

COMHAIRLE CHONTAE ÁTHA CLIATH

P. C. Reference	LOCAL GOVERNMENT (PLANNING AND DEVELOPMENT) ACT 1963 & 1976 PLANNING REGISTER		REGISTER REFERENCE 85A/101
1. LOCATION	Athgoe South, Newcastle S		
2. PROPOSAL	Dwelling		
3. TYPE & DATE OF APPLICATION	TYPE	Date Received	Date Further Particulars
			(a) Requested (b) Received
	O.P.	31 January, 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 O'Malley & Bergin, Address 33 Fitzwilliam Place, Dublin 2		
5. APPLICANT	Name Mr. Michael Mangan, Address Castlewarden, Stareffan, Co. Kildare		
6. DECISION	O.C.M. No. P/1076/85		Notified 28th March, 1985
	Date 28th March, 1985		Effect To refuse o. permission
7. GRANT	O.C.M. No.		Notified
	Date		Effect
8. APPEAL	Notified 30th April, 1985		Decision O. Permission refused by
	Type 1st Party		An Bord Pleanála Effect 8th Oct., 1985
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/101

APPEAL by Michael Mangan of Castlewarden, Straffan, County Kildare, against the decision made on the 28th day of March, 1985, by the Council of the County of Dublin to refuse an outline permission for the erection of a house at Athoge South, Newcastle, County Dublin.

DECISION: Pursuant to the Local Government (Planning and Development) Acts, 1963 to 1983, outline permission is hereby refused for the erection of the said house for the reasons set out in the Schedule hereto.

SCHEDULE

1. Permission under Planning Register Reference Number G.711 was granted by the Planning Authority in 1974 for the erection of a house on a nearby site and condition number 5 of the permission required the making of an agreement to sterilize 10 acres of land from future residential development, which was so made and which includes the site the subject of the appeal. The proposed development would materially contravene the condition, the terms of which are considered to have been reasonable.
2. The site is located in an area where an objective of the planning authority, as expressed in the Dublin County Development Plan, is to protect and provide for the development of agriculture. This objective is considered reasonable and the proposed development would conflict with it and militate against the preservation of the rural environment.
3. Further development in this rural area would be undesirable from a visual point of view and because the site is served by a substandard narrow road.

Anne Linn Quinn

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

Dated this 8th day of October, 1985.

DUBLIN COUNTY COUNCIL

Tel. 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... **O'Malley & Bergin,**..... Register Reference No. **85A-101**.....
..... **33 Fitzwilliam Place,**..... Planning Control No.
..... **Dublin 2.**..... Application Received **31/1/85**.....
..... Additional Information Received
Applicant ... **M. Mangan**.....

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/1076/85..... dated. **28/3/85**..... decided to refuse:

OUTLINE PERMISSION

~~PERMISSION~~

~~APPROVAL~~

For... **dwelling at Athgoe South, Newcastle**.....

for the following reasons:

1. The proposed development would materially contravene condition no. 4 of Order No. P/164/74, (Reg. Ref. F 2052) and condition no. 5 of Order No. P/1704/75, (Reg. Ref. G711) in that the proposed development is situated on land which was sterilised from future development as a result of those planning decisions.
2. The site of the proposed development is located in an area zoned 'B' in the 1983 Development Plan "to protect and provide for the development of agriculture". The proposed development would be in conflict with that objective and would militate against the preservation of the rural environment.
3. There are no public piped sewage facilities available to serve the proposal.
4. The proposed development is premature by reason of the said existing deficiency in the provision of public piped sewage facilities and the period within which such deficiency may reasonably be expected to be made good.
5. No evidence has been submitted to indicate that the site is suitable for septic tank drainage.
6. Further ribbon development in this rural area would be undesirable from a visual point of view and also because the area is served by a substandard road network, which is inadequate in width and alignment.

Signed on behalf of the Dublin County Council
for PRINCIPAL OFFICER

Date **28th March, 1985**.....

NOTE: (1) An appeal against the decision may be made to An Bord Pleanála by the applicant within one month from 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 An Bord Pleanála, Irish Life Centre, Lower Abbey Street, Dublin 1. An Appeal lodged by an applicant or agent with An Bord Pleanála will be invalid unless accompanied by a fee of ~~£10~~ (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 ~~£10~~ (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.

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