

COMHAIRLE CHONTAE ÁTHA CLIATH

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P. C. Reference	LOCAL GOVERNMENT (PLANNING AND DEVELOPMENT) ACT 1963 & 1976 PLANNING REGISTER	REGISTER REFERENCE YA.779.
1. LOCATION	Cooldrinagh, Leixlip.	
2. PROPOSAL	Residential development consisting of 455 houses & associate site works, provision for school & shopping centre & proposed Leixlip by-pass on 60.75 acres.	
3. TYPE & DATE OF APPLICATION	TYPE	Date Received
	P	4.3.1983.
	Date Further Particulars	
	(a) Requested	(b) Received
	1. Time ext. up to & incl., 29/7/83	1.
	2.	2.
4. SUBMITTED BY	Name Delaney, McVeigh & Pike, Address Clyde House, 15, Clyde Rd., D/4. and Staff of McKone Estates Ltd.	
5. APPLICANT	Name McKone Estates Ltd. Address Pineview, Firhouse Rd., Templeogue, D/16	
6. DECISION	O.C.M. No. PA/1737/83	Notified 15th July, 1983
	Date 15th July, 1983	Effect To refuse permission
7. GRANT	O.C.M. No.	Notified
	Date	Effect
8. APPEAL	Notified 12th Aug., 1983	Decision Permission refused by An Bórd Pleanála
	Type 1st Party	Effect 8th Feb., 1984
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

Checked by

Copy issued by Registrar.

Date

Co. Accts. Receipt No

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Planning Register Reference Number: Y.A. 779

APPEAL by MCKONE Estates Limited of Pineview, Firhouse Road, Templeogue, Dublin and by Weston Limited of Leixlip, County Kildare, and others, against the decision made on the 15th day of July, 1983, by the Council of the County of Dublin to refuse permission to the said MCKONE Estates Limited for residential and ancillary development on a site at Cooldrinagh, Leixlip, County Dublin:

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

SCHEDULE

1. The site is located in an area where it is the objective of the planning authority, as expressed in the Dublin County Development Plan, to protect and provide for the development of agriculture. It is also the policy of the planning authority that the individual identity of towns such as Lucan/Clondalkin be protected and promoted through the delineation of visual breaks between the towns themselves and other development areas. The Board considers the provisions of the plan reasonable in this case and that the proposed development would be contrary to the proper planning and development of the area because it would militate against the preservation of the rural environment and because the area of land in existing agricultural use which defines and separates Lucan from Leixlip would be seriously reduced thereby and this pattern of development, if continued, would lead to the gradual coalescing of the centres.
2. The Board is of the opinion that the aerodrome use in the vicinity, an existing and established use more appropriate to this green belt area, would be prejudiced by the carrying out of the proposed development on the site.
3. In view of the stated unwillingness of Kildare County Council to facilitate the draining of the proposed development to their sewage treatment works, in the absence of a drainage agreement between Dublin County Council and the said Kildare County Council, the Board considers that there are no sewerage facilities available to serve the proposed development.
4. There is no spare capacity available at present in the Leixlip sewage treatment works to cater for the proposed development which would therefore be premature having regard to the existing deficiencies in the provision of sewerage facilities and the period within which such deficiencies may reasonably be expected to be made good.

The proposed development would be premature by reason of the fact that major road proposals for this area have not yet been finalised.

J. Molloy

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

Dated this 8th day of February 1984.

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:

~~XXXXXXXXXXXXXX~~
OUTLINE PERMISSION: ~~PERMISSION:~~ ~~APPROVAL~~

LOCAL GOVERNMENT (PLANNING AND DEVELOPMENT) ACTS, 1963-82

To McKone Estates Ltd., Register Reference No. YA 779
Pine View, Planning Control No. _____
Firhouse Road, Application Received 4.3.83
Templeogue, DUBLIN 16. Mat. Contra. Not. dated: 17.5.83
Additional Information Received _____
Time Ext. Up To: 29.7.83
Applicant McKone Estates Ltd.

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/A/1737/83 dated 15th July, 1983. decided to refuse:

~~OUTLINE PERMISSION~~ PERMISSION ~~APPROVAL~~

For residential development consisting of 455 houses and associated site works provision for a school and a shopping centre and for the proposed Leixlip By-pass on 60.75 acres at Cooldrinagh Leixlip with drainage to the Leixlip main outfall sewer at Toll House, Leixlip, Co. Kildare by way of sewers through Roseville, Leixlip. *K*
for the following reasons:

1. The proposed development would be located in an area zoned 'B' - "to protect and provide for the development of agriculture" in the 1983 County Development Plan. The proposed development would be contrary to this zoning objective and thereby contrary to the proper planning and development of the area and militate against the preservation of the rural environment.
2. There are no public foul sewers available to serve the proposed development.
3. No evidence has been submitted to indicate that Kildare County Council will permit a connection to their foul sewer system.
4. The proposed development would be premature by reason of the said existing deficiency in the provision of sewerage facilities and the period within which any such deficiency may reasonably be expected to be made good.
5. There is no public piped water available to serve the proposed development.
6. The proposed development would be premature by reason of the said existing deficiency in the provision of public piped water facilities in the area and the period within which such deficiency may reasonably be expected to be made good.
7. Insufficient details of surface water drainage have been submitted.
8. While the application makes provision for/^{the} reservation for the Leixlip By-pass in accordance with the latest design Drg. No. RD 451/1C, prepared by Dublin County Council the proposed development would be premature pending the final approval of this design by the Council and the Department of the Environment. In particular the development would be premature pending finalisation of details as to how the Cooldrinagh Road/Leixlip By-pass junction

Signed on behalf of the Dublin County Council/Contd.

for PRINCIPAL OFFICER

Date 15th July, 1983.

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 applicant 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.

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:

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OUTLINE PERMISSION: PERMISSION: ~~APPROVAL~~

LOCAL GOVERNMENT (PLANNING AND DEVELOPMENT) ACTS, 1963-82

To McKone Estates Ltd., Register Reference No. YA 779
Pine View,
Firhouse Road, Planning Control No.
Templeogue, Dublin #6. Application Received 4.3.83
Mat. Contra. Not. dated: 17.5.83
Additional Information Received
Time Ext. Up To:- 29.7.83
Applicant McKone Estates Ltd.

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/ 4/1737/83 dated 15th July, 1983. decided to refuse:

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residential development consisting of 455 houses and associated site works provision for a school and a shopping centre and for the proposed Leixlip By-pass on 60.75 acres at Cooldrinagh Leixlip with drainage to the Leixlip main outfall sewer at Togh House, Leixlip, Co. Kildare by way of sewers through Roseville, Leixlip.

for the following reasons:

8. will be treated regarding grade separation of the closure of the two sections of the Cooldrinagh Road with a pedestrian over bridge, should the junction be grade separated and the Leixlip By-pass be developed in cut:-
 - (i) The applicants proposal to run a gravity sewer from the northern end of Cooldrinagh Road southwards could be jeopardised;
 - (ii) Revised plans and levels would be required for Roads A and J;
 - (iii) Sites 301-106 might have to be adjusted to make allowance for an embankment for the overbridge and
 - (iv) A revised drainage and water main layout for the development would have to be prepared should Cooldrinagh Road be closed to through traffic with a pedestrian over bridge. It would result in the southern section of the site being isolated from the community facilities which would serve the development.
9. The proposed location of the access to Road A within 120ft. of the existing Cooldrinagh Road/Sligo Road (N4) junction is unacceptable and does not meet County Council Standards in relation to junction separation.
10. The proposed layout of the public open space is fragmented into a number of units. It is totally unacceptable to the Planning Authority and does not take cognisance of the contours on the site or the splendid views and wooded areas which are a feature of the site. A detailed tree survey of the site has not been submitted and insufficient areas of suitable public open space are proposed within the development. Strips of open space are not considered to form part of suitable public open space.
11. Houses backing onto public open space are unsatisfactory.

.../Contd. *[Signature]*

Signed on behalf of the Dublin County Council
for PRINCIPAL OFFICER

Date 15th July, 1983.

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

tel. 724755 (ext. 262/264)

NOTIFICATION OF A DECISION TO REFUSE:

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OUTLINE PERMISSION: PERMISSION: APPROVAL

LOCAL GOVERNMENT (PLANNING AND DEVELOPMENT) ACTS, 1963-82

To McKone Estates Ltd. Register Reference No. YA 779
Pine View,
Firhouse Road, Planning Control No.
Templeogue, Dublin 16. Application Received 4.3.83
Mat. Contra. Not. dated: 17.5.83
Additional Information Received
Time Ext. up. to:- 29.7.83
Applicant McKone Estates Ltd.

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/A/1737/83 dated 15th July, 1983. decided to refuse:

~~XXXXXXXXXXXX~~ PERMISSION ~~XXXXXXXXXXXX~~

For residential development consisting of 455 houses and associated site works provision for a school and a shopping centre and for the proposed Leixlip By-pass on 60.75 acres at Cooldrinagh Leixlip with drainage to the Leixlip main outfall sewer at Tool House, Leixlip, Co. Kildare by way of sewers through Roseville Leixlip.
for the following reasons:

12. Insufficient acceptable Class 1, public open space has been provided to serve the development by Development Plan Standards.
13. The location of the school site within the development is unacceptable to the Planning Authority in that it is located in an area where the contours of the land would make it an unsatisfactory site for the development of a school.
14. The developers have not satisfactorily indicated the necessity for the shopping development as proposed. Additionally the location of the shopping site is unsatisfactory in relation to access and contours.
15. The ~~proposed~~ development would materially contravene condition no. 1 of the grant of permission of the Minister for Local Government dated 14.3.77 (Order No. PL 6/5/35587), in that the applicant has not entered into an agreement with both the Council of the County of Dublin And the Council of the County of Kildare regarding the foul sewage and surface water piped drainage arrangements including the disposal of the foul sewage through the treatment works at Leixlip.

Signed on behalf of the Dublin County Council
for PRINCIPAL OFFICER

Date 15th July, 1983.

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YA.779

26th April, 1983.

Mr. E. McKone,
McKone Estates Ltd.,
Pineview,
Firhouse Road,
Templeogue,
Dublin 16.

Re: Proposed residential development consisting of 445 houses and associate site works provision for a school and shopping centre and for the proposed Leixlip By-Pass on 60.75 acres at Cooldrinagh, Leixlip, with drainage to the Leixlip main outfall sewer at Tool House, Leixlip, by way of sewers through Roseville, Leixlip for McKone Estates Ltd.

Dear Sir,

With reference to your planning application received here on 4/3/'83, (letter for extension period received 25/4/'83), 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 extended up to and including the 29/7/'83.

Yours faithfully,



for Principal Officer