

## COMHAIRLE CHONTAE ÁTHA CLIATH

File Reference P.C. 11096	LOCAL GOVERNMENT (PLANNING AND DEVELOPMENT) ACT 1963 PLANNING REGISTER		REGISTER REFERENCE M. 2237
1. LOCATION	Esker, Lucan, Co. Dublin		
2. PROPOSAL	Shop		
3. TYPE & DATE OF APPLICATION	TYPE O.P.	Date Received 23rd August, '77	Date Further Particulars (a) Requested 1. _____ 2. _____ (b) Received 1. _____ 2. _____
4. SUBMITTED BY	Name J. Byrne, Esq., Address 86 Cappagh Avenue, Finglss, Dublin 11 <del>6</del>		
5. APPLICANT	Name J. Foley, Esq. Address _____		
6. DECISION	O.C.M. No. Date	P/3820/77 20/10/77	Notified 20th October, 1977 Effect Outline Permission Refused
7. GRANT	O.C.M. No. Date		Notified Effect
8. APPEAL	Notified Type	17th Nov. 1977 1st Party	Decision 22nd February, 1978 Effect Outline Permission Refused by An Bord Pleanala
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 \_\_\_\_\_

Checked by \_\_\_\_\_

Copy issued by \_\_\_\_\_ Registrar.

Date \_\_\_\_\_

Grid Ref.

O.S. Sheet

Co. Accts. Receipt No. \_\_\_\_\_

**DUBLIN COUNTY COUNCIL**

TELEPHONE: 742951 (EXT. 143 and 145)

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

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

To: .....  
**J. Byrne** .....  
**86, Cappagh Ave.,** .....  
**Finglas, Dublin 11.** .....

Register Reference No: **M. 2257** .....  
Planning Control No: **11096** .....  
Application received **23/8/77** .....

APPLICANT: **J. Foley.** .....

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/3820/77** dated **20/10/77** refuse:

OUTLINE PERMISSION; ~~PERMISSION~~; ~~XXXXXXXXXX~~

for **Proposed shop at Eager, Lucan, Co. Dublin.** .....

for the following reasons:

1. The proposed development is not in accordance with the proper planning and development of the area in that it is contrary to the provision of the Council's Development Plan which envisages these lands being preserved for open space amenity.
2. There are no public sewerage facilities available to serve the proposed development.
3. The proposed development would be premature by reason of the said existing deficiency in the provision of sewerage facilities and the period within which such deficiency may reasonably be expected to be made good.
4. The proposed development would endanger public safety by reason of traffic hazard because it would generate a substantial number of traffic turning movements on a particularly bad part of the substandard and heavily trafficked Lucan to Clondalkin Road in close proximity to a junction and a right angled bend on that road.
5. The proposed development is premature because a road layout for the area has not been approved by the Planning Authority or by An Bord Pleanála on appeal.
6. Insufficient information has been submitted in relation to the size of the shop, location on the site etc.

Signed on behalf of the Dublin County Council: .....  
for Senior Administrative Officer

Date: **20th October 1977** .....

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 6/5/40628

AN BORD PLEANALA

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

County Dublin

Planning Register Reference Number: M.2237

PC 11096  
NRP

APPEAL by J. Foley care of J. Byrne, 86 Cappagh Avenue, Finglas, Dublin 11,  
against the decision made on the 20th day of October, 1977, by the Council  
of the County of Dublin deciding to refuse an outline permission for the  
erection of a shop at Esker, Inceen, County Dublin: —

DECISION: Pursuant to the Local Government (Planning and Development) Acts,  
1963 and 1976, outline permission is hereby refused for the erection of  
the said shop for the reasons set out in the Schedule hereto.

SCHEDULE

1. It is an objective of the planning authority as expressed in the County  
Development Plan, to preserve the area of which the site forms part as  
amenity open space. This objective is considered reasonable and the  
proposed development would be in conflict with it.
2. The proposed development would endanger public safety by reason of  
traffic hazard because the site is located at a junction between two  
bends along a substandard and heavily-trafficked road and the additional  
traffic movements generated by the development would interfere with the  
safety and free flow of traffic on the road.

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

Dated this 22<sup>nd</sup> day of February 1978.