

# COMHAIRLE CHONTAE ÁTHA CLIATH

P. C. Reference	LOCAL GOVERNMENT (PLANNING AND DEVELOPMENT) ACT 1963 & 1976 PLANNING REGISTER		REGISTER REFERENCE 85A/1036
1. LOCATION	Brownsbarn, Commons Lower, Baldonnel <span style="font-size: 2em; float: right;">S</span>		
2. PROPOSAL	Workshops, associated offices and services, vehicle parking and storage		
3. TYPE & DATE OF APPLICATION	TYPE	Date Received	Date Further Particulars
			(a) Requested                      (b) Received
	P.	1.8.85	<div style="display: flex; justify-content: space-between;"> <div style="width: 48%;"> 1. ....  .....  2. .... </div> <div style="width: 48%;"> 1. ....  .....  2. .... </div> </div>
4. SUBMITTED BY	Name                      Sean Hegarty Earthworks Ltd., Address                      17 Main St., Rathfarnham, Dublin 16		
5. APPLICANT	Name                      AS ABOVE. Address		
6. DECISION	O.C.M. No.    P/3463/85		Notified    27th Sept., 1985
	Date            27th Sept., 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 10th June, 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 .....

# 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:

~~OUTLINE PERMISSION~~ PERMISSION: ~~APPROVAL~~

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

To **Sean Hegarty Earthworks Ltd.,** Register Reference No. **851-1036**  
**17 Main Street,** Planning Control No. ....  
**Rathfarnham,** Application Received **1/8/85**  
**Dublin 16.** Additional Information Received .....  
Applicant **Sean Hegarty Earthworks Ltd.**

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/ **3463/85** dated **27/9/85** decided to refuse:

~~OUTLINE PERMISSION~~

PERMISSION

~~APPROVAL~~

For **services garage, associated offices, services, parking and storage at Brownsbarn,**  
**Commons Lower, Baldonnell.**  
for the following reasons:

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 proposed development which is of an industrial/commercial nature would be in conflict with this objective, would militate against the preservation of the rural environment be seriously injurious to the amenities of the area.
2. The development proposed would be undesirable in that it would generate additional traffic turning movements on the narrow cul-de-sac serving the site and at the junction of this road with Baldonnell Road where sight lines are restricted.
3. There are no public piped sewerage facilities available to serve the proposed development.
4. The proposed development would be premature by reason of the said existing deficiency in the provision of piped sewerage facilities and the period within which such deficiency may reasonably be expected to be made good.
5. The proposal in relation to the septic tank drainage is unacceptable in that:-  
a. no evidence of soil suitability for the disposal of septic tank effluent;  
b. reserve percolation area not shown.
6. Evidence has not been submitted indicating that the proposed well has an adequate and potable water supply.

Contd./.....

Signed on behalf of the Dublin County Council .....

for PRINCIPAL OFFICER

Date **27th September, 1985.**

### IMPORTANT:

NOTE: (1) An appeal against the decision may be made to An Bord Pleanála. 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 Pleanála, Irish Life Centre, Lower Abbey Street, Dublin 1*. An appeal lodged by an applicant or his agent with An Bord Pleanála 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 Pleanála for an oral hearing of an appeal must, in addition to (1) above, pay to An Bord Pleanála 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 Pleanála in relation to an appeal. When an appeal has been duly made and has not been withdrawn, An Bord Pleanála will determine the application for permission as if it had been made to them in the first instance.

AN BORD PLEANALA

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

County Dublin

Planning Register Reference Number: 85 A/1036

APPEAL by Sean Hegarty Earthworks Limited of 17, Main Street, Rathfarnham, Dublin, against the decision made on the 27th day of September, 1985, by the Council of the County of Dublin, to refuse permission for development comprising a service garage, associated offices, services, parking and storage at Brownsbarn, Commons Lower, Baldonnell, 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 reasons set out in the First Schedule hereto, to grant permission for the said development 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 industrial zoning of the site, and modifications in the layout and height of the structures, and subject to compliance with the conditions specified in the Second Schedule hereto, the Board considers that the proposal would be in accordance with the proper planning and development of the area.

SECOND SCHEDULE

1. The height of the proposed structures shall not exceed that shown on drawings lodged with this application.

Reason: To ensure that the proposed development does not interfere with the operation and development of air traffic at Casement Aerodrome, Baldonnell.

2. The proposed development shall be landscaped in accordance with a scheme which shall be submitted to and agreed with the planning authority prior to the commencement of development. The scheme shall, inter alia, provide for a landscaped mound along the southern boundary to screen the site from view from the nearby Naas dual carriageway.

Reason: In the interests of visual amenity.

Contd./...



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PLANNING DEPARTMENT,  
BLOCK 2,  
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## NOTIFICATION OF A DECISION TO REFUSE:

~~OUTLINE PERMISSION~~ PERMISSION: ~~APPROVAL~~

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

To **Sean Hegarty Earthworks Ltd.,**  
**17 Main Street,**  
**Rathfernham,**  
**Dublin 16.**

Register Reference No. **834-1036**  
Planning Control No. ....  
Application Received **1/8/85**  
Additional Information Received .....

Applicant **Sean Hegarty Earthworks Ltd.**

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/ **3463/85** dated **27/9/85** decided to refuse:

~~OUTLINE PERMISSION~~

PERMISSION

~~APPROVAL~~

For **services garage, associated offices, services, parking and storage at Broomsbarn,**  
**Commons lower, Baldannel.**  
for the following reasons:

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 proposed development which is of an industrial/commercial nature would be in conflict with this objective, would militate against the preservation of the rural environment be seriously injurious to the amenities of the area.
2. The development proposed would be undesirable in that it would generate additional traffic turning movements on the narrow cul-de-sac serving the site and at the junction of this road with Baldannel Road where sight lines are restricted.
3. There are no public piped sewerage facilities available to serve the proposed development.
4. The proposed development would be premature by reason of the said existing deficiency in the provision of piped sewerage facilities and the period within which such deficiency may reasonably be expected to be made good.
5. The proposal in relation to the septic tank drainage is unacceptable in that:-  
a. no evidence of soil suitability for the disposal of septic tank effluent;  
b. reserve percolation area not shown.
6. Evidence has not been submitted indicating that the proposed well has an adequate and potable water supply.

Contd./.....

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

Date **27th September, 1985.**

### IMPORTANT:

NOTE: (1) An appeal against the decision may be made to An Bord Pleanála. 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 Pleanála, Irish Life Centre, Lower Abbey Street, Dublin 1*. An appeal lodged by an applicant or his agent with An Bord Pleanála 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 Pleanála for an oral hearing of an appeal must, in addition to (1) above, pay to An Bord Pleanála 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 Pleanála in relation to an appeal. When an appeal has been duly made and has not been withdrawn, An Bord Pleanála will determine the application for permission as if it had been made to them in the first instance.

7. Having regard to the nature of the use proposed and the prominence of the site when viewed from the Mass Road National Primary Route, the proposed development would be obtrusive and seriously injurious to the visual amenities of the area.
8. The site lies within the red(safety) area of approach to Runway 29 at Casement Aerodrome. It is likely that the proposed development would seriously interfere with the operation and development of air traffic at the Aerodrome.

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AN BORD PLEANALA

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

County Dublin

Planning Register Reference Number: 85 A/1036

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DECISION: Pursuant to the Local Government (Planning and Development) Acts, 1963 to 1983, it is hereby decided, for the reasons set out in the First Schedule hereto, to grant permission for the said development 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 industrial zoning of the site, and modifications in the layout and height of the structures, and subject to compliance with the conditions specified in the Second Schedule hereto, the Board considers that the proposal would be in accordance with the proper planning and development of the area.

SECOND SCHEDULE

1. The height of the proposed structures shall not exceed that shown on drawings lodged with this application.

Reason: To ensure that the proposed development does not interfere with the operation and development of air traffic at Casement Aerodrome, Baldonnell.

2. The proposed development shall be landscaped in accordance with a scheme which shall be submitted to and agreed with the planning authority prior to the commencement of development. The scheme shall, inter alia, provide for a landscaped mound along the southern boundary to screen the site from view from the nearby Naas dual carriageway.

Reason: In the interests of visual amenity.

Contd./...

SECOND SCHEDULE (CONTD.)

3. 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" as issued by the Department of the Environment in November, 1980. The location of the septic tank and percolation areas within the site shall be as agreed with the planning authority prior to the commencement of development.

Reason: In the interests of public health.

4. In the event of the developer availing of a public water supply to facilitate the development a contribution shall be paid to Dublin County Council: the amount of such contribution, time and method of payment shall be agreed with the Council or failing agreement shall be determined by An Bord Pleanála.

Reason: Board considers a contribution as appropriate in the circumstances indicated.

*J. Hannigan*

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

Dated this 10 day of June 1986.

