

20 February 1992

Chris Flood Esq., T.D.,
Minister of State - Department of Health,
Office of the Minister of State at the
Department of Health,
Baile Atha Cliath, 2.

Dear Minister,

I wish to refer to your recent letter on behalf of Mrs. M. McLoughlin who applied for outline planning permission for two bungalows at Callaighstown Upper, Rathcoole.

I wish to inform you that this application, Reg. Ref. 91A/1868, was received in this Department on the 27th November, 1991. On the 17th January, 1992 following full consideration of this application the Planning Authority decided to refuse permission in respect of this proposal.

Copy of the Notification to Refuse Permission is enclosed for your information.

Yours faithfully,



for PRINCIPAL OFFICER

ENCL. 1

MW/MC



OIFIG AN AIRE STÁIT AG AN ROINN SLÁINTE
(Office of the Minister of State at the Department of Health)

BAILE ÁTHA CLIATH 2
(Dublin 2)

Copy of
1914.

16th January 1992

Mr. Al Smith,
Principal Officer,
Dublin County Council,
Planning Department,
Lower Abbey Street,
Dublin 1.

Dear Mr. Smith,

Re: Planning Application No: 91A/1868

I would like to support the above planning application for the provision of two bungalows on 6.7 acres approximately at Callaighstown Upper, Rathcoole, Co. Dublin.

I would be grateful if you could arrange to sympathetically consider the application and advise me in due course.

With best wishes,

Yours sincerely,

Chris Flood T.D.
Minister of State - Department of Health

17. JAN 92

CHRIS FLOOD T.D.

Minister of State - Dept. of Health



Home Address:
22 Birchview Lawn,
Kilnamanagh,
Tallaght,
Dublin 24.
Phone 518574.
Fax: 514557.

Constituency & Ministerial Office
Dept. of Health,
Hawkins House,
Hawkins Street,
Dublin 2.
711547 / Leinster House
711698 / 789911 Ext. 614.
Fax 714508.



If you wish to contact me on personal, local or national issues, please do not hesitate to do so.

For your convenience I am pleased to provide details of my advice clinics located throughout the constituency.

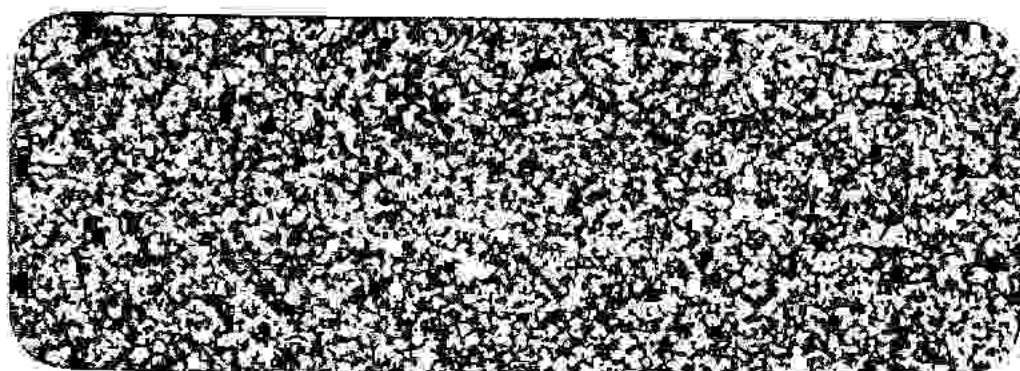
ADVICE CLINICS

Home: 22 Birchview Lawn, Kilnamanagh	Every Monday	6.30 - 8.00 pm
Tallaght Welfare Society, Main Street, Tallaght (beside Foxes Covert)	Every Saturday	11 am - 1 pm
Over Cowan's Menswear, Orchard Road, Clondalkin	Every Saturday	3 - 4 pm
Bawnogue Shopping Centre (Dr. Ramiah's Surgery)	Every Saturday	4 - 5 pm
Killinarden Resource Centre. (beside new Church) Killinarden, Tallaght	Every Friday	8 - 9 pm
Brookfield Community Centre, (beside St. Aidan's Community School) Brookfield, Tallaght	Every Friday	7 - 8 pm
The Old School, Main Street, Newcastle, Co. Dublin.	1st Saturday of each month	5 - 6 pm
St. Mark's Primary School, Springfield, Tallaght	1st Sunday of each month	11 - 12 noon

All matters discussed with me are dealt with in strict confidence.

CHRIS FLOOD T.D.

... ..



FILE DISCUSSED AT COUNCIL/COMMITTEE MEETING

FILE REF: 91A 1868

MEETING	COMMENTS	NOTED IN DEV. CONTROL	NOTED BY
<p>BELGARD</p> <p>H + P</p> <p>20/12/91</p> <p>==</p> <p>==</p>	<p>CCS Quinn</p> <p>Not in favour</p> <p>Land not in ownership</p> <p>of Applicant (?)</p>		

PLANNING APPLICATION FEES

Reg. Ref. 91A/1868

Cert. No. 27263

PROPOSAL 2 Benjamins

LOCATION Callaghstown Upper, Rathcoole

APPLICANT M. McLaughlin

CLASS	DWELLINGS/AREA LENGTH/STRUCT.	RATE	AMT. OF FEE REC.	AMOUNT LODGED	BALANCE DUE	BALANCE PAID
1	Dwellings	@£32 <u>2.0.0.</u>	<u>48</u>	<u>48</u>		
2	Domestic	@£16				
3	Agriculture	@50p per m2 in excess of 300m2. Min. £40				
4	Metres	@£1.75 per m2 or £40				
5	x .1 hect.	@£25 per .1 hect. or £250				
6	x .1 hect.	@£25 per .1 hect. or £40				
7	x .1 hect.	@£25 per .1 hect. or £100				
8		@£100				
9	x metres	@£10 per m2 or £40				
10	x 1,000m	@£25 per £1000m or £40				
11	x .1 hect.	@£5 per .1 hect. or £40				

Column 1 Certified: Signed: Grade Date

Column 1 Endorsed: Signed: Grade Date

Columns 2, 3, 4, 5, 6 & 7 Certified: Signed: RUB Grade S Date 3/12/91

Columns 2, 3, 4, 5, 6 & 7 Endorsed: Signed: Grade Date

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

ASSESSMENT OF FINANCIAL CONTRIBUTION

REG. REF.:

CONT. REG.:

SERVICES INVOLVED: WATER/FOUL SEWER SURFACE WATER

AREA OF SITE:

FLOOR AREA OF PRESENT PROPOSAL:

MEASURED BY:

CHECKED BY:

METHOD OF ASSESSMENT:

TOTAL ASSESSMENT:

MANAGER'S ORDER NO: P/
DATED

ENTERED IN CONTRIBUTION REGISTER:

DEVELOPMENT CONTROL ASSISTANT GRADE

P/10/92
COMHAIRLE CHONTAE ÁTHA CLIATH

Record of Executive ^{B E L G A R D} Business and Manager's Orders

Register Reference : 91A/1868

Date Received : 27th November 1991

Correspondence : Faja Ltd, Design Group,
Name and : Main Street,
Address : Rathcoole,
Co. Dublin.

Development : 2 bungalows

Location : Callaghstown Upper, Rathcoole

Applicant : M. McLoughlin

App. Type : Outline Permission

Zoning : To protect and improve high amenity areas.

Floor Area : Sq.metres

(GB/AC)

Report of the Dublin Planning Officer dated 9 January 1992.

This is an application for OUTLINE PERMISSION for two bungalows at Calliaghstown Upper, Rathcoole, for M. McLoughlin.

The area in which the site is located is zoned with the objective "to protect and improve high amenity areas". The site is stated to be 6.7 acres, and is currently used as farmland. It is located at a hazardous point, close to a junction of two roads.

The views around the site are quite spectacular from this prominent and elevated area. It is an objective of the County council to preserve these views and prospects indicated on Sheet 1 of the 1983 Development Plan Maps. The location is a popular one for hill walkers, day trippers etc.

The history search provided for this site shows by Order No. PL 6/5/70387, Reg. Ref. 85A/1154, An Bord Pleanála upheld a refusal by the County Council for a house on these lands to the same applicant (M. McLoughlin of Coolmine, Saggart). The reasons for refusal included zoning and traffic hazard.

R.C. ~~There~~ No case has been established for housing in this sensitive area, I would recommend refusal.

ultine
I recommend that a decision to REFUSE PERMISSION be made under the Local Government (Planning and Development) Acts 1963-1990, for the following

COMHAIRLE CHONTAE ÁTHA CLIATH

Record of Executive Business and Manager's Orders

Reg. Ref: 91A/1868

Page No: 0002

Location: Callaighstown Upper, Rathcoole

(4) reasons:-

REASONS FOR REFUSAL

01 The proposed development is located in an area zoned in the 1983 County Development Plan "to protect and improve high amenity areas". The proposed development would contravene materially a development objective indicated in the 1983 Development Plan for the use primarily of this area for high amenity and so would be contrary to the proper planning and development of the area.

02 The proposed development would interfere with a view of special amenity ~~value~~ ^{value which is the County Development Plan 1983} ~~in accordance with the requirements of the County Development Plan, 1983.~~

03 The proposal ^{provides for an} ~~involves an inferior~~ access point on a substandard road network with narrow widths, inadequate site distance on many corners and steep gradients, and the additional traffic which would be generated by the proposed development on this road network would endanger public safety by reason of traffic hazard.

4. No evidence to indicate the suitability of the site for septic tank drainage has been submitted - the proposal would then be prejudicial to public health.

COMHAIRLE CHONTAE ÁTHA CLIATH

Record of Executive Business and Manager's Orders

Reg.Ref: 91A/1868

Page No: 0003

Location: Callaighstown Upper, Rathcoole

J. Richard... Cramlin... SEP
for Dublin Planning Officer

Endorsed: *[Signature]*
for Principal Officer

Order: A decision pursuant to Section 26(1) of the Local Government (Planning and Development) Acts, 1963-1990 to REFUSE OUTLINE PERMISSION for the above proposal for the (4) reasons set out above is hereby made.

Dated: 17th JANUARY 1992

ASSISTANT COUNTY MANAGER/APPROVED OFFICER
to whom the appropriate powers have been delegated by order of the Dublin City and County Manager dated 10th December 1991.

Register Reference : 91A/1868

Date : 4th December 1991

Development : 2 bungalows

LOCATION : Callaighstown Upper, Rathcoole

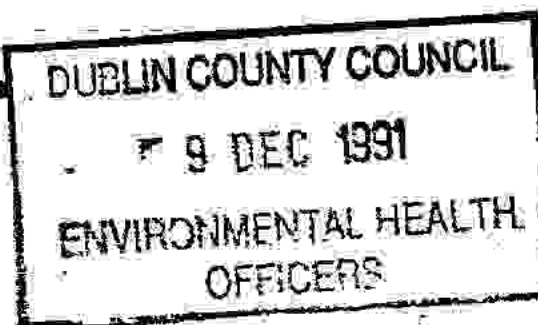
Applicant : M. McLoughlin

App. Type : OUTLINE PERMISSION

Planning Officer : G. BOOTHMAN

Date Recd. : 27th November 1991

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



Yours faithfully,

Proposal not acceptable for the following reasons

1. *evidence of soil suitability for the disposal and treatment of septic tank effluent not available*
2. *evidence of potable and adequate water supply being available not produced.*

.....
for PRINCIPAL OFFICER

Ames O'Donohue
+211
11.12.91.

for *Sta Devine*
John O'Reilly
SUPER. ENVIRON. HEALTH OFFICER,
33 GARDINER PLACE,
DUBLIN 1.

13/12/91



Filed

DUBLIN COUNTY COUNCIL

PLANNING DEPT.	
DEVELOPMENT CONTROL SECT	
Date	06.01.92
Time	12.30

REG. REF: 91A/1868

DEVELOPMENT: 2 bungalows.

LOCATION: Callaighstown Upper, Rathconle

APPLICANT: Mrs. M. McLoughlin.

DATE LODGED: 27.11.91

Access to Site 1 is very substandard accessing parallel to the existing road as shown. This would lead to hazardous U turns at a bad bend.

Access to Site 1 would be acceptable providing the road boundary north of the access road was set back to provide a vision splay. This would require a realignment of the driveway as proposed.

If permission is being considered for both houses Roads Department will require a properly aligned joint recessed access and boundary setback. Details to be to the requirements of the Roads Department.

In addition the following Conditions shall apply:-

1. All stormwater shall be disposed of to soakpits or natural watercourse within the site and shall not discharge onto the public road.
2. The gradient of the access shall not exceed 2.5% over the last 6 metres of approach to the public road.
3. Parking for two cars to be provided within the curtilage of each site with an adequate turning area.
4. All underground or overhead services and poles to be relocated, as may be necessary, to a suitable location adjacent to the new boundary at the developer's expense.

5. A financial contribution, in the sum of money equivalent to the value of £1600 (i.e. 2 No. @ £800) 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.



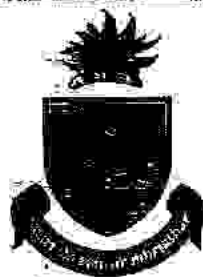
AMCS/BMcC
18.12.91.

SIGNED: A. Heaney

ENDORSED: C. J. B. / 12

DATE: 19/12/91

DATE: 19/12/91



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

NOTIFICATION OF DECISION TO REFUSE OUTLINE PERMISSION
LOCAL GOVERNMENT (PLANNING AND DEVELOPMENT) ACTS 1963-1990.

Decision Order Number : P/ 0101 /92 Date of Decision : 17th January 1992

Register Reference : 91A/1868 Date Received : 27th November 1991

Applicant : M. McLoughlin

Development : 2 bungalows

Location : Callaighstown Upper, Rathcoole

Floor Area : Sq. Metres

Time Extension(s) up to and including :

Additional Information Requested/Received : //

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 REFUSE OUTLINE PERMISSION in respect of the above proposal.

For the Reasons set out on the attached Numbered Pages.

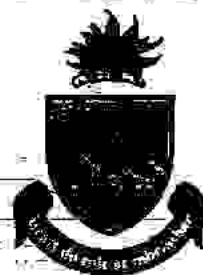
NUMBER OF REASONS:- 4 ATTACHED.

Signed on behalf of the Dublin County Council.....
for Principal Officer

Date: 20.2.92

Faja Ltd, Design Group,
Main Street,
Rathcoole,
Co. Dublin.

Reg.Ref. 91A/1868
Decision Order No. P/ 0101 /91
Page No: 0002



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

REASONS FOR REFUSAL

- 01 The proposed development is located in an area zoned in the 1983 County Development Plan "to protect and improve high amenity areas". The proposed development would contravene materially a development objective indicated in the 1983 Development Plan for the use primarily of this area for high amenity and so would be contrary to the proper planning and development of the area.
- 02 The proposed development would interfere with a view of special amenity value included in the County Development Plan 1983 which it is necessary to preserve.
- 03 The proposal provides for an access point on a substandard road network with narrow widths, inadequate site distance on many corners and steep gradients, and the additional traffic which would be generated by the proposed development on this road network would endanger public safety by reason of traffic hazard.
- 04 No evidence to indicate the suitability of the site for septic tank drainage has been submitted. The proposal would thus be prejudicial to public health.

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/1868

Date : 29th November 1991

LOCAL GOVERNMENT (PLANNING AND DEVELOPMENT) ACTS, 1953 TO 1990

Our Ref.

Your Ref.

Date

Dear Sir/Madam,

DEVELOPMENT : 2 bungalows

LOCATION : Callaighstown Upper, Rathcoole

APPLICANT : M. McLoughlin

APP. TYPE : OUTLINE PERMISSION

With reference to the above, I acknowledge receipt of your application
received on 27th November 1991.

Yours faithfully,

.....
for PRINCIPAL OFFICER

Faja Ltd, Design Group,
Main Street,
Rathcoole,
Co. Dublin.

Dublin County Council
Comhairle Chontae Altha Cliath



Planning Application Form/
Bye - Law Application Form

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 Callaighstown Upper, Rathcoole, Co. Dublin
(If none, give description sufficient to identify)

3. Name of applicant (Principal not Agent) Mrs. M. McLoughlin
Address 2x Bungalows, Coolmine, Saggart Co. Dublin Tel. No. X580910XXX

4. Name and address of person or firm responsible for preparation of drawings
Tel. No. 580910

5. Name and address to which notifications should be sent
FAJA DESIGN GROUP
ARCHITECTS & PLANNING CONSULTANTS
MAIN STREET RATHCOOLE, CO. DUBLIN
TEL. 580910 FAX 580916

6. Brief description of proposed development
2 Bungalows on 6.7 acres approx

7. Method of drainage Septic tank 8. Source of Water Supply Bored well

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 N/A
(b) Proposed use of each floor N/A

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 6.7 acres approx Sq. m.

(b) Floor area of proposed development 558 sq. mts. Sq. m.

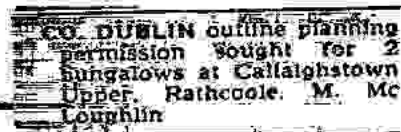
(c) Floor area of buildings proposed to be retained within site Sq. m.

12. State applicant's legal interest or estate in site (i.e. freehold, leasehold, etc.) Freehold

13. Are you now applying also for an approval under the Building Bye Laws?
Yes ☐ No ☒ Place ☒ in appropriate box.

14. Please state the extent to which the Draft Building Regulations have been taken in account in your proposal:
N/A Planning only (outline)

15. List of documents enclosed with application. 4 copies of Block Plan, Site Location Map, Page of Irish Press Dated 15/11/1991



16. Gross floor space of proposed development (See back) 558 sq. mts. Sq. m.

No. of dwellings proposed (if any) 2 Class(es) of Development Class 1 Planning

Fee Payable £ 48.00 Basis of Calculation 2 x £24.00 Class 1 outline

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

Signature of Applicant (or his Agent) [Signature] Date 25/11/1991

Application Type O.P. FOR OFFICE USE ONLY

Register Reference 91H/1868

Amount Received £ 24.50

Receipt No 24-5

Date



2.4.0

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

CLASS NO.	DESCRIPTION	FEE
1.	Provision of dwelling — House/Flat.	£32.00 each
2.	Domestic extensions/other improvements.	£16.00
3.	Provision of agricultural buildings (See Regs.)	£40.00 minimum
4.	Other buildings (i.e. offices, commercial, etc.)	£1.75 per sq. metre (Min. £40.00)
5.	Use of land (Mining, deposit or waste)	£25.00 per 0.1 ha (Min. £250.00)
6.	Use of land (Camping, parking, storage)	£25.00 per 0.1 ha (Min. £40.00)
7.	Provision of plant/machinery/tank or other structure for storage purposes.	£25.00 per 0.1 ha (Min. £100.00)
8.	Petrol Filling Station.	£100.00
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)

BUILDING BYE-LAW APPLICATIONS

CLASS NO.	DESCRIPTION	FEE
A	Dwelling (House/Flat)	£55.00 each
B	Domestic Extension (improvement/alteration)	£30.00 each
C	Building — Office/Commercial Purposes	£3.50 per m ² (min. £70.00)
D	Agricultural Buildings/Structures	£1.00 per m ² in excess of 300 sq. metres (min. - £70.00) (Max. - £300.00)
E	Petrol Filling Station	£200.00
F	Development or Proposals not coming within any of the foregoing classes.	£9.00 per 0.1 ha (£70.00 min.)
		Min. Fee £30.00 Max. Fee £20,000

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.

RECEIPT CODE

COMHAIRLE CHONTAE ATHA CLIATH

PAID BY DUBLIN COUNTY COUNCIL

ISSUE OF THIS RECEIPT IS NOT AN

ADMISSION OF LIABILITY

PAID TO DUBLIN 1

ORDERED IN THE DISCREETION OF THE

NUMBER 51320

Received this

day of

19

from

the sum of Pounds

Pence being

S. GREY

Paternal Officer



DESIGN GROUP
ARCHITECTS & PLANNING CONSULTANTS

MAIN STREET
RATHCOOLE
CO. DUBLIN
Tel. 580910

Principal Officer,
Dublin Co. Council,
Planning Dept.



25/11/91.

Dear Sir / Madam,

We are applying on behalf of our client Mrs. M. McLoughlin for 2 bungalows on 6.7 acres approx. at Callaighstown Upper, Rathcoole. We submit that the site in question is of no great value for agricultural purposes, as it is set in the North / East of the applicants lands in a sloping area. The development of the above land is necessary for the future use of the land notwithstanding the zoning objective. As there are numerous similar developments on the road leading to the applicants site and to whom Planning Permission were granted we suggest that this quality development as proposed would be a planning gain to this area. There is a singular roads entrance to this development which is sited at the best possible point for access and vision. We anticipate a favourable outcome to this outline application.

Yours Sincerely,

Jim O'Neill.

c.c. Mrs. M. McLoughlin.

