

APPEALS DECISIONS

APPEALS CHECK LIST

REG. REF. NO. 91A 1756

H. Jones 2/5/92
2 hours
Muir St, Newcastle
OR.

1	ENTERED IN OBJECTORS BOOK	✓
2	ENTERED IN BLUE FOLDER	✓
3	ENTERED IN APPEALS BOOK	✓
4	ENTERED IN PLANAPS: I.E.:	✓
	APPEALS DECISION RO.	✓
	CHANGE STATUS 35	✓
	APPEALS DATE 18/5/92	✓
5	COPY OF DECISION FOR WEEKLY LIST (MARY/LAURA)	✓
6	DECISION CIRCULATED TO LISTED PERSONS	✓
7	TO BONDS & CONTRIBUTIONS FOR FINANCIAL ASSESSMENT	
8	TO L. DOYLE FOR NOTING	
9		
10		

CHANGE STATUS IN PLANAPS:

REFUSAL.....55
GRANT.....62
WITHDRAWN.....54
CONDITIONS.....53

NEW APPEAL

APPEALS CHECK LIST

REG. REF. NO. 91A-1756

1	ENTERED IN OBJECTORS REGISTER	✓
2	ENTERED IN BLUE FOLDER	✓
3	ENTERED IN APPEALS REGISTER	✓
4	ENTERED IN APPEALS INDEX	✓
5	ENTER PAGE No. OF APPEALS REGISTER IN OBJECTORS REGISTER	✓
6 ENTER IN PLANAPS	Appeal Notified:	✓
	Appeal Type/Appellant Type:	✓
	Bord Pleanal Ref:	✓
	DOCS SENT TO AN BORD: (CHANGE STATUS TO 52)	✓
7	WRITTEN UP ON WEEKLY LIST FOR MARY/LAURA	✓
8	OBJECTORS NOTIFIED	
9	BREAKDOWN OF CALCULATIONS REQUIRED - YES/NO	
10		
11		

TELEPHONE: Dublin (01) 771881

TELEX: 31444 DFFMEI

FAX NO: 385953

TAGHAIRT:

Reference



AN ROINN COSANTA
(Department of Defence)

TEACH NA PAIRCE
(Park House)

BAILLE ÁTHA CLIATH, 7
(Dublin, 7)

3/50719



December, 1991.

Re: Planning Applications which Might Effect the Use of
Casement Aerodrome, Baldonnel, Co. Dublin

I am directed by the Minister for Defence to refer to applications:

91A/1656 P. Keogh, Redgap, Rathcoole House

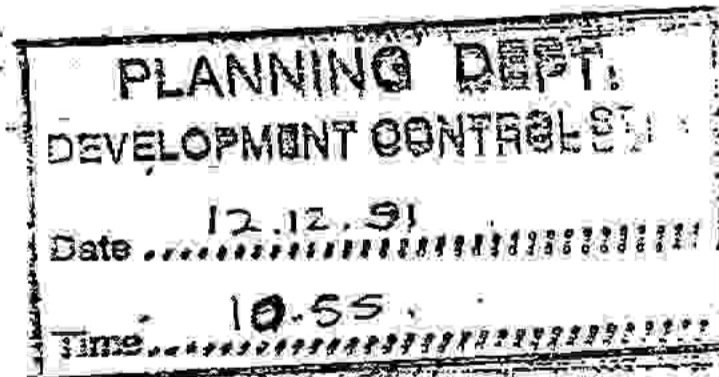
91A/1756 D Carty, Main Street, Newcastle,
2 Bungalows

91A/1768 P Rochford, Redgap, Rathcoole,
Replacement Dwelling

No objection is seen to these proposals provided they do not exceed 11m in height above ground level.

Yours sincerely,


M. LYNCH
PROPERTY MANAGEMENT



The Secretary
Dublin County Council
Planning Department
Irish Life Centre
Lower Abbey Street
Dublin 1

M33

PLANNING APPLICATION FEES

Reg. Ref. 91A/1756 Cert. No. 27061
 PROPOSAL 2 Bungalows
 LOCATION Main Street, Newcastle
 APPLICANT O. Carby

CLASS	DWELLINGS/AREA LENGTH/STRUCT.	RATE	AMT. OF FEE REC.	AMOUNT LODGED	BALANCE DUE	BALANCE PAID
1	Dwellings	@£32	£48	£64	£16	overcharged
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: [Signature] Grade: _____ Date: 11/10/91
 Columns 2,3,4,5,6 & 7 Endorsed: Signed: _____ Grade: _____ Date: _____

DUB/S.

P/3138/92

FINANCIAL CONTRIBUTION :-	
AMOUNT & N ^o	
F	Refusal

AN BORD PLEANÁLA

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

County Dublin

Planning Register Reference Number: 91A/1756

APPEAL by Owen Carty of Deerfield, Harolds Grange, Dublin against the decision made on the 20th day of December, 1991 by the Council of the County of Dublin to refuse an outline permission for development comprising the erection of two houses at Main Street, Newcastle, County Dublin:

DECISION: Pursuant to the Local Government (Planning and Development) Acts, 1963 to 1990, outline permission is hereby refused for the said development for the reasons set out in the Schedule hereto.

SCHEDULE

1. There are no public foul sewerage facilities available to serve the proposed development because of the lack of dilution in the stream receiving the effluent from the Newcastle Treatment Plant. The proposed development would be premature by reason of the said existing deficiency in the provision of public foul sewerage facilities and the period within which the constraints involved may reasonably be expected to cease.
2. The area of the site is inadequate for the satisfactory disposal of septic tank effluent. It is considered, therefore, that the proposed development would be prejudicial to public health.

Daragh W. A. Murphy

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

Dated this 18th day of May, 1992.

AN BORD PLEANÁLA

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

County Dublin

Planning Register Reference Number: 91A/1756

C. Noted: L.D.
 Dated: ~~1992~~ ~~JUNE 29~~ ~~JULY~~ *ASST. COUNTY MANAGER*
 to whom the appropriate powers have been delegated by order
 of the Dublin City and County Manager.
 Donegal: *29* day of *JUNE* 19*92*

LOH



Bosca 174
P. O. Box 174
46/49 Sraid O'Connell Uacht,
46/49 Upper O'Connell Street,
Baile Atha Cliath 1.
Dublin 1.
Telephone. (01)727777
Fax. (01) 727434

Mr. A. Smith,
P. O.,
Planning Department.

Our Ref. BM/DF

Your Ref.

Date 28/5/92

Decision Made

For the attention of: Mr. Les Doyle.

Re: Outline Permission for 2 Houses at Main Street,
Newcastle - Reg. Ref. 91A/1756.

I refer to the above appeal relating to two houses in Newcastle.

The limited capacity of the Newcastle Treatment Works is now well documented and most directly concerns the lack of dilutions within the receiving stream to absorb the treated effluent. All new proposals within the catchment of this system are now refused and have been over a period of at least eight years, it would therefore be invidious for any permission to issue in respect of this application.

The alternative proposal for septic tanks, interposed in what is an urban type density, is a contrived situation. The area stated as being available to each dwelling takes no account of the peculiar shape of each site and the potential for inconvenience and possible health hazard to the occupants of the proposed dwellings and the neighbouring properties.

It should be noted that there is no evidence of a suitable surface water outlet for the proposed premises or for the road gullies indicated. Soakpits would only add to the problems of the disposal of septic effluent.

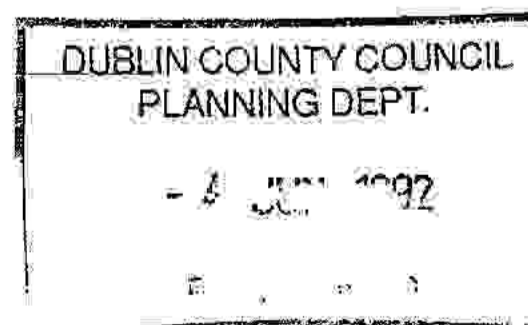
I would recommend that the refusal for planning permission be upheld.

B. Morris

B. Morris,
A/S.E.E.

Endorsed:

F. G. Coffey
F. G. Coffey
Senior Engineer.



Attached are the documents
for B. Mann's as requested.

- ① qtds of Appeal ✓
- ② memo order ✓
- ③ site map ✓

issued
BY
Hond
27
92

Barry Morris,
Senior Engineer,
Sanitary Services Department.

Our Ref: 91A/1756

20 February 1992

Re: Proposed 2 bungalows at Main Street, Newcastle for O. Carty.

Dear Sir,

I attach copy of grounds of appeal and Planning Officers report in regard to the above.

I should be most obliged to received your comments on same before 6th March, 1992.

PLEASE MARK YOUR REPLY FOR THE ATTENTION OF LES DOYLE

Yours faithfully,

LD
for Principal Officer.

Multiple Copies of
Docs. Issued 27/5/92
By Hand

*Appeals
Noel Fendergatt*

DUBLIN COUNTY COUNCIL

PLANNING DEPARTMENT

Date Received : 6th November 1991 Register Reference : 91A/1756
Planning Officer : M.GALVIN
Applicant : O. Carty
Development : 2 bungalows
LOCATION : Main Street, Newcastle

DECISION : REFUSE OUTLINE PERMISSION . DATE OF DECISION : 20
APPEAL TYPE : APPELLANT TYPE :

I attach for your observations memo/letter dated *7-2-92* from An Bord Pleanala

Please reply before *27/2/92*

S
.....
for Principal Officer Date

OBSERVATIONS

Refer to S.S. E. 21/3/2

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PLANNING OFFICER S.E.D.C. DATE

COMHAIRLE CHONTAE ÁTHA CLIATH

Record of Executive Business and Manager's Orders

Outline planning permission for 2 bungalows at Main St., Newcastle for A. O. Carty.

Mr. Owen Carty,
Deerfield,
Harolds Grange,
Dublin 18.

Reg. Ref. 91A/1756
App. Recd: 06.11.1991
Floor Area: 1500 sq. m.
Site Area: 4625 sq. m.
Zoning:

Report of the Dublin Planning Officer, dated 18 December 1991

This is an application for OUTLINE PERMISSION for 2 houses at Main St., Newcastle.

Drainage is stated to be either to the existing foul sewer or to septic tanks.

Reg. Ref. K 2191 refers to a permission for 3 pair of semi detached houses in this area.

The outside pairs of houses were constructed, Reg. Ref. ZA 1027, 85A/1615 and 89A/232 refer to a site for a bungalow to the rear with vehicular access via the site of the omitted pair of houses. A bungalow has now been constructed at the rear.

Roads Engineer report noted.

Sanitary Services Engineer reports that the Newcastle Foul Sewerage system is fully committed to existing development and cannot accept any further development by reason of the lack of dilutions within the receiving stream which accepts the treated effluent from the Newcastle Treatment Plant.

The proposed development is inconsistent with the provisions included in the Development Plan.

I recommend that a decision to REFUSE OUTLINE PERMISSION be made under the Local Government (Planning and Development) Acts, 1963-1990 for the following (7) Reasons:-

1. The lodged plans are stated to be at a scale of 1:1250. This would appear to be inaccurate and there is not as much land available as the lodged plans would indicate.
2. There are no foul sewer connections to a public sewer available due to the fact that the Newcastle System is fully committed to existing development and cannot accept any further development by reason of the lack of dilutions within the receiving stream which accepts the treated effluent from the Newcastle Treatment Plan.
3. The proposed development would be premature by reason of the said existing deficiency in the provision of public piped sewerage facilities and the period within which such deficiency may reasonably be expected to be made good.

COMHAIRLE CHONTAE ÁTHA CLIATH

Record of Executive Business and Manager's Orders

Outline planning permission for 2 bungalows at Main St., Newcastle for I. O. Carty.

4. In relation to septic tank drainage:-

A. trial holes have not been excavated which would enable the Planning Authority to determine the suitability of the ground to accept septic tank drainage.

B. The sites are inadequate in size and location to satisfactorily cater with septic tank drainage.

C. No percolation area or reserve percolation areas have been provided. ~~In~~ ^{In} view of the above the proposed development would be prejudicial to public health.

5. The proposed bungalows are considered to represent backland development with no satisfactory access or frontage to a public road.

6. The proposed bungalows are located in too close proximity to adjoining existing houses. In view of this proximity to the existing houses, the proposed development would seriously injure ^{the interests} and depreciate the value of property in the vicinity.

7. The proposed development would result in existing rear gardens of adjoining houses being exposed to view and would seriously interfere with ~~this~~ privacy.

(NP/BB)

Endorsed:- 
for Principal Officer


For Dublin Planning Officer

Order:- Pursuant to Section 26(1) to the Local Government (Planning and Development) Acts, 1963-1990 a decision to REFUSE OUTLINE PERMISSION for the above proposal is hereby made by the Council for the (7) reasons set out above and OUTLINE PERMISSION is REFUSED accordingly.

Dated: 27th December, 1991.


ASSISTANT CITY & COUNTY MANAGER

to whom the appropriate powers have been delegated by Order of the Dublin City and County Manager, dated 12th December 1991.

Mary Gaton

Register Reference : 91A/1756

Date : 13th November 1991

Development : 2 bungalows
LOCATION : Main Street, Newcastle
Applicant : O. Carty
App. Type : OUTLINE PERMISSION
Planning Officer : M. GALVIN
Date Recd. : 6th November 1991

DUBLIN COUNTY Council
19 DEC 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,

PLANNING DEPT.
DEVELOPMENT CONTROL SECT
Date 06. 01. 92
Time 12.30

.....
FOR PRINCIPAL OFFICER

Refusal recommended

The sites are too small to meet the requirements of SR6 for septic tank drainage.

In addition

1. Soil suitability has not been shown.
2. Percolation areas and reserve percolation areas have not been shown.
3. Surface water drainage details have not been submitted.
4. Septic tank drainage systems in neighbouring sites have not been shown.

for
Sta Devine
John O' Reilly
SUPER. ENVIRON. HEALTH OFFICER,
33 GARDINER PLACE,
DUBLIN 1. 3/1/92

Johna Kelly
EHO 3/1/92

Mary Gavin

SS + CMO

(P)

Register Reference : 91A/1756

Date : 13th November 1991

Development : 2 bungalows
LOCATION : Main street, Newcastle
Applicant : O. Carty
App. Type : OUTLINE PERMISSION
Planning Officer : M.GALVIN

PLANNING DEPT.
DEVELOPMENT CONTROL SECT
Date 17.12.91
Time 4.00

Date Recd. : 6th 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,

DUBLIN CO. COUNCIL
SANITARY SERVICES
FOR PRINCIPAL OFFICER
17 DEC 1991
Returned [Signature]

Date received in sanitary services 19 NOV 1991

FOUL SEWER

This proposal is for septic tank drainage - refer to E.H.S.

Note Since the curious shape of these sites are unlikely to meet the requirements of the E.H.S., it has to be pointed out that the Newcastle system is fully committed to existing development and cannot accept any further development, by reason of the lack of dilutions within the receiving stream which accepts the treated effluent from the Newcastle treatment plant.

SURFACE WATER

In sufficient information available subject to additional drainage details other than those indicated in outline.

Note The public sewer indicated is a surface water sewer.

[Signature]
15.12.91

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

J.P.
13/12/1991

Filed.

Register Reference : 91A/1756

Date : 13th November 1991

.....
ENDORSED _____

DATE _____

WATER SUPPLY. Available in principle for zoned use. Applicant to submit details of connection to existing watermain when submitting for full planning permission.

L. J. Spai
20/11/91

[Signature]
21/11/91

ENDORSED _____

[Signature]

DATE _____

13/12/91

PLANNING DEPT.
DEVELOPMENT CONTROL SECT
13.12.91

4.00

Register Reference : 91A/1756

Date : 13th November 1991

Development : 2 bungalows

LOCATION : Main Street, Newcastle

Applicant : O. Carty

App. Type : OUTLINE PERMISSION

Planning Officer : M. GALVIN

Date Recd. : 6th November 1991

PLANNING DEPT.
DEVELOPMENT CONTROL SECT.
Date 18.12.91
Time 10.00

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. COUNCIL
19 NOV 1991
SAN SERV

DUBLIN CO. COUNCIL
SANITARY SERVICES
FOR PRINCIPAL OFFICER
17 DEC 1991
Returned EG

Date received in sanitary services 19 NOV 1991

FOUL SEWER

They propose in for septic tank drainage - refer to E.H.B.

Note Since the curious shape of these sites are unlikely to meet the requirements of the E.H.B., it has to be pointed out that the Newcastle system is fully committed to existing development and cannot accept any further development, by reason of the lack of dilution within the receiving stream which accepts the treated effluent from the Newcastle treatment plants.

SURFACE WATER

Inefficient representation available subject to additional drainage details other than those indicated in outline.

Note The public sewer indicated is a surface water sewer

Blair Brown
15.12.91

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

J.R.
13/12/1991

Filed

Register Reference : 91A/1756

Date : 13th November 1991

PLANNING DEPT.
 DEVELOPMENT CONTROL SECT
 Date 18.12.91
 10.00

ENDORSED _____ DATE _____

WATER SUPPLY. Available in principle for zoned use. Applicant to submit details of connection to existing watermain when submitting for full planning permission.

L. J. Spate
 20/11/91

[Signature]
 21/11/91

ENDORSED *[Signature]* DATE 13/12/91

Mary Galvin.

DUBLIN COUNTY COUNCIL

REG. REF: 91A/1756.

DEVELOPMENT: 2 detached bungalows.

LOCATION: Main Street, Newcastle.

APPLICANT: Owen Carty.

DATE LODGED: 6.11.91.

This is a proposal for 2 houses, to be served by a private access driveway.

The plans do not show the driveway as part of the site. Roads would be opposed to any further development by the driveway as the access is near an existing road junction and is near a bend on the main road which is heavily trafficked.

If permission is granted it should be subject to:-

1. Applicant to clarify his interest/right of way over the proposed access driveway.
2. Applicant to construct a 2 metre footpath along edge of carriageway along site frontage, at his own expense. Footpath to be lowered at his own expense.
3. Applicant to make a contribution of £1600 towards road improvements in the area.

PLANNING DEPT.
DEVELOPMENT CONTROL SECT

Date 04.12.91

Time 12.25

TR/BMcC
22.11.91.

SIGNED: J. Hogan

DATE: 26/11/91

ENDORSED: C. B. Smith

DATE: 26/11/91

Dublin County Council Comhairle Chontae Atha Cliath

Engineering Department
Sanitary Services Section



Bosca 174
P. O. Box 174
46 / 49 Sraid O'Connell Uacht,
46 / 49 Upper O'Connell Street,
Baile Atha Cliath
Dublin 1.
Telephone: (01)727777
Fax: (01)727434

FAX TRANSMISSION

DATE: 17-12-91 TIME: _____

FROM: Geoff Ginnelly

TO: Mary Murphy

NUMBER OF PAGES TO FOLLOW: 4

COMMENT: _____

Register Reference : 91A/1756

Date : 13th November 1991

.....
ENDORSED _____

DATE _____

WATER SUPPLY. Available in principle for zoned use. Applicant to submit details of connection to existing watermain when submitting for full planning permission.

L. J. Spar
20/11/91

[Signature]
21/11/91

ENDORSED _____

[Signature]

DATE _____

13/12/91

SS + CMO

P

Register Reference : 91A/1756

Date : 13th November 1991

Development : 2 bungalows

LOCATION : Main Street, Newcastle

Applicant : O. Carty

App. Type : OUTLINE PERMISSION

Planning Officer : M. GALVIN

Date Recd. : 6th 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,

DUBLIN Co. COUNCIL
SAN SERVIA

DUBLIN CO. COUNCIL
SANITARY SERVICES DEPARTMENT
FOR PRINCIPAL SERVICES OFFICER
17 DEC 1991
Returned

Date received in Sanitary Services 19 NOV 1991

FOUL SEWER

The proposals in for septa tank drainage - refer to E.H.B.

Note Since the curious shape of these sites are unlikely to meet the requirements of the E.H.B., it has to be pointed out that the Newcastle system is fully committed to existing development and cannot accept any further development, by reason of the lack of dilution within the receiving stream which accepts the treated effluent from the Newcastle treatment plant.

SURFACE WATER

Insufficient information available subject to additional details other than those indicated in outline.

Note The public sewer indicated is a surface water sewer

Handwritten signature
15.12.91

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

J.R.
12/12/1991

Filed

Register Reference : 91A/1255

Date : 13th November 1991

ENDORSED

DATE

WATER SUPPLY. *See previous report L.J. Spain*

20/11/91

[Signature]
21/11/91

ENDORSED

[Signature]

DATE

11/12/91

SS + CMO

Register Reference : 91A/1255

Date : 13th November 1991

Development : Rehabilitate service station site to include the demolition of a derelict unserviced dwelling, the erection of new canopy over 3 no. pump islands, the provision for a carwash, the erection of a service area, and the installation of increased underground petrol and diesel storage

LOCATION : Ballynakelly, Newcastle

Applicant : Sean and Dora Kelly

App. Type : Additional Information

Planning officer : M. GALVIN

Date Recd. : 1st 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,

DUBLIN CO. COUNCIL
 19 NOV 1991
 SAN SERVICES

DUBLIN CO. COUNCIL
 SANITARY SERVICES
 FOR PRINCIPAL OFFICER
 17 DEC 1991
 Returned *gg*

Date received in Sanitary Services

FOUL SEWER

Available, subject to the following:

- ① That there is an existing foul sewer connection serving the site. Because of the existing deficiencies in the present foul sewer system a new connection resulting to an increase in load cannot be favourably considered.
- ② The car wash is omitted from the proposal.

SURFACE WATER

Available, subject to the following:

- ① Before commencement of work that the applicant indicate the surface water outfall as far as a public sewer or water course. There is no sewer fronting the site, however a Road's drain appears to

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

② Roof drainage to highway passes the petrol inter-urban system

Filed

J. Row
9/12/91

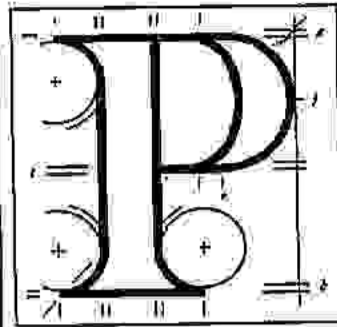
Our Ref: PL 6/5/87992
P.A. Ref: 91A/1756

601

57

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

An Bord Pleanála



Date: 19 MAY 1992

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

Appeal re: Permission for 2 bungalows at Main
Street, Newcastle, 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,


Miriam Baxter.

Encl.

BP 352



AN BORD PLEANÁLA

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

County Dublin

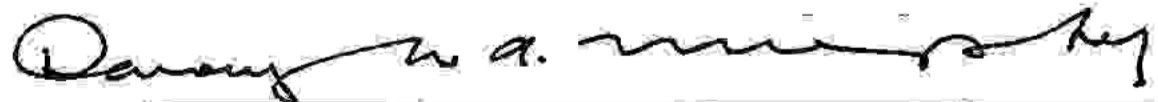
Planning Register Reference Number: 91A/1756

APPEAL by Owen Carty of Deerfield, Harolds Grange, Dublin against the decision made on the 20th day of December, 1991 by the Council of the County of Dublin to refuse an outline permission for development comprising the erection of two houses at Main Street, Newcastle, County Dublin:

DECISION: Pursuant to the Local Government (Planning and Development) Acts, 1963 to 1990, outline permission is hereby refused for the said development for the reasons set out in the Schedule hereto.

SCHEDULE

1. There are no public foul sewerage facilities available to serve the proposed development because of the lack of dilution in the stream receiving the effluent from the Newcastle Treatment Plant. The proposed development would be premature by reason of the said existing deficiency in the provision of public foul sewerage facilities and the period within which the constraints involved may reasonably be expected to cease.
2. The area of the site is inadequate for the satisfactory disposal of septic tank effluent. It is considered, therefore, that the proposed development would be prejudicial to public health.



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

Dated this 18th day of May, 1992.

Tel.: 724755
Ext. 268/269

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

Your Ref.: PL6/5/ 87492

Our Ref.: un/10/1

An Bord Pleanála,
Blocks 6 and 7,
Irish Life Centre,
11, Abbey Street,
Dublin 1.

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

Proposal: to purchase of 11, Main St. Newhall.

Applicant: D. C. O'Connell

Dear Sir,

With reference to your letter dated 10/1/89 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. un/10/1.
 - (4) The plan(s) received from the applicant on 12/1/89.
 - (6) & (7) A certified copy of Manager's Order 1/5634/89.
- DATED, 10/1/89 together with technical reports in connection with the application.
- (8) Notes to follow.

Yours faithfully,

R. J. O'Connell
for Principal Officer.
Encls.

Our Ref: PL 6/5/87992
Your Ref: 91A/1756

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

Date: 7th February 1992.

Planning authority decision re: Erection of 2
bungalows at Main Street, Newcastle, County Dublin

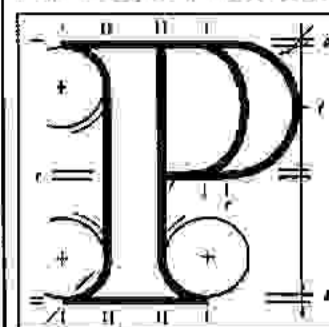
Dear Sir/Madam,

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:

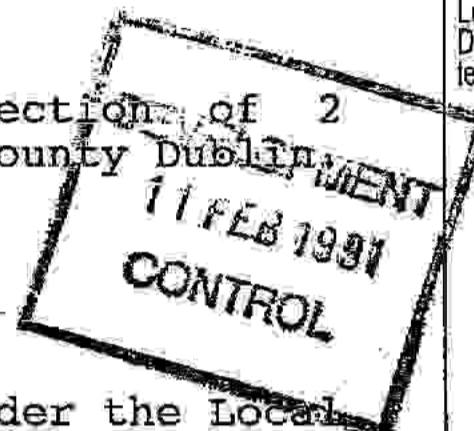
- (1) The application made to the planning authority.
- (2) Particulars of the applicant's interest in the land or structure, as supplied to the planning authority.
- (3) A copy of the public notice, whether published in a newspaper or on the site.
- (4) Any drawings, maps, particulars, information, 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 certified copy 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.

10 FEB 92

An Bord Pleanála



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



Handwritten signature or initials.

Please note that the other party to the appeal is being notified that copies of the planning authority documents relevant to the 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, in writing, such observations on the appeal as it thinks fit. Where practicable, any such observations should be submitted with the documents listed above but the furnishing of the documents should not be held up until observations are available. In any event, to ensure that they will be taken into account in the determination of the appeal, any such observations should be furnished within one month of the date of this letter.

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

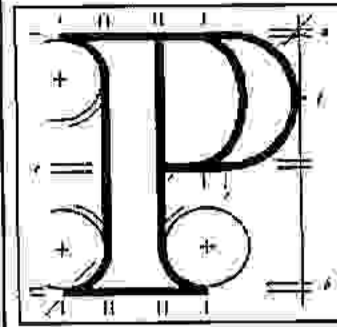
Yours faithfully,

Suzanne Lacey
Suzanne Lacey

Encl.

BP 005

An Bord Pleanála



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

An Bord Pleanála,
Irish Life Centre,
Abbey St.

Seafield,
Harolds Grange,
Dublin 18.

Feb. 5th '92

re: Appeal of decision for Outline Planning
Permission at Main St. Newcastle
Co. Dublin No.

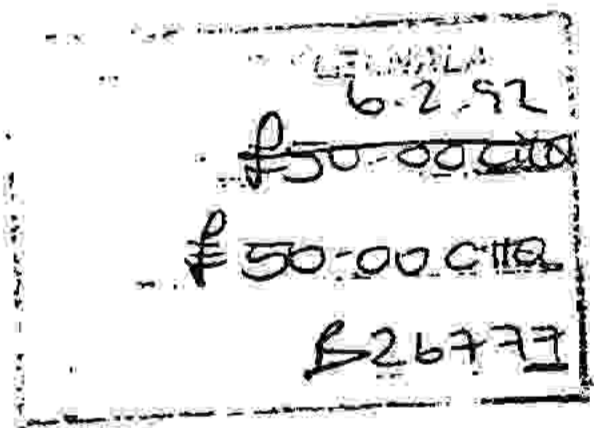
Dear Sir,

Further to our telephone conversation
on the 4th/2/92, herewith please find enclosed
a second cheque for £50, to cover the cost
of the appeal for both houses.

Trusting this meets with your approval

Yours Faithfully.

Owen Carthy



An Bord Pleanála,
Irish Life Centre,
Abbey St.
Dublin 1.

RECEIVED	2/2/92
POST	£50.00 cha
RECEIPT NO.	B 26742

Deerfield Stud,
Harolds Grange,
Dublin 18.
January 24th '92

re: Application for 2 Bungalows, Newcastle, Co. Dublin.

Dear Sir,

We wish to appeal against Dublin County Council's decision, planning references; 91A/1756 and order number 5834/91, dated 20/12/91, received by us, by letter, dated 15/1/92

re point (1): The scale as shown on drawing 1:1250 was a mistake on our part. It should have read

1:2500.

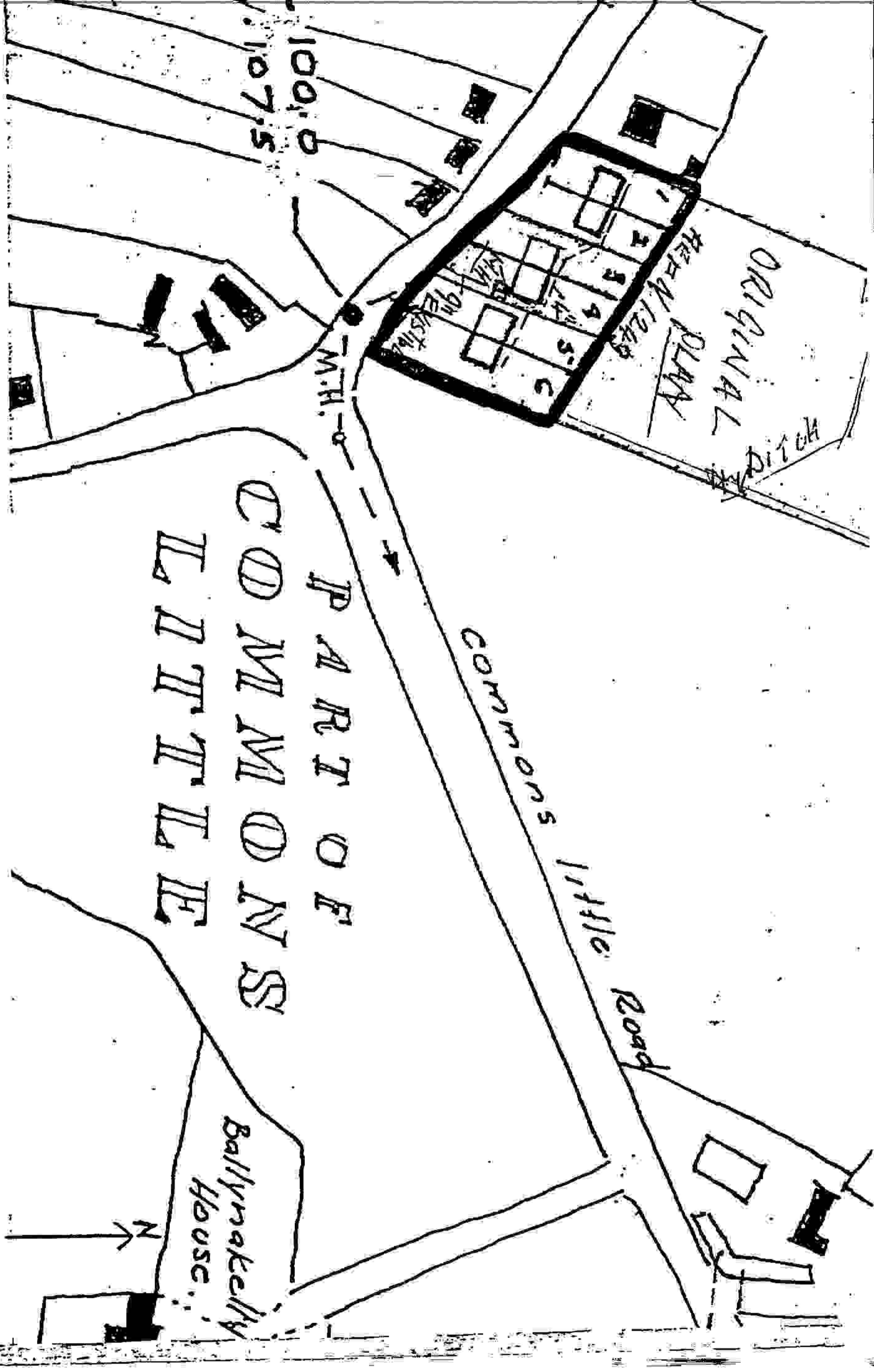
re points (2), (3) & (4): We enclose herewith site maps showing the position as previously approved by the council i.e. 6 semi-detached houses, only 4 of which were built, drained into the existing sewer, still leaving capacity for the two not built. Accordingly we now wish to take up these two vacant connections. Alternatively, since we are seeking Outline Planning Permission only, the digging of septic tank trial holes and dilution areas can be dealt with to the satisfaction of the Dept. of Health, when full Planning Permission has been applied for, as was the case in one bungalow residence, already erected on this site. There already exists an old trial hole on the site with a perfectly dry base.

re points (5), (6) & (7): We propose to service these sites with a 20' roadway and two 6' footpaths, with an adequate radius onto the main road, with an uninterrupted and clear vision onto the main road; at least 100 yards in either direction. Again, since it is only Outline Planning Permission, this can be dealt with to the satisfaction of the Dublin

County Council, when considering plans for Full Planning
Permission. The proposed houses are at least 75' from
the back of the existing houses, with two rows
of "Cypress trees" along the boundary, thus preserving
their privacy. The sites themselves are at least 2,200m²
with three clear sides which is adequate for septic
tanks as recommended by the I.I.R.S.

Yours faithfully,

Owen Carthy.



ORIGINAL PLAN

DITCH

M.H.

COMMONS Little Road

PART OF
COWMANS
LITTLE

Ballynakeilly
House

N

100' 0' 0'
107' 5'

Mr. Owen Carthy,
Deerfield,
Harolds Grange,
Dublin 18.

91A/1756

15 January 1992

Re: 2 bungalows at Main St., Newcastle.

Dear Sir,

I enclose herewith, Notification of Decision to Refuse Permission, dated 20th December, 1991, in connection with the above, which was sent to you by Registered Post on 20th December, 1991, and which was returned by the Postal Authority marked "Not Called For".

Yours faithfully,


for Principal Officer.

Enc.

100

BAILE ATHA CLIATH
20.12.91

eire
POSTS
137
EF 65119
IOCHTA



Du 18

R Baile Átha Cliath
(DN) 169
966

Not called for
by Wilson

13 JAN '92

16

Pull Corp.

First Life Centre

12 Abbey St.

19

CARRAIG
1992
HOSNAGH

CONTROL
DEVELOPMENT
17 JAN 1991

Pull: 1
14/11

DUBLIN COUNTY COUNCIL

Tel. 724755 (ext. 262/264)

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

NOTIFICATION OF A DECISION TO REFUSE:

OUTLINE PERMISSION: ~~PERMISSION~~ APPROVAL

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

To Mr. Owen Carty, Register Reference No. 91A/1756
Deerfield, Planning Control No. _____
Harolds Grange, Application Received 06.11.1991
Dublin 18. Additional Information Received _____
Applicant O. Carty.

In pursuance of its functions under the above-mentioned Acts, the Dublin County Council, being the Planning Authority for the County Health District of Dublin, did by order, P/ 5834/91 dated 20.12.1991 decided to refuse:

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

For 2 bungalows at Main St., Newcastle.

for the following reasons:

1. The lodged plans are stated to be at a scale of 1:1250. This would appear to be inaccurate and there is not as much land available as the lodged plans would indicate.
2. There are no foul sewer connections to a public sewer available due to the fact that the Newcastle System is fully committed to existing development and cannot accept any further development by reason of the lack of dilutions within the receiving stream which accepts the treated effluent from the Newcastle Treatment Plan.
3. The proposed development would be premature by reason of the said existing deficiency in the provision of public piped sewerage facilities and the period within which such deficiency may reasonably be expected to be made good.
4. In relation to septic tank drainage:-
 - A. trial holes have not been excavated which would enable the Planning Authority to determine the suitability of the ground to accept septic tank drainage.
 - B. The sites are inadequate in size and location to satisfactorily cater for septic tank drainage.

Contd.... /

Signed on behalf of the Dublin County Council


for PRINCIPAL OFFICER

Date 20th December, 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 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 application for permission as if it had been made to them in the first instance.

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/1756

Date : 7th November 1991

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

Dear Sir/Madam,

DEVELOPMENT : 2 bungalows
LOCATION : Main Street, Newcastle
APPLICANT : O. Carty
APP. TYPE : OUTLINE PERMISSION

With reference to the above, I acknowledge receipt of your application received on 6th November 1991.

Yours faithfully,

.....
for PRINCIPAL OFFICER

Mr. Owen Carty,
Deerfield,
Harolds Grange,
Dublin 18



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 Main Street, Newcastle, Co. Dublin
(If none, give description sufficient to identify)

3. Name of applicant (Principal not Agent) Mr. Owen Carthy
Address Deerfield, Harold's Grange, Dublin 18 Tel. No. 947841

4. Name and address of person or firm responsible for preparation of drawings Justin Carthy BA BAI MREI, Keshcorran, Kilmurry, Wicklow Tel. No. 01-2866 046

5. Name and address to which notifications should be sent Mr. Owen Carthy, Deerfield, Harold's Grange, Dublin 18

6. Brief description of proposed development 2 detached Bungalows

7. Method of drainage Septic Tank / Sewer B. Source of Water Supply Mains (Existing)

8. 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

CO. DUBLIN: O. Carthy intend to apply for outline planning permission for 2 bungalows at Main St. Newcastle

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 4625 Sq. m.
(b) Floor area of proposed development 1500 Sq. m.
(c) Floor area of buildings proposed to be retained within site N/A 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:
Fully in keeping with standard regulations

15. List of documents enclosed with application. Plans in quadruplicate & Public / Press Notice

RECEIVED
6 NOV 1991
Reg. Sec.

16. Gross floor space of proposed development (See back) 1500 Reg. Sec. Sq. m.

No of dwellings proposed (if any) 2 Class(es) of Development 2 Houses (x £ 32 each)
Fee Payable £ 64-00 Basis of Calculation 2 Houses (x £ 32 each)
If a reduced fee is tendered details of previous relevant payment should be given

Signature of Applicant (or his Agent) Owen Carthy Date 24/10/91

Application Type O.P. Register Reference 91A/1756

FOR OFFICE USE ONLY

Amount Received £ 21-5 1-4-0 6/11

Receipt No _____ Date _____

Irish Press 24/10/91

6/11
264
1151084

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.

COMHAIRLE CHONTAE ATHA CLIATH

ISSUE OF THIS RECEIPT IS VALID ONLY WHEN PRESENTED TO THE PROPER BANK OF IRELAND BRANCH IN THE CASHIER'S OFFICE OF THE BANK OF IRELAND
DUBLIN COUNTY COUNCIL
46/49 UPPER O'CONNELL STREET
DUBLIN 1
N 51984

Received this 6th day of November 1911

from Owen Casey
Sanfield, Harold's Cross, Dublin 18

the sum of Sixty four Pounds

application at Man Street, Newcastle

Michael O'Hara
S. CAREY
Principal Officer

