

	South Dublin County Council Local Government (Planning & Development) Acts 1963 to 1993 Planning Register (Part 1)	Plan Register No. S99A/0773	
1. Location	Ballinascorney Upper, Tallaght, Dublin 24.		
2. Development	Demolition of existing building and provision of new single storey dwelling and sewage treatment facility.		
3. Date of Application	29/10/99	Date Further Particulars (a) Requested (b) Received	
3a. Type of Application	Permission	1. 2.	1. 2.
4. Submitted by	Name: Patrick Joyce Associates, Address: 2 Prospect Grove, Stocking Lane,		
5. Applicant	Name: Mr. Paul Duffy, Address: Friarstown, Bohernabreena, Dublin 24.		
6. Decision	O.C.M. No. 2759 Date 13/12/1999	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 2759	Date of Decision 13/12/1999 <i>LM</i>
Register Reference S99A/0773	Date 29/10/99

Applicant Mr. Paul Duffy,
Development Demolition of existing building and provision of new single storey dwelling and sewage treatment facility.
Location Ballinascorney Upper, Tallaght, Dublin 24.

Floor Area Sq Metres

Time extension(s) up to and including

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 (4) Reasons on the attached Numbered Pages.

Signed on behalf of the South Dublin County Council

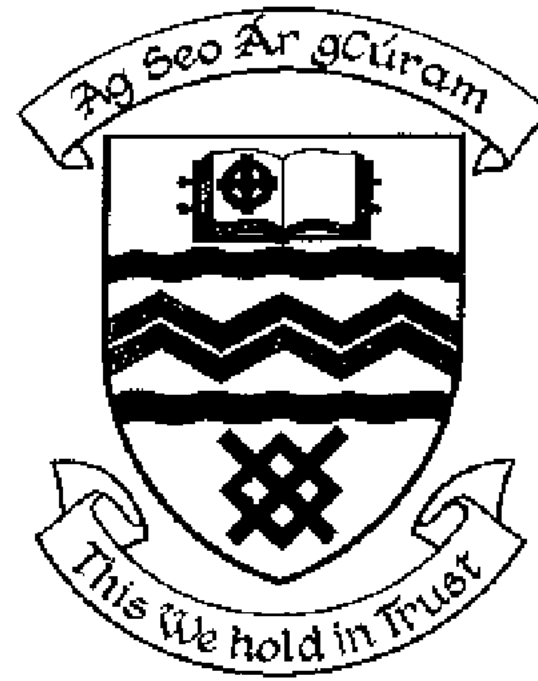
LM
..... 13/12/99
for SENIOR ADMINISTRATIVE OFFICER

Patrick Joyce Associates,
2 Prospect Grove,
Stocking Lane,
Rathfarnham,
Dublin 16.

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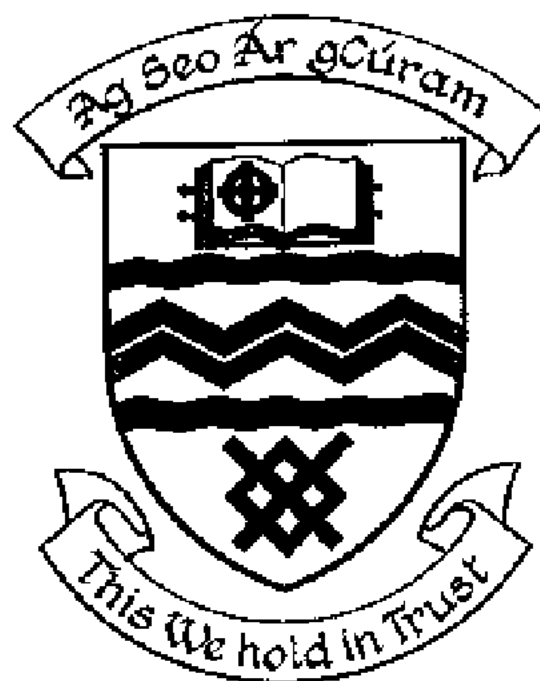
Reasons

- 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 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 details 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 and development of the area.
- 2 Policy RH2 (Section 2.3.2) of the South Dublin County Development Plan, 1998 requires that the Council be satisfied that there is a genuine need for the replacement of the dwelling when applications are being considered for the demolition of existing dwellings in rural, mountain (zoning objective H) and high amenity areas. The application did not include any information in this regard and as such the proposed development would contravene the said policy and would be contrary to the proper planning and development of the area.
- 3 The proposal is located off a substandard rural road network and would lead to a demand for the uneconomic provision of services and would set an undesirable precedent for further similar developments in the area.
- 4 The proposed development is not acceptable to the Eastern Health Boards's Environmental Health Officer's Department as:

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1. Percolation test results were not submitted to the Environmental Health Officer's Department appropriate to the sewerage treatment system being installed. This information was requested on 19/11/99.
2. A specific treatment system has not been identified and therefore the application cannot be assessed in full.
3. A site contour map has not been submitted.

Therefore, on the basis of the submitted information the proposed development must be considered to be prejudicial to public health.