

COMHAIRLE CHONTAE ÁTHA CLIATH

P. C. Reference	LOCAL GOVERNMENT (PLANNING AND DEVELOPMENT) ACT 1963 & 1976 PLANNING REGISTER		REGISTER REFERENCE 85A/1120
1. LOCATION	Main St., Rathcoole, S		
2. PROPOSAL	Ret. of take-away cafe		
3. TYPE & DATE OF APPLICATION	TYPE	Date Received	Date Further Particulars (a) Requested (b) Received
	P	21st Aug., 1985	<div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> 1. 2. </div> <div style="width: 45%;"> 1. 2. </div> </div>
4. SUBMITTED BY	Name Michael McNulty, Architect and Surveyor, Address 1, Chapelizod Hill, Dublin 20		
5. APPLICANT	Name Mrs. Maria Marsella, Address Main St., Rathcoole,		
6. DECISION	O.C.M. No. P/3694/85		Notified 17th Oct., 1985
	Date 17th Oct., 1985		Effect To refuse permission
7. GRANT	O.C.M. No.		Notified
	Date		Effect
8. APPEAL	Notified 4th Nov., 1985		Decision Permission granted by
	Type 1st Party		Effect An Bord Pleanala 9th Sept., 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

Copy issued by Registrar.

Checked by

Date

Co. Accts. Receipt No

AN BORD PLEANALA

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

County Dublin

Planning Register Reference Number: 85A/1120

APPEAL by Maria Marsella, of Bunburger Bar, Main Street, Rathcoole, County Dublin, against the decision made on the 17th day of October, 1985, by the Council of the County of Dublin, to refuse permission for the retention of a take-away cafe at Main Street, Rathcoole, 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 retention of the said take-away cafe 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

The development is located on Main Street which contains a mixed pattern of land uses and is not a wholly or strongly residential street. In addition, the development has been operated for a number of years without giving rise to serious or obvious injury to the amenities of the area. Having regard to the foregoing factors and taking into account that there is no other permitted take-away in Rathcoole, it is considered that retention of the development would accord with the proper planning and development of the area.

SECOND SCHEDULE

1. The erection or retention of signs other than the sign indicated on the drawing received by the planning authority on 21st August, 1985, is specifically excluded from this grant of permission.

Reason: In the interest of visual amenity and orderly development.

2. The provision of a public water supply to the development and the disposal of foul sewage and surface water from the development shall be carried out in strict compliance with the requirements of the planning authority for such services and works.

Reason: In the interest of orderly development and public health.

Contd./....

SECOND SCHEDULE (CONTD.)

3. The use hereby permitted shall not be carried on between 2400 hours and 0800 hours on any day.

Reason: To protect the amenities of those properties which front onto Main Street in the vicinity of the site and which remain in residential use.

4. The developer shall pay a sum of money to the planning authority as a contribution towards the cost of the provision of public water supply and sewerage facilities which will facilitate the development. The amount of the contribution and the time and method of payment shall be agreed between the developer and the planning authority within six months of the date of this order or, in default of such agreement, shall be as determined by An Bord Pleanála.

Reason: It is considered reasonable that the developer should contribute towards the cost of services which facilitate the development.



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

Dated this 9th day of September

1986.



DUBLIN COUNTY COUNCIL

724755 (ext. 262/264)

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

NOTIFICATION OF A DECISION TO REFUSE:

~~XXXXXXXXXX~~ PERMISSION: ~~XXXXXXXXXX~~ APPROVAL

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

To **Michael McMulty**,
..... **1 Chapelisod Hill**,
..... **Dublin 20**,
.....
Applicant **Maria Marsella**

Register Reference No. **85A/1120**
Planning Control No.
Application Received **21.8.85**
Additional Information Received

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/ **3694/85** dated **17.10.85** decided to refuse:

~~XXXXXXXXXX~~ PERMISSION ~~XXXXXXXXXX~~ APPROVAL

For **retention of takeaway cafe at Main Street, Rathcoole**

for the following reasons:

1. The shop is located in a predominantly residential area and the development, because of its nature, the activity which it generates and the late hours during which it operates would be seriously injurious to the amenities of residential properties in the vicinity.

Signed on behalf of the Dublin County Council
for **PRINCIPAL OFFICER**
17th October, 1985
Date

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.