

COMHAIRLE CHONTAE ATHA CLIATH

File Reference P.C. 10170	LOCAL GOVERNMENT (PLANNING AND DEVELOPMENT) ACT 1963 & 1976 PLANNING REGISTER		REGISTER REFERENCE RA. 152
1. LOCATION	Rathcoole, Co. Dublin. (The Poitin Still)		
2. PROPOSAL	Extension to licensed premises		
3. TYPE & DATE OF APPLICATION	TYPE	Date Received	Date Further Particulars
			(a) Requested
	P.	3rd February, '78	1. _____ 2. _____
4. SUBMITTED BY	Name Fergal MacGabe, Esq., Address 33, Fitzwilliam Place, Dublin, 2.		
5. APPLICANT	Name Louis Fitzgerald, Address "The Poitin Still", Rathcoole, Co. Dublin.		
6. DECISION	O.C.M. No. P/869/78 Date 20/3/78		Notified 21st March, 1978 Effect Permission Refused
7. GRANT	O.C.M. No. Date		Notified Effect
8. APPEAL	Notified 4th April, 1978 Type 1st Party		Decision 8th September 1978 Effect Permission granted by An Bord Pleanála
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.			
16.			
Prepared by		Copy issued by Registrar.	
Checked by		Date	
Grid Ref.	O.S. Sheet	Co. Accts. Receipt No.	

DUBLIN COUNTY COUNCIL

Planning Department,
46-49 Dame Street,
Dublin 2.

NOTIFICATION OF A DECISION REFUSING:
~~OUTLINE PERMISSION~~: PERMISSION: ~~APPROVAL~~:
LOCAL GOVERNMENT (PLANNING & DEVELOPMENT) ACT, 1963.

To: Fergal MacGabe,
33, Fitzwilliam Place,
Dublin 2.

Register Reference No: R.A. 152
Planning Control No: 10170
Application received: 3/2/78

APPLICANT: Louis Fitzgerald,

In pursuance of its functions under the above mentioned Act the Dublin County Council, being the Planning Authority for the County Health District of Dublin, did by order ^{P/869/78} dated 20th March 1978 refuse:

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

for Proposed extension to licensed premises at The Poitin Still, The Green, Rathcoole,

for the following reasons:

1. The proposed development, by reason of its scale, immediately adjoining the south junction of Rathcoole Village with the Naas Road dual carriageway National Primary Route, would endanger public safety by reason of traffic hazard, as it would generate an unacceptable increase of vehicular turning movements on the dual carriageway.
2. The proposed development, by reason of its scale and character, would seriously injure the amenities of property in the vicinity and would thus not be in accordance with the proper planning and development of the area.

Signed on behalf of the Dublin County Council:


for Senior Administrative Officer

Date: 21st March 1978

NOTE: An appeal against the decision may be made to the Minister by the applicant within one month from the date of receipt by the applicant of this notification or by any other person within twenty-one days of 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 the Secretary, (Planning Appeals Section), Department of Local Government, Custom House, Dublin 1. When an appeal has been duly made and has not been withdrawn the Minister for Local Government will determine the application for permission as if it had been made to him in the first instance.

PL. 6/5/41778

AN BORD PLEANÁLA

LOCAL GOVERNMENT (PLANNING AND DEVELOPMENT) ACTS, 1963 AND 1976

County Dublin

Planning Register Reference Number: R.A. 152

APPEAL by Louis Fitzgerald of "The Poitin Still", Rathcoole, County Dublin, against the decision made on the 20th day of March, 1978, by the Council of the County of Dublin relating to an application for approval for the construction of extensions to "The Poitin Still", Rathcoole, in accordance with plans and particulars lodged with the said Council:

DECISION: Pursuant to the Local Government (Planning and Development) Acts, 1963 and 1976, it is hereby decided, for the reasons set out in the First Schedule hereto, to grant approval for the construction of the said extensions in accordance with the said plans and particulars, subject to the conditions specified in column 1 of the Second Schedule hereto, the reasons for the imposition of the said conditions being as set out in column 2 of the said Second Schedule and the said approval is hereby granted subject to the said conditions.

FIRST SCHEDULE

The principle of the development has been established by the decision of the Minister for Local Government made on 24th January, 1974 which granted outline permission for the modification and extension of the premises (Planning Register Reference Number: E. 2049). It is considered that the proposed development accords generally with that outline permission and provided the conditions set out in the Second Schedule are complied with, it is not considered that it would give rise to an unacceptable level of traffic hazard or be otherwise contrary to the proper planning and development of the area.

SECOND SCHEDULE

Column 1 - Conditions

1. The proposed car parking spaces numbered 1 to 26 inclusive on the lodged plans shall be omitted from the development.
2. Before any development is commenced, a comprehensive landscaping scheme for the site (to include the area referred to in condition 1 above) and screening proposals (including the erection of screen walls of suitable height at appropriate locations along the boundaries) shall be submitted to and agreed with the planning authority or, in default of agreement, shall be as determined by An Bord Pleanála and such scheme and proposals, as so agreed

Column 2 - Reasons for Conditions

1. Cars parking on this part of the site would be likely to distract motorists on the dual carriageway road, especially at night.
- 2 and 3 In the interests of visual amenity and traffic safety.

(Contd)

SECOND SCHEDULE (Contd.)

Column 1 - Conditions	Column 2 - Reasons for Conditions
<p>or determined, shall be carried out and completed before the extended premises are opened for public trading.</p> <p>3. Any proposals for the installation of public lighting or the provision of signs or advertisements on the site shall be subject of an application for approval to the planning authority, and no such lighting or signs shall be installed or provided save in accordance with an approval granted by that authority or by An Bord Pleanála on appeal.</p> <p>4. The developer shall pay a sum of money to the Dublin County Council as a contribution towards the said Council's expenditure on the provision of a public water supply and piped sewerage facilities in the area. The amount to be paid and the time and method of payment shall be agreed between the developer and the said Council before the development is commenced, or, failing agreement, shall be as determined by An Bord Pleanála.</p>	<p>4. 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.</p>

M. J. McFADDEN

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

Dated this 8th day of September 1978.

