

	South Dublin County Council Local Government (Planning & Development) Acts 1963 to 1993 Planning Register (Part 1)	Plan Register No.  S97B/0641	
1. Location	Killakee, Rathfarnham, Dublin 16.		
2. Development	Conversion of the existing single storey garage structure to habitable use with a new floor of accommodation over, and construction of a new single storey garage.		
3. Date of Application	23/12/97	Date Further Particulars (a) Requested (b) Received	
3a. Type of Application	Permission	1.  2.	1.  2.
4. Submitted by	Name: Conroy Crowe Kelly Architects Address: 65 Merrion Square, Dublin 2.		
5. Applicant	Name: H O' Kelly Address: Killakee, Rathfarnham, Dublin 16.		
6. Decision	O.C.M. No. 0304  Date 19/02/98	Effect RP REFUSE PERMISSION	
7. Grant	O.C.M. No.  Date	Effect RP REFUSE PERMISSION	
8. Appeal Lodged	18/03/98	Written Representations	
9. Appeal Decision	15/10/98	Refuse Permission	
10. Material Contravention			
11. Enforcement	Compensation	Purchase Notice	
0	0	0	
12. Revocation or Amendment			
13. E.I.S. Requested	E.I.S. Received	E.I.S. Appeal	
14. .... Registrar	..... Date	..... Receipt No.	

# AN BORD PLEANÁLA

LOCAL GOVERNMENT (PLANNING AND DEVELOPMENT) ACTS, 1963 TO 1998

County South Dublin

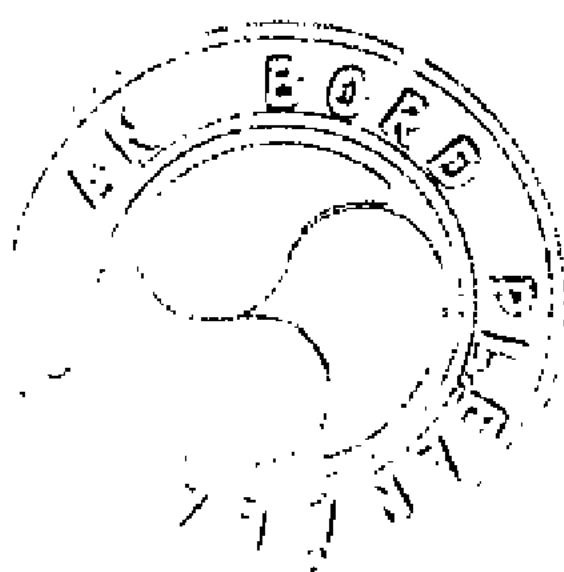
Planning Register Reference Number: S97B/0641

**APPEAL** by Henry O' Kelly care of Brian Meehan and Associates of 13 Fitzwilliam Square, Dublin against the decision made on the 19th day of February, 1998 by the Council of the County of South Dublin to refuse a permission for development comprising the conversion of the existing single-storey garage structure to habitable use with a new floor of accommodation over, and construction of a new single-storey garage, all at house at Killakee Road, Rathfarnham, County Dublin:

**DECISION:** Pursuant to the Local Government (Planning and Development) Acts, 1963 to 1998, permission is hereby refused for the said development for the reason set out in the Schedule hereto.

## SCHEDULE

Having regard to the location of the site of the proposed development in an area where it is the policy of the planning authority, as set out in the current Dublin County Development Plan, to strictly control new housing development (which policy is considered reasonable) and to the deficiencies in both the public and private road network serving the existing house, it is considered that the proposed development would result in an increase in the overall floor space which would be excessive in relation to the existing house on the site and would result in intensification of use of the site. The proposed development would, therefore, be contrary to the proper planning and development of the area.



*Margaret Byrne*

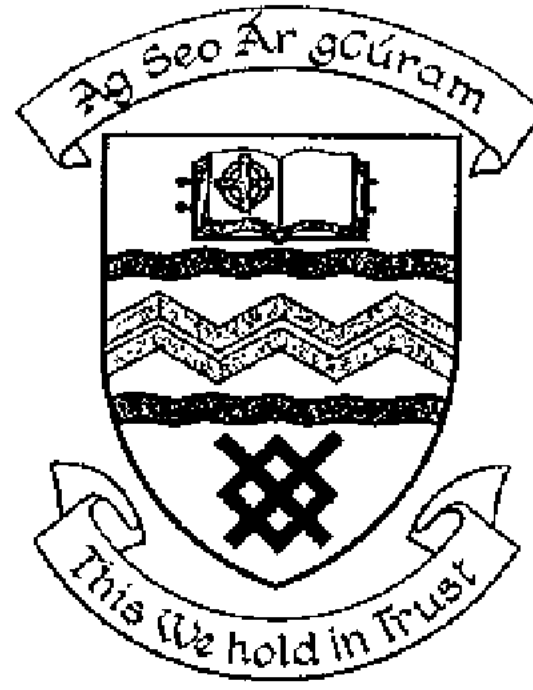
Member of An Bord Pleanála  
duly authorised to authenticate  
the seal of the Board.

Dated this 15<sup>th</sup> day of October 1998.

**SOUTH DUBLIN COUNTY COUNCIL  
COMHAIRLE CHONTAE ÁTHA CLIATH THEAS**

Bosca 4122,  
Lár an Bhaile, Tamhlacht,  
Baile Átha Cliath 24.

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**PLANNING  
DEPARTMENT**  
P.O. Box 4122,  
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Dublin 24.

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**NOTIFICATION OF DECISION TO REFUSE PERMISSION  
LOCAL GOVERNMENT (PLANNING AND DEVELOPMENT) ACTS, 1963 TO 1993**

<b>Decision Order Number</b> 0304	<b>Date of Decision</b> 19/02/98
<b>Register Reference</b> S97B/0641	<b>Date</b> 23rd December 1997

**Applicant** H O' Kelly

**Development** Conversion of the existing single storey garage structure to habitable use with a new floor of accommodation over, and construction of a new single storey garage.

**Location** Killakee, Rathfarnham, Dublin 16.

**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 South 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 PERMISSION** in respect of the above proposal.

for the (4) Reasons on the attached Numbered Pages.

Signed on behalf of the South Dublin County Council

.....  
for SENIOR ADMINISTRATIVE OFFICER

19/02/98

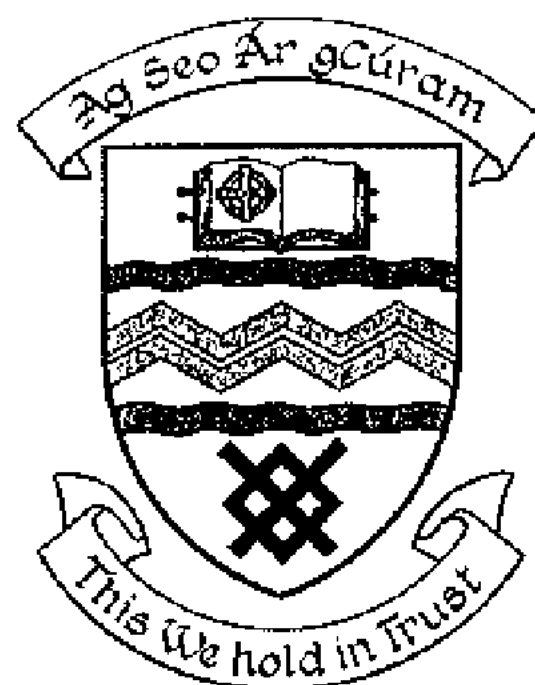
Conroy Crowe Kelly Architects  
65 Merrion Square,  
Dublin 2.

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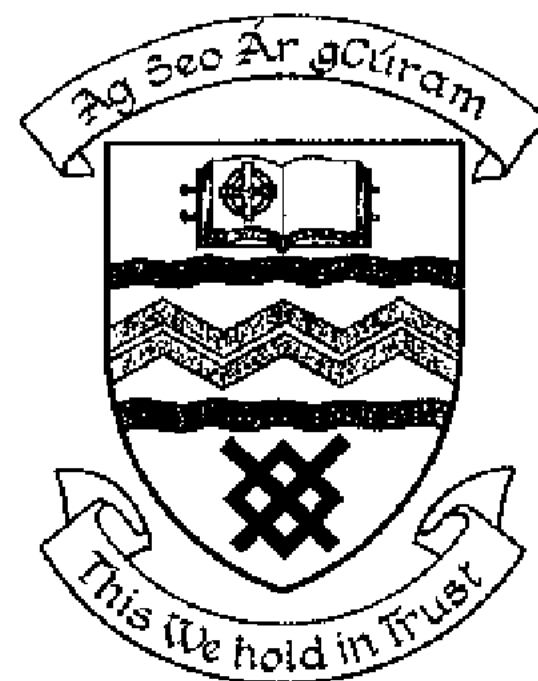
**Reasons**

- 1 The proposed extension to this house at 158 metres squared is, in the opinion of the Planning Authority, for a second housing unit on this site given the design and layout of proposed rooms together with access arrangements and as such would contravene materially the provisions of the 1993 Dublin County Development Plan having regard to the zoning provisions and to the fact that permission has been granted for three houses on this small agricultural holding and the proposed development would, therefore, be contrary to the proper planning and development of the area.
- 2 The proposed development would endanger public safety by reason of traffic hazard because the junction at the unsurfaced lane with the main road is substandard. The gradient is too steep and sight visibility is not adequate and additional turning movements at such a junction are undesirable.
- 3 The proposed development would be contrary to the proper planning and development of the area as the public road network serving the development is deficient in capacity, width and alignment and has no footpaths or public lighting. The private road serving the existing 5 houses is not up to development standards being narrow, unsurfaced and having no footpath.
- 4 The proposed development would be prejudicial to public health for the following reasons:-

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- a) evidence of the suitability of the site for the disposal of domestic effluent has not been submitted from suitably qualified engineer;
- b) the exact location of the proposed 'Puraflo' unit and percolation area has not been indicated;
- c) the locations of septic tank, percolation areas, wells and watercourses on adjoining sites have not been indicated.