

COMHAIRLE CHONTAE ÁTHA CLIATH

P. C. Reference	LOCAL GOVERNMENT (PLANNING AND DEVELOPMENT) ACT 1963 & 1976 PLANNING REGISTER	REGISTER REFERENCE YA.1304
1. LOCATION	Upper Balinascorney, Brittas, Co. Dublin.	
2. PROPOSAL	Replacement Bungalow and Septic Tank.	
3. TYPE & DATE OF APPLICATION	TYPE	Date Received
	P.	20th July, 1983.
	(a) Requested	Date Further Particulars (b) Received
	1. 9th Sept. 1983 Time ext. up to & incl., 26/6/84	1. 18th April, 1984 Time ext. up to & incl., 26/7/84
	2. Time ext. to 24/8/84	2.
4. SUBMITTED BY	Name Roadstone, Address Huntstown, North Road, Finglas, Dublin 11.	
5. APPLICANT	Name Mr. Donal McHugh, Address Killeel Road, Blessington, Co. Wicklow.	
6. DECISION	O.C.M. No. P/2777/84	Notified 24th Aug., 1984
	Date 24th Aug., 1984	Effect To refuse permission
7. GRANT	O.C.M. No.	Notified
	Date	Effect
8. APPEAL	Notified 4th Oct., 1984	Decision Permission refused by An Bord Pleanala
	Type 1st Party	Effect 12th Feb., 1985
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	Copy issued by	Registrar.
Checked by	Date	
	Co. Accts. Receipt No	

AN BORD PLEANALA

LOCAL GOVERNMENT (PLANNING AND DEVELOPMENT) ACTS, 1963 TO 1983

County Dublin

Planning Register Reference Number: Y.A. 1304

APPEAL by Donal McHugh, of Killeel Road, Blessington, County Wicklow, against the decision made on the 24th day of August, 1984, by the Council of the County of Dublin to refuse permission for the construction of a house and septic tank on a site at Ballinascorney Upper, Brittas, County Dublin:

DECISION: Pursuant to the Local Government (Planning and Development) Acts, 1963 to 1983, permission is hereby refused for the construction of the said house and septic tank for the reasons set out in the Schedule hereto.

SCHEDULE

1. The site is located in the Dublin Mountains in an area zoned in the Development Plan to protect and improve high amenity areas. It is the Council's policy that any development in this area not directly related to its amenity potential or use for agriculture, mountain or hill farming should be prohibited. This policy is considered reasonable and the proposed development would be in conflict with it and seriously injurious to the visual amenities of the area.
2. The proposed development would be prejudicial to public health as it could add to the risk of pollution of the water supply to the Poulaphouca reservoir by virtue of the fact that the site drains towards a brook which in turn drains into the reservoir via the Shankill and Liffey rivers.

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

Dated this 12th day of February 1985.

DUBLIN COUNTY COUNCIL

Tel. 724755 (ext. 262/264)

PLANNING DEPARTMENT,
BLOCK 2,
IRISH LIFE CENTRE,
LR. ABBEY STREET,
DUBLIN 1.

NOTIFICATION OF A DECISION TO REFUSE:

~~XXXXXXXXXXXXXXXXXXXX~~ **OUTLINE PERMISSION:** ~~XXXXXXXXXXXX~~ **PERMISSION:** ~~XXXXXXXXXX~~ **APPROVAL**
LOCAL GOVERNMENT (PLANNING AND DEVELOPMENT) ACTS, 1963-82
~~XXXXXXXX~~ 1963-1983

To D. McHugh, Register Reference No. YA 1304
Kilteel Road, Planning Control No.
Blessington, Application Received 20/7/83
Co. Wicklow. Additional Information Received 18/4/84
Applicant D. McHugh **Time Exts. up to: 26/6/84; 26/7/84; 24/8/84.**

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/ 2777/84 dated 24/8/84 decided to refuse:

~~XXXXXXXXXXXXXXXXXXXX~~ **OUTLINE PERMISSION:** ~~XXXXXXXXXXXX~~ **PERMISSION:** ~~XXXXXXXXXX~~ **APPROVAL**

For replacement bungalow and septic tank at Ballinascorney Upper, Brittas.

for the following reasons:

1. The site is located in the Dublin Mountains in an area zoned in the Council's Development Plan "to protect and improve high amenity areas". It is Council policy that any development in this area not directly related to its amenity potential or use for agriculture, mountain or hill farming should be prohibited. This policy is considered reasonable and the proposed development would be in conflict with it and seriously injurious to the visual amenities of the area.
2. The applicants proposal for septic tank drainage and water supply are not in compliance with the Council's requirements.
3. Public piped water supply or sewerage facilities are not available to serve the proposed development.
4. The proposed development would be premature by reason of the said existing deficiency in the provision of water and sewerage facilities and the period within which such deficiency may reasonably be expected to be made good.
5. The proposed development could add to the risk of pollution of water supply to the Poulaphuca reservoir by virtue of the fact that the site drains towards a brook which in turn drains into the reservoir via the Shankill and Liffey Rivers, and would therefore be prejudicial to public health.

Signed on behalf of the Dublin County Council
for PRINCIPAL OFFICER

Date 24th August, 1984.

NOTE: (1) An appeal against the decision may be made to An Bord Pleanala by the applicant within one month from 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, Irish Life Centre, Lower Abbey Street, Dublin 1. An Appeal lodged by an applicant or agent with An Bord Pleanala will be invalid unless accompanied by a fee of £30 (Thirty Pounds). (2) A party to an appeal making a request to An Bord Pleanala for an oral Hearing of an appeal must, in addition to (1) above, pay to An Bord Pleanala a fee of £30 (Thirty Pounds). (3) A person who is not a party to an appeal must pay a fee of £10 (Ten Pounds) to An Bord Pleanala in relation to an appeal. 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.

Donal McHugh,
Kilteel Road,
Blessington,
Co. Wicklow.

YA.1304

26/7/'84

Re: Proposed replacement bungalow and septic tank at Ballinacorney Upper,
Brietas for D. McHugh.

Dear Sir,

With reference to your planning application, received here on 20/7/'83, additional information received 18/6/'84, time extensions up to and including 26/6/'84 and 26/7/'84, (letter for/extension period received 26/7/'84), in connection with the above, I wish to inform you that:-

In accordance with Section 26(4A) of the Local Government (Planning and Development) Act, 1963, as amended by Section 39(F) of the Local Government (Planning and Development) Act, 1976, the period for considering this application within the meaning of Subsection (4A) of Section 26 has been further extended up to and including the 24/8/'84

Yours faithfully,



for Principal Officer

D. McHugh,
Kilteel Road,
Blessington,
Co. Wicklow:

YA 1304

26th June, 1984:

RE: Replacement bungalow and septic tank at Ballinascorney Upper
Brittas for D. McHugh:
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Dear Sir,

With reference to your planning application received here on 20th July, 1983, additional information received 18th April, 1984, time extended up to and including the 26th June, 1984, (letter for further extension period received 25th June, 1984), in connection with the above, I wish to inform you that:-

In accordance with Section 26(4A) of the Local Government (Planning and Development) Act, 1963, as amended by Section 39(F) of the Local Government (Planning and Development) Act, 1976, the period for considering this application within the meaning of Subsection (4A) of Section 26 has been further extended up to and including the 26th July, 1984.

Yours faithfully,

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for Principal Officer:

D. McHugh,
Kilteel Road,
Blessington,
Co. Wicklow.

YA, 1304

14/6/'84

Re: Proposed replacement bungalow and septic tank at Ballinascorney Upper, Brittas for D. McHugh.

Dear Sir,

With reference to your planning application received here on 20/7/'8, additional information received 18/4/'84 (letter for extension period received 14/6/'84), in connection with the above, I wish to inform you that:-

In accordance with Section 26(4A) of the Local Government (Planning and Development) Acts, 1963, as amended by Section 39(F) of the Local Government (Planning and Development) Act, 1976, the period for considering this application within the meaning of subsection (4A) of Section 26 has been extended up to and including the 26th June, 1984.

Yours faithfully,



for Principal Officer

YA. 1304.

9th September, 1983.

D. McHugh,
Kilteel Road,
Blessington,
Co. Wicklow.

RE/ Proposed replacement bungalow and septic tank at Ballinascorney
Upper, Brittas for D. McHugh.

Dear Sir/Madam,

With reference to your planning application received here on 20th July, 1983, 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. Further information is required which should provide for:-
 - a. A layout plan clearly showing the location of the proposed new house and the septic tank arrangements, including the percolation areas, together with the location of the proposed well water supply.
 - b. Details of the proposed access arrangements to the site from the public road.

NOTE: The above matters are to be the subject of consultation and agreement with the Health Inspector's Department, Eastern Health Board and the Roads Department, Dublin County Council before submitting any further information.

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

Yours faithfully,



for Principal Officer.