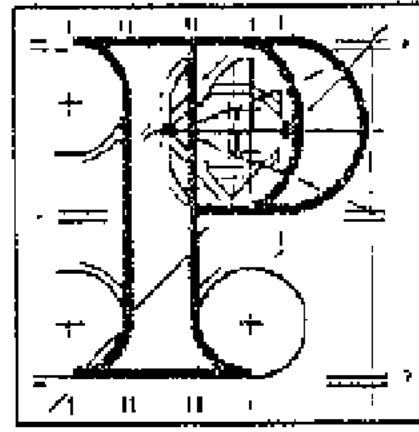


	South Dublin County Council Local Government (Planning & Development) Acts 1963 to 1993 Planning Register (Part 1)	Plan Register No. S99A/0631	
1. Location	Brownstown Lane, Newcastle, Dublin 22.		
2. Development	Erection of two bungalows.		
3. Date of Application	13/09/99	Date Further Particulars (a) Requested (b) Received	
3a. Type of Application	Permission	1. 2.	1. 2.
4. Submitted by	Name: Gary Solan, Address: An Tigh, Ballyogan Avenue,		
5. Applicant	Name: Martin Fahey, Address: Brownstown Lane, Newcastle, Dublin 22.		
6. Decision	O.C.M. No. 2470 Date 11/11/1999	Effect RP REFUSE PERMISSION	
7. Grant	O.C.M. No. Date	Effect RP REFUSE PERMISSION	
8. Appeal Lodged	01/12/1999	Written Representations	
9. Appeal Decision	03/04/2000	Refuse Permission	
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.	

An Bord Pleanála



LOCAL GOVERNMENT (PLANNING AND DEVELOPMENT) ACTS, 1963 TO 1999

County South Dublin

Planning Register Reference Number: S99A/631

APPEAL by Martin Fahey care of Architectural Construction Technology, An Tigh, Ballyogan Avenue, Carrickmines, County Dublin against the decision made on the 11th day of November, 1999 by the Council of the County of South Dublin to refuse permission for development comprising the erection of two bungalows at Brownstown Lane, Newcastle, County Dublin:

DECISION: Pursuant to the Local Government (Planning and Development) Acts, 1963 to 1999, permission is hereby refused for the said development for the reasons set out in the Schedule hereto.

SCHEDULE

1. The site of the proposed development is located in an area zoned 'B' in the current South Dublin County Development Plan for which the objective is "to protect and improve rural amenity and to provide for the development of agriculture". This objective is considered reasonable. It is considered that the proposed development contravenes this objective. The proposed development would, therefore, be contrary to the proper planning and development of the area.

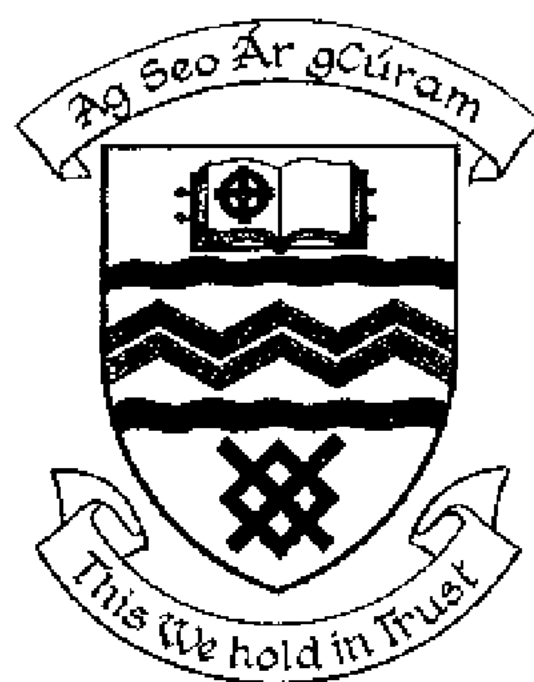
2. It is the policy of the planning authority as set out in paragraph 2.3.1(i) of the current development plan for the area to restrict residential development in rural areas to certain categories of applicant. It is considered that the applicant does not come within the scope of the relevant housing need criteria. The proposed development would, therefore, contravene this policy, which is considered reasonable, and would be contrary to the proper planning and development of the area.
3. It is considered that, taken in conjunction with existing development in the vicinity, the proposed development would result in an excessive concentration of development served by septic tanks in the area. The proposed development, would, therefore, be prejudicial to public health.



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

Dated this 31st day of March 2000.

SOUTH DUBLIN COUNTY COUNCIL
COMHAIRLE CHONTAE ÁTHA CLIATH THEAS



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

Telefon: 01-414 9000
Facs: 01-414 9104

**PLANNING
DEPARTMENT**
P.O. Box 4122,
Town Centre, Tallaght,
Dublin 24.

Telephone: 01-414 9000
Fax: 01-414 9104

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

Decision Order Number 2470	Date of Decision 11/11/1999
Register Reference S99A/0631	Date 13/09/99

Applicant Martin Fahey,
Development Erection of two bungalows.
Location Brownstown Lane, Newcastle, Dublin 22.

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

.....*SMC*..... 11/11/99
for SENIOR ADMINISTRATIVE OFFICER

Gary Solan,
An Tigh,
Ballyogan Avenue,
Carrickmines,
Dublin 18.

**SOUTH DUBLIN COUNTY COUNCIL
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REG REF. S99A/0631

Reasons

- 1 The proposed development would contravene materially a development objective indicated in the South Dublin County Development Plan, 1998, for the use solely or primarily of particular areas for particular purposes i.e. zoning objective 'B' - "To protect and improve rural amenity and to provide for the development of agriculture". The proposed development would thus be contrary to the provisions of the South Dublin County Development Plan, 1998, and the proper planning and development of the area.
- 2 The proposed development would contravene the policies of the South Dublin County Development Plan, 1998, regarding dwellings in rural areas as set out in Paragraph 2.3.1(ii) in that the applicant has not established a genuine need to reside in the area due to proximity to employment which is related to the rural community or by reason of close established family ties with the rural community. The proposed development would thus be contrary to the proper planning and development of the area.
- 3 The proposed development would constitute undesirable ribbon development on a substandard rural road network which would be likely to lead to uneconomic demands for the provision of services and would set an undesirable precedent for further similar development in the area. The proposed development would thus be contrary to the proper planning and development of the area.
- 4 The proposed development, by reason of the use of one percolation area for three dwellings and by the insufficient setback distances for on of the proposed dwellings from the effluent treatment system, would be prejudicial to public health.