



Bloc 2, Ionad Bheatha na hEireann,
Bloc 2, Irish Life Centre,
Sraid na Mainistreach lacht,
Lower Abbey Street,
Baile Atha Cliath 1.
Dublin 1.
Telephone (01) 724755
Fax (01) 724896

NOTIFICATION OF DECISION TO REFUSE ^{outline} PERMISSION
LOCAL GOVERNMENT (PLANNING AND DEVELOPMENT) ACTS 1963-1990.

Decision Order Number : P/ 0410 /92 Date of Decision : 6th February 1992

Register Reference : 91A/1970 Date Received : 12th December 1991

Applicant : J. Grimes

Development : Bungalow & Septic Tank

Location : Bohernabreena

Floor Area : Sq. Metres

Time Extension(s) up to and including :

Additional Information Requested/Received : //

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 REFUSE ^{outline} PERMISSION in respect of the above proposal.

For the Reasons set out on the attached Numbered Pages.

NUMBER OF REASONS:- ... 4 ... ATTACHED.

Signed on behalf of the Dublin County Council..... *Rose Fleming*.....

for Principal Officer

Date: ... 6.1.92

Vincent Cronin,
Logatrina,
Dunlavin,
Co. Wicklow

NOTES

1. An appeal against the decision may be made to an Bord Pleanala. 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 this decision.

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

An Bord Pleanala,
Blocks 6 and 7,
Irish Life Centre,
Lower Abbey Street,
Dublin 1.

3. An appeal lodged by an applicant or his agent with An Bord Pleanala will be invalid unless accompanied by the prescribed fee.

(a) An appeal against a decision relating to commercial development by the person by whom the application was made must be accompanied by a fee of £100 (one hundred Pounds).

"Commercial Development" means development for the purposes of any professional, commercial or industrial undertaking, development in connection with the provision for reward of services to persons or undertakings, or development consisting of the provision of two or more dwellings, but does not include development for the purposes of agriculture.

(b) An appeal other than an appeal mentioned at (a) above, including third party appeal must be accompanied by a fee of £50 (fifty pounds).

(c) A party to an appeal making a request to An Bord Pleanana for an Oral Hearing of an appeal must, in addition to the prescribed fee, pay to An Bord Pleanana a fee of £50 (fifty pounds).

(d) A person who is not a party to an appeal must pay a fee of £15 (fifteen pounds) to An Bord Pleanala when making submissions or observations to An Bord Pleanala in relation to an appeal.

4. If the Council makes a decision to grant permission / approval and there is no appeal to An Bord Pleanala 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 an appeal. If every appeal made in accordance with the Acts has been withdrawn, the Council will grant the PERMISSION / APPROVAL after the withdrawal.

5. Approval of the Council under the Building Bye-Laws must be obtained for new work 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. Approval under the Building Bye-Laws is not applicable to garden walls and entrances etc. Approval under the Building Bye-Laws cannot be obtained in cases involving retention of works previously carried out.

Reg. Ref. 91A/1970
Decision Order No. P/ 0410 /91
Page No: 0002



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REASONS FOR REFUSAL

- 01 The development of a house on this elevated site (c. 420 contour line) in the foothills of the Dublin Mountains would seriously injure the visual amenities of this scenic area. The proposed development would be visible from several roads in the area (e.g. Oldcourt Road, Oldcourt Cottages, Bohernabreena Road and Bohernabreena Park) and would be visually obtrusive when viewed from these roads. The proposed development would be contrary to the proper planning and development of the area.
- 02 The site is located in an area that is zoned 'B' in the 1983 County Development Plan with the objective "to protect and provide for the development of agriculture". The applicant has not demonstrated that his need for a house in this area conforms with the Council's policy for housing in rural areas as stated in Para. 2.3.9 of the written statement. The proposed development would contravene materially a development objective indicated in the Development Plan for the use primarily of this area for agricultural purposes.
- 03 There is no public water supply scheme or sewerage facilities to serve this site. The proposed development would be premature by reference to an existing deficiency in the provision of water supplies and sewerage facilities and the period within which these constraints may reasonably be expected to cease.
- 04 Access to the proposed site is via McMahons Lane which serves approximately 6 houses. Vehicles travelling to the site would have to traverse a dirt track at the end of the laneway approx. 500 metres in length, to reach the site. This track is deficient in width, alignment and surface condition to serve the proposed development. The proposed development would set an undesirable precedent for the development of other houses fronting onto this substandard track in this elevated and highly scenic area. The proposed development would be contrary to the proper planning and development of the area.

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COMHAIRLE CHONTAE ÁTHA CLIATH

DUBLIN COUNTY COUNCIL

46/49 UPPER O'CONNELL STREET,

DUBLIN 1.

Balance RECEIPT CODE

PAID BY CASH
 CHEQUE
 M.O.
 B.L.
 I.T.

Issue of this receipt is not a
acknowledgement that the fee
tendered is the prescribed application
fee. N 54699

£ 8.00
29th

day of *January* 19 *92*

Received this
from *J. Primes*
Lower Gate Lodge
Bohernabreena

the sum of *eight* Pounds
Pence, being *Balance*

of fee on 91A/1970

Madge Done Cashier

S. CAREY *Class 1*
Principal Officer *Bal.*

Lower gate Lodge
Bohernabreen NW.
Tullagh.

Please find enclosed cheque for £8.00
left short by my surver Mr.
Vincent Cronan of Dunlavin Co. Wicklow.

29. JAN 92

Yours sincerely
James Grant

Building Control Department,
Liffey House,
Tara Street,
Dublin 1.
Telephone: 773066



Bloc 2, Ionad Bheatha na hEireann,
Block 2, Irish Life Centre,
Sraid na Mainistreach Iacht,
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Dublin 1.
Telephone. (01)724755
Fax. (01)724896

Register Reference : 91A/1970

Date : 13th December 1991

LOCAL GOVERNMENT (PLANNING AND DEVELOPMENT) ACTS, 1963 TO 1990

Dear Sir/Madam,

DEVELOPMENT : Bungalow & Septic Tank
LOCATION : Bohernabreena
APPLICANT : J. Grimes
APP. TYPE : OUTLINE PERMISSION

With reference to the above, I acknowledge receipt of your application received on 12th December 1991.

Yours faithfully,

.....
for PRINCIPAL OFFICER

Vincent Cronin,
Logatrina,
Dunlavin,
Co. Wicklow



PLEASE READ INSTRUCTIONS AT BACK BEFORE COMPLETING FORM. ALL QUESTIONS MUST BE ANSWERED.

1. Application for Permission Outline Permission Approval Place / in appropriate box.
Approval should be sought only where an outline permission was previously granted. Outline permission may not be sought for the retention of structures or continuances of uses.

2. Postal address of site or building BOHERNABREENA TALLAGH
(If none, give description sufficient to identify)

3. Name of applicant (Principal not Agent) JAMES GRIMES

Address GATE LODGE, BOHERNABREENA WATERWORKS Tel. No. 01 518630

4. Name and address of person or firm responsible for preparation of drawings VINCENT CROVIN, Kogartunga, Dunlavin Co Wicklow / 16 Tel. No. 045/51426

5. Name and address to which notifications should be sent VINCENT CROVIN, AS ABOVE, N54084 12/12/91

6. Brief description of proposed development Outline Planning Permission for BUNGALOW.

7. Method of drainage SEPTIC TANK 8. Source of Water Supply BORED WELL

9. In the case of any building or buildings to be retained on site, please state:-
(a) Present use of each floor or use when last used BYE LAW APPLICABLE
(b) Proposed use of each floor SEE PLAN

10. Does the proposal involve demolition, partial demolition or change of use of any habitable house or part thereof? No

11. (a) Area of Site Sq. m.
(b) Floor area of proposed development GRANT SIZE Sq. m.
(c) Floor area of buildings proposed to be retained within site NA Sq. m.

12. State applicant's legal interest or estate in site (i.e. freehold, leasehold, etc.) OWNED

13. Are you now applying also for an approval under the Building Bye Laws? Yes No Place / in appropriate box.

14. Please state the extent to which the Draft Building Regulations have been taken in account in your proposal:

15. List of documents enclosed with 4 copies of LOCATION MAPS, SITE LAYOUT, SEPTIC TANK, NEWSPAPER NOTICE.

16. Gross floor space of proposed development (See back) Sq. m.
No of dwellings proposed (if any) ONE Class(es) of Development 1
Fee Payable £24-00 Basis of Calculation 3/4 of Full Permissions
If a reduced fee is tendered details of previous relevant payment should be given

Signature of Applicant (or his Agent) James A Grimes Date

Application Type 0 FOR OFFICE USE ONLY

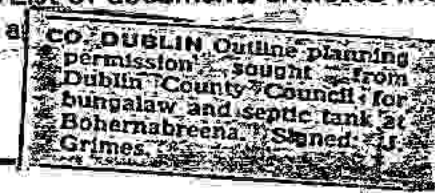
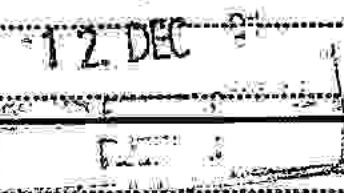
Register Reference 9/18/1970

Amount Received £.....

Receipt No

Date 22/13 + 25/1

Inv
Pres
4/12/91



LOCAL GOVERNMENT (PLANNING & DEVELOPMENT) REGULATIONS 1977 to 1984.

Outline of requirements for applications for permission or Approval under the Local Government (Planning & Development) Acts 1963 to 1983. The Planning Acts and Regulations made thereunder may be purchased from the Government Publications Sales Office, Sun Alliance House, Molesworth Street, Dublin 2.

1. Name and Address of applicant.
2. Particulars of the interest held in the land or structure, i.e. whether freehold, leasehold, etc.
3. The page of a newspaper, circulating in the area in which the land or structure is situate, containing the required statutory notice. The newspaper advertisement should state after the heading Co. Dublin.
 - (a) The address of the structure or the location of the land.
 - (b) The nature and extent of the development proposed. If retention of development is involved, the notice should be worded accordingly. Any demolition of habitable accommodation should be indicated.
 - (c) The name of the applicant.

NB. Applications must be received within 2 weeks from date of publication of the notice.
4. Four (4) sets of drawings to a stated scale must be submitted. Each set to include a layout or block plan, proposed and existing services to be shown on this drawing, location map, and drawings of relevant floor plans, elevations, sections, details of type and location of septic tank (if applicable) and such other particulars as are necessary to identify the land and to describe the works or structure to which the application relates (new work to be coloured or otherwise distinguished from any retained structures). Buildings, roads, boundaries and other features bounding the structure or other land to which the application relates shall be shown on site plans or layout plans. The location map should be of scale not less than 1: 2500 and should indicate the north point. The site of the proposed development must be outlined in red. Plans and drawings should indicate the name and address of the person by whom they were prepared. Any adjoining lands in which the applicant has an interest must be outlined in blue.
5. In the case of a proposed change of use of any structure or land, requirements in addition to 1, 2, & 3 are:
 - (a) a statement of the existing use and the proposed use, or, where appropriate, the former use and the use proposed.
 - (b)
 - (i) Four (4) sets of the drawings to a stated scale must be submitted. Each set to consist of a plan or location map (marked or coloured in red so as to identify the structure or land to which the application relates) to a scale of not less than 1:2500 and to indicate the North point. Any adjoining lands in which the application has an interest must be outlined in blue.
 - (ii) A layout and a survey plan of each floor of any structure to which the application relates.
 - (c) Plans and drawings should indicate the name and address of the person by whom they were prepared.
6. Applications should be addressed to: Dublin County Council, Planning Department, Irish Life Centre, Lr. Abbey Street, Dublin 1, Tel. 724755.

SEPTIC TANK DRAINAGE: Where drainage by means of a septic tank is proposed, before a planning application is considered, the applicant may be required to arrange for a trial hole to be inspected and declared suitable for the satisfactory percolation of septic tank effluent. The trial hole to be dug seven feet deep at or about the site of the septic tank. Septic tanks are to be in accordance with I.I.R.S. S.R. 6:75.

INDUSTRIAL DEVELOPMENT:

The proposed use of an industrial premises should, where possible, be stated together with the estimated number of employees, (male and female). Details of trade effluents, if any, should be submitted.

Applicants to comply in full with the requirements of the Local Government (Water Pollution) Act, 1977 in particular the licencing provisions of Sections 4 and 16.

SUMMARY OF CLASSES OF DEVELOPMENT/ FEES

<u>CLASS NO.</u>	<u>DESCRIPTION</u>	<u>FEE</u>
1.	Provision of dwelling - House/Flat.	£32.00 each.
2.	Domestic extensions/other improvements.	£16.00 each.
3.	Provision of agricultural buildings (See Regs.)	£40.00 minimum.
4.	Other buildings (i.e. office, commercial, etc.)	£ 1.75 per sq.metre (Min. £40.00).
5.	Use of land (Mining, deposit or waste).	£25.00 per 0.1 ha. (Min. £250.00).
6.	Use of land (Camping, parking, storage).	£25.00 per 0.1 ha. (Min. £40.00).
7.	Provision of plant/machinery/tank or other structure for storage purposes.	£25.00 per 0.1 ha. (Min. £100.00).
8.	Petrol filling station.	£100.00.
9.	Advertising structures.	£ 10.00 per sq. m. (Min. £40.00).
10.	Electricity transmission lines.	£ 25.00per 1,000m.(Min. £40.00).
11.	Any other development.	£ 5.00 per 0.1ha. (Min. £40.00).

Cheques etc. should be made payable to: Dublin County Council.

Gross Floor space is to be taken as the total floor space on each floor measured from the inside of the external walls.

For full details of Fees and Exemptions see Local Government (Planning and Development) (Fees) Regulations 1984.

COMAIRLE CHONTAE ÁTHA CLIATH

PAID BY — DUBLIN COUNTY COUNCIL

CASH
CHEQUE
M.O.
B.L.
I.T.

46/49 UPPER O'CONNELL STREET
DUBLIN 1.

Issue of this receipt is not an
acknowledgement that the fee
tendered is the prescribed application
fee. N 54084

£ 16.00

Received this 12th day of December 1991

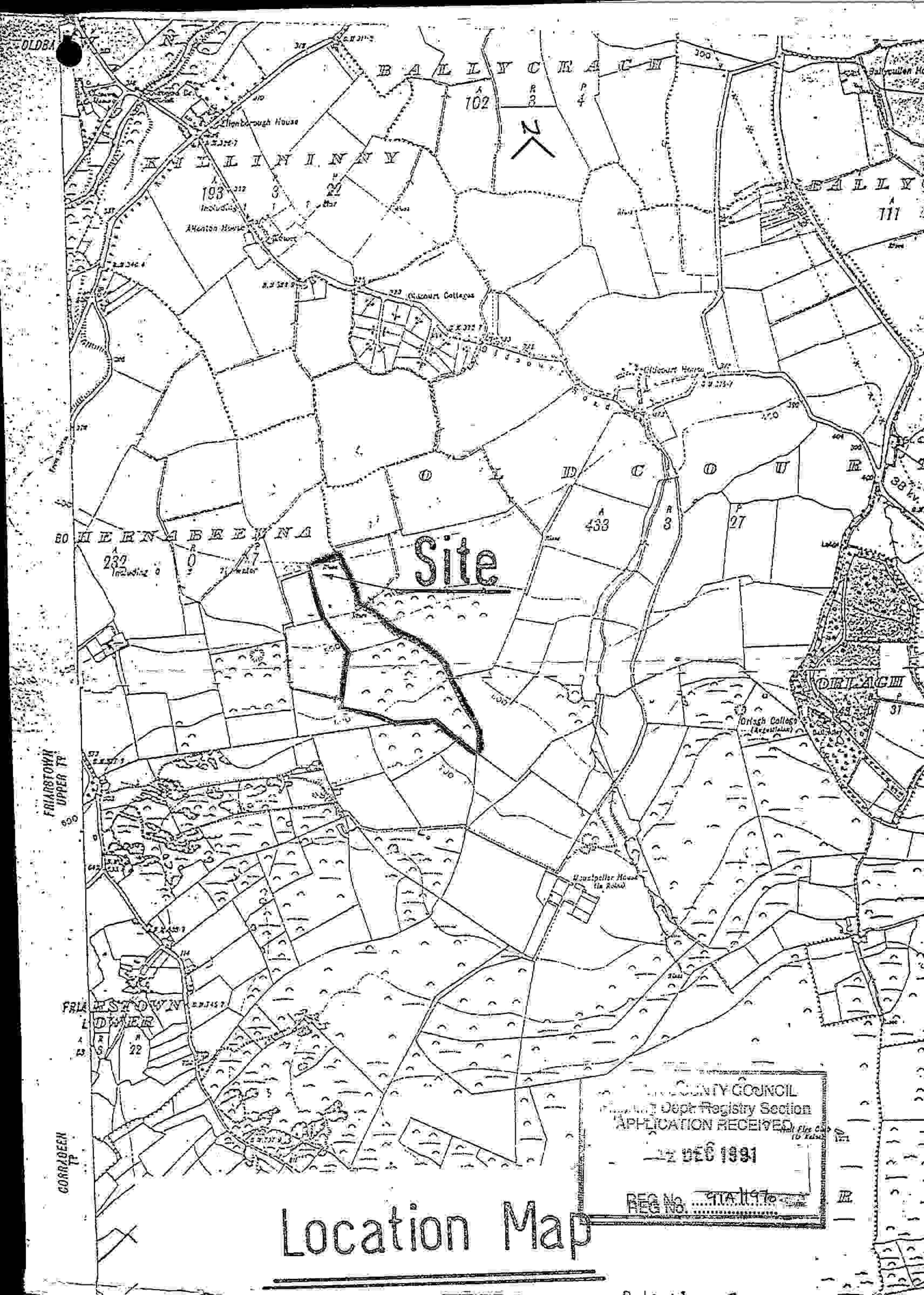
from James Grimes,
Gate Lodge,
Bohernabreena Waterworks

the sum of sixteen Pounds

planning application at Bohernabreena
Pence, being fee for

Noelene O'Scane Cashier

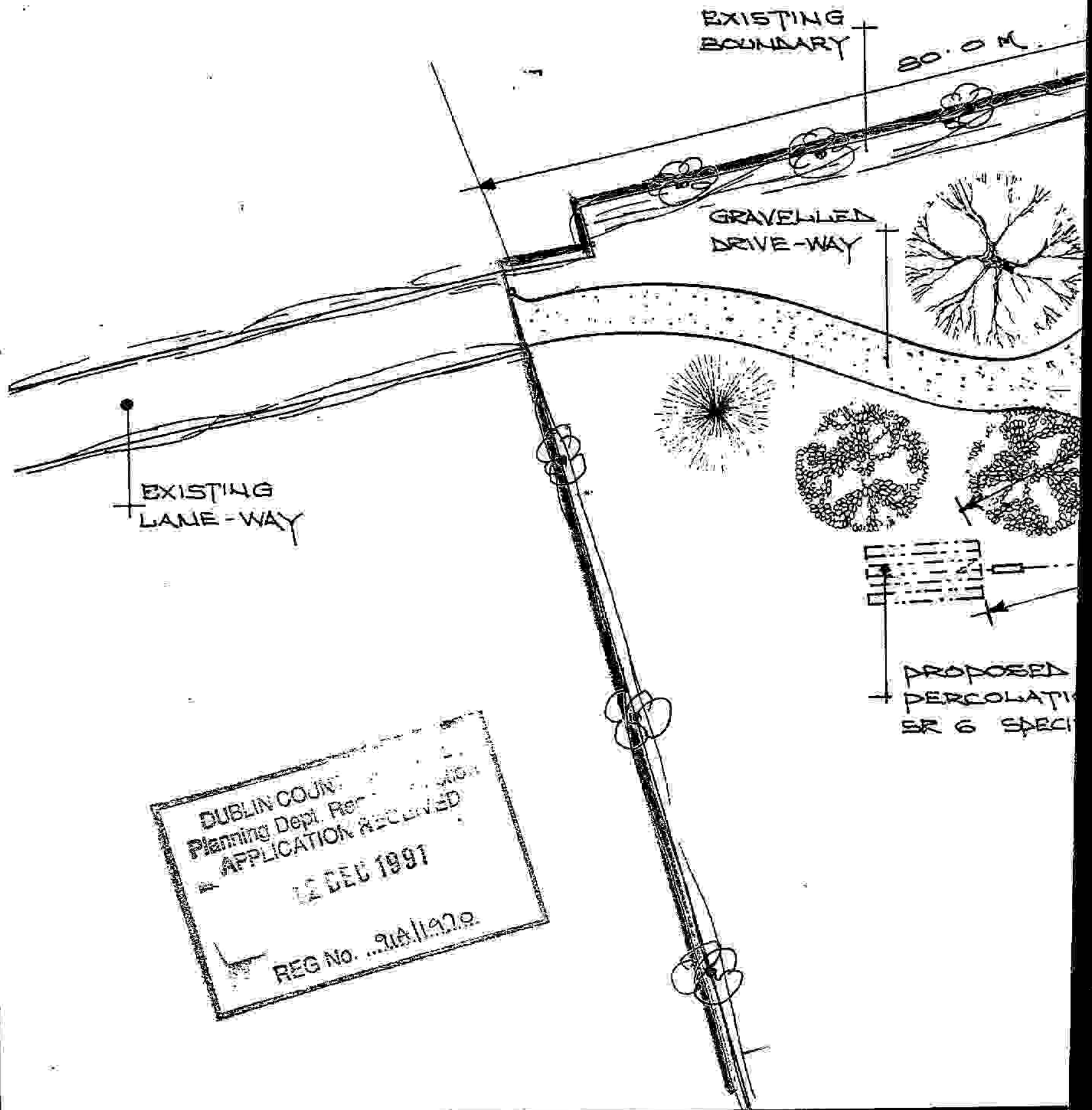
S. CAREY Principal Officer
16551x1



Site

WICK COUNTY COUNCIL
Planning Dept Registry Section
APPLICATION RECEIVED
12 DEC 1991
REG No. 91A 11970

Location Map

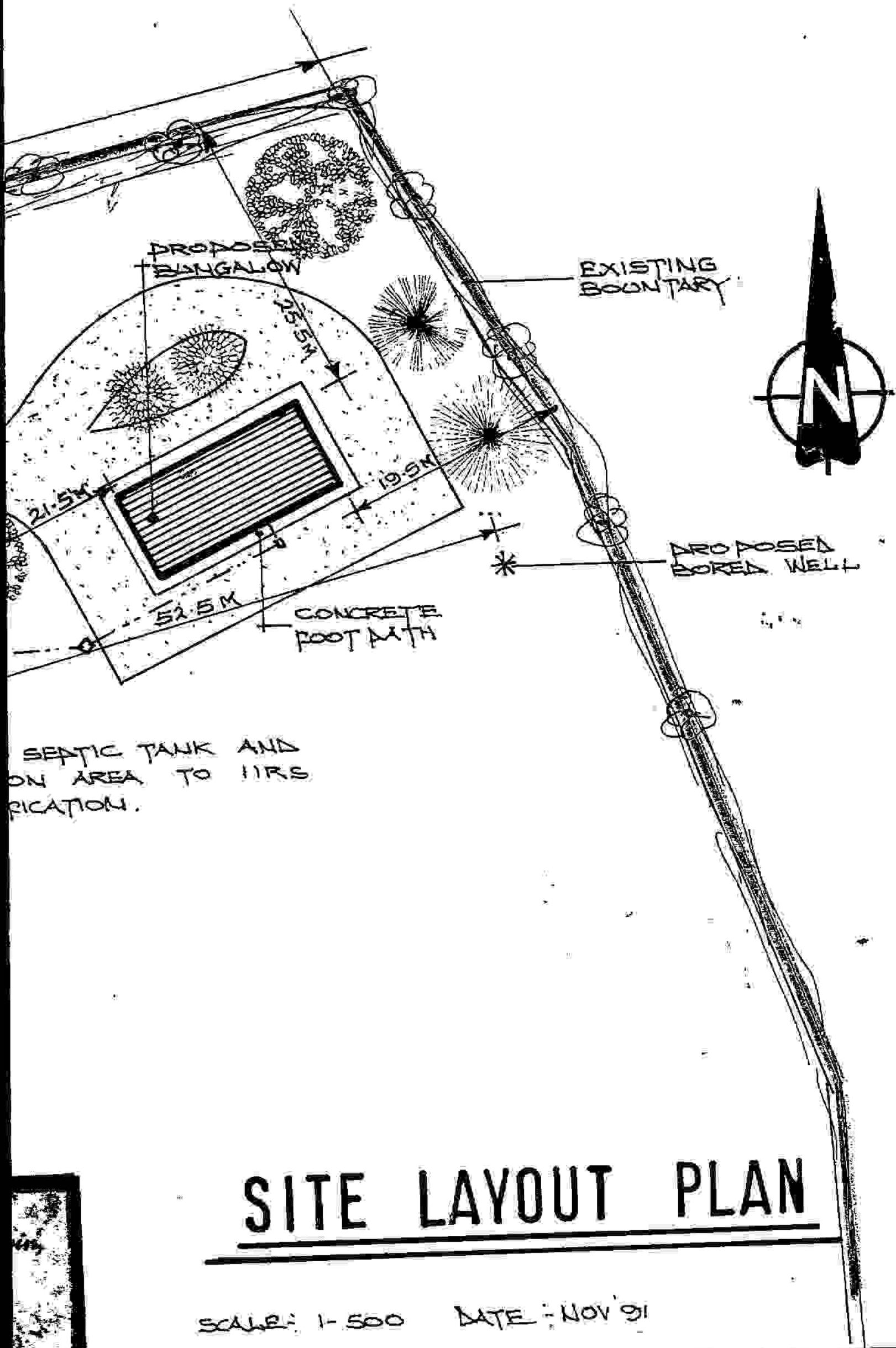


DUBLIN COUNTY
 Planning Dept. Recd.
 APPLICATION RECEIVED
 12 DEC 1991
 REG No. ...91A/1920

Vincent Cronin
 Architectural Surveyor
 Architects & Surveyors Institute



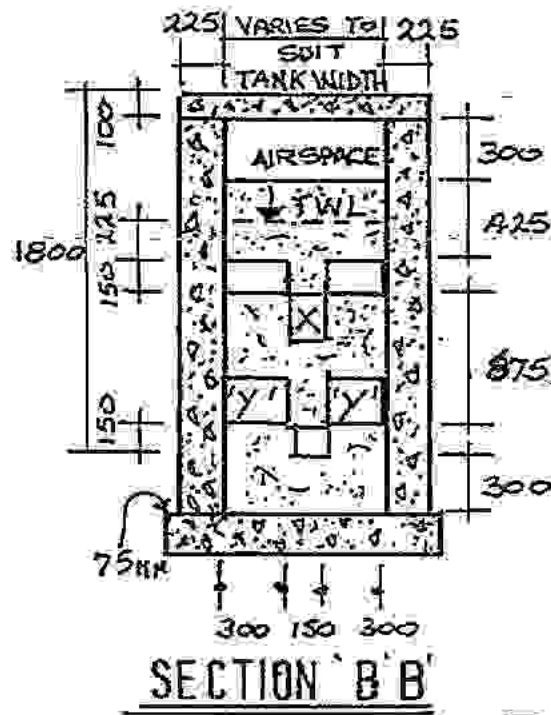
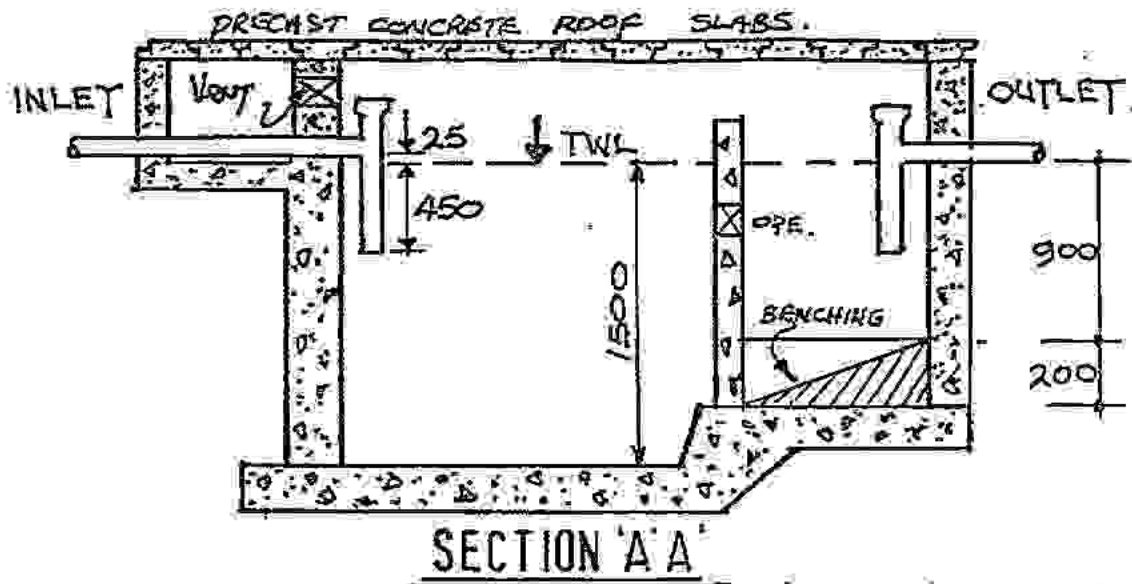
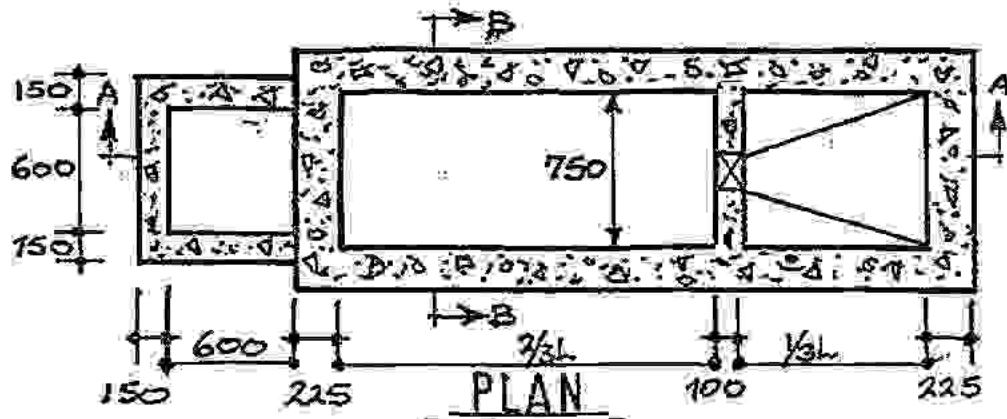
Logatrina, Dunlavin
 Co Wicklow
 Tel: 045/51426
 Fax 045/51381



SITE LAYOUT PLAN

SCALE: 1-500 DATE: NOV '91

SEPTIC TANK AND PERCOLATION AREA



X & Y VARY TO SUIT TANK WIDTH.

