

COMHAIRLE CHONTAE ÁTHA CLIATH S

P. C. Reference	LOCAL GOVERNMENT (PLANNING AND DEVELOPMENT) ACT 1963 & 1976 PLANNING REGISTER	REGISTER REFERENCE YA.1288
1. LOCATION	15, Esker Cottages, Esker South, Lucan, Co. Dublin.	
2. PROPOSAL	Convert garage to workshop and stores.	
3. TYPE & DATE OF APPLICATION	TYPE	Date Received
	(a) Requested	Date Further Particulars (b) Received
	P.	15th July, 1983.
	1.	1.
	2.	2.
4. SUBMITTED BY	Name Mr. Fergus Finn, Address 15, Esker Cottages, Esker South, Lucan, Co. Dublin.	
5. APPLICANT	Name Fergus Finn Motorcycles Limited, Address 15, Esker Cottages, Esker South, Lucan, Co. Dublin.	
6. DECISION	O.C.M. No. PA/1855/83	Notified 15th Aug., 1983
	Date 15th Aug., 1983	Effect To refuse permission
7. GRANT	O.C.M. No.	Notified
	Date	Effect
8. APPEAL	Notified 28th Sept., 1983	Decision Permission refused by An Bord Pleanala
	Type 1st Party	Effect 3rd Feb., 1984
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 PLEANÁLALOCAL GOVERNMENT (PLANNING AND DEVELOPMENT) ACTS, 1963 to 1983County DublinPlanning Register Reference Number: Y.A. 1288

APPEAL by Fergus Finn Motorcycles Limited of 15, Esker Cottages, Esker South, Lucan, County Dublin, against the decision made on the 15th day of August, 1983, by the Council of the County of Dublin to refuse permission for the change of use of a building from use as a domestic garage to use as a workshop and stores at 15, Esker Cottages, Esker South, Lucan, County Dublin:

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

SCHEDULE

1. The building is located in an area zoned in the Dublin County Development Plan with the objective to preserve and improve residential amenity. The proposed use would conflict with this objective and would be seriously injurious to the residential amenities of the area due to the introduction of excessive traffic into a quiet residential cul-de-sac, the visual appearance of the development and the excessive noise and fume levels associated with this type of development.
2. The use of the building as a workshop and stores would materially contravene conditions numbers 5 and 4, respectively, of the permissions granted by the planning authority under Planning Register Reference Numbers W.B. 349 and X.A. 1783 which required that the building be used solely for purposes incidental to the enjoyment of the dwelling house as such and that the existing commercial use of the building should cease.

Patrick A. Mahon

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

Dated this 3rd day of February 1984.

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, 1963-82

To **Fergus Finn,** Register Reference No. **YA 1288**
15 Esker Cottages, Planning Control No.
Esker South, Application Received **15/7/83**
Lucan, Co. Dublin. Additional Information Received

Applicant **Fergus Finn Motorcycles 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 **AK1855/83** dated **15/8/83** decided to refuse:

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

For **change of use from garage to workshop and stores** ~~for~~ at **15 Esker South, Lucan.**

for the following reasons:

- The proposed development is located in the garden of one of a group of cottages in and area zoned in the Development Plan "to preserve and improve residential amenity". The proposed development would ~~be~~ be at variance with ~~the~~ this objective and seriously injurious to the residential amenity of the area due to:-
 - the introduction of excessive traffic into a quiet residential cul-de-sac;
 - ~~excessive noise and fumes levels associated with this type of development;~~ the visual appearance of the proposed development;
 - excessive noise and fumes levels associated with this type of development.
- The proposal would materially contravene condition 5 of Order No. PB/625/81 (WB 349) which states "that the proposed garage be used solely for purposes incidental to the enjoyment of the dwelling house as such". and Condition 4 of Order No. PA/1407/83 (XA 1783) which states "That the proposed garage be used solely for purposes incidental to the enjoyment of the dwelling house as such. In this respect the existing use of the garage for commercial use should cease immediately. The two windows to be blocked up in accordance with the original proposal". These permissions relate to the construction of a domestic ~~x~~ garage and extension at 15 Esker Cottages, Lucan.

Signed on behalf of the Dublin County Council

for PRINCIPAL OFFICER

Date **15th August, 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.