

	South Dublin County Council Local Government (Planning & Development) Acts 1963 to 1993 Planning Register (Part 1)	Plan Register No. S97A/0700	
1. Location	Muldowneys Lounge / Bar, Main Street, Rathcoole, Co. Dublin.		
2. Development	(1) Retention of existing buildings to rear of existing lounge / bar. (2) For demolition of adjoining dwelling and building of two storey extension to side of existing lounge / bar. (3) Extension of existing car park and boundary wall to rear and side.		
Date of Application	28/10/98	Date Further Particulars (a) Requested (b) Received	
3a. Type of Application	Permission	1. 2.	1. 2.
4. Submitted by	Name: Peter McGillen, Address: Burgage, Blessington,		
5. Applicant	Name: Vincent & Catherine Robinson, Address: Rathcoole, Co. Dublin.		
6. Decision	O.C.M. No. 0187 Date 29/01/98	Effect AG GRANT PERMISSION & REFUSE PERMISSION	
Grant	O.C.M. No. Date	Effect AG GRANT PERMISSION & REFUSE PERMISSION	
8. Appeal Lodged	26/02/98	Written Representations	
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.	

AN BORD PLEANÁLA

LOCAL GOVERNMENT (PLANNING AND DEVELOPMENT) ACTS, 1963 TO 1998

County South Dublin

Planning Register Reference Number: S97A/0700

APPEAL by Vincent Robinson care of Conor Furey and Associates Limited of Sycamore Lodge, Ballyshannon, Kilcullen, County Kildare against the decision made on the 29th day of January, 1998 by the Council of the County of South Dublin in relation to an application by Vincent and Catherine Robinson for permission for development comprising retention of existing buildings including ladies and gents toilets, pool room, staff area, office, hot press, cold room, general store and refurbishment of existing building to dry goods store to rear and side of existing lounge/bar; demolition of adjoining house and building of two-storey extension to side of existing lounge/bar including carvery counter, kitchenette, dining area, seating area, ladies and gents toilets at ground floor level with restaurant, gallery, kitchen, ladies and gents toilets, staff kitchen and changing area, office at first floor level plus ancillary work to front elevation of existing lounge/bar; extension of existing car park and extension of existing boundary wall around car park to rear and side of Muldowney's lounge/bar, Main Street, Rathcoole, County Dublin in accordance with the plans and particulars lodged with the said Council (which decision was to grant subject to conditions a permission for the retention of the said existing buildings to rear of existing lounge/bar and to refuse permission for the demolition of the said adjoining house and building of two-storey extension to side of existing lounge/bar and extension of existing car park and boundary wall to rear and side):

DECISION: Pursuant to the Local Government (Planning and Development) Acts, 1963 to 1998, it is hereby decided, for the reason set out in the First Schedule hereto, to grant permission for the retention of the said existing buildings to rear of existing lounge/bar in accordance with the said plans and particulars, subject to the conditions specified in the Second Schedule hereto, the reasons for the imposition of the said conditions being as set out in the said Second Schedule and the said permission is hereby granted subject to the said conditions. Furthermore, permission is hereby refused for the demolition of the said adjoining house and building of two-storey extension to side of existing lounge/bar and extension of existing car park and boundary wall to rear and side for the reasons set out in the Third Schedule hereto.

FIRST SCHEDULE

Having regard to the planning history of the site, the relationship between the uses of the structures to be retained and the existing public house use on the site, it is considered that, subject to compliance with the conditions set out in the Second Schedule, the proposed development would not seriously injure the amenities of the area and would be in accordance with the proper planning and development of the area.



SECOND SCHEDULE

1. Water supply and drainage arrangements, including the disposal of surface water, shall comply with the requirements of the planning authority for such works and services.

Reason: In the interest of public health and to ensure a proper standard of development.

2. Existing oil storage tanks on the site shall be bunded to 110% of the capacity of the tanks within one month of the date of this order.

Reason: In the interest of public health.

3. The existing sheds in the yard area to the west of the bar and lounge shall be used solely for storage purposes and shall not be incorporated into the public area of the premises without a prior grant of planning permission.

Reason: In the interest of the proper planning and development of the area.

4. The developer shall pay a sum of money to the planning authority as a contribution towards expenditure that was and/or that is proposed to be incurred by the planning authority in respect of the provision of public water supplies and sewerage facilities facilitating the proposed development. The amount of the contribution and the arrangements for payment shall be as agreed between the developer and the planning authority or, in default of agreement, shall be determined by An Bord Pleanála.

In the case of expenditure that is proposed to be incurred, the requirement to pay this contribution is subject to the provisions of section 26(2)(h) of the Local Government (Planning and Development) Act, 1963 generally, and in particular, the specified period for the purposes of paragraph (h) shall be the period of seven years from the date of this order.

Reason: It is considered reasonable that the developer should contribute towards the expenditure that was and/or that is proposed to be incurred by the planning authority in respect of works facilitating the proposed development.

THIRD SCHEDULE

1. Having regard to the location of the appeal site within the approach area to runway 05 at Casement Aerodrome, Baldonnell, it is considered that the proposed development would endanger and interfere with the safety of aircraft and the safe and efficient navigation thereof. The proposed development would also contravene materially Sections 2.5.5 and 3.9.3 of the current Development Plan for the area. (The map schedule number 3 shows the site of the proposed development within the approach to runway 05 inside which no new development is permissible). The proposed development would, therefore, be contrary the proper planning and development of the area.

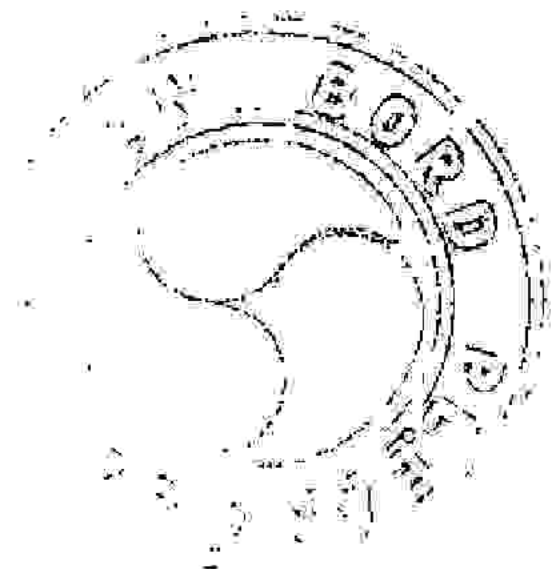
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2. The proposed development would be premature pending the upgrading of the existing public waste water treatment and disposal systems in Rathcoole and the provision of an independent proprietary effluent treatment system on the site, situated between existing residential properties, would be prejudicial to public health and would be contrary to the proper planning and development of the area.



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

Dated this 25th day of August 1998.



**SOUTH DUBLIN COUNTY COUNCIL
COMHAIRLE CHONTAE ÁTHA CLIATH THEAS**



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Baile Átha Cliath 24.

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

Decision Order Number 0187	Date of Decision 29/01/98
Register Reference S97A/0700	Date 28th October 1997

Applicant Vincent & Catherine Robinson,
Development (1) Retention of existing buildings to rear of existing lounge / bar.
(2) For demolition of adjoining dwelling and building of two storey extension to side of existing lounge / bar.
(3) Extension of existing car park and boundary wall to rear and side.

Location Muldowneys Lounge / Bar, Main Street, Rathcoole,
Co. Dublin.

Floor Area Sq Metres

Time extension(s) up to and including 30/01/98

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 **GRANT PERMISSION & REFUSE PERMISSION** in respect of the above proposal, as detailed on the following page.

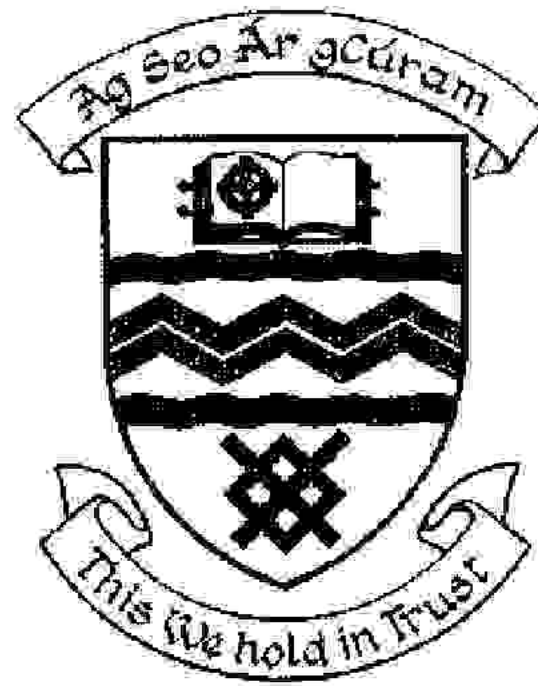
Signed on behalf of the South Dublin County Council.

29/01/98

.....
for SENIOR ADMINISTRATIVE OFFICER

Peter McGillen,
Burgage,

**SOUTH DUBLIN COUNTY COUNCIL
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~~REG-REF.-S97A/0700-~~
Blessington,
Co. Wicklow.

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A decision to **Grant Permission** for retention of existing buildings to rear of existing lounge/bar subject to the conditions & reasons set out in Schedule 1.

Schedule 1

Conditions and Reasons

- 1 The development to be retained in its entirety in accordance with the plans, particulars and specifications lodged with the application, save as may be required by the other conditions attached hereto.
 REASON:
 To ensure that the development shall be in accordance with the permission and that effective control be maintained.

- 2 That all surface water shall be discharged to soakways designed to BRE Digest 365 Guidelines. Details of all soakways shall be submitted for the written agreement of the Planning Authority within one month of the date of final grant of planning permission.
 REASON:
 In the interest of public health and the proper planning and development of the area.

- 3 All foul waste shall be discharged to the public foul sewer.
 REASON:
 In the interest of public health.

- 4 That no advertising sign or structure be erected except those which are exempted development, without prior approval

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~~REG. REF. S97A/0700~~

of Planning Authority or An Bord Pleanála on appeal.

REASON:

In the interest of the proper planning and development of the area.

- 5 Parking spaces for this development shall be within the already existing car park to the rear of the premises.

REASON:

In the interest of traffic safety and the proper planning and development of the area.

- 6 The oil tanks on this site shall be bunded to 110 percent of the capacity of the tanks within one month of the date of final grant of planning permission.

REASON:

In the interest of public health.

- 7 The two sheds in the yard area to the west of the bar/lounge shall be used solely for storage purposes and shall not be incorporated into the public area of the premises without prior specific grant of planning permission.

REASON:

In the interest of the proper planning and development of the area.

- 8 That a financial contribution in the sum of £1,994 (one thousand nine hundred and ninety four pounds) be paid by the proposer to South Dublin County Council towards the cost of provision of public services in the area of the proposed development and which facilitate this development; this contribution to be paid on receipt of final grant of permission.

REASON:

The provision of such services in the area by the Council will facilitate the proposed development. It is considered reasonable that the developer should contribute towards the cost of providing the services.

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- 9 That a financial contribution in the sum of money equivalent to the value of £2,127 (two thousand one hundred and twenty seven pounds) as on 1st January, 1991, updated in accordance with the Wholesale Price Index - Building and Construction (Capital Goods) as published by the Central Statistics office to the value pertaining at the time of payment shall be paid by the proposer to South Dublin County Council towards the cost of roads improvements and traffic management in the area of the proposed development and which facilitate this development; this contribution to be paid on receipt of final grant of permission.

REASON:

It is considered reasonable that the developer should contribute towards the expenditure that was incurred and/or that is proposed to be incurred by the Council on road improvement works and traffic management schemes facilitating the proposed development.

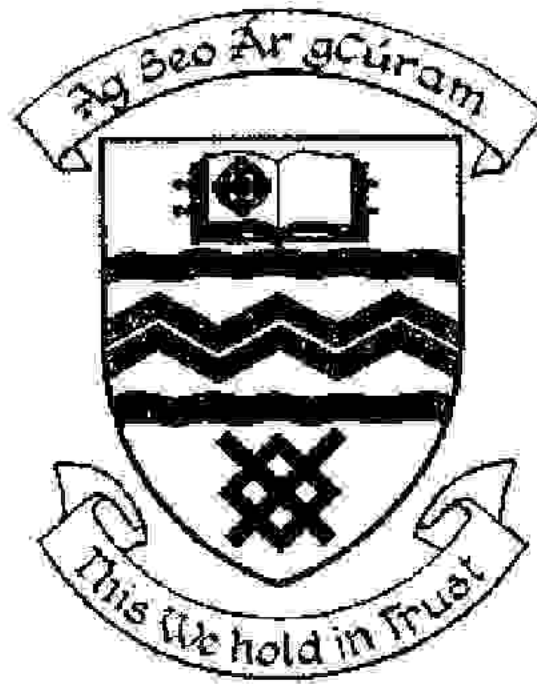
NOTE: This development is within an area in which the level of aircraft noise without adequate noise insulation will be intrusive.

A decision to **Refuse Permission** for demolition of adjoining dwelling and building of two-storey extension to side of existing lounge/bar and extension of existing car park and boundary wall to rear and side for reasons set out in Schedule 2.

Schedule 2

Reasons

**SOUTH DUBLIN COUNTY COUNCIL
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- 1 The proposed development would endanger and interfere with the safety of aircraft and the safe and efficient navigation thereof having regard to the location of the site for the greater portion of the two storey extension and the entire car-park extension within the approach area to Runway 05 at Casement Aerodrome, Baldonnell. Furthermore the proposed development would contravene materially Sections 2.5.5 and 3.9.3 of the 1993 Dublin County Development Plan and the Map Schedule No. 3 shows the greater portion of the proposed development within the approach to Runway 05 inside which no new development is permissible. The proposed development would, therefore, be contrary to the proper planning and development of the area.
- 2 The proposed development would be prejudicial to public health for the following reasons:-
 - a) there is no capacity within the treatment works for additional foul sewerage;
 - b) the applicant has failed to indicate proposals for the disposal of surface water within the site to meet BRE Digest 365 Guidelines standards.
- 3 windows in the gable elevation of the proposed extension would seriously injure the residential amenities of the adjoining house to the east.

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LOCAL GOVERNMENT (PLANNING AND DEVELOPMENT) ACTS, 1963 TO 1993

Decision Order Number 4319	Date of Decision 17/12/97
Register Reference S97A/0700	Date 28th October 1997

Applicant Vincent & Catherine Robinson,
App. Type Permission
Development (1) Retention of existing buildings to rear of existing lounge / bar.
(2) For demolition of adjoining dwelling and building of two storey extension to side of existing lounge / bar.
(3) Extension of existing car park and boundary wall to rear and side.

Location Muldowneys Lounge / Bar, Main Street, Rathcoole,
Co. Dublin.

Dear Sir / Madam,

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 has been extended, up to and including 30/01/98

Yours faithfully

.....
for SENIOR ADMINISTRATIVE OFFICER

18/12/97

Peter McGillen,
Burgage,
Blessington,
Co. Wicklow.