DECISIONS

APPEALS CHECK LIST

REG. REF. NO. 914 1135

- 2	ENTERED IN OBJECTORS REGISTER	
2	ENTERED IN BLUE FOLDER	
<u> </u>	ENTERED IN APPEALS REGISTER	
4	ENTERED IN PLANAPS: I.E.:	
	Appeal Decision:	
	Appeal Date:	
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CHANGE STATUS IN PLANAPS:

REFUSAL:55
GRANT:62
WITHDRAWN:54
GCNDITIONS:53

Dublin County Council Comhairle Chontae Atha Cliath

Planning Department



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/1135

Date : 12th July 1991

Dear Sir/Madam,

Development : Turf accountants shop and satellite dish

LOCATION : Main Street, Rathcoole

Applicant : M. Desmond

App. Type : PERMISSION

Date Recd : 8th July 1991

Your application in relation to the above was submitted with a fee of £131.25 .

On examination of the plans submitted it would appear that the appropriate amount should be £231.25.

I should be obliged if you would submit the balance of £100.00 as soon as possible as a decision cannot be made on this application until the correct fee is received.

Yours faithfully,	¥t
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for DRINGIBAL OFFICER	

T. Colbert, 169 Forest Hills, Rathcoole Co. Dublin

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2	Domestic,	@£16				
3	Agriculture	050p per m2 in excess of 300m2. Min. £40				
4	Metres 75 m ²	@£1.75 per m2 or £40	131-25	\$31.25	2 100	
5	1	@£25 per .1 hect. or £250		155	77/7/01	
6	x .1 hect.	0£25 per .1 hect. or £40			NHLT	
7	x .1 hect.	0£25 per .1 hect. or £100	xf 100	4 100		
8		@£100	<i>Y</i>			
9	x metres	@£10 per- m2 or £40	E:			
10	x 1,000m	@£25 per E1000m or £40				
11	x .1 hect	. 0f5 per .1 hect. or f40				

LOCATION GOVERNMENT (FLANNING AND DEVELOPMENT) ACTS, 1983 TO 1982

PRESENTATION OF FINANCIAL CONTRIBUTION

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COMHAIRLE CHONTAE ATHA CLIATH CONTRIBUTION :

Record of Executive Business and Manager's Orders

P/3546/92

BELGARD

Proposed turf accountants shop and satellite dish at Main Street, Rathcoole, for M. Desmond. By order P/4264/91, dated 5th September, 1991 the Council made a decision to refuse permission for this proposal. On Appeal, An Bord Pleanála made the following order on 25th March, 1992:-

PL6/5/86999

AN BORD PLEANÁLA

LOCAL GOVERNMENT (PLANNING AND DEVELOPMENT) ACTS 1963 TO 1990

County Dublin

Planning Register Reference Number: 91A/1135

APPEAL by Mary Desmond care of T. Colbert of 169 Forest Hills, Rathcoole, County Dublin against the decision made on the 5th day of September, 1991 by the Council of the County of Dublin to refuse permission for a turf accountant's shop and satellite dish at Main Street, Rathcoole, County Dublin in accordance with plans and particulars lodged with the said Council:

DECISION: Pursuant to the Local Government (Planning and Development) Acts, 1963 to 1990, it is hereby decided, for the reason set out in the First Schedule hereto, to grant permission for the said turf accountant's shop and satellite dish in accordance with the said plans and particulars, subject to the conditions specified in the Second Schedule hereto, the reasons for the imposition of the said conditions being as set out in the said Second Schedule and the said permission is hereby granted subject to the said conditions.

FIRST SCHEDULE

It is considered that the proposed development, in the main street of the town, would not make a significant difference to the sewerage situation in the area and would not, subject to compliance with the conditions set out in the Second Schedule hereto, be contrary to the proper planning and development of the area.

SECOND SCHEDULE

 Surface water shall be disposed of separately from foul sewerage and in accordance with the requirements of the planning authority.

Reason: In the interest of public health.

The building shall be relocated to conform to the building line established by the Rathcoole Inn.

Reason: In the interest of the proper planning and . development of the area.

COMHAIRLE CHONTAE ÁTHA CLIATH

Record of Executive Business and Manager's Orders

P/3546/92

-2-

PL 6/5/86999

SECOND SCHEDULE (CONTD.)

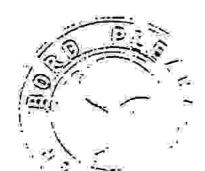
Four car parking spaces shall be provided to the rear of the site and shall be surfaced in macadam with bays clearly marked. Access to the car park shall be agreed with the planning authority prior to commencement of development.

Reason: In the interest of the proper planning and development of the area.

The developer shall pay a sum of money to Dublin County Council as a contribution towards expenditure incurred or that is proposed to be incurred by the said Council in the provision of a public water supply and piped sewerage facilities facilitating the proposed development. The amount of the contribution and the arrangements for payment shall be as agreed between the developer and the Council or, in default of agreement, shall be determined by An Bord Pleanála.

Reason: It is considered reasonable that the developer should contribute towards expenditure incurred by the Council in the provision of a public water supply and piped sewerage facilities facilitating the proposed development.

ann low Quins



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

Dated this 25th day of March,

1992

P/3546/92 COMHAIRLE CHONTAE ÁTHA CLIATH

Record of Executive Business and Manager's Orders

_ 3 _

PL6/5/86999

AN BORD PLEANÁLA

LOCAL GOVERNMENT (PLANNING AND DEVELOPMENT) ACTS 1963 TO 1990

County Dublin

Planning Register Reference Number: 91A/1135

With regard to Condition No. 4 the financial contribution towards the provision of water supplies and sewerage facilitates is assessed at £607.00

Order Noted: LD

Dated Thy 92

ASST. County Manager

to whom the esprepriate powers have been delegated by order of the Dublin City and County Manager.

Dated 29th day of The Thirty 1999

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COMHATRLE CHONTAE ATHA CLIATH

TO:

Executive Planner.

REG. REF. 91A/1135

Proposed turf accountants shop and satellite dish at Main Street, RE:

Rathcoole for M. Desmond.

I attach for your observations memo/letter dated 14th October 1991 from An Bord Pleanala.

Please reply before: 14th November, 1991

DATED: 29 October 1991

OBSERVATIONS:
appellants letter received by an kord
Proposed decision white an ford Poly XAZ98 and would hope that an ford Polyneala while suggested the terminent epports
of latherole by junctioning an standards of architectural design.
Signature of person G. Rodtumen Countersigned: C. Cerrino (S.E.D.C.)
DATE: 6 9 DATE: 15 9Z

Geraldine Boottman.

DUBLIN COUNTY COUNCIL

REG. REF:

91A/1135.

DEVELOPMENT:

Turf Accountants Shop and Satellite dish.

LOCATION:

Main Street, Rathcoole.

APPLICANT:

M. Desmond.

DATE LODGED:

8.7.91.

The site lies in what at present appears to be an open, gravel surfaced, car parking area for the adjoining Rathcoole Inn public house. A 2 metre high concrete block wall fronts the proposed site, outside of which is a concrete footpath, with a 2.5/3.0m wide, badly rutted, tarmac area again in front of this and then a low kerb at the edge of the roadway. A bus stop and E.S.B. pole are located central on the site backing onto the front wall.

If, as it appears, it is intended to allow cars park in front of the shop by crossing the existing footpath the following works will be required :-

- The tarmac area in front of the site, between the concrete footpath and kerbline at the edge of the road must be repaired so as to present a smooth, level, pothole free surface. Any lips at joints with the concrete footpath or adjoining tarmac surfaces must be removed and rolled smooth.
- The bus stop post must be relocated, with the approval of the Bus Eireann and Garda Authorities, at the applicant's expense.
- 3) The E.S.B. pole and overhead services must be relocated at the applicant's expense.
- 4) Permanent restoration over the lines of both foul and surface water sewers where these may cross public footpaths and roads must be carried out to the satisfaction of the Local Area Engineer (Roads Maintenance).
- 5) 4 No. off street car parking spaces in front of shop to be clearly set out and marked on site.



A financial contribution, in the sum of money equivalent to the value of £800.00 as on 1st January, 1991, 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.

P	LANNING	DEPT.
Date .	31.07.9	
Time	(1-15	********

TB/BMcC 29.7.91.

SIGNED:	4.73-ck	ENDORSED:	=
DATE:	29/7/91	DATE:	======================================



Register Reference: 91A/1135

Date : 17th July 1991

Development : Turf accountants shop and satellite dish

LOCATION

: Main Street, Rathcoole

Applicant

: M. Desmond

App. Type

: PERMISSION

Planning Officer : G.BOOTHMAN

Date Recd. : 8th July 1991

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

Yours faithfully, DUBLIN Co. COUNTIL 24JUL 1991 Date received in Sanitary Services -6 AUG 1991

Refusal recommended.

There is insufficient dilutions is the receiving noter saving the Ratherste treatment plant to cake for any further development 2 the wee.

FOUL SEWER

Available.

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

1 Fellin 11/4/91.

Register Reference : 91A/1135

Date : 17th July 1991

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ENDORSED ZG (S)	DATE	

COMHAIRLE CHONTAE ATHA CLIATH

Record of Executive Business and Manager's Orders

Proposed turf accountants shop and satellite dish at Main Street, Rathcoole for M. Desmond.

T. Colbert, 169 Forest Hills, Rathcoole, Co. Dublin. Reg. Ref. 91A/1135 App. Recd: 08.07.91 Floor Area: 75 sq.m. Site Area: 275 sq.m. Zoning: 'B'

Report of the Dublin Planning Officer, dated 5 September 1991

This is an application for PERMISSION for a turf accountants shop and satellite dish at Main Street, Rathcoole.

The area in which the site is located is zoned with the objective "to protect and provide for the development of agriculture".

The unit proposed is a 75 sq.m. structure finished in a napfinish-sand and cement plaster, with a ridge roof of blue black slates.

It resembles a shed more than an element of an urban main street and would certainly not enhance the appearance of the village. The satellite dish would be on the gable wall at the rear of the building.

The site on which the building is proposed is a gravel carparking area for the adjoining Rathcoole Inn public house. There is a 2 metre high concrete block wall fronting the proposed site. Between the wall and the road there is a concrete footpath, a tarmac area and a kerb, with a bus stop and ESB pole backing onto the wall.

It appears that the applicant proposes to break this wall and allow access from the Main Street. At present there is a wide access to the public house and car park. It is proposed that additional walls be constructed to separate the turf accountants from the adjoining premises on each side with another wall at the rear. The proposed building would sit gable on to the street, with a set back of 7.25 metres. Presumably this would be to provide car parking space.

A report on file from Roads Department indicates that the proposal is acceptable in principle with 6 conditions, one of which is that 4 car parking spaces are provided in front of the shop, and marked out on site.

That would have a serious effect on the streetscape, and would be very undesirable.

Over

COMHAIRLE CHONTAE ÁTHA CLIATH

Record of Executive Business and Manager's Orders

Proposed turf accountants shop and satellite dish at Main Street, Rathcoole for M. Desmond.

Sanitary Services Department indicate that the proposal be refused, because of the insufficient dilutions in receiving water serving the Rathcoole Treatment Plant to cater for any further development in the area.

HISTORY

WA.1104. REFUSAL for shop and extension to Rathcoole Inn.

WA.1740. ADDITIONAL INFORMATION sought on application for Betting Shop. Additional information never submitted.

WA.2181. REFUSAL for 6 shop units. File Missing.

XA.397. PERMISSION for bar extension kitchen/bathroom at Rathcoole Inn.

XA.398. PERMISSION from An Bord Pleanala for Bookmakers Shop/Store. Exact location of this structure uncertain, but it appears to be adjoining the Inn.

85A/1321. REFUSAL for function room and extension at Inn.

88A/1084. PERMISSION for retention of boundary wall.

89A/1200. PERMISSION for retention of extensions and alterations at Inn.

90A/0011. PERMISSION for extensions to Inn.

The applicant has in the past been asked to clarify the car parking provision for the Inn. This is still uncertain, but it would appear that this vacant space could accommodate an additional use if the correct one were proposed. and if the same and it the same and religion. However, the west for the same and religion. However, the west for the same that I recommend that a decision to REFUSE PERMISSION be made under the Local Government (Planning and Development) Acts, 1963-1990 for the following (FF) Reasons:-

- 1. It is considered that the proposed structure, by reason of its design, height and location in relation to the building line of the main street, would be detrimental to the visual amenity of the streetscape of the village centre, and well seriously injure the amenities of property in the vicinity.
- 2. Public piped sewerage facilities are not available to serve the proposal due to lack of dilutions in the receiving waters serving the Rathcoole Treatment Plant. In the perfect disclopment souls to persons by the sent to the facilities and the facilities are the facilities and the facilities and the facilities and the facilities are the facilities are

COMHAIRLE CHONTAE ÁTHA CLIATH

Record of Executive Business and Manager's Orders

Proposed turf accountants shop and satellite dish at Main Street, Rathcoole for M. Desmond.

The proposed development is premature by reason of the said existing deficiency in the provision of public piped sewerage facilities and the period within which such the coulinh deficiency may reasonably be expected to be made good. leave.

The explicient has not demonstrated to the actification of the Monning Cothardy that she has sufferient interest in the site to another the development to be received out

136 (GB/AC)

Pursuant to Section 26(1) to the Local Government (Planning and Development) Acts, 1963-1990 a decision to REFUSE PERMISSION for the above proposal is hereby made by the Council for the Gu reasons set out above and PERMISSION is REFUSED accordingly.

Dated:

Order:-

September, 1991.

COUNTY MANAGER

to whom the appropriate powers have been delegated by Order of the Dublin City and County Manager, dated 4 September, 1991.

DUBLIN COUNTY COUNCIL

REG. REF:

91A/1135.

DEVELOPMENT:

Turf Accountants Shop and Satellite dish.

LOCATION:

Main Street, Rathcoole.

APPLICANT:

M. Desmond.

DATE LODGED:

8.7.91.

The site lies in what at present appears to be an open, gravel surfaced, car parking area for the adjoining Rathcoole Inn public house. A 2 metre high concrete block wall fronts the proposed site, outside of which is a concrete footpath, with a 2.5/3.0m wide, badly rutted, tarmac area again in front of this and then a low kerb at the edge of the roadway. A bus stop and E.S.B. pole are located central on the site backing onto the front wall.

If, as it appears, it is intended to allow cars park in front of the shop by crossing the existing footpath the following works will be required :-

- The tarmac area in front of the site, between the concrete footpath and kerbline at the edge of the road must be repaired so as to present a smooth, level, pothole free surface. Any lips at joints with the concrete footpath or __ adjoining tarmac surfaces must be removed and rolled smooth.
- The bus stop post must be relocated, with the approval of the Bus Eireann and Garda Authorities, at the applicant's expense.
- 3) The E.S.B. pole and overhead services must be relocated at the applicant's expense.
- 4) Permanent restoration over the lines of both foul and surface water sewers where these may cross public footpaths and roads must be carried out to the satisfaction of the _____ Local Area Engineer (Roads Maintenance).
- 5) 4 No. off street car parking spaces in front of shop to be clearly set out and marked on site.



A financial contribution, in the sum of money equivalent to the value of f800.00 as on 1st January, 1991, 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.

PLANNING	DEPT.
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TB/BMcC 29.7.91.

SIGNED:_	4.13-ck	ENDORSED:	==
DATE:	29/7/91	DATE:	·

Register Reference : 91A/1135

Date: 17th July 1991

Development : Turf accountants shop and satellite dish

LOCATION

: Main Street, Rathcoole

Applicant

: M. Desmond

App. Type

: PERMISSION

Planning Officer : G.BOOTHMAN

Date Recd. : 8th July 1991

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

Yours faithfully, DUBLIN Ca. COUNCIL CARRINCTPAL OFFICER -6 AUG 1991 Date received in Sanitary Services SAN SELLICES

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Refusal recommended.

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squing the Ratheeole treatment plant to cake for any further development 1 Her ever.

SURFACE WATER

PEANNING DENI:

DEVELOPMENT CONTROL SECT

Date 20.08-91

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

PLANNING DEPT.

DEVELOPMENT CONTROL SECT

Date 20.08.91

Time 4.00

Time DATE

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Register Reference : 91A/1135

Date : 17th July 1991

Development : Turf accountants shop and satellite dish

: Main street, Rathcoole LOCATION

Applicant : M. Desmond

App. Type : PERMISSION

Planning Officer : G.BOOTHMAN

Date Recd. : 8th July 1991

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

Yours faithfully,

DUBLIM Co. COUNCIL

Date received in sanitary services ...

SAN SERVICES

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-6 AUG 1991

FOUL SEWER

Refusal recommended.

There is insufficient dilution is the receiving noter family the Retector treatment plant to cake for my further development

SURFACE WATER

Nate, -

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

OSellin 11/2/91.

Register Reference : 91A/1135

Date : 17th July 1991

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- Our Ref: PL 6/5/86999 P.A. Reg. Ref: 91A/1135

Dublin County Council, Planning Department, Block 2, Irish Life Centre, Dublin 1.



Date: 26 MAR 1992

Appeal re: Turf accountant's shop and satellite dish at Main Street, Rathcoole, County Dublin.

Dear Sir,

An order has been made by An Bord Pleanála determining the above-mentioned appeal under the Local Government (Planning and Development) Acts, 1963 to 1990. A copy of the order is enclosed.

Yours faithfully,

Norma O'Connor

Encl.

O L APR 92

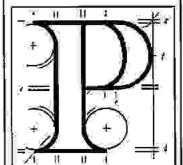
GUELIN COUNTY COUNCIL

PLANTINE

BP 352

50H/cc 5C

An Bord Pleanála



Floor 3 Blocks 6 & 7 Irish Life Centre Lower Abbey Street Dublin 1 iel (01) 728011 Our Ref: PL 6/5/86999
 P.A. Reg. Ref: 91A/1135

T. Colbert, 169 Forest Hills, Rathcoole, Co. Dublin. An Bord Pleanála

Floor 3 Blocks 6 & 7 Irish Life Centre Lower Abbey Street Dublin 1 tel (01) 728011

Date 26 MAR 1992

Appeal re: Turf accountant's shop and satellite dish at Main Street, Rathcoole, County Dublin.

Dear Sir/Madam,

An order has been made by An Bord Pleanála determining the above-mentioned appeal under the Local Government (Planning and Development) Acts, 1963 to 1990. A copy of the order is enclosed.

It should be clearly understood that the granting of permission under the Planning Acts does not relieve a developer of the responsibility of complying with any necessary fire safety measures which may be stipulated by the fire authority. Failure to comply with any such requirements may result in the service of a Fire Safety Notice under section 20 of the Fire Services Act, 1981. The developer should, therefore, consult with the appropriate fire authority in relation to this matter.

Yours faithfully,

Norma O'Connor

Encl.

BP 354

AN BORD PLEANÁLA

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

County Dublin

Planning Register Reference Number: 91A/1135

APPEAL by Mary Desmond care of T. Colbert of 169 Forest Hills, Rathcoole, County Dublin against the decision made on the 5th day of September, 1991 by the Council of the County of Dublin to refuse permission for a turf accountant's shop and satellite dish at Main Street, Rathcoole, County Dublin in accordance with plans and particulars lodged with the said Council:

DECISION: Pursuant to the Local Government (Planning and Development) Acts, 1963 to 1990, it is hereby decided, for the reason set out in the First Schedule hereto, to grant permission for the said turf accountant's shop and satellite dish in accordance with the said plans and particulars, subject to the conditions specified in the Second Schedule hereto, the reasons for the imposition of the said conditions being as set out in the said Second Schedule and the said permission is hereby granted subject to the said conditions.

FIRST SCHEDULE

It is considered that the proposed development, in the main street of the town, would not make a significant difference to the sewerage situation in the area and would not, subject to compliance with the conditions set out in the Second Schedule hereto, be contrary to the proper planning and development of the area.

SECOND SCHEDULE

 Surface water shall be disposed of separately from foul sewerage and in accordance with the requirements of the planning authority.

Reason: In the interest of public health.

 The building shall be relocated to conform to the building line established by the Rathcoole Inn.

Reason: In the interest of the proper planning and development of the area.

An Bord Pleanala, Floor 3, Blocks 6 & 7, Irish Life Centre, Lower Abbey St., Dublin 1. Our Ref: 91a/1135

Your Ref.: PL6/5/86999 =

19 February 1992

Re: Proposed turf accountants shop and satellite dish at Main Street, Rathcoole, for M. Desmond.

Dear Sir/Madam,

I refer to your letter dated 14th October, 1991, enclosing correspondence with regard to the above appeal.

The Planning Authority's comments are as follows:-

The Planning Authority has noted the appellants letter received by An Bord Pleanala on 14th October, 1991.

The Planning Authority is aware of the Board's decision under Reg. Ref. XA.398 and would hope that An Bord Pleanala would support the current efforts to improve streetscape in the village of Rathcoole by improving on standards of architectural design.

Yours faithfully,

for Principal Officer.

Ē.

COMPATRIE CHONTAE ATHA CLIATH

Te 724755 268/269

Planning Department, Irish Life Centre, Lr. Abbey Street, Dublin 1.

Your Ref.: PL6/5/86999 29.10.'9/
Our Ref.: 9/A-1/35

An Bord Pleanala, Blocks 6 and 7, Irish Life Centre, Lr. Abbey Street, Dublin 1.

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

Proposal: The account and shop and satellite

dish at Main street, Rothcoole.

Co. Dublin.

Applicant: M. Desmond.

Dear Sir,

With reference to your letter dated _____H · 10 · 9/ ____ I enclose herewith:-

- (1) & (2) A copy of the application which indicated the applicant's interest in the land or structure.
- (3) A copy of the public notice given, i.e.

 <u>Evenus</u> PRESS 05.07.'9

(4) The plan(s) received from the applicant on OS OY '9/

(6) & (7) A certified copy of Manager's Order <u>P/4 264/91</u>,

DATED, <u>OS: O9: 91</u> together with technical reports in connection with the application.

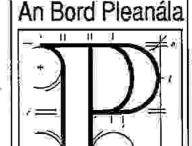
18) History File; FOR XA. 398 See PL 6/5/61544

Yours faithfully,

Mustach for Principal Officer. Encls.

Our Ref: PL 6/5/86999 Your Ref: 91A/1135

PR



Floor3 Blocks 6 & 7 Irish Life Centre Lower Abbey Street Dublin 1 tel (01) 728011

The Secretary,
Dublin County Council,
Planning Department CONTROL
Block 2,
Trish Life Centre.

Date: "Ht October 1991.

Planning authority decision re: Turf accountant's shop and satellite dish at Main Street, Rathcoole, County Dublin.

Dear Sir/Madam,

Enclosed is a copy of an appeal under the Local Government (Planning and Development) Acts, 1963 to 1990, in relation to the above-mentioned decision. So that consideration of the appeal may proceed, you are requested to forward to the Board within two weeks:

(1) The application made to the planning authority.

(2) Particulars of the applicant's interest in the land or structure, as supplied to the planning authority.

(3) A copy of the public notice, whether published in a newspaper or on the site.

(4) Any drawings, maps, particulars, information, evidence or written study received or obtained from the applicant, including the ordnance survey number.

(5) Copies of requests (if any) to the applicant for further information relating to the application under appeal and copies of reply and documents (if any) submitted in response to such requests.

(6) A <u>certified copy</u> of the relevant Manager's Order.

(7) Copies of any technical or other reports relevant to the decision on the application.

(8) Particulars and relevant documents relating to previous decisions affecting the same site or relating to applications for similar development close by. 065

Please note that the other party/parties to the notified that copies of appeal are being the planning authority documents relevant the to decision which gave rise to the above-mentioned appeal will be available for inspection at your offices after the expiration of a period of fourteen days from the date of this letter. It would be appreciated if parties could be facilitated in this regard.

Copies of the representations or observations made to the planning authority in relation to the application should not be sent to the Board. It is assumed that the planning authority has notified observers of the decision made and of the right of appeal.

The planning authority may make to the Board, such observations on the appeal as it writing, fit. thinks Where practicable, any observations should be submitted with the documents listed above but the furnishing of the documents should not be held up until observations available. In any event, to ensure that they will be taken into account in the determination of the any such observations should be furnished appeal, within one month of the date of this letter.

Please quote the above appeal reference number in any further correspondence.

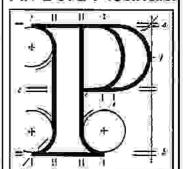
Yours faithfully,

Augura Lacey

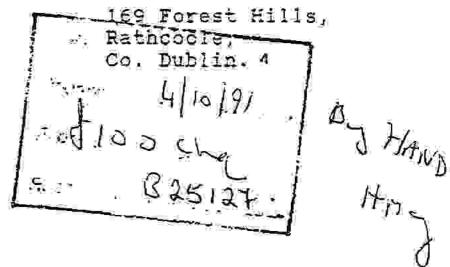
Encl.

BP 005

An Bord Pleanála



Floor3Blocks 6 & 7 Irish Life Centre Lower Abbey Street Dublin 1 tel (01) 728011 The Secretary, An Bord Pleanala, Irish Life Centre. Icwer Abbey Street, Omblin 2.



Re: Turf accountants shop and satellite dish at Main Street, Rathcoole, Co. Dublin, for M. Desmond Reg. Ref. No. 91A/1135

Dear Sir.

I wish, on behalf of my client, Mary Desmond, to appeal the iscision of Dublin Go. Council Planning Authority to refuse permission for the above development on the following grounds:-

I. The development is a single storey, pitched roofed building with it's gable to the Main Street, thus being in keeping with the seceral character of the streetscape in the Main Street, which is domestic in scale for the most part and with gables offered to the front in a number of instances.

The wall finish of sand and cement rendering is in keeping with the traditional finishes in the village.

The nearest buildings on either side are:(I) a two store; public house with high single store; extension to the rear

(1) a two storey house/filling station with a very large single storey car retain workshop to the rear.

The proposed development would in fact be smaller than either of these neighbouring buildings and in no way detract from them or injure their amenities.

There is no specific building line in the Main Street.
The two neighbouring buildings mentioned in the paragraph above are not consistent with any building line: - the public house is built at the edge of the footpath and the house/filling station Is am back from the footpath while it's neighbour to the east is built on the footpath line.

This side of the Main Street has dwellings and commercial developments on the edge of the footpath and back as far as 30m from the edge of the footpath. I feel that the proposed

imvelopment set hask 7.25m from the edge of the footpath in no way detracts from the visual amenity of the streetscape.

2. A decision by an Bord Pleanala, Planning Register Number XA398 dated the 26th August 1983 to grant permission for a shop at ground floor level and residential accommodation at first floor level on this site stated in the First Schedule:-

"The Board considers that the proposed development in the Main Street of the town, would not make a significant difference to the sewerage situation in the area and would not, provided the conditions set out in the Second Schedule hereto are complied with, be contrary to proper planning and development of the area."

This proposed development is a much smaller one in terms of compancy, being without the first floor residential element, and therefore would have less of an impact on the situation than the proposal mentioned above.

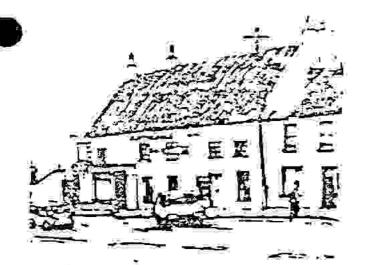
3. My client has an agreement with the proprietors of the Rathcoole Inn (the owners of the site) to purchase it should planning permission be granted. I enclose a letter to this effect from the owners Messrs Jack Graham and Michael McDonnell.

Tours Faichfully

T. Calbert.

2nd October 1991

RECEIVED PLEASE OF A OCT 1991



RATHCOOLE INN

Main Street, Rathcoole, Co. Dublin. TEL: 589204

The Secretary, An Bord Pleanala, Irish Life Centre, Lower Abbey Street, Dublin 2.

Re: Turf accountants shop and satellite dish at Main Street, Rathcoole, Co. Dublin, for M. Desmond Reg. Ref. No.91A/1135

Dear Sir,

We, the proprietors of the Rathcoole Inn and owners of the site mentioned above, have an agreement with Mary Desmond to sell her the site should planning permission be granted.

Yours FaithFully,

M. McDannell

J. Graham

3rd October 1991



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:

PERMISSION: PERMISSION: ASSESSMENT

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

* ·	99 22 11 2
To Mr. T. Colbert,	Register Reference No. 91A/1135
169 Forest Hills,	Planning Control No
Rathcoole,	Application Received
Co. Dublin.	Additional Information Received
Applicant	The State of the s
In pursuance of its functions under the above-mentioned, the County Health District of Dublin, did by order, P/P/decided to refuse:	Acts_the Bublin County Council, being the Planning Authority for 4264/91
OUT. TO SERVE WAY	PERMISSION PERMISSION
For turf accountants shop and satell	ite dish at Main Street, Rathcoole.
	x
for the following reasons:	ementen en enementen en ementen en e
 It is considered that the propo- design, height and location in rel Main Street, would be detrimenta streetscape of the village centre amenities of property in the vicin 	ation to the building line of the last to the visual amenity of the last and would seriously injure the
 Public piped sewerage facilities proposal due to lack of dilutions i Rathcoole Treatment Plant, and the premature by reason of the said ext of piped sewerage facilities and constraints may reasonably be expended. 	n the receiving waters serving the he proposed development would be isting deficiency in the provision the period within which the
3. The applicant has not demonstrated Planning Authority that she has seenable the development to be carried.	ifficient interest in the site to
(\mathbf{x}_0)	
	Mont
Signed on behalf of the Dublin County Council	PRINCIPAL OFFICER
Da	te 5 September 1991

IMPORTANT:

NOTE: (1) An appeal against the decision may be made to An Bord Pleanala. The applicant may appeal within one month from the face of receipt by him of this notification. The appeal shall be in writing and shall state the subject matter of the appeal and grounds need and should be addressed to An Bord Pleanala, Irish Life Centre, Lower Abbey Street, Dublin 1. An appeal lodged by an or his agent with An Bord Pleanala will be invulid unless accompanied by a fee of £36. (Thirty-six pounds). (2) A party to an king 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 furty-six pounds). (3) A person who is not a party to an appeal must pay a fee of £10 (Tan pounds) to An Bord Pleanala in need. With an an appeal has been duly made and has not been withdrawn. An Bord Pleanala will determine the hission as if it had been nade to them in the first instance.

AN BORD PLEANÁLA

LOCAL GOVERNMENT (PLANNING AND DEVELOPMENT) ACTS, 1963 TO 1982

County Dublin

Planning Register Reference Number: X.A. 398

APPEAL by P. T. Byrne of Redgap, Rathcoole, County Dublin, against the decision made on the 1st day of October, 1982, by the Council of the County of Dublin to refuse permission for the erection of a structure comprising a shop and store at ground-floor level and residential accommodation at first-floor level on a site at Main Street, Rathcoole, County Dublin, in accordance with plans and particulars lodged with the said Council:

DECISION: Pursuant to the Local Government (Planning and Development) Acts, 1963 to 1982, it is hereby decided, for the reason set out in the First Schedule hereto, to grant permission for the erection of the said structure in accordance with the said plans and particulars, subject to the conditions specified in column 1 of the Second Schedule hereto, the reasons for the imposition of the said conditions being as set out in column 2 of the said Second Schedule and the said permission is hereby granted subject to the said conditions.

FIRST SCHEDULE

The Board considers that the proposed development, in the main street of the town, would not make a significant difference to the sewerage situation in the area and would not, provided the conditions set out in the Second Schedule hereto are complied with, be contrary to the proper planning and development of the area.

SECOND SCHEDULE

Column 1- Conditions

Column 2 - Reasons for Conditions

- 1. The developer shall pay a sum of money to the Dublin County Council as a contribution towards the provision of a public water supply and piped sewerage facilities in the area. The amount to be paid and arrangements for payment shall be as agreed between the developer and the said Council before development commences or, failing agreement, shall be as determined by An Bord Plemála.
- The provision of these 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.

Contd./....

SECOND SCHEDULE (contd./

Column 1 - Conditions

Column 2 - Reasons for Conditions

- Surface water shall be disposed of separately from foul sewerage and in accordance with the requirements of the planning authority.
- In the interests of public health.
- 3. The carpark shown on the drawing lodged with the planning authority in connection with the application on 3rd August, 1982 shall be surfaced in macadam, with the bays clearly marked, and shall have a wall 0.5 metres high, plastered and capped along its frontage to the street and with an entrance 6 metres wide.
- In the interests of traffic safety.

4. No signs or advertisements shall be erected above the finished level of the first floor.

In the interests of amenity.

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

Dated this Lay of August 1983.

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:

A TOTAL OF A	DECISION TO	REFUSE:
GLESTIN BOOK	PERMISSION:	Name and American
LOCAL GOVERNMENT (DI ANNUALO	· · · · · · · · · · · · · · · · · · ·	2=1

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

	DEVELOPMENT) ACTS, 1963-1983
To Mr. T. Colbert, 169 Forest Hills, Rathcoole, Co. Dublin. Applicant M. Desmond In pursuance of its functions under the above-mentioned Application of Dublin, did by order. P/ P/Applications of Dublin decided to refuse.	Register Reference No. 91A/1135 Planning Control No. Application Received 08.07.91 Additional Information Received.
for the following reasons:	ு 22 இது நாகுக்கள் நிறிநாகக்களை அளவும் இறிந்துக் திரு நாக்களையாகத் நிறிநாகக்கள் அளவும் நாக்கள் இது நாகுக்கள் அளவும்
 It is considered that the proposed design, height and location in relat Main Street, would be detrimental streetscape of the village centre, amenities of property in the vicinity 	d structure, by reason of its ion to the building line of the to the visual amenity of the and would seriously injure the
2. Public piped sewerage facilities are proposal due to lack of dilutions in to Rathcoole Treatment Plant, and the premature by reason of the said exist of piped sewerage facilities and constraints may reasonably be expected	proposed development would be ing deficiency in the provision the period within which the
 The applicant has not demonstrated Planning Authority that she has suffi enable the development to be carried 	to the satisfaction of the icient interest in the site to out.
r ·	
Signed on behalf of the Dublin County Council	AVOFFICER 5 September 1991
IMPORTANT: Date NOTE: (1) An appeal against the decision.	5 September 1991

NOTE: (1) 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. The appeal shall be in writing and shall state the subject matter of the appeal and grounds of appeal and should be addressed to An Bord Pleanala, Irish Life Centre, Lower Abbey Street, Dublin 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 in relation to an appeal. When an appeal has been duly made and has not been withdrawn, An Bord Pleanala will determine the

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Dublin County Council Comhairle Chontae Atha Cliath

Planning Department



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/1135

Date : 12th July 1991

Dear Sir/Madam,

Development : Turf accountants shop and satellite dish

LOCATION : Main Street, Rathcoole

Applicant : M. Desmond

App. Type : PERMISSION

Date Recd : 8th July 1991

Your application in relation to the above was submitted with a fee of £131.25.

On examination of the plans submitted it would appear that the appropriate amount should be £231.25 .

I should be obliged if you would submit the balance of £100.00 as soon as possible as a decision cannot be made on this application until the correct fee is received.

Yours	faithfully,
#######	**************************************
for Di	TWOTERS OFFICER

T. Colbert, 169 Forest Hills, Rathcoole Co. Dublin

Dublin County Council Comhairle Chontae Atha Cliath

Planning Department

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)724765 Fax. (01)724896

Register Reference : 91A/1135

Date : 9th July 1991

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

Dear Sir/Madam,

DEVELOPMENT : Turf accountants shop and satellite dish

LOCATION : Main Street, Rathcoole

APPLICANT : M. Desmond

APP. TYPE : PERMISSION

With reference to the above, I acknowledge receipt of your application received on 8th July 1991.

Yours faithfully,

for PRINCIPAL OFFICER

T. Colbert, 169 Forest Hills, Rathcoole Co. Dublin

້າວັບປີເກ County Council Comhairle Chontae Átha Cliath



Planning Application Form/ Bye - Law Application Form

•	PLEASE READ INSTRUCTIONS AT BACK BEFORE COMPLETING FORM. ALL QUESTIONS MUST BE ANSWERED.
Ī.	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.
	Postal eddress of site or building Main Struct (If none, give description Rath cools sufficient to identify)
3.	Name of applicant (Principal not Agent). Mary Desmond N 441 5
_	Address Main Street Rathcook Co Dublin Tel No.
	Name and address of T. COLBERT DID. ARCH TECH person or firm responsible 169 FOREST HILLS RATHEOOLE. Tel. No. 589 68.2.
5.	Name and address to which T. Colbert notifications should be sent 169 Forest Hills Rathcook & Dublin
	proposed development of accountants office and Satelite dish.
	Method of drainage Public 8. Source of Water Supply Public
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
	Does the proposal involve demolition, partial demolition or change of use of any habitable house or part thereof?
_	a) Area of Site 275 Sq. m.
	c) Floor area of buildings proposed to be retained within site
	Are you now applying also for an approval under the Building Bye Laws? Yes No Place / in appropriate box.
4. P	Please state the extent to which the Draft Building Regulations have been taken in account in your proposal:
 5.L	ist of documents enclosed with
	polication. 2 copies location map, site plan and detailed
	drawings of copy of newspaper solvertisement
6.0	Gross floor space of proposed development (See back)
N	No of dwellings proposed (if any)
F	Fee Payable E. 131-25 Basis of Calculation75 @ £175
	Signature of Applicant (or his Agent) Land Signature of Applicant (or his Agent)
1.7	Application Type P FOR OFF SEONLY 1.6.6 Register Reference 9.00-1135
	Register Reference 9 10 35 Amount Received E 08 JUL 1991
4	Date Reg Sec.

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.
- 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 natice.
- 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 edipining 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.
- 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.

195

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 CLASS NO. DESCRIPTION NO: FEE DESCRIPTION FEE £55.00 each Provision of dwelling - House/Flat. _ £32.00 each Dwelling (House/Flat) d. 2. 3. 4. Domestic extensions/other improvements. £16.00 Domestic Extension Provision of agricultural buildings (See Regs.) £40.00 minimum (improvement/alteration) £30.00 each Other buildings (i.e. offices, commercial, etc.) Building — Office/ £3.50 per m² £1.75 per sq. metre Commercial Purposes (min. £70.00) (Min. £40.00) £25.00 per 0.1 ha D 5. 'Use of land (Mining, deposit or waste) Agricultural £1.00 per m² (Min £250.00) Buildings/Structures in excess of Use of land (Camping, parking, storage) 6. £25.00 per 0.1 ha 300 sq. metres (Min, £40.00) (min. - £70.00) 7: £25.00 per 0.1 ha (Max. - £300.00) Provision of plant/machinery/tank or Ε Petrol Filling Station £200.00 other structure for storage purposes. (Min. £100.00) F 8. Petrol Filling Station. £100.00 Development or £9.00 per 0.1 ha 9. Advertising Structures. Proposals not coming (£70.00 min.) ___£10.00 per m² within any of the (min £40.00) foregoing classes. Electricity transmission lines. £25.00 per 1.000m 10. Min. Fee £30.00 (Min. £40.00) Any other development. . Max. Fee £20,000 11. £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.

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