

FILE MEMO - REG. REF. NO. 9/A 330

See Draft Report on this Application prepared
in Cabinet:

9/20/84

FILE DISCUSSED AT COUNCIL/COMMITTEE MEETING

FILE REF:

91 A/330

| MEETING | COMMENTS | NOTED IN DEV. CONTROL | NOTED BY |
|---------------------|----------------|--------------------------|----------|
| Belgard. 24/9/91 | see C. McGrath | | NOTED |

COMHAIRLE CHONTAE ÁTHA CLIATH

Record of Executive Business and Manager's Orders

375

Proposed dormer style house at Commons, Newcastle for D. McSorley.

Murphy Kenny Architects,
5 Clyde Lane,
Dublin 4.

Reg. Ref. 91A/0330
App. Recd: 23.08.91
Floor Area: 135 sq.m.
Site Area: 2400 sq.m.
T.X. up to & incl. 23.11.91

le

Frank Kenny Architects
5 Clyde Lane,
Ballsbridge
Dublin 4.

Report of the Dublin Planning Officer, dated 20 November 1991

This is an application for PERMISSION for a dormer house on a 2,405 sq.m. site (0.6 acres) at Commons, Newcastle, Co. Dublin for D. McSorley.

The proposed site is located to the north of a rural road which runs west from the Newcastle/Hazelhatch/Celbridge Road in the townland of commons. The proposed site is relatively level. It forms part of a larger, c. 5.6 acre, field at this location. This site is bounded to the east and to the south (i.e. along road frontage) by existing mature hedgerows. There is a deep ditch running along the southern boundary of the site inside the existing hedgerow.

For planning history see previous report dated 6 May, 1991.

Reg. Ref. No. 91A/0331 refers to a grant of permission for the change of use from residence to nursing home at Commons, Newcastle also for D. McSorley. The proposed site in this instance forms part of the overall site the subject of Reg. Ref. No. 85A/0191.

The current application provides for a dormer style house of floor area 135 sq.m. to be located on the aforementioned 2,405 sq.m. site. The site layout map submitted identifies the house with a southerly aspect set back some 20-25 metres from the front boundary of the site. The proposed access is located at the southern corner of the site.

The proposed development is located in an area zoned 'B' the objective of which is "to protect and provide for the development of agriculture". It is the policy of the County Council to permit housing development in such areas only where the applicant can demonstrate a need to reside in the area in compliance with

Over

COMHAIRLE CHONTAE ÁTHA CLIATH

Record of Executive Business and Manager's Orders

Reg.Ref: 91A/0330

Page No: 0002

Location: Commons, Newcastle.

Paragraph 2.3.9 of the County Development Plan.

The applicant in this instance has indicated no such need. Mr. McSorley was previously granted permission for a large dwelling house on a 46 acre farm site at this location. However, the site of the current applicant is only c. 0.6 acres. No evidence was submitted regarding the applicants land holdings or his intentions if any to farm in this locality. Correspondence lodged (under Reg. Ref. 91A-0331) noted that he was applying for permission for a dormer house as his existing house is too big for his domestic needs.

Roads Department report on this application states that the proposed development represents undesirable ribbon development on a substandard rural road. However, it notes that adequate vision in both directions is available at the access and recommends conditions in the event of permission issuing. Sanitary Services report noted.

The applicants were requested to submit ADDITIONAL INFORMATION on 9th May, 1991, as follows:

1. The site of the proposed development is located in an area zoned 'B' - "to protect and provide for the development of agriculture" in the Dublin County Development Plan. The applicant is requested to clarify how the proposed development would be considered compatible with the above zoning objective and with Planning Authority policy in respect of the provision of dwellings in rural areas (Paragraph 2.3.9 of the 1983 Dublin County Development Plan).
2. The applicant is requested to submit full details of his entire land holding at this location.
3. The applicant is requested to clarify if he can comply with the development plan road frontage provisions with regard to the provision of dwellings in rural areas (road frontage of 200 ft. is generally required).
4. The applicant is requested to submit details of site suitability for septic tank drainage. In this regard the applicant shall open a trial hole to comply with the requirements of the IIRS booklet SR6 1975 - Recommendations for septic tank drainage systems suitable for single dwellings, available from EOLAS. The applicant shall arrange to have the trial hole inspected by the Supervising Environmental Health Officer, 33, Gardiner Place, Dublin 1, Tel. 727777.

Additional information was submitted on 18th June, 1991.

With regard to Development Plan policy concerning housing development in rural areas, the applicants note that planning permission is currently being sought by Mr. McSorley for change of use (plus extension) of his existing house to nursing home and that he requires the dormer bungalow so that, as proprietor

COMHAIRLE CHONTAE ÁTHA CLIATH

Record of Executive Business and Manager's Orders

Reg.Ref: 91A/0330

Page No: 0003

Location: Commons, Newcastle.

of the nursing home, he can live nearby.

Correspondence submitted indicates that the applicants entire land holding has been outlined (in blue) on enclosed drawings. However, this is not the case - no lands have been outlined in blue on the drawing referred to - 90041/01A.

The applicants note that the site frontage has been increased to 60 metres and that the entrance gateway has been moved further to the west. These alterations are indicated on Drawing 90041/01A lodged.

The additional information submission also noted that a trial hole had been inspected by the Supervising Environmental Health Officer. Environmental Health Officers report (received 9th July, 1991) recommends refusal on the basis that while the frontage has been increased, the site is too narrow to accommodate the percolation areas, that the reserve percolation area is too close to the dwelling and that there is no distribution box before entry to the percolation area.

The fact that planning permission has been granted for a nursing home at Mr. McSorleys current home is not considered satisfactory in itself to comply with Development Plan policy contained in paragraph 2.3.9. There is no certainty that any such permission would be utilised or indeed if it was that the proposed nursing home would be run by Mr. McSorley.

Planning permission was originally granted for Mr. McSorleys existing house on the basis that it was situated on a 46 acre land holding. The applicant has not satisfactorily demonstrated whether this land holding is still in his ownership and what his future intentions are regarding these lands.

The applicants were requested to provide CLARIFICATION OF ADDITIONAL INFORMATION on 14.06.91, as follows:

1. The applicant is requested to submit full details of his entire landholding at this location. (It is noted that drawings lodged as additional information do not identify this area outlined in blue as stated in correspondence lodged).
2. Reg. Ref. 85A/0191 refers to a grant of permission to this applicant for a large house as part of a 46 acre agricultural holding. A recent decision to grant permission for the change of use of this house to a Nursing Home was made relative to Reg. Ref. 91A/0331. It is not clear to the Planning Authority what exactly the applicants input would be in the running of the nursing home and what other staff might be involved, particularly with regard to night time or live-in arrangements. Clarification of these matters are required.

COMHAIRLE CHONTAE ÁTHA CLIATH

Record of Executive Business and Manager's Orders

Reg.Ref: 91A/0330

Page No: 0004

Location: Commons, Newcastle.

3. The applicant is asked to clarify how the remainder of his agricultural holding as shown on Reg. Ref. 85A/0191 is to be operated as an agricultural holding or what it is proposed will become of this land. This information is necessary in order to determine the housing needs of the area.

4. It is the opinion of the Supervising Environmental Health Officer that the site is inadequate to cater satisfactorily with septic tank drainage. The applicant is asked to clarify whether or not he can overcome the objections of the Supervising Environmental Health Officer.

A response to the request for Clarification of Additional Information was submitted on 23.08.91.

This included a drawing which identified the applicants landholding outlined in blue. This included the subject site, the nursing home site and intervening lands.

According to this submission the proposed house is for the sole use as family home for the applicant who is also applicant for the nursing home.

Details were also submitted regarding the staffing arrangements at the proposed nursing home. This is to be managed by a qualified nursing matron. There will be no resident staff (night time arrangements will be in compliance with the Eastern Health Board requirements).

Correspondence lodged also noted that the remainder of the holding will continue in agricultural use. However no details are submitted as to whether the applicant currently farms this land and, if so, whether he intends retaining it for agricultural use.

According to the submission the area of the site has been increased to cater for septic tank drainage.

The Supervising Environmental Health Officer's report has not been received - Environmental Health Officer was contacted. A trial hole has been inspected. The soil and site area are regarded as suitable for septic tank drainage. ~~It is considered that the applicant has not complied satisfactorily with the Development Plan provisions regarding housing in rural areas.~~

COMHAIRLE CHONTAE ÁTHA CLIATH

Record of Executive Business and Manager's Orders

Proposed dormer style house at Commons, Newcastle for D. McSorley.

A time extension was sought and granted on this application up to 23 November 1991.

Further correspondence lodged states that the proposed house is intended for use by the applicant, Mr. McSorley, as his family home in order to run and operate his landholding at Commons, Newcastle.

This is considered acceptable providing a Section 38 sterilisation agreement be entered into prohibiting further housing development at this location.

I recommend that a decision to GRANT PERMISSION be made under the Local Government (Planning and Development) Acts, 1963-1990 subject to the following (10) conditions:-

(SEE CONDITIONS OVER)


MS (MG/AC)

Endorsed:- 
for Principal Officer


Dublin Planning Officer

Order:- A decision pursuant to Section 26(1) of the Local Government (Planning and Development) Acts, 1963-1990, to GRANT PERMISSION for the above proposal subject to the (10) conditions set out above is hereby made.

Dated: 22nd November, 1991.


ASSISTANT COUNTY MANAGER

to whom the appropriate powers have been delegated by Order of the Dublin City and County Manager, dated 6th November 1991.

COMHAIRLE CHONTAE ÁTHA CLIATH

Record of Executive Business and Manager's Orders

Proposed dormer style house at Commons, Newcastle for D. McSorley.

CONDITIONS

REASONS FOR CONDITIONS

1. The development to be carried out in its entirety in accordance with the plans, particulars and specifications lodged with the application, as amended by submissions of 14.06.91, 23.08.91, 15.10.91 and 14.11.91, save as may be required by the other conditions attached hereto.

2. That before development commences, approval under the Building Bye-Laws be obtained, and all conditions of that approval be observed in the development.

3. That the proposed house be used as a single dwelling unit.

4. That a financial contribution in the sum of £ 375 - ~~00~~ be paid by the proposer to the Dublin County Council towards the cost of provision of public services in the area of the proposed development and which facilitate this development; this contribution to be paid before the commencement of development on the site.

but
her
~~5. That a financial contribution in the sum of money of £800.00 as on 1 January 1991 and updated in accordance with the Wholesale Price Index and Construction (Capital Goods) as published by the Central Statistics Office to the value pertaining at the time of payment shall be paid by the developer to Dublin County Council towards the cost of road improvements and traffic management proposals in the area serving this site.~~

5. That the water supply and drainage arrangements, including the disposal of surface water, be in accordance with the requirements of the County Council.

1. To ensure that the development shall be in accordance with the permission and that effective control be maintained.

2. In order to comply with the Sanitary Services Acts, 1878-1964.

3. To prevent unauthorised development.

4. The provision of such services in the area by the Council will facilitate the proposed development. It is considered reasonable that the developer should contribute towards the cost of providing the services.

~~5. In the interest of the proper planning and development of the area.~~

5. In order to comply with the Sanitary Services Acts 1878-1964.

COMHAIRLE CHONTAE ÁTHA CLIATH

Record of Executive Business and Manager's Orders

Proposed dormer style house at Commons, Newcastle for D. McSorley.

CONDITIONS

REASONS FOR CONDITIONS

6. That the septic tank ~~and~~ drainage arrangements be in accordance with the requirements of ~~the~~ Supervising Environmental Health Officer, Eastern Health Board, 33 Gardiner Place, Dublin 1 (Tel. 727777). *Standards set out in the publication SR 6.1975, available from Esol.*

6. In the interest of health.

7. That the proposed entrance to the site be constructed by the applicants at their own expense to the requirements of Dublin County Council. In this regard:

7. In the interest of the proper planning and development of the area.

(a) The proposed entrance gates shall be recessed 3.75-4.5 metres from the boundary fence line. The recess to be formed with wing walls/fencing not exceeding 1 metre in height splayed to a width of 6-7.5 metres along the road boundary.

(b) The gradient of the proposed access shall not exceed 2.5% over the last 6 metres of the approach to the public road.

(c) Parking for 2 cars with turning area to be provided within the curtilage of the site.

(d) Any roadside drains interfered with shall be fully reinstated and shall, where necessary, be culverted with pipes of adequate size and strength.

(e) The ditch along the site frontage to be piped.

(see bands 8, 9 & 10 over)

COMHAIRLE CHONTAE ÁTHA CLIATH

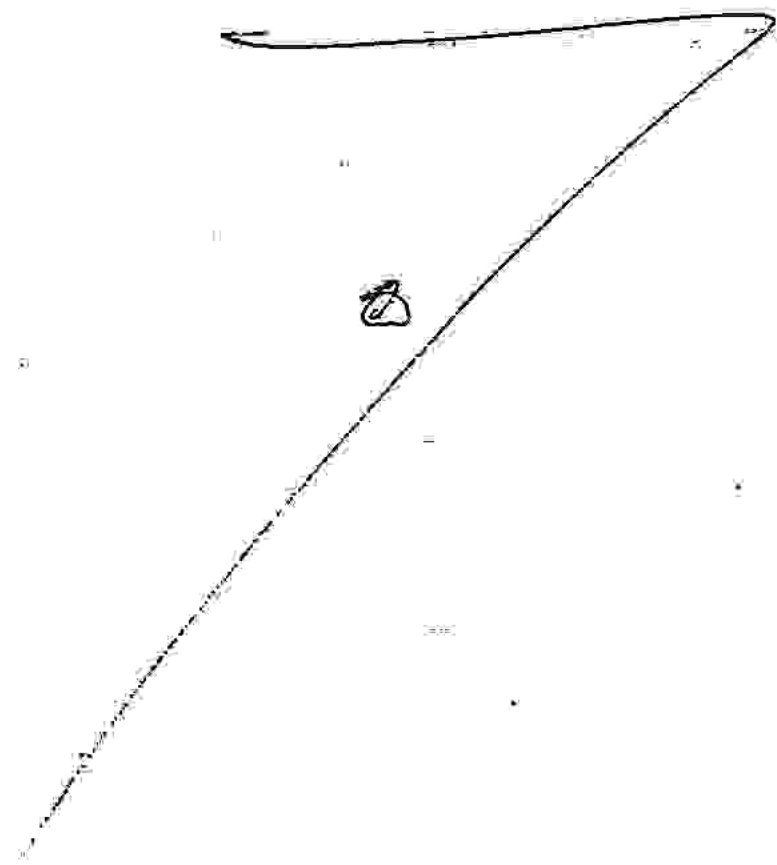
Record of Executive Business and Manager's Orders

Proposed dormer style house at Commons, Newcastle for D. McSorley.

CONDITIONS

REASONS FOR CONDITIONS

- | | |
|--|---|
| <p>8. Prior to commencement of development, a legally binding agreement under Section 38 of the Local Government (Planning and Development) Act, 1963, restricting the land outlined in blue on Drg. 90041/01B lodged 23.08.91, but excluding the 1.26 hectare site of the existing house for which permission was granted for change of use to nursing home under Reg. Ref. No. 91A/0331, Order No. P/3549/91, from further development, be submitted to and approved by the Planning Authority. When approved the agreement to be registered.</p> <p>9. Heating to be provided by the use of either oil, gas, electricity or by smokeless fuels in fireplaces or appliances suitable only for burning solid smokeless fuels.</p> <p>10. That the house when completed be first occupied by the applicant and/or members of his immediate family.</p> | <p>8. To comply with the requirements of the Sanitary Services Department.</p> <p>9. In the interest of reducing air pollution.</p> <p>10. To prevent unauthorised development.</p> |
|--|---|



1786

Register Reference : 91A/0330

Date : 30th August 1991

Development : Dormer style house.

LOCATION : Commons, Newcastle.

Applicant : D. Mc Sorley,

App. Type : Additional Information

Planning Officer : M.GALVIN

Date Recd. : 23rd August 1991

DUBLIN COUNTY COUNCIL
- 3 SEP 1991
ENVIRONMENTAL HEALTH
OFFICERS

Attached is a copy of the application for the above development. Your report would be appreciated within the next 28 days.

Yours faithfully,

Paul Galvin

FOR PRINCIPAL OFFICER

*I have no objections to this proposal.
Jackie Kelly EHO 10/9/91.*

PLANNING DEPT.
DEVELOPMENT CONTROL SECT
Date *11.09.91*
Time *3.30*

for *John O'Leary*
SUPER. ENVIRON. HEALTH OFFICER,
33 GARDINER PLACE,
DUBLIN 1.
10/9/91

P/3595/91

COMHAIRLE CHONTAE ÁTHA CLIATH

Record of Executive Business and Manager's Orders

Register Reference : 91A/0330

Date Received : 14th June 1991

Correspondence : Murphy Kenny Architects,
Name and : 5 Clyde Lane,
Address : Dublin 4.

Development : Dormer style house.

Location : Commons, Newcastle.

Applicant : D. Mc Sorley,

App. Type : Permission

Zoning :

(MG/DK)

Report of the Dublin Planning Officer dated 1st August, 1991.

This is an application for PERMISSION for a dormer house on a 2,405 sq. m. site (0.6 acres) at Commons, Newcastle, Co. Dublin for D. McSorley.

The proposed site is located to the north of a rural road which runs west from the Newcastle/Hazelhatch/Celbridge Road in the townland of Commons. The proposed site is relatively level. It forms part of a larger, c. 56 acre, field at this location. This site is bounded to the east and to the south (i.e. along road frontage) by existing mature hedgerows. There is a deep running along the southern boundary of the site inside the existing hedgerow.

For planning history see previous report dated 6th May, 1991.

There is a current planning application under Reg. Ref. No. 91A-0331 for the change of use from residence to nursing home at Commons, Newcastle also for D. McSorley. The proposed site in this instance forms part of the overall site the subject of Reg. Ref. No. 85A-0191. A decision on ^{91A-0331} this application ~~has been~~ *pending. note in para 10 has been made.*

The current application provides for a dormer style house of floor area 135 sq. m. to be located on the aforementioned 2,405 sq. m. site. The site layout map submitted identifies the house with a southerly aspect set back some 20-25 metres from the front boundary of the site. The proposed access is located at the southern corner of the site.

The proposed development is located in an area zoned 'B' the objective of which is "to protect and provide for the development of agriculture." It is the policy of the Council to permit housing development in such areas only where the applicant can demonstrate a need to reside in the area in compliance with

COMHAIRLE CHONTAE ÁTHA CLIATH

Record of Executive Business and Manager's Orders

Paragraph 2.3.9 of the County Development Plan.

The applicant in this instance has indicated no such need. Mr. McSorley was previously granted permission for a large dwelling house on a 46 acre farm site at this location. However, the site of the current applicant is only c. 0.6 acres. No evidence has been submitted regarding the applicants land holdings or his intentions if any to farm in this locality. Correspondence lodged (under Reg. Ref. 91A-0331 noted that he was applying for permission for a dormer house as his existing house is too big for his domestic needs.

Roads Department report on this application states that the proposed development represents undesirable ribbon development on a substandard rural road. However, it notes that adequate vision in both directions is available at the access and recommends conditions in the event of permission issuing. Sanitary Services report noted.

The applicants were requested to submit ADDITIONAL INFORMATION on 9th May, 1991, as follows:

1. The site of the proposed development is located in an area zoned 'B' - "to protect and provide for the development of agriculture" in the Dublin County Development Plan. The applicant is requested to clarify how the proposed development would be considered compatible with the above zoning objective and with Planning Authority policy in respect of the provision of dwellings in rural areas (Paragraph 2.3.9 of the 1983 Dublin County Development Plan).
2. The applicant is requested to submit full details of his entire land holding at this location.
3. The applicant is requested to clarify if he can comply with the development plan road frontage provisions with regard to the provision of dwellings in rural areas (road frontage of 200 ft. is generally required).
4. The applicant is requested to submit details of site suitability for septic tank drainage. In this regard the applicant shall open a trial hole to comply with the requirements of the IIRS booklet SR6 1975 - Recommendations for septic tank drainage systems suitable for single dwellings, available from EOLAS. The applicant shall arrange to have the trial hole inspected by the Supervising Environmental Health Officer, 33, Gardiner Place, Dublin 1, Tel. 727777.

Additional information was submitted on 18th June, 1991.

With regard to Development Plan policy concerning housing development in rural areas, the applicants note that planning permission is currently being sought by Mr. McSorley for change of use (plus extension) of his existing house to nursing home and that he requires the dormer bungalow so that, as proprietor of the nursing home, he can live nearby.

Correspondence submitted indicates that the applicants entire land holding has been outlined (in blue) on enclosed drawings. However, this is not the case -

COMHAIRLE CHONTAE ÁTHA CLIATH

Record of Executive Business and Manager's Orders

no lands have been outlined in blue on the drawing referred to - 90041/01A.

The applicants note that the site frontage has been increased to 60 metres and that the entrance gateway has been moved further to the west. These alterations are indicated on Drawing 90041/01A lodged.

The additional information submission also noted that a trial hole had been inspected by the Supervising Environmental Health Officer. Environmental Health Officers report (received 9th July, 1991) recommends refusal on the basis that while the frontage has been increased, the site is too narrow to accommodate the percolation areas, that the reserve percolation area is too close to the dwelling and that there is no distribution box before entry to the percolation area.

The fact that planning permission has been sought for a nursing home at Mr. McSorleys current home is not considered satisfactory in itself to comply with Development Plan policy contained in paragraph 2.3.9. There is no certainty that any such permission if granted would be utilised or indeed if it was that the proposed nursing home would be run by Mr. McSorley.

Planning permission was originally granted for Mr. McSorleys existing house on the basis that it was situated on a 46 acre land holding. The applicant has not satisfactorily demonstrated whether this land holding is still in his ownership and what his future intentions are regarding these lands.

I recommend that CLARIFICATION OF ADDITIONAL INFORMATION be requested from the applicant with regard to the following:-

- 01 The applicant is requested to submit full details of his entire land holding at this location. (It is noted that Drawings lodged as additional information do not identify this area outlined in blue as stated in correspondence lodged).

- 02 Reg. Ref. 85A-0191 refers to a grant of permission to this applicant for a large house as part of a 4½ acre agricultural holding. A recent decision to grant permission for the change of use of this house to a Nursing Home was made relative to Reg. Ref. 91A-0331. It is not clear to the Planning Authority why the site of the nursing home cannot cope with the proprietary needs of the nursing home. In this regard it is not clear to the Planning Authority what exactly the applicants input would be in the running of the nursing home and what other staff might be involved, particularly with regard to night time or live-in arrangements. Clarification of these matters are required.

COMHAIRLE CHONTAE ÁTHA CLIATH

Record of Executive Business and Manager's Orders

03 The applicant is asked to clarify how the remainder of his agricultural holding as shown on Reg. Ref. 85A-0191 is to be operated as an agricultural holding or what it is proposed will become of this land. This information is necessary in order to determine the housing needs of the area.

04 It is the opinion of the Supervising Environmental Health Officer that the site is inadequate to cater satisfactorily with septic tank drainage. The applicant is asked to clarify whether or not he can overcome the objections of the Supervising Environmental Health Officer.

M. Pendergast
.....
for Dublin Planning Officer

[Signature]
.....
Endorsed:.....
for Principal Officer

Order: I direct that ADDITIONAL INFORMATION be requested from the applicant for Permission as set out in the above report and that notice thereof be served on the applicant.

Dated : *9 August 1991* *[Signature]*
ASSISTANT CITY AND COUNTY MANAGER *Approved Officer*
to whom the appropriate powers have been delegated by order of the Dublin City and County Manager dated ~~26th July~~, 1991.
6th August

COMHAIRLE CHONTAE ÁTHA CLIATH

Record of Executive Business and Manager's Orders

Proposed dormer style house at Commons, Newcastle for D. McSorley.

Murphy Kenny Architects,
5, Clyde Lane,
Dublin 4.

Reg. Ref. 91A-0330
Appl. Rec'd: 23.08.1991
Time Ext. let. rec'd: 15.10.1991
Time Ext. up to: 23.11.1991

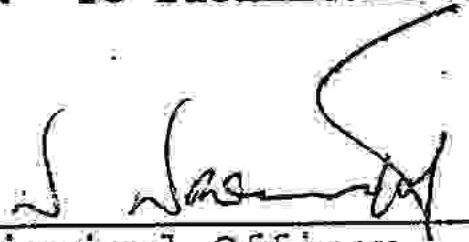
Report of the Dublin Planning Officer, dated 17 October 1991

This is an application for PERMISSION for dormer style house at Commons, Newcastle.

In accordance with Section 26(4A) of the Local Government (Planning and Development) Act, 1963, as amended by Section 39(F) of the Local Government (Planning and Development) Act, 1976, the applicant has furnished his consent in writing to the extension by the Council of the period for considering this application within the meaning of subsection (4A) of Section 26, up to and including 23rd November, 1991.

I recommend that the period to be extended accordingly.

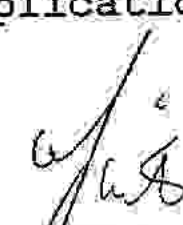
Reason: To facilitate full consideration of the application.



for Principal Officer.

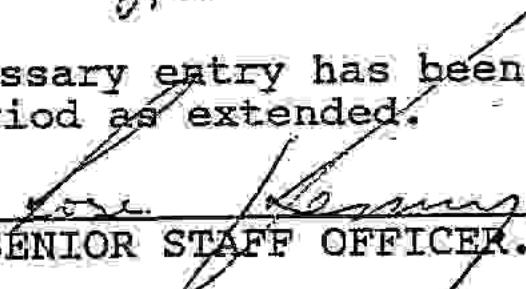
Order: A decision pursuant to Section 26(4A) to extend the period for considering the application as recommended is hereby made.

Dated: 21 October, 1991.



to whom the appropriate powers have been delegated by order of the Dublin City and County Manager dated 16th October, 1991.

NOTE: I have checked that the necessary entry has been made recording details of the period as extended.



SENIOR STAFF OFFICER.

1766

Register Reference : 91A/0330

Date : 25th June 1991

Development : Dormer style house.

LOCATION : Commons, Newcastle.

Applicant : D. Mc Sorley,

App. Type : Additional Information

Planning Officer : M. GALVIN

Date Recd. : 14th June 1991

DUBLIN COUNTY
27 JUN 1991
E

Attached is a copy of the application for the above development. Your report would be appreciated within the next 28 days.

PLANNING DEPT.
DEVELOPMENT CONTROL SECT
Date 25.07.91
Time 9.30

Yours faithfully,

Paul Galvin

PRINCIPAL OFFICER

I recommend refusal for the following reasons.

- 1) While the road frontage has been widened at the front of the site - the back of the site is too narrow to accommodate the permeation area in compliance with I.D.S. recommendations
- 2) The reserve permeation area is too close to the dwelling
- 3) There is no distribution box before entry to the permeation area

SUPER. ENVIRON. HEALTH OFFICER,
32 GARDINER PLACE,
DUBLIN 1.

Molly EHO
5/7/91

for Deanne
for John O'Reilly SEHO
5/7/91

Mary Galvin

1786

Register Reference : 91A/0330

Date : 30th August 1991

Development : Dormer style house.

LOCATION : Commons, Newcastle.

Applicant : D. Mc Sorley,

App. Type : Additional Information

Planning Officer : M. GALVIN

Date Recd. : 23rd August 1991

Attached is a copy of the application for the above development. Your report would be appreciated within the next 28 days.

DUBLIN COUNTY COUNCIL
- 3 SEP 1991
ENVIRONMENTAL HEALTH OFFICERS

Yours faithfully,

Paul Galvin

for PRINCIPAL OFFICER

I have no objections to this proposal.

Janet Kelly EHO 10/9/91.

PLANNING DEPT.
DEVELOPMENT CONTROL SECT
Date 13.09.91
Time 9.30

for
John O'Kelly
SUPER. ENVIRON. HEALTH OFFICER,
33 GARDINER PLACE,
DUBLIN 1.

10/9/91

1766

Register Reference : 91A/0330

Date : 25th June 1991

Development : Dormer style house.

LOCATION : Commons, Newcastle.

Applicant : D. Mc Sorley,

App. Type : Additional Information

Planning Officer : M.GALVIN

Date Recd. : 14th June 1991

DUBLIN COUNTY COUNCIL
27 JUN 1991
E.M.C.

Attached is a copy of the application for the above development .Your report would be appreciated within the next 28 days.

PLANNING DEPT.
DEVELOPMENT CONTROL SECT
Date 09.07.91
Time 12.25

Yours faithfully,

Paul Galvin

PRINCIPAL OFFICER

I recommend refusal for the following reasons.

- 1) While the road frontage has been widened at the front of the site the back of the site is too narrow to accommodate the permeation areas in compliance with I.D.S. recommendations
- 2) The reserve permeation area is too close to the dwelling
- 3) There is no distribution box before entry to the permeation areas.

SUPER. ENVIRON. HEALTH OFFICER,
33 GARDINER PLACE,
DUBLIN 1.

Kelly EHO
5/7/91

Offa Devine
for John O'Reilly SEHO
5/7/91

SS + CMO

Ⓢ

Register Reference : 91A/0330

Date : 25th March 1991

Development : Dormer style house.

LOCATION : Commons, Newcastle.

Applicant : D. Mc Sorley,

App. Type : PERMISSION

Planning Officer : M.GALVIN

Date Recd. : 12th March 1991

Attached is a copy of the application for the above development. Your report would be appreciated within the next 28 days.

Yours faithfully,

Paul Tobin

DUBLIN Co. COUNCIL
11 APR 1991
SAN SERVICES

DUBLIN CO. CO.
PRINCIPAL OFFICER
SANITARY SERVICES
-9 MAY 1991
Returned: *[Signature]*

Date received in Sanitary Services

FOUL SEWER

Septic Tank proposed - refer to E.H.B.

It is noted that a reserve percolation area is not indicated in the proposal.

PLANNING DEPT.
DEVELOPMENT CONTROL SECT
Date *14.6.91*
Time *refer to B.B.L. Dept.*

SURFACE WATER

Soak pits proposed

SENIOR ENGINEER,
SANITARY SERVICES DEPARTMENT,
46/49 UPPER O'CONNELL STREET,
DUBLIN 1

*J. Rice
3/5/91*

A.F.B.L.

Register Reference : 91A/0330

Date : 25th March 1991

.....
ENDORSED _____ DATE _____

WATER SUPPLY..... *Refer to Kildare Co Co re water supply*

J. M. M.
6/4/91

.....
ENDORSED *~~29/6/91~~* *7/5/91* DATE *17/4/91*

DUBLIN COUNTY COUNCIL

REG. REF: 91A/330.

LOCATION: Commons, Newcastle.

APPLICANT: D. McSorley.

PROPOSAL: Dormer house.

DATE LODGED: 12.2.91.

| | |
|---------------------------------|---------|
| PLANNING DEPT. | |
| DEVELOPMENT CONTROL SECT | |
| Date | 18/4/91 |
| Time | 10.00 |

PB

This application is for full permission for house at Commons Newcastle.

The proposed development is for a site located approximately 350m from the intersection of the Peamont road with the Newcastle/Celbridge road.

The carriageway is approximately 4m wide and caters for a relatively low proportion of traffic. The proposed access has adequate vision in both directions subject to a set back of the boundary fronting onto the carriageway by 3m to the North-East.

This proposal constitutes undesirable ribbon development on a substandard rural road which will lead to demands for uneconomic provision of resources and would set an undesirable precedence for further similar developments in the area.

However, if further consideration is given to this application, applicant should be conditioned as follows:

1. Any roadside drains interfered with shall be fully re-instated and shall where necessary be culverted with pipes of adequate size and strength.
2. Ditch to be piped on site frontage. All stormwater shall be disposed of to soakpits or natural watercourse within the site and shall not discharge into the public road.
3. The gradient of the access shall not exceed 2.5% over the last 6 metres of approach to the public road.
4. The entrance gates shall be recessed 3.75 - 4.5 metres from the boundary fence line, the recess space to be formed with wing walls or fences not exceeding 1 metre in height, splayed to provide an overall width of 6 to 7.5 metres along the roadside boundary.
5. Parking for 2 cars to be provided within curtilage of site with turning area.
6. All works to be carried out prior to the house being occupied.
7. All work to be carried out at the applicant's expense according to the Specification and Conditions of Dublin County Council.
8. A financial contribution, in the sum of money equivalent to the value of £800 as on 1st January, 1991, and updated in accordance with the Wholesale Price Index-Building and Construction (Capital Goods) as published by the Central Statistics Office to the value pertaining at the time of payment shall be paid by the developer to Dublin County Council towards the cost of road improvements and Traffic Management proposals in the area serving this site.

A/BMcC SIGNED: Michael Andrews
7.4.91, DATE: _____

ENDORSED: [Signature]
DATE: 17/4/91

COMHAIRLE CHONTAE ÁTHA CLIATH

Record of Executive Business and Manager's Orders

Proposed dormer style house at Commons, Newcastle for D. McSorley.

Murphy Kenny Architects,
5, Clyde Lane,
Dublin 4.

| | |
|--------------|--------------|
| Reg. Ref. | 91A-0330 |
| Appl. Rec'd: | 12.03.1991 |
| Floor Area: | 135 sq. m. |
| Site Area: | 2,405 sq. m. |
| Zoning: | B |

Report of the Dublin Planning Officer, dated 6 May 1991

This is an application for PERMISSION for a dormer house on a 2,405 sq. m. site (0.6 acres) at Commons, Newcastle, Co. Dublin for D. McSorley.

The proposed site is located to the north of a rural road which runs west from the Newcastle/Hazelhatch/Celbridge Road in the townland of Commons. The proposed site is relatively level. It forms part of a larger ~~2.56 acre~~ field at this location. This site is bounded to the east and to the south (i.e. along road frontage) by existing mature hedgerows. There is a deep ditch running along the southern boundary of the site inside the existing hedgerow.

PLANNING HISTORY

There have been various planning applications for housing in the immediate vicinity:

Reg. Ref. No. WA 732 refers to a refusal of outline permission for 3 no. bungalows on a 2.75 acre site which included the site of the current application, under Reg. Ref. No. 91A-0330.

Reg. Ref. No. YA 431 refers to an application for 7 no. bungalows at this location. This application was subsequently withdrawn.

Reg. Ref. No. 85A-0191 refers to a grant of permission for a dwelling house, septic tank and stables at Commons, Newcastle for D. McSorley (the applicant in the current application). This provided for a large 6 bedroom house on a 46 acre farm site. The site in this instance included the site of the current application under Reg. Ref. No. 91A-0330.

Reg. Ref. No. 90A-0922 refers to a refusal of outline permission (by Dublin County Council and An Bord Pleanála) for a house on a c. 0.5 acre site located immediately to the north east of the site of the current application under Reg. Ref. No. 91A-0330. Reasons for refusal referred to the fact that the proposed development contravened the agricultural zoning objective in this area and that it would generate a traffic hazard by reason of its location close to a bend to the east.

(Continued)

COMHAIRLE CHONTAE ÁTHA CLIATH

Record of Executive Business and Manager's Orders

Proposed dormer style house at Commons, Newcastle for D. McSorley.

(Continued)

There is a current planning application under Reg. Ref. No. 91a-0331 for the change of use from residence to nursing home at Commons, Newcastle also for D. McSorley. The proposed site in this instance forms part of the overall site the subject of Reg. Ref. No. 85A-0191. A decision on this application is pending.

The current application provides for a dormer style house of floor area 135 sq. m. to be located on the aforementioned 2,405 sq. m. site. The site layout map submitted identifies the house with a southerly aspect set back some 20-25 metres from the front boundary of the site. The proposed access is located at the southern corner of the site.

The proposed development is located in an area zoned 'B' the objective of which is "to protect and provide for the development of agriculture". It is the policy of the Council to permit housing development in such areas only where the applicant can demonstrate a need to reside in the area in compliance with Paragraph 2.3.9 of the County Development Plan.

The applicant in this instance has indicated no such need. Mr. McSorley was previously granted permission for a large dwelling house on a 46 acre farm site at this location. However, the site of the current application is only c. 0.6 acres. No evidence has been submitted regarding Mr. McSorleys landholding or any future intentions to farm in this locality. Correspondence lodged with the current application for the conversion of Mr. McSorleys existing house (under Reg. Ref. 91A-0331) simply noted that he was applying for permission for a dormer house as his existing house is too big for his domestic needs.

Roads Department report on this application states that the proposed development represents undesirable ribbon development on a substandard rural road. However, it notes that adequate vision in both directions is available at the access and recommends conditions in the event of permission issuing.

Sanitary Services report ~~not received~~.

The proposed method of drainage is by septic tank (surface water to soakpit). Supervising Environmental Health Officers report ~~not received~~.

I recommend that **ADDITIONAL INFORMATION** be requested from the applicant with regard to the following:-

(Continued)



COMHAIRLE CHONTAE ÁTHA CLIATH

Record of Executive Business and Manager's Orders

Proposed dormer style house at Commons, Newcastle for D. McSorley.

(Continued)

1. The site of the proposed development is located in an area zoned 'B' - "to protect and provide for the development of agriculture" in the Dublin County Development Plan. The applicant is requested to clarify how the proposed development would be considered compatible with the above zoning objective and with Planning Authority policy in respect of the provision of dwellings in rural areas (Paragraph 2.3.9 of the 1983 Dublin County Development Plan).
2. The applicant is requested to submit full details of his entire landholding at this location.
3. The applicant is requested to clarify if he can comply with the development plan road frontage provisions with regard to the provision of dwellings in rural areas (road frontage of 200 ft. is generally required).
4. The applicant is requested to submit details of site suitability for septic tank drainage. In this regard the applicant shall open a trial hole to comply with the requirements of the IIRS booklet SR6 1975 - Recommendations for septic tank drainage systems suitable for single dwellings, available from EOLAS. The applicant shall arrange to have the trial hole inspected by the Supervising Environmental Health Officer, 33, Gardiner Place, Dublin 1, Tel. 727777.

m8 (MG/DK)

Endorsed:-


for Principal Officer


For Dublin Planning Officer

Order:-

I direct that ADDITIONAL INFORMATION be requested from the applicant for planning permission as set out in the above report and that notice thereof be served on the applicant.

Dated:

9 May, 1991.


Assistant City and County Manager

to whom the appropriate powers have been delegated by Order of the Dublin City and County Manager, dated 26th April, 1991.

DUBLIN COUNTY COUNCIL

MG

REG. REF: 91A/330.

LOCATION: Commons, Newcastle.

APPLICANT: D. McSorley.

PROPOSAL: Dormer house.

DATE LODGED: 12.2.91.

| | |
|--------------------------|---------|
| PLANNING DEPT. | |
| DEVELOPMENT CONTROL SEC. | |
| Date | 24/4/91 |
| Time | 2.30 |

This application is for full permission for house at Commons Newcastle.

The proposed development is for a site located approximately 350m from the intersection of the Peamont road with the Newcastle/Celbridge road.

The carriageway is approximately 4m wide and caters for a relatively low proportion of traffic. The proposed access has adequate vision in both directions subject to a set back of the boundary fronting onto the carriageway by 3m to the North-East.

This proposal constitutes undesirable ribbon development on a substandard rural road which will lead to demands for uneconomic provision of resources and would set an undesirable precedence for further similar developments in the area.

However, if further consideration is given to this application, applicant should be conditioned as follows:

1. Any roadside drains interfered with shall be fully re-instated and shall where necessary be culverted with pipes of adequate size and strength.
2. Ditch to be piped on site frontage. All stormwater shall be disposed of to soakpits or natural watercourse within the site and shall not discharge onto the public road.
3. The gradient of the access shall not exceed 2.5% over the last 6 metres of approach to the public road.
4. The entrance gates shall be recessed 3.75 - 4.5 metres from the boundary fenceline, the recess space to be formed with wing walls or fences not exceeding 1 metre in height, splayed to provide an overall width of 6 to 7.5 metres along the roadside boundary.
5. Parking for 2 cars to be provided within curtilage of site with turning area.
6. All works to be carried out prior to the house being occupied.
7. All work to be carried out at the applicant's expense according to the Specification and Conditions of Dublin County Council.
8. A financial contribution, in the sum of money equivalent to the value of £800 as on 1st January, 1991, and updated in accordance with the Wholesale Price Index-Building and Construction (Capital Goods) as published by the Central Statistics Office to the value pertaining at the time of payment shall be paid by the developer to Dublin County Council towards the cost of road improvements and Traffic Management proposals in the area serving this site.

MA/BMcC SIGNED: Michael Anthony
17.4.91. DATE: _____

ENDORSED: J. P. [Signature]
DATE: 17/4/91

Building Control Department,
Liffey House,
Tara Street,
Dublin 1.
Telephone: 773066



Bloc 2, Ionad Bheatha na hEireann,
Block 2, Irish Life Centre,
Sraid na Mainistreach Iacht,
Lower Abbey Street,
Baile Atha Cliath 1.
Dublin 1.
Telephone. (01)724755
Fax. (01)724896

Register Reference : 91A/0330

Date : 13th March 1991

LOCAL GOVERNMENT (PLANNING AND DEVELOPMENT) ACTS, 1963 TO 1990

Dear Sir/Madam,

DEVELOPMENT : Dormer style house.

LOCATION : Commons, Newcastle.

APPLICANT : D. Mc Sorley,

APP. TYPE : PERMISSION

With reference to above, I acknowledge receipt of your application received on 12th March 1991.

Yours faithfully,

.....
PRINCIPAL OFFICER

Murphy Kenny Architects,
5 Clyde Lane,
Dublin 4.

DUBLIN COUNTY COUNCIL

Tel. 724755 (ext. 262/264)

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

Notification of Decision to Grant Permission/~~Approval~~
Local Government (Planning and Development) Acts, 1963-1983

To **Murphy Kenny Architects,** Decision Order **P/5362/91 22.11.91**
5 Clyde Lane, Number and Date
Dublin 4. Register Reference No. **91A/0330**
Planning Control No. **23.08.91**
Application Received on
Applicant **D. McSorley. T.X. up to & incl. 23.11.91 Floor Area: 135 sq.m.**

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 dated as above make a decision to grant Permission/~~Approval~~ for:-
dormer style house at Commons, Newcastle.

SUBJECT TO THE FOLLOWING CONDITIONS

| CONDITIONS | REASONS FOR CONDITIONS |
|--|---|
| 1. The development to be carried out in its entirety in accordance with the plans, particulars and specifications lodged with the application, as amended by submissions of 14.06.91, 23.08.91, 15.10.91 and 14.11.91, save as may be required by the other conditions attached hereto. | 1. To ensure that the development shall be in accordance with the permission and that effective control be maintained. |
| 2. That before development commences, approval under the Building Bye-Laws be obtained, and all conditions of that approval be observed in the development. | 2. In order to comply with the Sanitary Services Acts, 1878-1964. |
| 3. That the proposed house be used as a single dwelling unit. | 3. To prevent unauthorised development. |
| 4. That a financial contribution in the sum of £375.00 be paid by the proposer to the Dublin County Council towards the cost of provision of public services in the area of the proposed development and which facilitate this development; this contribution to be paid before the commencement of development on the site. | 4. The provision of such services in the area by the Council will facilitate the proposed development. It is considered reasonable that the developer should contribute towards the cost of providing the services. |

Over


Signed on behalf of the Dublin County Council


For Principal Officer

22 November 1991

Date

IMPORTANT: Turn overleaf for further information

| CONDITIONS | REASONS FOR CONDITIONS |
|--|---|
| <p>5. That the water supply and drainage arrangements, including the disposal of surface water, be in accordance with the requirements of the County Council.</p> | <p>5. In order to comply with the Sanitary Services Acts 1878-1964.</p> |
| <p>6. That the septic tank drainage arrangements be in accordance with the standards set out in the publication SR6, 1975, available from Eolas.</p> | <p>6. In the interest of health.</p> |
| <p>7. That the proposed entrance to the site be constructed by the applicants at their own expense to the requirements of Dublin County Council. In this regard:</p> | <p>7. In the interest of the proper planning and development of the area.</p> |
| <p>(a) The proposed entrance gates shall be recessed 3.75-4.5 metres from the boundary fence line. The recess to be formed with wing walls/fencing not exceeding 1 metre in height splayed to a width of 6-7.5 metres along the road boundary.</p> | |
| <p>(b) The gradient of the proposed access shall not exceed 2.5% over the last 6 metres of the approach to the public road.</p> | |
| <p>(c) Parking for 2 cars with turning area to be provided within the curtilage of the site.</p> | |
| <p>(d) Any roadside drains interfered with shall be fully reinstated and shall, where necessary, be culverted with pipes of adequate size and strength.</p> | |
| <p>(e) The ditch along the site frontage to be piped.</p> | |
| <p>Over</p> |  |

NOTE:

If there is no appeal to An Bord Pleanala against this decision PERMISSION/APPROVAL will be granted by the Council as soon as may be after the expiration of the period for the taking of such appeal. If every appeal made in accordance with the Acts has been withdrawn, the Council will grant the PERMISSION/APPROVAL after the withdrawal.

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. ANY OTHER PERSON may appeal within twenty-one days beginning on the date of the decision.

An appeal shall be in writing and shall state the subject matter and grounds of the appeal. It should be addressed to:—
An Bord Pleanala, Blocks 6 and 7, Irish Life Centre, Lower Abbey Street, Dublin 1.

(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 when making submissions or observations to An Bord Pleanala in relation to an appeal.

Approval of the Council under Building Bye-Laws must be obtained and the terms of the approval must be complied with in the carrying out of the work before any development which may be permitted is commenced.

DUBLIN COUNTY COUNCIL

Tel. 724755 (ext. 262/264)

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

Notification of Decision to Grant Permission/Approval

Local Government (Planning and Development) Acts, 1963-1983

To: **Murphy Kenny Architects,** Decision Order **P/5362/91** **22.11.91**
5 Clyde Lane, Number and Date
Dublin 4. Register Reference No. **91A/0330**
Planning Control No. **23.08.91**
Application Received on
Applicant **D. McSorley. T.X. up to & incl. 23.11.91 Floor Area: 135 sq.m.**

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 dated as above make a decision to grant Permission/Approval for:-
dormer style house at Commons, Newcastle.

SUBJECT TO THE FOLLOWING CONDITIONS

| CONDITIONS | REASONS FOR CONDITIONS |
|--|---|
| 8. Prior to commencement of development, a legally binding agreement under Section 38 of the Local Government (Planning and Development) Act, 1963, restricting the land outlined in blue on Drg. 90041/01B lodged 23.08.91, but excluding the 1.26 hectare site of the existing house for which permission was granted for change of use to nursing home under Reg. Ref. No. 91A/0331, Order No. P/3549/91, from further development, be submitted to and approved by the Planning Authority. When approved the agreement to be registered. | 8. To comply with the requirements of the Sanitary Services Department. |
| 9. Heating to be provided by the use of either oil, gas, electricity or by smokeless fuels in fireplaces or appliances suitable only for burning solid smokeless fuels. | 9. In the interest of reducing air pollution. |
| 10. That the house when completed be first occupied by the applicant and/or members of his immediate family. | 10. To prevent unauthorised development. |

Signed on behalf of the Dublin County Council

Joe Kenny
For Principal Officer

22 November 1991
Date

IMPORTANT: Turn overleaf for further information

CONDITIONS

REASONS FOR CONDITIONS

NOTE:

If there is no appeal to An Bord Pleanala against this decision PERMISSION/APPROVAL will be granted by the Council as soon as may be after the expiration of the period for the taking of such appeal. If every appeal made in accordance with the Acts has been withdrawn, the Council will grant the PERMISSION/APPROVAL after the withdrawal.

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. ANY OTHER PERSON may appeal within twenty-one days beginning on the date of the decision.

An appeal shall be in writing and shall state the subject matter and grounds of the appeal. It should be addressed to:—
An Bord Pleanala, Blocks 6 and 7, Irish Life Centre, Lower Abbey Street, Dublin 1.

(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 when making submissions or observations to An Bord Pleanala in relation to an appeal.

Approval of the Council under Building Bye-Laws must be obtained and the terms of the approval must be complied with in the carrying out of the work before any development which may be permitted is commenced.

RECEIVED
14 NOV 1991
Reg. Sec.

FRANK
KENNY
ASSOCIATES

ARCHITECTS

The Principal Officer
Dublin Co. Council Planning Dept.
Irish Life Centre
Lr. Abbey St.
DUBLIN 1

91A/0330

ref: 90041

L.O.O

msl A.1.

12th November 1991

re: Proposed house at Commons, Newcastle for D. McSorley
Reg. Ref. 91A/0330

Dear Sir

With reference to the above application and further to my letter of 15th ult., I write to specifically state, on behalf of my client, Mr. D. McSorley, that the purpose in making the application for this house in tandem with reg. ref. 91A/0331 (change of use of existing house to a nursing home), is in order to run and operate his land holding at Commons, and to use the proposed house as his family home.

I trust tht this clarifies the matter.

Yours faithfully



Frank J. Kenny B. Arch MRIAI.
for FRANK KENNY ASSOCIATES



5 CLYDE LANE
BALLSBRIDGE
DUBLIN 4
TEL 607921
FAX 682286



FRANK KENNY B. ARCH MRIAI

Murphy Kenny Architects,
5 Clyde Lane,
Dublin 4.

Reg. Ref. 91A/0330

21 October 1991

Re: Proposed dormer style house at Commons, Newcastle for D. McSorley.

Dear Sir,

With reference to your planning application received here on 23 August 1991, (letter for extension period received 15 October 1991), in connection with the above, I wish to inform you that:-

In accordance with Section 26(4A) of the Local Government (Planning and Development) Act, 1963, as amended by Section 39(F) of the Local Government (Planning and Development) Act, 1976, the period for considering this application within the meaning of subsection (4A) of Section 26 has been extended up to and including 23 November 1991.

Yours faithfully,

for Principal Officer.

4756

FRANK
KENNY
ASSOCIATES

ARCHITECTS

The Principal Officer
Planning Dept
Dublin Co. Council
Irish Life Centre
Lower Abbey St.
DUBLIN 1

ref: 90041

15th October 1991

re: Proposed house at Commons, Newcastle for D. McSorley
Reg. Ref. 91A/0330

Dear Sirs

With reference to the above Planning Application, I write to confirm that the proposed house, the subject of this application is intended for use by the applicant, Mr. D. McSorley, as his family home in the running and managing of his agricultural holding at Commons. His current family home has been granted a change-of-use to a nursing home (Reg. Ref. 91A/0331). It is proposed to proceed with the development of the nursing home in early course.

We should be pleased if the period for consideration of this application be extended by up to one month, up to and including 23rd November 1991.

Yours faithfully

Frank J. Kenny
Frank J. Kenny, B.Arch., MRIAI.
for FRANK KENNY ASSOCIATES

15. OCT 91

5 CLYDE LANE
BALLSBRIDGE
DUBLIN 4
TEL 607921
FAX 682286

FRANK KENNY B. ARCH MRIAI

Building Control Department,
Liffey House,
Tara Street,
Dublin 1.
Telephone: 773066



Bloc 2, Ionad Bheatha na hEireann,
Block 2, Irish Life Centre,
Sraid na Mainistreach Iacht,
Lower Abbey Street,
Baile Atha Cliath 1.
Dublin 1.
Telephone. (01)724755
Fax. (01)724896

Register Reference : 91A/0330

Date : 26th August 1991

LOCAL GOVERNMENT (PLANNING AND DEVELOPMENT) ACTS, 1963 TO 1990

Dear Sir/Madam,

DEVELOPMENT : Dormer style house.
LOCATION : Commons, Newcastle.
APPLICANT : D. Mc Sorley,
APP. TYPE : Additional Information

With reference to the above, I acknowledge receipt of your application received on 23rd August 1991.

Yours faithfully,

.....
FOR PRINCIPAL OFFICER

Murphy Kenny Architects,
5 Clyde Lane,
Dublin 4.

FRANK
KENNY
ASSOCIATES

ARCHITECTS

The Principal Officer
Dublin Co. Council
Planning Dept.
Irish Life Centre
Lr. Abbey St.
DUBLIN 1

91A/0330
1.20
R.I.

21st August 1991

ref. 90041


re: Proposed House at Commons, Newcastle for D. McSorley
reg. ref: 91A/0330 - ADDITIONAL INFORMATION

Dear Sir

We refer to your request for Additional Information in the above, dated 12th inst., and we set out hereunder our response to the four points raised as follows:

1. Drawing no. 90041/01B shows the entire land holding of our client outlined in blue (2 copies enclosed).
2. Night-time staffing arrangements for the nursing home as permitted under 91A-0331 will be in accordance with the requirements of the Eastern Health Board. There will be no resident staff on the premises of the nursing home. This house is proposed for the sole use as a family home for the applicant, who is also the applicant for the nursing home. A qualified nursing matron will be engaged to manage the nursing home.
3. The remainder of the holding will continue in use as agricultural.
4. The area of the site is proposed to be increased as outlined in red on drawing no. 90041/01B attached. The area of the site as now shown will satisfy the objections of the Environmental Health Officer.

Yours faithfully


Frank J. Kenny, B.Arch MRIAI
for FRANK KENNY ASSOCIATES

encls.

5 CLYDE LANE
BALLSBRIDGE
DUBLIN 4
TEL 607921
FAX 682286

FRANK KENNY B. ARCH MRIAI





Bloc 2, Ionad Bheatha na hEireann,
Block 2, Irish Life Centre,
Sraid na Mainistreach Iacht,
Lower Abbey Street,
Baile Atha Cliath 1.
Dublin 1.
Telephone. (01)724755
Fax. (01)724896

Decision Order Number : P/ 3595 /91 Date of Decision : 9th August 1991

Register Reference : 91A/0330

Date Received : 14th June 1991

Applicant : D. Mc Sorley,

Development : Dormer style house.

Location : Commons, Newcastle.

Dear Sir/Madam,

With reference to your planning application, received here on 14.06.91 in connection with the above, I wish to inform you, that before the application can be considered under the Local Government (Planning and Development) Acts 1963 - 1990, the following additional information must be submitted in quadruplicate:-

- 01 The applicant is requested to submit full details of his entire land holding at this location. (It is noted that Drawings lodged as additional information do not identify this area outlined in blue as stated in correspondence lodged).

- 02 Reg. Ref. 85A-0191 refers to a grant of permission to this applicant for a large house as part of a 46 acre agricultural holding. A recent decision to grant permission for the change of use of this house to a Nursing Home was made relative to Reg. Ref. 91A-0331. It is not clear to the Planning Authority why the site of the nursing home cannot cope with the proprietary needs of the nursing home. In this regard it is not clear to the Planning Authority what exactly the applicants input would be in the running of the nursing home and what other staff might be involved, particularly with regard to night time or live in arrangements. Clarification of these matters are required.

- 03 The applicant is asked to clarify how the remainder of his agricultural holding as shown on Reg. Ref. 85A-0191 is to be operated as an

Murphy Kenny Architects,
5 Clyde Lane,
Dublin 4.



Bloc 2, Ionad Bheatha na hEireann,
Block 2, Irish Life Centre,
Sraid na Mainistreach Iacht,
Lower Abbey Street,
Baile Atha Cliath 1.
Dublin 1.
Telephone. (01)724755
Fax. (01)724896

Reg. Ref. 91A/0330
Decision Order No. P/ 3595 /91

Page No: 0002

agricultural holding or what it is proposed will become of this land.
This information is necessary in order to determine the housing needs of
the area.

04 It is the opinion of the supervising Environmental Health Officer that
the site is inadequate to cater satisfactorily with septic tank
drainage. The applicant is asked to clarify whether or not he can
overcome the objections of the Supervising Environmental Health officer.
Please mark your reply "ADDITIONAL INFORMATION" and quote the Reg. Ref.
No. given above.

Yours faithfully,

Rose Ferris

PRINCIPAL OFFICER

Date : 12/8/91

Building Control Department,
Liffey House,
Tara Street,
Dublin 1.
Telephone: 773066



Bloc 2, Ionad Bheatha na hEireann,
Block 2, Irish Life Centre,
Sraid na Mainistreach Iacht,
Lower Abbey Street,
Baile Atha Cliath 1.
Dublin 1.
Telephone. (01)724755
Fax. (01)724896

Register Reference : 91A/0330

Date : 18th June 1991

LOCAL GOVERNMENT (PLANNING AND DEVELOPMENT) ACTS, 1963 TO 1990

Dear Sir/Madam,

DEVELOPMENT : Dormer style house.
LOCATION : Commons, Newcastle.
APPLICANT : D. Mc Sorley,
APP. TYPE : Additional Information

With reference to above, I acknowledge receipt of your application received on 14th June 1991.

Yours faithfully,

.....
PRINCIPAL OFFICER

Murphy Kenny Architects,
5 Clyde Lane,
Dublin 4.

The Principal Officer
Planning Dept.
Dublin Co. Council
Irish Life Centre
Lr. Abbey Street
DUBLIN 1

91A/0330

1.4.0

A.I.


MURPHY KENNY ARCHITECTS

ref: 90041

12th June 1991

re; Proposed Domer style house at Commons, Newcastle, for
Mr. D. McSorley - Reg. Ref. 91A/0330
ADDITIONAL INFORMATION

Dear Sir

With reference to your request for additional information in the above, I submit the information requested as follows:

1. Permission for the proposed bungalow is being sought by the applicant at the same time as he is seeking permission for the change-of-use to a nursing home (with an extension) of his existing house in order that, as proprietor of the proposed nursing home, he can live nearby. This satisfies the policy as outlined in paragraph 2.3.9 of the 1983 Dublin County Development Plan.
2. Drawing No. 90041/01A enclosed shows the entire landholding of the applicant outlined in blue.
3. The road frontage of the site has been increased to 60 metres (200 feet) within the land in the ownership of the applicant, see drawing 90041/01A. The entrance gateway has, accordingly, been moved further to the west.
4. A trial hole has been opened and has been inspected by Ms. Ita Devine, Environmental Health Officer who has deemed the soil to be suitable for percolation from a septic tank. Drawing no. 90041/01A shows the location of the septic tank, percolation area and reserve percolation area.

...over..

We trust that the foregoing is satisfactory and we look forward to an early and favourable decision in the matter.

Yours faithfully

A handwritten signature in cursive script, appearing to read 'Frank J. Kenny', is written over the typed name.

Frank J. Kenny, B.Arch MRIAI
for MURPHY KENNY ARCHITECTS

encl.

Murphy Kenny Architects,
5, Clyde Lane,
Dublin 4.

Reg. Ref. No. 91A-0330

9 May 1991

Re: Proposed dormer style house at Commons, Newcastle for
D. McSorley.

Dear Sirs,

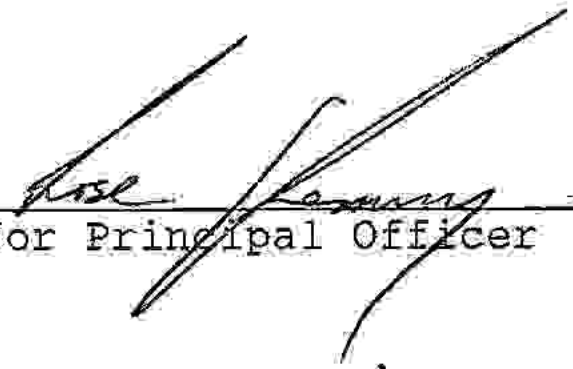
With reference to your planning application, received here on 12th March, 1991, in connection with the above, I wish to inform you, that before the application can be considered under the Local Government (Planning and Development) Acts, 1963-1983, the following additional information must be submitted in quadruplicate:-

1. The site of the proposed development is located in an area zoned 'B' - "to protect and provide for the development of agriculture" in the Dublin County Development Plan. The applicant is requested to clarify how the proposed development would be considered compatible with the above zoning objective and with Planning Authority policy in respect of the provision of dwellings in rural areas (Paragraph 2.3.9 of the 1983 Dublin County Development Plan).
2. The applicant is requested to submit full details of his entire landholding at this location.
3. The applicant is requested to clarify if he can comply with the development plan road frontage provisions with regard to the provision of dwellings in rural areas (road frontage of 200 ft. is generally required).
4. The applicant is requested to submit details of site suitability for septic tank drainage. In this regard the applicant shall open a trial hole to comply with the requirements of the IIRS booklet SR6 1975 - Recommendations for septic tank drainage systems suitable for single dwellings, available from EOLAS. The applicant shall arrange to have the trial hole inspected by the Supervising Environmental Health Officer, 33, Gardiner Place, Dublin 1, Tel. 727777.

Contd.... /

Please mark your reply "Additional Information" and quote the Reg. Ref. No. given above.

Yours faithfully,


for Principal Officer



PLEASE READ INSTRUCTIONS AT BACK BEFORE COMPLETING FORM. ALL QUESTIONS MUST BE ANSWERED.

1. Application for Permission Outline Permission Approval Place in appropriate box.
Approval should be sought only where an outline permission was previously granted. Outline permission may not be sought for the retention of structures or continuances of uses.

2. Postal address of site or building COMMONS, NEWCASTLE,
(If none, give description sufficient to identify) CO DUBLIN

3. Name of applicant (Principal not Agent) MR DAN McSORLEY

Address COMMONS, NEWCASTLE, CO DUBLIN

4. Name and address of person or firm responsible for preparation of drawings MURPHY KENNY ARCHITECTS
5 CLYDE LANE, DUBLIN 4 Tel. No. 607021

5. Name and address to which notifications should be sent MURPHY KENNY ARCHITECTS
5 CLYDE LANE, DUBLIN 4

6. Brief description of proposed development DORMER - STYLE HOUSE

7. Method of drainage SEPTIC TANK

8. Source of Water Supply WATERMAIN

9. In the case of any building or buildings to be retained on site, please state:-
(a) Present use of each floor or use when last used.

(b) Proposed use of each floor RESIDENTIAL

10 Does the proposal involve demolition, partial demolition or change of use of any habitable house or part thereof? NO

11.(a) Area of Site 2400 Sq. m.

(b) Floor area of proposed development 135 Sq. m.

(c) Floor area of buildings proposed to be retained within site 12 MAR 1991 Sq. m.

12.State applicant's legal interest or estate in site (i.e. freehold, leasehold, etc.) OWNER REG NO. 91A/0330

13.Are you now applying also for an approval under the Building Bye Laws? Yes No Place in appropriate box. NO APPLICATION TYPE O/P/A/BBL No. L D S.

14.Please state the extent to which the Draft Building Regulations have been taken in account in your proposal:
IT IS THIS FIRMS POLICY TO APPLY THESE REGS. AS FAR AS IS PRACTICAL AND THIS POLICY HAS BEEN APPLIED IN THIS PROPOSAL

15.List of documents enclosed with application. 4 COPIES DRAWINGS, SPECIFICATION, LETTER OF APPLICATION, NEWSPAPER NOTICE, CHEQUE FOR £32.00 APPLICATION FEE.

16.Gross floor space of proposed development (See back) 135 Sq. m.

No of dwellings proposed (if any) 1 Class(es) of Development 1

Fee Payable £ 32 Basis of Calculation 1 HOUSE

If a reduced fee is tendered details of previous relevant payment should be given

Signature of Applicant (or his Agent) Date 12/3/91

Application Type P

Register Reference 91A/0330

Amount Received £ 20-4

Receipt No 2-8-4

Date

FOR OFFICE USE ONLY



Ev Herald 26/2/91

CO. DUBLIN - Permission is sought for dormer-style house at Commons, Newcastle, Co. D. McSorley

f32 - 12/3 N 34126

LOCAL GOVERNMENT (PLANNING & DEVELOPMENT) REGULATIONS 1977 to 1984.

Outline of requirements for applications for permission or Approval under the Local Government (Planning & Development) Acts 1963 to 1983. The Planning Acts and Regulations made thereunder may be purchased from the Government Publications Sales Office, Sun Alliance House, Molesworth Street, Dublin 2.

1. Name and Address of applicant.
2. Particulars of the interest held in the land or structure, i.e. whether freehold, leasehold, etc.
3. The page of a newspaper, circulating in the area in which the land or structure is situate, containing the required statutory notice. The newspaper advertisement should state after the heading Co. Dublin.
 - (a) The address of the structure or the location of the land.
 - (b) The nature and extent of the development proposed. If retention of development is involved, the notice should be worded accordingly. Any demolition of habitable accommodation should be indicated.
 - (c) The name of the applicant.

NB. Applications must be received within 2 weeks from date of publication of the notice.
4. Four (4) sets of drawings to a stated scale must be submitted. Each set to include a layout or block plan, proposed and existing services to be shown on this drawing, location map, and drawings of relevant floor plans, elevations, sections, details of type and location of septic tank (if applicable) and such other particulars as are necessary to identify the land and to describe the works or structure to which the application relates (new work to be coloured or otherwise distinguished from any retained structures). Buildings, roads, boundaries and other features bounding the structure or other land to which the application relates shall be shown on site plans or layout plans. The location map should be of scale not less than 1: 2500 and should indicate the north point. The site of the proposed development must be outlined in red. Plans and drawings should indicate the name and address of the person by whom they were prepared. Any adjoining lands in which the applicant has an interest must be outlined in blue.
5. In the case of a proposed change of use of any structure or land, requirements in addition to 1, 2, & 3 are:
 - (a) a statement of the existing use and the proposed use, or, where appropriate, the former use and the use proposed.
 - (b) (i) Four (4) sets of the drawings to a stated scale must be submitted. Each set to consist of a plan or location map (marked or coloured in red so as to identify the structure or land to which the application relates) to a scale of not less than 1:2500 and to indicate the North point. Any adjoining lands in which the application has an interest must be outlined in blue.
 - (ii) A layout and a survey plan of each floor of any structure to which the application relates.
 - (c) Plans and drawings should indicate the name and address of the person by whom they were prepared.
6. Applications should be addressed to: Dublin County Council, Planning Department, Irish Life Centre, Lr. Abbey Street, Dublin 1, Tel. 724755.

SEPTIC TANK DRAINAGE: Where drainage by means of a septic tank is proposed, before a planning application is considered, the applicant may be required to arrange for a trial hole to be inspected and declared suitable for the satisfactory percolation of septic tank effluent. The trial hole to be dug seven feet deep at or about the site of the septic tank. Septic tanks are to be in accordance with I.I.R.S. S.R. 6:75.

INDUSTRIAL DEVELOPMENT:

The proposed use of an industrial premises should, where possible, be stated together with the estimated number of employees, (male and female). Details of trade effluents, if any, should be submitted.

Applicants to comply in full with the requirements of the Local Government (Water Pollution) Act, 1977 in particular the licencing provisions of Sections 4 and 16.

PLANNING APPLICATIONS

BUILDING BYE-LAW APPLICATIONS

| CLASS NO. | DESCRIPTION | FEE | CLASS NO. | DESCRIPTION | FEE |
|-----------|--|--|-----------|--|---|
| 1. | Provision of dwelling — House/Flat. | £32.00 each | A | Dwelling (House/Flat) | £55.00 each |
| 2. | Domestic extensions/other improvements. | £16.00 | B | Domestic Extension (improvement/alteration) | £30.00 each |
| 3. | Provision of agricultural buildings (See Regs.) | £40.00 minimum | C | Building — Office/Commercial Purposes | £3.50 per m ² (min. £70.00) |
| 4. | Other buildings (i.e. offices, commercial, etc.) | £1.75 per sq. metre (Min. £40.00) | D | Agricultural Buildings/Structures | £1.00 per m ² in excess of 300 sq. metres (min. - £70.00) (Max. - £300.00) |
| 5. | Use of land (Mining, deposit or waste) | £25.00 per 0.1 ha (Min. £250.00) | E | Petrol Filling Station | £200.00 |
| 6. | Use of land (Camping, parking, storage) | £25.00 per 0.1 ha (Min. £40.00) | F | Development or Proposals not coming within any of the foregoing classes. | £9.00 per 0.1 ha (£70.00 min.) |
| 7. | Provision of plant/machinery/tank or other structure for storage purposes. | £25.00 per 0.1 ha (Min. £100.00) | | | Min. Fee £30.00 |
| 8. | Petrol Filling Station. | £100.00 | | | Max. Fee £20,000 |
| 9. | Advertising Structures. | £10.00 per m ² (min £40.00) | | | |
| 10. | Electricity transmission lines. | £25.00 per 1,000m (Min. £40.00) | | | |
| 11. | Any other development. | £5.00 per 0.1 ha (Min. £40.00) | | | |

Cheques etc. should be made payable to: Dublin County Council.

Gross Floor space is to be taken as the total floor space on each floor measured from the inside of the external walls.

For full details of Fees and Exemptions see Local Government (Planning and Development) (Fees) Regulations 1984.

COMHAIRLE CHONTAE ATHA CIATH

DUBLIN COUNTY COUNCIL
46/49 UPPER O'CONNELL STREET,
DUBLIN 1.

This receipt is not an
acknowledgement that the fee
tendered is the prescribed application
fee.

N° 34176

PAID BY
CASH
CHEQUE
M.O.
B.L.
I.T.

£ 32.00

Received this 12th day of March 1991

from Murphy Kennon Architects
& Clyde Park

the sum of thirty two Pounds

Pence, being ten

plc application at Commins Newcastle

Madec Cashier

S. CAREY Principal Officer

The Principal Officer
Dublin County Council
Planning Dept.
Irish Life Centre.
Ir. Abbey Street
DUBLIN 1

MKA
MURPHY KENNY ARCHITECTS

12th March 1991

ref: 90041

re: Proposed house and septic tank at Commons, Newcastle

DUBLIN COUNTY COUNCIL
Planning Dept. Registry Section
APPLICATION RECEIVED
12 MAR 1991
REG No 90A/0330
APPLICATION TYPE 3/10

Dear Sir

On behalf of our client, Mr. D. McSorley, we wish to apply for Planning Permission for a house and septic tank at Commons, Newcastle.

We enclose herewith the following documentation:

1. 4 copies drawings 90041/01 and 02.
2. 4 copies Outline Specification.
3. Newspaper Advertisement (Ev. Herald 26.2.91.)
4. Planning Application form duly completed.
5. Cheque in the amount of £32.00. being the appropriate fee in the matter.

This application is being lodged in tandem with an application for a nursing home at Mr. McSorley's current residence at Commons.

A previous application for Outline Planning Permission (90A/922) for a house on these lands was refused by An Bord Pleanala. This application differs from that application in that the site has been enlarged and the entrance to the site has been re-located relative to the bend in the road.

We look forward to an early and favourable decision in the matter.

Yours faithfully


Frank J. Kenny, B.Arch., MRIAI.
for MURPHY KENNY ARCHITECTS

SPECIFICATION OF WORKMANSHIP

AND MATERIALS

FOR

NEW HOUSE

AT

COMMONS,

NEWCASTLE,

COUNTY DUBLIN.

FOR

MR. DAN MCSORLEY.

MURPHY KENNY ARCHITECTS,

5 CLYDE LANE,

DUBLIN 4.

PHONE 607921.

DESCRIPTION OF THE WORKS:

The works shall consist of the construction of a two-storey house, with associated drainage and site works.

PRELIMINARIES:

1. The Contractor shall provide everything necessary for the proper execution of the works according to the true intent and meaning of the drawings and Specification taken together whether same may or may not be particularly shown on the drawings or described in the Specification, provided the same is reasonably to be inferred therefrom.
2. The Contractor shall set out the works and keep them correct, errors in setting out must be rectified at the Contractors.
3. The Contractor shall provide all necessary protection to the sit and material situated thereon and shall prevent unauthorised persons from trespassing on the site of the building.
4. The Contractor shall be liable for and shall indemnify the Employer against any claims in respect of Clauses 21, 22, and 23 of the Building Contract as issued by the Royal Institute of Architects of Ireland in Agreement with the Construction Industry Federation and the Royal Institute of Chartered Surveyors.

EXCAVATOR:

1. Excavate to a depth to accommodate new drainage connections on the drawings.
2. Excavate for new pipes and drains to the depths and widths shown on the drawings, level and consolidate bottoms, part return, fill in and ram on completion. Bottom of all trenches, excavations, pier holes, etc., to be inspected and approved by the Architect and Local Authority before any concrete is laid.

CONCRETOR

1. The portland cement shall comply in all respects with Irish Standard No. 1. The cement shall be delivered and stored in such manner to ensure that it suffers no deterioration.
2. Sand to be clean river or pit sand, free from impurities.
3. Aggregate shall comply with Irish Standard No. 5. Fine aggregate shall mainly pass a 3/16 inch B.S. test sieve. Coarse aggregate shall mainly be retained in a 3/16 inch B.S. sieve.
4. Only clean water from mains or other approved sources shall be used.
5. Fine concrete shall be composed of four parts x volume fine aggregate, two parts of sand and one part cement.
6. Coarse concrete shall be composed of seven coarse aggregate graded to sand and one part cement. Dry filling shall be approved of broken stone or block.
7. Foundations shall be to Engineers detail but shall be not less than 900mm wide x 300mm deep.
8. Ground floor to be 50mm sand-cement screed on 150mm concrete subfloor on 1000 gauge DPM set in 50mm sand blinding on minimum 300mm well-consolidated hardcore.
9. Concrete blocks to be precast concrete blocks of Irish Manufacture and Specification.
10. The cement lime mortar shall be composed of one part cement, one part hydrated lime and six parts sand.
11. Rising walls shall be formed in solid concrete blockwork to widths indicated on the drawings, bedded and bonded in cement mortar.
12. D.P.C. shall be first quality bitumastic felt lapped 150mm at all joints and bedded in cement mortar at least 150mm above ground level in all walls.
13. External wall shall consist of 215mm hollow concrete block plastered externally and dry-lined internally with 12mm foil-backed plaster slab with skim finish.

PLASTERER

1. Plastering of blockwork shall be in two coats, 13mm total thickness and comprising Gyplite undercoat and Gyplite finish.
2. Patent metal beads and arrises to be used as directed.

DRAIN LAYER

1. Lay under all drains 100mm thick bed of ordinary concrete laid to falls with fine concrete benching to both sides of pipe. Drains passing under building to be completely encased in concrete, 150mm thick.
2. PVC soil drain pipes are to be Wavin or other approved equal laid and jointed in accordance with the Manufacturers instructions.
3. Provide and set 200 x 200 PVC back inlet gully trap with PVC grid. Connect to drain as shown on drawing.
4. PVC Armstrong Junction by Wavin to be used where indicated in the drawings.
5. Manholes to be constructed of 200mm solid concrete blocks and to have a 75mm concrete base. Channel to be benched on both sides.
6. Provide for testing to the satisfaction of Local Authority.

WINDOWS

1. Conservatory sections shall be double glazed PVC or Acrylic-coated aluminium with opening sections as shown.
2. Glass shall be 24oz. clear float glass.
3. All windows shall be provided with permanent ventilation.