

COMHAIRLE CHONTAE ÁTHA CLIATH

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| P. C. Reference | LOCAL GOVERNMENT (PLANNING AND DEVELOPMENT) ACT 1963 & 1976 PLANNING REGISTER | REGISTER REFERENCE YA.250 |
| 1. LOCATION | 107A and 107 Kimmage Road West, Dublin 12. | |
| 2. PROPOSAL | 12 two-storey houses. | |
| 3. TYPE & DATE OF APPLICATION | TYPE | Date Received |
| | OP | 16.2.1983. |
| | (a) Requested | Date Further Particulars (b) Received |
| | 1. | 1. |
| | 2. | 2. |
| 4. SUBMITTED BY | Name R.L. Kingston. Address 34, Sandford Road, Ranelagh, D/6. | |
| 5. APPLICANT | Name Mrs. Morrison and Mrs. Swan, Address 107A and 107 Kimmage Rd. West, D/12. | |
| 6. DECISION | O.C.M. No. PA/817/83 | Notified 7th April, 1983 |
| | Date 7th April, 1983 | Effect To refuse o. permission |
| 7. GRANT | O.C.M. No. | Notified |
| | Date | Effect |
| 8. APPEAL | Notified 6th May, 1983 | Decision O. Permission granted |
| | Type 1st Party | Effect By An Bord Pleanala 9th Dec., 1983 |
| 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. | | |

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|-------------------|-----------------------------|------------|
| Prepared by | Copy issued by | Registrar. |
| Checked by | Date | |
| | Co. Accts. Receipt No | |

DUBLIN COUNTY COUNCIL

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

tel. 724755 (ext. 262/264)

NOTIFICATION OF A DECISION TO REFUSE:

OUTLINE PERMISSION: ~~XXXXXXXXXXXXXXXXXXXX~~ PERMISSION: ~~XXXXXXXXXXXX~~ APPROVAL
LOCAL GOVERNMENT (PLANNING AND DEVELOPMENT) ACTS, 1963-1983

To Allan J. Redmond,
Main Street,
Rathcoole,
Co. Dublin.
Applicant Louis Fitzgerald

Register Reference No.YA.247.....
Planning Control No.
Application Received16/2/83.....
Additional Information Received...30/9/88.....

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/4109/88 dated...24/11/88... decided to refuse:

~~XXXXXXXXXXXXXXXXXXXX~~ PERMISSION ~~XXXXXXXXXXXX~~
For house and septic tank at The Glebe, Newcastle.

for the following reasons:

1. The site is located in an area zoned "to protect and provide for the development of agriculture" in the Development Plan. The applicant has not satisfactorily established his need to live in this agricultural area and as such, the proposed development would contravene this zoning objective and would be contrary to the proper planning and development of the area.
2. The proposed development constitutes further ribbon development along this narrow and substandard rural road and as such would be contrary to the proper planning and development of the area.
3. The proposed house type, by reason of its design, scale and finishes used, is unsuitable to this elevated site in this rural area, would be seriously injurious to the amenities of the area and as such would be contrary to the proper planning and development of the area.
4. There are no public piped water or sewerage facilities available to serve the proposed development.
5. The proposed development would be premature by reason of the said existing deficiency in the provision of piped sewerage facilities and the period within which such deficiency may reasonably be expected to be made good.
6. The proposed septic tank drainage proposals are unacceptable as the capacity of the septic tank is inadequate and insufficient details of proposed septic tank system have been submitted. The proposed development would thus be prejudicial to public health.

Signed on behalf of the Dublin County Council
Date ... 24th November, 1988.....
PRINCIPAL OFFICER

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.

YA.24⁷

8th April, 1983.

Colm Gowran & Assocs.,
Cennsught House,
44, Upr. Mount St.,
Dublin 2.

Re: Proposed house and septic tank at The Glebe, Rathcoole for
Louis Fitzgerald.

Dear Sirs,

With reference to your planning application received here on 16/2/'83 in connection with the above, I wish to inform you, that before the application can be considered under the Local Government (Planning and Development) Acts, 1963-1982, the following additional information must be submitted in quadruplicate:-

1. Further information is required which should provide for:-
 - a) The applicant's need to live in this agricultural area.
 - b) Specific evidence of soil suitability for septic tank drainage together with specific details of percolation and reserve percolation areas. The relationship to any adjoining septic tank system is also required.
 - c) Details of the applicant's proposals for the provision of an adequate and potable water supply, taking into account the non-availability of a public supply.
 - d) Specific details of adequate and safe vehicular access, including all necessary consultation with the Council's Roads Department.

Please mark your reply "Additional Information" and quote the Reg. Ref. No. given above.

Yours faithfully,



for Principal Officer

COMHAIRLE CHONTAE ÁTHA CLIATH

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| P. C. Reference | LOCAL GOVERNMENT (PLANNING AND DEVELOPMENT) ACT 1963 & 1976 PLANNING REGISTER | REGISTER REFERENCE YA. 250 | | | | | | | | | | | | | | | |
|--|---|--|---------------|--------------------------|--|--|--|---------------|--------------|----|------------|---------|---------|--|--|---------|---------|
| 1. LOCATION | 107A and 107 Kimmage Road West, Dublin 12. | | | | | | | | | | | | | | | | |
| 2. PROPOSAL | 12 two-storey houses. | | | | | | | | | | | | | | | | |
| 3. TYPE & DATE OF APPLICATION | <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th style="width: 10%;">TYPE</th> <th style="width: 20%;">Date Received</th> <th colspan="2" style="text-align: center;">Date Further Particulars</th> </tr> <tr> <td></td> <td></td> <th style="width: 15%;">(a) Requested</th> <th style="width: 15%;">(b) Received</th> </tr> <tr> <td style="text-align: center;">OP</td> <td style="text-align: center;">16.2.1983.</td> <td>1.</td> <td>1.</td> </tr> <tr> <td></td> <td></td> <td>2.</td> <td>2.</td> </tr> </table> | TYPE | Date Received | Date Further Particulars | | | | (a) Requested | (b) Received | OP | 16.2.1983. | 1. | 1. | | | 2. | 2. |
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| OP | 16.2.1983. | 1. | 1. | | | | | | | | | | | | | | |
| | | 2. | 2. | | | | | | | | | | | | | | |
| 4. SUBMITTED BY | Name R.L. Kingston. Address 34, Sandford Road, Ranelagh, D/6. | | | | | | | | | | | | | | | | |
| 5. APPLICANT | Name Mrs. Morrison and Mrs. Swan, Address 107A and 107 Kimmage Rd. West, D/12. | | | | | | | | | | | | | | | | |
| 6. DECISION | O.C.M. No. PA/817/83 Date 7th April, 1983 | Notified 7th April, 1983 Effect To refuse o. permission | | | | | | | | | | | | | | | |
| 7. GRANT | O.C.M. No. Date | Notified Effect | | | | | | | | | | | | | | | |
| 8. APPEAL | Notified 6th May, 1983 Type 1st Party | Decision 0. Permission granted By An Bord Pleanala Effect 19th Dec., 1983 | | | | | | | | | | | | | | | |
| 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. | | | | | | | | | | | | | | | | | |
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| Prepared by | Copy issued by Registrar. |
| Checked by | 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. 250

APPEAL by Cleo Morrison and Ann Swan of Kimmage Road West, Dublin against the decision made on the 7th day of April, 1983, by the Council of the County of Dublin to refuse an outline permission for the erection of twelve two-storey houses at 107 and 107A Kimmage Road West, Dublin in accordance with plans and particulars lodged with the said Council:

DECISION: Pursuant to the Local Government (Planning and Development) Acts, 1963 to 1983, it is hereby decided, for the reasons set out in the First Schedule hereto, to grant outline permission for the erection of the said twelve houses in accordance with the said plans and particulars, subject to the conditions specified in column 1 of the said 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 outline permission is hereby granted subject to the said conditions.

FIRST SCHEDULE

The proposed development is consistent with existing land uses, and with the reasonable objectives of the Dublin County Development Plan to protect and improve residential amenity, and, subject to compliance with the conditions set out in the Second Schedule hereto, it would not be contrary to the proper planning and development of the area.

SECOND SCHEDULE

| Column 1 - Conditions | Column 2 - Reasons for Conditions |
|--|---|
| <p>1. The development shall not exceed ten houses, not more than two of which shall front to Kimmage Road West, one on each side of the proposed access road.</p> <p>2. No house curtilage shall be less than 200 square metres.</p> <p>3. Any house within 20 metres of the rear walls of the houses in Shelton Park shall be single storey only.</p> | <p>1 to 5. In the interests of residential amenity.</p> |

Contd./.....

SECOND SCHEDULE (CONTD.)

| Column 1 - Conditions | Column 2 - Reasons for Conditions |
|---|---|
| <p>4. Any facade within 13 metres of the facade of another house shall be without windows.</p> | <p>6 and 7. In the interests of amenity.</p> |
| <p>5. The layout of the site and the treatment of its boundaries shall have due regard for the privacy and amenity of adjoining residential properties.</p> | |
| <p>6. No public open space shall be provided and the developers shall pay a sum of money to the Dublin County Council as a contribution towards the provision of public open space in the area. The amount to be paid and arrangements for payment shall be as agreed between the developers and the said Council before development commences or, failing agreement, shall be as determined by An Bord Pleanála.</p> | |
| <p>7. The submission for approval shall include an accurate survey of existing trees and shrubs on the site, and also proposals for the retention of as many of these as may be practicable, and for the planting and treatment of open spaces incidental to the proposed access road.</p> | |
| <p>8. Car parking shall be provided within each house curtilage.</p> | <p>8 and 9. In the interests of traffic safety.</p> |
| <p>9. All vehicular access to the houses shall be from the proposed access road, which shall not be less than 10 metres wide overall with a carriageway not less than 6.5 metres wide and shall terminate at a suitably designed turning point.</p> | |

Contd./....

SECOND SCHEDULE (CONTD.)

Column 1 - Conditions

10. The developers 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 developers and the said Council before development commences or, failing agreement, shall be as determined by An Bord Pleanála.

11. Before any of the development is commenced, the developers shall lodge with the Dublin County Council a cash deposit, a bond of an insurance company, or other security to secure the provision and satisfactory completion and maintenance until taken in charge by the said Council of roads, footpaths, sewers, watermains, drains, public lighting and other services required in connection with the development, coupled with an agreement empowering the said Council to apply such security or part thereof for the satisfactory completion or maintenance as aforesaid of any part of the development. The form and amount of the security shall be as agreed between the planning authority and the developers or, failing such agreement, shall be as directed by An Bord Pleanála.

Column 2 - Reasons for Conditions

10. The provision of such services in the area by the Council will facilitate the proposed development. It is considered reasonable that the developers should contribute towards the cost of providing the services.

11. To ensure the satisfactory completion of the development.

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

Dated this 19th day of December 1983.

DUBLIN COUNTY COUNCIL

Phone 724755
Ext.: 262/264

PLANNING DEPARTMENT
Block 2
Irish Life Centre
Lower Abbey Street
Dublin 1

NOTIFICATION OF A DECISION TO REFUSE:

OUTLINE PERMISSION: ~~PERMISSION~~ ~~XXXXXXXX~~

LOCAL GOVERNMENT (PLANNING & DEVELOPMENT) ACTS, 1963-1982

To;

..... **R.L. Kingston,** Register Reference No. **YA 250**

..... **34 Sandford Road,** Planning Control No.

..... **Ranelagh,** Application Received **16/2/83**

..... **Dublin 6,** Additional Inf. Recd.

APPLICANT **Mrs. Morrison and Mrs. Swan**

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/817/83..... dated **7/4/83**..... decide to refuse:

OUTLINE PERMISSION

~~PERMISSION~~

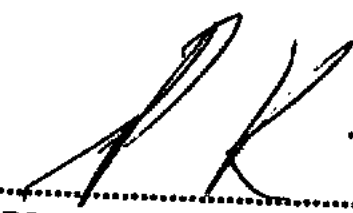
~~APPROVAL~~

For **12 2-storey houses at 107A and 107 Kinnage Road West, Dublin 12.**

for the following reasons:

1. The density of the proposed development is excessive relative to the prevailing density of development in the area. The terraced house type proposed is considered unsatisfactory relative to the ~~xxx~~ & detached and more spacious type of housing adjacent particularly the single storey houses to the rear of the site. Accordingly the proposed development would be seriously injurious to the amenities of residential property in the vicinity.
2. The proposed public open space is inadequate in shape and location to cater satisfactorily for the development.
3. The proposed development would endanger public safety by reason of a traffic hazard by generating additional traffic turning movements onto a heavily trafficked route close to signalised junction. Adequate vision splays have not been indicated from the proposed access road.

Signed on behalf of the Dublin County Council
for PRINCIPAL OFFICER



Date **7th April, 1983**

NOTE: An appeal against the decision may be made to An Bord Pleanala by the applicant within one month from the date of receipt by the applicant of this notification or by any other person within twenty-one days of 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, Dublin 1, 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.