

# COMHAIRLE CHONTAE ÁTHA CLIATH S

P. C. Reference	LOCAL GOVERNMENT (PLANNING AND DEVELOPMENT) ACT 1963 & 1976 <b>PLANNING REGISTER</b>	REGISTER REFERENCE YA.205
1. LOCATION	Townland of Ballyroan & Scholarstown (north of Scholarstown Road) Co. Dublin	
2. PROPOSAL	367 Two-storey dwellings	
3. TYPE & DATE OF APPLICATION	TYPE	Date Received
	P.	9.2.83
	(a) Requested	Date Further Particulars (b) Received
	1. ....	1. ....
	2. ....	2. ....
4. SUBMITTED BY	Name <b>Delany MacVeigh &amp; Pike,</b> Address <b>15, Clyde Road, Ballsbridge, Dublin 4.</b>	
5. APPLICANT	Name <b>Alice Hayes &amp; Mary Murphy,</b> Address <b>Carysfort Park, Blackrock, Co. Dublin</b>	
6. DECISION	O.C.M. No. <b>PA/827/83</b>	Notified <b>8th April, 1983</b>
	Date <b>8th April, 1983</b>	Effect <b>To refuse permission</b>
7. GRANT	O.C.M. No.	Notified
	Date	Effect
8. APPEAL	Notified <b>25th May, 1983</b>	Decision <b>Permission granted by</b>
	Type <b>1st Party</b>	Effect <b>An Bord Pleanála</b> <b>30th April, 1985</b>
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 .....	Copy issued by ..... Registrar.
Checked by .....	Date .....
	Co. Accts. Receipt No .....

AN BORD PLEANALA

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

County Dublin

Planning Register Reference Number: Y.A. 205

APPEAL by Alice Hayes and Mary Murphy, of Carysfort Park, Blackrock, County Dublin, against the decision made on the 8th day of April, 1983, by the Council of the County of Dublin to refuse permission for residential development on lands at Ballyroan and Scholarstown, County 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 reason set out in the First Schedule hereto, to grant permission for the said residential development in accordance with the said plans and particulars, subject to the conditions specified in the Second Schedule hereto, the reasons for the imposition of the said conditions being as set out in the said Second Schedule and the said permission is hereby granted subject to the said conditions.

FIRST SCHEDULE

It is considered that the proposed housing development would be consistent with the proper planning and development of the area if carried out in accordance with the conditions set out in the Second Schedule hereunder.

SECOND SCHEDULE

1. The proposed development shall conform to the site layout shown on drawing number C 006/SW12 received by An Bord Pleanála on 25th October, 1984, except where modifications thereto are required by the conditions hereunder.

Reason: To secure a satisfactory layout for the proposed development in regard to density, access, open space configuration, etc.

2. (a) The development shall be phased to take account of major road works in the area by Dublin County Council. The first phase shall consist of houses on the northern part of the site within the area outlined in blue on the annotated copy of drawing number C006/SW 12 submitted at the oral hearing on 15th November, 1984, by the developers. The construction of any houses in the second phase shall not take place until construction and completion of that section of the proposed Green Route within the site, as required by condition number 4 of this order.

Reason: To secure orderly development.

Contd./...

SECOND SCHEDULE

2. Contd.

- (b) No development shall take place on the part of the first phase area referred to at (a) above which would be occupied by the twenty-two houses shown backing on to the road reservation to the west of the site until the layout for this section of the development has been separately submitted to the planning authority for approval and has been approved by that authority, or by An Bord Pleanála on appeal.

**Reason:** The Board considers that the possibility of direct access to the proposed road west of the site should be further examined, and that the layout of the part of the development in question may require to be amended to provide for such access.

- (c) The proposed "new entrance to school" shall be relocated 37 metres to the south and the proposed houses in the vicinity shall be relocated accordingly.

**Reason:** To provide for a more direct connection to the school from any access to the west which may be provided arising from the possible revision of the layout of the part of the development referred to at (b) above.

3. Land expected to be required by the planning authority for road works shall be reserved for that purpose and the boundaries of such land shall be marked out on the ground in consultation with the planning authority before development commences. These road reservations shall include the sections of the proposed Green Route on both the appeal site and the adjoining property on the east side which is in the appellants' ownership i.e. the section 70 metres approximately and identified A2 on the Dublin County Council drawing number RPS 83/467/1A, in addition to the road reservation on the western boundary of the appeal site.

**Reason:** To facilitate anticipated future road works.

4. The section of the proposed Green Route within the appeal site which is required to serve the proposed development shall be constructed by the developers in accordance with the standards and specifications required for this type of road by the planning authority (including footpaths and verges).

**Reason:** To ensure the provision of an access road of suitable standard to serve the proposed development and to be integrated satisfactorily with the future road pattern for the area envisaged by the planning authority.

5. The internal roads serving the development shall be constructed in accordance with the requirements of the planning authority.

**Reason:** In the interests of road safety.

SECOND SCHEDULE (Contd.)

6. Screen walls (in brick or block), at least 2 metres in height and suitably capped and rendered, shall be erected at such locations as may be required by the planning authority so as to screen rear gardens from public view.

**Reason:** In the interests of visual and residential amenity.

7. The water supply and drainage arrangements, including disposal of surface water, shall comply with the requirements of Dublin County Council for such services and works.

**Reason:** To ensure the satisfactory provision of these services.

8. All public services to the proposed development, including electrical and telephone equipment, shall be located underground throughout the site.

**Reason:** In the interests of the visual amenities of the area.

9. Public lighting shall be provided in accordance with the planning authority's standard requirements for such a service.

**Reason:** To ensure that street lighting of adequate standard is provided.

10. (a) The areas shown as public open space on the lodged drawing number C 006/SW 12 shall be reserved for use as such and shall be soiled, seeded, planted, landscaped and bounded in accordance with a detailed scheme to be submitted to and agreed with the Dublin County Council before development is commenced, the scheme to include a timetable for the carrying out of the works involved. This timetable shall provide for development of the major parcel of open space of 5½ acres approximately in the first phase of the overall housing development as defined in condition number 2 above. In default of such agreement, details of the scheme shall be as determined by An Bord Pleanála.

(b) The scheme shall also include details of the existing trees on the site which are to be retained, together with detailed proposals for the protection of these trees and of the open space area during the construction period.

(c) Apart from tree and shrub planting on the public open space areas, the site generally shall be planted and landscaped in accordance with a scheme to be submitted to and agreed with the Council or, in default of such agreement, as may be determined by An Bord Pleanála. This scheme shall make provision, inter alia, for boundary treatment on the road reservations.

Contd./....

SECOND SCHEDULE (Contd.)

(d) If the developers and the Council agree that the works required under the terms of part (a) of this condition should be carried out by the Council, the developers shall pay a sum of money to the Council to meet the cost of the works. The amount to be paid and arrangements for payment shall be as agreed between the developers and the Council or, failing agreement, shall be as determined by An Bord Pleanála.

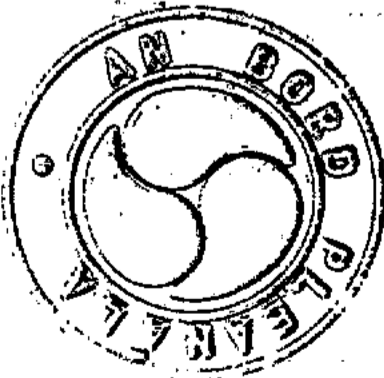
**Reason:** In the interests of visual and residential amenity.

11. The developers shall pay a sum of money to Dublin County Council as a contribution towards the said Council's expenditure on the provision of a public water supply and piped sewerage facilities in the area and towards the improvement of surface water facilities to facilitate the proposed development. The amount to be paid and the time and method of payment shall be agreed between the developers and the said Council before the development is commenced or, failing agreement, shall be as determined by An Bord Pleanála.

**Reason:** The provision or improvement 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 or improving the services.

12. Before 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, public open spaces, 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 agreement, shall be as determined by An Bord Pleanála.

**Reason:** To ensure the satisfactory completion of the development.



*Eoghan P. Brangan*

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

Dated this 30<sup>th</sup> day of *April* 1985.

# DUBLIN COUNTY COUNCIL

Phone 724755  
Fax: 262/264

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

## NOTIFICATION OF A DECISION TO REFUSE:

~~XXXXXXXXXXXXXXXX~~ PERMISSION: ~~XXXXXXXXXX~~

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

To:

Delany MacVeigh and Pike,  
15 Clyde Road,  
Ballsbridge,  
DUBLIN 4.

Register Reference No. .... YA 205 .....  
Planning Control No. ....  
Application Received ..... 9.2.83 .....  
Additional Inf. Recd. ....

APPLICANT ..... Alice Hayes and Mary Murphy. ....

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, A/827/83 dated 8th April, 1983 decide to refuse:

~~XXXXXXXXXXXXXXXX~~

PERMISSION

~~XXXXXXXXXX~~

For ... residential development on approximately 43 acres of land at Ballyroan and

Scholarstown, comprising 367 two-storey dwellings.

for the following reasons:

1. The number of traffic turning movements from a development of 367 houses onto the adjoining housing estate to the north and the substandard Knocklyon Road and Scholarstown Road to the west and south would endanger public safety by reason of a traffic hazard.
2. No provision has been made for construction traffic thereby causing serious injury to the amenities of property in the adjoining housing estate to the north.
3. The proposed development would tend to create serious traffic congestion.
4. The layout is unsatisfactory with particular regard to co-ordination with the adjoining Boden Park development, the number of the houses backing onto the reservation for the improvement of Knocklyon Road and the fragmentation and positioning of open space.
5. No evidence has been adduced that the needs of the educational/institutional uses on the site have been satisfied.
6. Applicants have not submitted evidence of written permission to cross through lands not in their ownership for the purposes of connecting to the public foul sewer. No indication has been given that proposed buildings are not less than 5 metres from foul sewer and surface water outfalls. The surface water proposals for the area south of the Green Route are unacceptable. The existing and proposed surface water sewers are of insufficient capacity.

..../Contd.

Signed on behalf of the Dublin County Council .....

for PRINCIPAL OFFICER

Date.....

8.4.83

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.

7. The proposals for provision of water supply are unsatisfactory. No evidence of written permission has been submitted which would indicate that it is within the competence of the applicant to lay the required new 250mm diameter watermain from the site up to the 375mm high pressure main at Ballyboden reservoir.

*PK*