

# COMHAIRLE CHONTAE ÁTHA CLIATH

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P. C. Reference	LOCAL GOVERNMENT (PLANNING AND DEVELOPMENT) ACT 1963 & 1976 <b>PLANNING REGISTER</b>	REGISTER REFERENCE  YA.1477
1. LOCATION	Cooldrinagh & Roseville, Leixlip Bridge.	
2. PROPOSAL	Construction of foul sewer to Lucan system and surface water drain to Liffey.	
3. TYPE & DATE OF APPLICATION	TYPE	Date Received
	(a) Requested	Date Further Particulars (b) Received
	P.	1st Sept. 83.
	1. ....	1. ....
	2. ....	2. ....
4. SUBMITTED BY	Name <b>Mr. M. N. Fleming,</b> Address <b>29, Hainault Drive, Dublin 18.</b>	
5. APPLICANT	Name <b>McKone Estates Limited,</b> Address <b>Pineview, Firhouse Road, Templeogue, Dublin 16.</b>	
6. DECISION	O.C.M. No. <b>PA/2329/83</b>	Notified <b>28th Oct., 1983</b>
	Date <b>28th Oct., 1983</b>	Effect <b>To refuse permission</b>
7. GRANT	O.C.M. No. ....	Notified
	Date	Effect
8. APPEAL	Notified <b>25th Nov., 1983</b>	Decision <b>Permission refused by</b>
	Type <b>1st &amp; 3rd Party</b>	Effect <b>An Bord Pleanála</b> <b>12th March, 1984</b>
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 PLEANÁLA

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

County Dublin


Planning Register Reference Number. Y.A. 1477

APPEAL by McKone Estates Limited of Pineview, Firhouse Road, Templeogue, Dublin, and by Cooldrinagh and District Residents Association, and others, care of Reid McHugh and Partners, 13, Lower Baggot Street, Dublin, against the decision made on the 28th day of October, 1983, by the Council of the County of Dublin to refuse permission for development comprising the construction of a foul sewer to connect to an existing sewerage system at Lucan and of a surface water drain to the River Liffey to serve Cooldrinagh house and lands at Cooldrinagh, Leixlip, County Dublin.

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

SCHEDULE

1. There is no capacity available in the Dublin County Council's sewerage systems to serve the existing house and lands for which the proposal is designed and the proposed development would therefore be premature by reason of the existing deficiencies in the provision of public piped sewerage services and the period within which such deficiencies might reasonably be expected to be made good.
2. Consideration of the proposal to lay a foul sewer along Cooldrinagh Road is premature pending finalisation of the horizontal and vertical alignment of the Leixlip by-pass, which road may be in cut where it crosses Cooldrinagh Road and this would adversely affect the laying of the proposed sewer.

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

Dated this <sup>th</sup> 12 day of March 1984

# 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, 1963-82

To M.N. Fleming Register Reference No. YA 1477  
Consulting Engineer Planning Control No. ....  
29 Hainault Drive Application Received 1/9/83  
Dublin 18 Additional Information Received .....  
 Applicant McKone Estates 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/ A/2329/83 dated 28/10/83 decided to refuse:

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

For construction of a foul sewer to the Lucan System and surface water drain to the Liffey to serve Cooldrinagh House and lands at Cooldrinagh, Leixlip, Co. Dublin (which lands have planning permission for a residential development of 455 houses with provision for a primary school and shopping).

1. The proposed would materially contravene condition No. 1, of the Ministerial grant of permission (K1319), for the lands which the proposed sewers are to serve. This condition states:-

"Before development commences, the developer shall have entered into an agreement with both the Council of the County of Dublin and the Council of the County of Kildare regarding the foul sewage and surface water piped drainage arrangements, including the disposal of the foul sewage through the treatment works at Leixlip. The developer shall also have agreed with the said authorities the amount of a contribution towards to cost of such services and towards the cost of providing a public water supply. Failing agreement between the developer and the said authorities regarding the amount of such contribution and the time and method of payments, the amount to be contributed and the time and method of payment shall be as determined by the Minister for Local Government".

The proposal in the application to connect to the Lucan Sewerage System is thus in contravention of this condition.

2. There are no foul sewer facilities available to serve the existing house and lands which the proposal is designed to serve. No planning permission exists for development on these lands draining into the foul sewerage system of Dublin. The existing planning permission provides that the foul drainage of the site be discharged into County Kildare.

3. The proposed development would be premature by reason of the said existing deficiency in the provision of foul sewer facilities and the period within which such deficiency may reasonably be expected to be made good.

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

for PRINCIPAL OFFICER

Date .....

CONTD./.....

28th October 1983

NOTE: (1) An appeal against the decision may be made to An Bord Pleanala 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 Pleanala, Irish Life Centre, Lower Abbey Street, Dublin 1. An Appeal lodged by an applicant or agent with An Bord Pleanala will be invalid unless accompanied by a fee of £30 (Thirty 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 £30 (Thirty 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.

4. It is contrary to the policy of the Planning Authority to permit private development proposing the use of pumping in the foul system.

5. Consideration of the proposal to lay a foul sewer along Cooldrinagh Road is premature pending finalization of the horizontal and vertical alignment of the Leixlip By-Pass may be cut where it crosses Cooldrinagh Road and this would adversely affect the laying of the proposed sewer.

6. Sufficient information has not been submitted in relation to surface water drainage. The applicant has not submitted detailed plans and longitudinal sections indicating pipe gradients sizes and a detailed and acceptable outfall arrangement to the River Liffey.

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