

## COMHAIRLE CHONTAE ÁTHA CLIATH

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|-----------------------------------|---|--|--|
| File Reference<br>P.C.11171/16648 | LOCAL GOVERNMENT (PLANNING AND DEVELOPMENT) ACT 1963<br>PLANNING REGISTER |  | REGISTER REFERENCE<br>K.1970                           |
| 1. LOCATION                       | Newlands Cross  |  |  |
| 2. PROPOSAL                       | Retention of use of house as a multiple occupancy (temporary)             |  |  |
| 3. TYPE & DATE OF APPLICATION     | TYPE  | Date Received  | Date Further Particulars<br>(a) Requested (b) Received |
|                                   | P.  | 9th Aug. 1976  | 1. ....<br>2. ....                                     |
| 4. SUBMITTED BY                   | Name David Hunt<br>Address Viewmount, Enniskerry, Co. Wicklow.            |  |  |
| 5. APPLICANT                      | Name McGoff Holdings Ltd.=<br>Address Woodlands, Naas, Co. Kildare.       |  |  |
| 6. DECISION                       | O.C.M. No. P/3327/76<br>Date 7/10/76                                      | Notified 8th October, 1966<br>Effect Permission Refused                      |  |
| 7. GRANT                          | O.C.M. No.<br>Date  | Notified<br>Effect   |  |
| 8. APPEAL                         | Notified 10/11/76<br>Type 1st Party                                       | Decision 30th January, 1978<br>Effect Permission Granted by An Bord Pleanála |  |
| 9. APPLICATION SECTION 26 (3)     | Date of application   | Decision<br>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.....   |  |

PL. 6/5/36877

AN BORD PLEANALA

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

County Dublin

Planning Register Reference Number: K. 1970

APPEAL by McGoff Holdings Limited, of Woodlands, Naas, County Kildare, against the decision made on the 7th day of October 1976, by the Council of the County of Dublin deciding to refuse a permission for the continuance of use of a house as a multiple dwelling on a site at Newlands, Cross, Clondalkin, 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 permission for the continuance of the said use in accordance with the said plans and particulars, subject to the condition specified in column 1 of the Second Schedule hereto, the reason for the imposition of the said condition being as set out in column 2 of the said Second Schedule and the said permission is hereby granted subject to the said condition.

FIRST SCHEDULE

It is not considered that the continuance of the present use of the house for a limited period would be contrary to the proper planning and development of the area, nor is it considered that it would give rise to any serious traffic hazard or result in the creation of a public health hazard.

SECOND SCHEDULE

| <u>Column 1 - Condition</u>   | <u>Column 2 - Reason for Condition</u>  |
|---|---|
| The use shall cease on or before the expiration of a period of two years from the date of this order unless, before the expiration of that period, permission for the continuance of the use for a further period has been granted by the planning authority, or by An Bord Pleanala on appeal. | The site of the house is likely to be seriously affected by major new road works in the area, so that a limited permission is considered appropriate. |

JOHN O'DONOGHUE

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

Dated this 30<sup>th</sup> day of January 1978.

TELEPHONE: 42951 (EXT. 131)

**NOTIFICATION OF A DECISION TO REFUSE:**

LOCAL GOVERNMENT (PLANNING & DEVELOPMENT) ACT, 1963.

Register Reference No:...K.1970

Planning Control No: ...11171/16648

Application received... 5th Aug, 75

APPLICANT: McGoff Holdings Ltd.

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/3327/76... dated .....7th. October, 1976..... decide to refuse:

dated .....  
 XXXXXXXXXXXXXXXXXXXX PERMISSION; APPROVAL  
 XXXXXXXXXXXXXXXXXXXX

for Proposed retention of use of house as a multiple dwelling (temporary) at Newlands Cross, Clonsilla.

for the following reasons:

1. Access to this site is from a National Primary dual carriageway. The proposed development would endanger public safety by reason of traffic hazard due to the generation of additional turning movements.
2. There is no public foul sewer available to serve the proposed development. No foul sewer connection could be permitted in this area due to lack of pipe capacity in existing sewerage system for the Clondalkin area.
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. Detailed layout of units within the structure has not been indicated nor have off street car parking facilities or amenity open space been indicated.
5. Evidence has not been submitted that the house is not an unfit house within the meaning of the Housing Act, 1966, (Section 66) and the second schedule therein.

**Note:** The site may be affected by reservation lines for major junction treatment of Newlands Cross.

Signed on behalf of the Dublin County Council:

Date: 8th October, 1976. ....

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.