

# COMHAIRLE CHONTAE ÁTHA CLIATH

P. C. Reference	LOCAL GOVERNMENT (PLANNING AND DEVELOPMENT) ACT 1963 & 1976 PLANNING REGISTER		REGISTER REFERENCE 85A/1388
1. LOCATION	Athgoe South, Newcastle. <span style="float: right; font-size: 2em;">9</span>		
2. PROPOSAL	Bungalow with septic tank.		
3. TYPE & DATE OF APPLICATION	TYPE	Date Received	Date Further Particulars
			(a) Requested (b) Received
	P.	24th Oct. 85.	1. 17th Dec., 1985 2. 28th Jan., 1986
4. SUBMITTED BY	Name Mr. Jack Fitzsimons, Address John Street, Kells, Co. Meath.		
5. APPLICANT	Name Ms. Mary Kearney, Address Athgoe South, Newcastle, Co. Dublin.		
6. DECISION	O.C.M. No. P/929/86		Notified 26th March, 1986
	Date 26th March, 1986		Effect To refuse permission
7. GRANT	O.C.M. No.		Notified
	Date		Effect
8. APPEAL	Notified 2nd May, 1986		Decision Permission granted by An Bord Pleanála
	Type 1st Party		Effect 22nd July, 1986
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 .....

AN BORD PLEANALA

LOCAL GOVERNMENT (PLANNING AND DEVELOPMENT) ACTS, 1963 TO 1983

County Dublin

Planning Register Reference Number: 85A/1388

**APPEAL** by Mary Kearney, of Athgoe South, Newcastle, County Dublin, against the decision made on the 26th day of March, 1986, by the Council of the County of Dublin, to refuse permission for a bungalow and septic tank at Athgoe South, Newcastle, County Dublin, in accordance with plans and particulars lodged with the said Council:

**DECISION:** Pursuant to the Local Government (Planning and Development) Acts, 1963 to 1983, it is hereby decided, for the reason set out in the First Schedule hereto, to grant permission for the said bungalow and septic tank 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.

FIRST SCHEDULE

Having regard to the infill nature of the site within the existing pattern of housing development on either side and subject to the conditions set out in the Second Schedule hereto, it is considered that the proposed development would not be seriously injurious to the amenities of the area or otherwise contrary to its proper planning and development.

SECOND SCHEDULE

1. The provision of septic tank drainage shall be in accordance with the standards set out in the drawing entitled "Recommendations for Septic Tank Drainage Systems" issued by the Department of the Environment in November, 1980, and the septic tank shall be located in accordance with the requirements of the planning authority.

**Reason:** In the interests of public health.

2. The developer shall pay a sum of money to the Dublin County Council as a contribution towards the provision of public water supply 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 or, in default of agreement, shall be as determined by An Bord Pleanála.

**Reason:** The provision of such a service in the area by the Council facilitates the development. It is considered reasonable that the developer should contribute towards the cost of providing the service.

Contd./....

SECOND SCHEDULE (CONTD.)

3. The existing front boundary stone wall shall be set back at least 6 metres from the centre line of the existing road and the area of ground between the proposed new road boundary fence and the carriageway of the existing road shall be surfaced by the developer in accordance with the requirements of the planning authority.

**Reason:** In the interests of traffic safety.

4. A recessed entrance shall be provided. The entrance gates shall be set back not less than 4.5 metres behind the new roadside boundary fence and the wing walls shall be splayed at an angle of 45 degrees.

**Reason:** To ensure the provision of an acceptable access and parking space off the carriageway in the interests of traffic safety.

5. The roof tiles shall be turf brown, black, or slate grey in colour.

**Reason:** In the interests of visual amenity.

*John Hager*

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

Dated this 32<sup>nd</sup> day of *July* 1986.



# DUBLIN COUNTY COUNCIL

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

Tel. 724755 (ext. 262/264)

## NOTIFICATION OF A DECISION TO REFUSE:

~~OUTLINE PERMISSION~~ PERMISSION: ~~APPROVAL~~  
LOCAL GOVERNMENT (PLANNING AND DEVELOPMENT) ACTS, 1963-1983

To Mary Kearney, Register Reference No. 85A/1388  
Athgoe South, Planning Control No. ....  
Newcastle, Application Received 24/10/85  
Co. Dublin, Additional Information Received 28/1/86  
Applicant Mary Kearney,

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/ 929/86, dated 26/3/86 decided to refuse:

~~OUTLINE PERMISSION~~ PERMISSION ~~APPROVAL~~  
For Proposed bungalow with septic tank at Athgoe South, Newcastle.

for the following reasons:

1. The site of the proposed development is located in an area in which it is an objective of the Planning Authority as expressed in the Development Plan "to protect and provide for the development of agriculture". The proposed development would be in conflict with this zoning objective, would not be in accordance with the proper planning and development of the area and would militate against the preservation of the rural environment.
2. There is no public piped sewerage facilities available to serve the proposed development.
3. The proposed development would be premature by reason of the said deficiency in the provision of public piped sewerage facilities and the period within which such deficiency may reasonably be expected to be made good.
4. The proposed development is undesirable as it constitutes further ribbon development along a narrow country road in an area served by a substandard road network.

Signed on behalf of the Dublin County Council .....  
for PRINCIPAL OFFICER

Date 26th March, 1986.

### IMPORTANT:

NOTE: (1) An appeal against the decision may be made to An Bord Pleanala. The applicant may appeal within one month from the date of receipt by him of this notification. The appeal shall be in writing and shall state the subject matter of the appeal and grounds of appeal and should be addressed to *An Bord Pleanala, Irish Life Centre, Lower Abbey Street, Dublin 1*. An appeal lodged by an applicant or his agent with An Bord Pleanala will be invalid unless accompanied by a fee of £36. (Thirty-six 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 £36. (Thirty-six 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.



Mary Kearney,  
Athgoe South,  
Newcastle,  
Co. Dublin.

85A-1388

17th December, 1985

Re: Proposed bungalow with septic tank at Athgoe South, Newcastle,  
for Mary Kearney.

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Dear Sir,

With reference to your planning application, received here on 24th October, 1985, in connection with the above, I wish to inform you, that before the application can be considered under the Local Government (Planning and Development) Acts, 1963/1983, the following additional information must be submitted in quadruplicate:

1. The site of the proposed development is located in an area zoned 'B' in the Development Plan - "to protect and provide for the development of agriculture". The applicant is requested to indicate how the development could be considered compatible with the agricultural zoning.
2. The following information should be submitted in relation to septic tank drainage:-
  - a. block plan of site size, location of septic tank, percolation area and reserve percolation areas in accordance with I.I.R.S. SR 6 1975 should be submitted;
  - b. location of adjoining septic tanks and percolation areas have not been shown to determine compliance with I.I.R.S. Recommendations and Dublin County Council requirements should be submitted;
  - c. a minimum of fifty-five metres is required in both percolation and reserve percolation areas.

Please mark your reply "Additional Information" and quote the Reg. Ref. No. given above.

Yours faithfully,

  
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for Principal Officer.