your planning application. Before this application can be considered, you must erect a notice on the site or structure, and submit the following to this Department:

- (a) two copies of the text of the notice
- (b) two plans showing the position of the notice on the land or structure
- (c) a statement of the date on which the notice is erected

The notice must be maintained in position for at least one month and must fulfill the following conditions:-

1. Must be durable material
2. Must be securely erected in a conspicuous position easily visible and legible by persons using the public road
3. Must be headed "Application to Planning Authority".
4. Must state:

- (a) Applicant's name
- (b) whether application is for Permission, Outline Permission, or Approval.

H. K. O'Daly & Associates,
Kingswood,
Naas Road,
Clondalkin,
Dublin 22.

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REG REF. S99A/0940

- (c) nature and extent of development including number of dwellings (if any)
- (d) that the application may be inspected at the Planning Department, South Dublin County Council, Town Centre, Tallaght, Dublin 24.

No further consideration will be given to this application until you comply with these requirements.

Yours faithfully,

L.A.
..... 21/01/00
for Senior Administrative Officer.