

COMHAIRLE CHONTAE ÁTHA CLIATH

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| File Reference P.C.9319 | LOCAL GOVERNMENT (PLANNING AND DEVELOPMENT) ACT 1963 & 1976 PLANNING REGISTER | | REGISTER REFERENCE RA2127 |
| 1. LOCATION | Ballyowen, Lucan, Co. Dublin | | |
| 2. PROPOSAL | 495 houses | | |
| 3. TYPE & DATE OF APPLICATION | TYPE | Date Received | Date Further Particulars (a) Requested (b) Received 1. 2. 1. 2. |
| | P. | 22.12.78 | |
| 4. SUBMITTED BY | Name Andrew J. Purcell, Address 13 Angleson Street, Dublin 2 | | |
| 5. APPLICANT | Name Terenure Housing Ltd.,= Address Lonsdale House, Avoca Avenue, Blackrock, Dublin | | |
| 6. DECISION | O.C.M. No. p/782/79 Date 21/2/79 | Notified 21st february 1979 Effect To refuse permission | |
| 7. GRANT | O.C.M. No. Date | Notified Effect | |
| 8. APPEAL | Notified 27/3/79 Type 1st Party | Decision Permission refused, Effect 18th June 1980 | |
| 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. | | | |
| 16. | | | |

Prepared by

Copy issued by Registrar.

Checked by

Date

Grid Ref.

O.S. Sheet

Co. Accts. Receipt No.

PL. 6/5/45159

AN BORD PLEANÁLA

LOCAL GOVERNMENT (PLANNING AND DEVELOPMENT) ACTS, 1963 AND 1976

County Dublin

Planning Register Reference Number: R.A. 2127

APPEAL by Terenure Housing Limited, of Longdale House, Avoca Road, Blackrock, County Dublin, against the decision made on the 21st day of February, 1979, by the Council of the County of Dublin deciding to refuse a permission for housing development on land at Ballyowen Lucan:

DECISION: Pursuant to the Local Government (Planning and Development) Acts, 1963 and 1976, permission is hereby refused for the said development for the reasons set out in the Schedule hereto.

SCHEDULE

1. — The proposed development would be premature because:-

- (a) preparation of the action plan for the area has not yet been completed and it is considered essential that the development of this land should accord with such a plan, and
- (b) development of other lands in the vicinity, and particularly the provision of a new local distributor road system, has not progressed sufficiently to enable the development of the land to proceed without creating serious traffic hazard on the present inadequate and heavily-trafficked road fronting the site.

2. The proposed layout is considered to be unsatisfactory in that,

- (a) the concentration of housing is too large without any accompanying reservation for community facilities;
- (b) the amount and disposition of open space does not accord with the requirements of the Development Plan, the relevant provisions of which are considered reasonable;
- (c) inadequate provision has been made for the integration of the development with that of adjoining lands;
- (d) extension of turning circles into open space, as proposed, is unsatisfactory, as is the proposed construction of cul-de-sac roads extending to rear walls of houses and the proposed location of some houses backing on to open areas; and
- (e) the proposed development lacks a clearly-defined internal hierarchical road system and some of the cul-de-sac roads proposed would be excessive in length.



BRENDAN O'DONOGHUE

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

Dated this 18th day of June 1980.

DUBLIN COUNTY COUNCIL

Telephone 712355
Ext: 143/145

PLANNING DEPARTMENT
46/49 Dame Street,
Dublin 2.

NOTIFICATION OF A DECISION TO REFUSE:

~~PERMISSION~~ : PERMISSION : ~~APPROVAL~~

LOCAL GOVERNMENT (PLANNING & DEVELOPMENT) ACTS, 1963 & 1976

Andrew J. Purcell & Associates,

Register Reference No. **R.A. 2127**

13 Anglessea Street,

Planning Control No. **9319**

Dublin 2.

Application Received **22/12/78**

Additional Inf. Recd.

APPLICANT **Teranure Housing Limited.**

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/ **782/79** dated **21st February, 1979** decide to refuse:

~~PERMISSION~~

PERMISSION

~~APPROVAL~~

For **proposed 495 houses at Ballyowen, Lucan, Co. Dublin.**

for the following reasons:

1. There is no suitable public water supply available to serve the proposed development.
2. There is no suitable public foul sewer available to serve the proposed development. It is proposed to cater for the drainage of the major portion of this site into the proposed Ballydowd Gravity Sewer. Outfall for the remainder of the site at the southern end must be raised to prevent backup from the main sewer. There is insufficient capacity in the sewers to which it is proposed to make a temporary connection.
3. There is no suitable surface water outlet to serve this development. The greater part of the site is in the Ballydowd Catchment and not the Griffin Catchment, as shown by applicant.
4. The proposed development is premature by reason of the said existing deficiency in the availability of water supply and drainage facilities and the period within which such deficiency may reasonably be expected to be made good.
5. The proposed layout does not take cognisance of the Council's preliminary Action Plan for the area. The plans show housing on portion of a possible major open space and on a possible school site. Inadequate provision has been made for the integration of these lands with adjoining lands. Houses backing onto open area and road, as at Sites 388 to 393 inclusive, are unsatisfactory.

(Contd. Over/...)

Signed on behalf of the Dublin County Council

for PRINCIPAL OFFICER

Date **21st February, 1979.**

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, Holbrook House, Holles Street, Dublin 2 and accompanied by a deposit of £10. 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.

FUTURE PRINT

6. The proposed development contravenes Condition 1 of the Minister's grant of outline permission in the following matters:
 - (a) The Action Plan for the area has not yet been finalised and approved by the Planning Authority.
 - (b) The development has not been confined to that part of the estate which it is likely will be zoned for residential development in the Action Plan.
7. The proposed development is premature by reason of the fact that the Action Plan has not been finalised and approved by the Planning Authority.
8. The existing road system in the area is inadequate to cater satisfactorily with the traffic which would be generated by such a large development, thus resulting in a serious traffic hazard.
9. The proposed development is premature until such time as the Local Distributor Roads adjacent to these lands have been constructed together with satisfactory access from this development to the Local Distributor Road. In this regard the Planning Authority may request a special financial contribution from the applicant when permission is being granted towards the construction of the Local Distributor roads in the area.
10. Some of the sites appear to have a rear garden depth of less than the minimum 35-ft. specified in the Development Plan.
11. The proposed public open space allocation does not meet the requirements of the Development plan and is unsatisfactory in its location.
12. The density of the proposed development is excessive.
13. In relation to references to Action Plans in the above reasons for this decision to refuse permission for this development, it should be noted that a number of very preliminary Action Plans have been considered by the Planning Authority. These plans, due to their preliminary nature, have not been circulated to the various departments and at the present time are being reassessed by the Planning Department. Until the Action Plan for the area has taken some degree of shape it would not be opportune to grant a permission for such a large residential development. No community facilities such as churches, schools, shopping, etc., would be available to it.

for Principal Officer.