

COMHAIRLE CHONTAE ÁTHA CLIATH

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P. C. Reference	LOCAL GOVERNMENT (PLANNING AND DEVELOPMENT) ACT 1963 & 1976 PLANNING REGISTER	REGISTER REFERENCE YA/430
1. LOCATION	Hermitage Est., Grange Road, Rathfarnham, Co. Dublin.	
2. PROPOSAL	63 houses on 7 acres adj. and south of reservation for prop. Barton Road Ext. with frontage to Hermitage Court and access to the Grange Road and 23 houses on 2 acres adj. and to east of Marley Grange National School and Church with access to	
3. TYPE & DATE OF APPLICATION	TYPE	Date Received
	Date Further Particulars	Marley Ave.
	OP	3rd March, 1983
	(a) Requested	(b) Received
	1. Time ext. up to & incl., 30/5/83	1.
	2.	2.
4. SUBMITTED BY	Name O'Malley & Bergin, Address 33, Fitzwilliam Place, Dublin 2.	
5. APPLICANT	Name Gallagher Group Ltd., (in receivership) Address Donaghmede Shopping Centre, Donaghmede, Dublin 13.	
6. DECISION	O.C.M. No. PA/1791/83	Notified 26th July, 1983
	Date 26th July, 1983	Effect To Refuse O. Permission
7. GRANT	O.C.M. No.	Notified
	Date	Effect
8. APPEAL	Notified 9th Aug., 1983	Decision O. Permission refused by An Bord Pleanála
	Type 1st Party	Effect 11th Dec., 1984
9. APPLICATION SECTION 26 (3)	Date of application	Decision
		Effect
10. COMPENSATION	Ref. in Compensation Register	
11. ENFORCEMENT	Ref. in Enforcement Register	
12. PURCHASE NOTICE		
13. REVOCATION or AMENDMENT		
14.		
15.		

Prepared by

Checked by

Copy issued by Registrar.

Date

Co. Accts. Receipt No

AN BORD PLEANÁLA

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

County Dublin

Planning Register Reference Number: Y.A. 430

APPEAL by Gallagher Group Limited (in receivership) of Donaghmede Shopping Centre, Donaghmede, Dublin, against the decision made on the 26th day of July, 1983, by the Council of the County of Dublin to refuse outline permission for the erection of 86 houses on land at Hermitage Estate, Grange Road, Rathfarnham, Dublin:

DECISION: Pursuant to the Local Government (Planning and Development) Acts, 1963 to 1983, outline permission is hereby refused for the erection of the said 86 houses for the reasons set out in the Schedule hereto.

SCHEDULE

1. The site forms part of an overall holding of 17 acres in respect of which there are three current proposals before An Bord Pleanála. As all of the proposals overlap in a manner which makes them substantially incompatible the proposed development would, accordingly, prejudice the overall comprehensive development of the holding.
2. The proposed development would be premature in the absence of a layout for the overall holding in respect of access, satisfactory circulation pattern for the existing and proposed housing developments, the existing primary school and church and open space situation and configuration.
3. The proposed development would endanger public safety by reason of traffic hazard because of the additional through traffic which would be generated by it through adjoining housing estates.

J. Hannigan

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

Dated this ^{11th} day of *December* 1984.

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, 1963-82

To O'Malley & Bergin, Register Reference No. YA, 430
33, Fitzwilliam Place, Planning Control No. 16168
Dublin 2. Application Received 3/3/'83
Time ext. up to. 30/5/'83
~~Additional Information Received~~
Mat. Contrav. Not. 27/5/'83
Applicant Gallagher Group Ltd. (in receivership)

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/A/1791/83, dated 26/7/'83 decided to refuse:

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

For Proposed 63 houses on 7 acres adjoining and south of reservation for proposed Barton Road Extension with frontage to Hermitage Court and access to the Grange Road, and 23 houses on 2 acre site adjoining and to the east of Marly Grange National School and Church with access St. Marley Avenue, Rathfarnham, for the following reasons:

1. The site is affected by the reservation for the Nutgrove/Clarkestown Road which is a proposal provided for in the County Development Plan and accordingly the proposal is a material contravention of the objectives of the County Development Plan.
2. The proposed development would be premature as a road plan for the area has not been approved by the County Council or by An Bord Pleanala on appeal.
3. The proposed development is premature as the Council has not decided on the future of the reservation for the proposed Nutgrove/Clarkestown Road.

Signed on behalf of the Dublin County Council


for PRINCIPAL OFFICER

Date 26th July, 1983.

NOTE: (1) An appeal against the decision may be made to An Bord Pleanala by the applicant within one month from the date of the decision. The appeal shall be in writing and shall state the subject matter of the appeal and grounds of the appeal and should be addressed to An Bord Pleanala, Irish Life Centre, Lower Abbey Street, Dublin 1. An Appeal lodged by an applicant or agent with An Bord Pleanala will be invalid unless accompanied by a fee of £30 (Thirty 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 of £30 (Thirty 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 application for permission as if it had been made to them in the first instance.

YA 430

28th April, 1983.

O'Malley & Bergin,
33 Fitzwilliam Place,
DUBLIN 2.

RE: Proposed 43 houses on 7 acres adjoining and south of reservation for proposed Barton Road Extension with frontage to Hermitage Court, and access to the Grange Road, and 23 houses on 2 acre site adjoining and to the east of Marley Grange National School and Church with access at Marley Avenue, Rathfarnham, for Gallagher Group Ltd. (in receivership).

Dear Sir,

With reference to your planning application received here on 3rd March, 1983 (letter for extension period received 26th April, 1983), in connection with the above, I wish to inform you that:-

In accordance with Section 26(4A) of the Local Government (Planning and Development) Act, 1963, as amended by Section 29(F) of the Local Government (Planning and Development) Act 1976, the period for considering this application within the meaning of subsection (4A) of Section 26 has been extended up to and including the 30th May, 1983.

Yours faithfully,



for Principal Officer.