

# CORPORATION OF DUBLIN

PLAN NO. (57/70) 127/77.	LOCAL GOVERNMENT (PLANNING AND DEVELOPMENT) ACT 1963 PLANNING REGISTER (Part I) <span style="font-size: 2em; vertical-align: middle;">5</span>		REGISTER REFERENCE  <span style="font-size: 1.5em;">M 3362 T</span>
1. LOCATION	St. Anne's Court, Fortfield Road/ Kimmage Road West, Dublin 6.		O.S. NO. 22 II.  GRID REF. I306 3037.
2. PROPOSED DEVELOPMENT	32 flats, in 2 three storey blocks.		PREPARED BY: SN.  CHECKED BY: <i>De</i>
3. TYPE & DATE OF APPLICATION	TYPE  P & B.	APPLICATION DATE  20-1-1977.	<div style="display: flex; justify-content: space-between;"> <div> Date Further Particulars: (a) Requested 1. .... 2. .... 3. .... </div> <div> (b) Received 1. .... 2. .... 3. .... </div> </div>
4. SUBMITTED BY	Name Robert Creedon & Associates, tbn., Address 30 Dartmouth Square, Dublin 6.		
5. APPLICANT	Name St. Anne's Estates Ltd., Address 11, Newmarket, Dublin 8.		
6. DECISION	O.C.M. No. & DATE P544. Date NOTIFIED 18th March 1977. 18th March 1977.	EFFECT TO REFUSE PERMISSION (SEE OPPOSITE).	
7. GRANT	O.C.M. No. & DATE Date NOTIFIED	EFFECT	
8. APPEAL 8A. DATE OF AN BORD	NOTIFICATION TO 6th April 1977. CORPORATION 28-9-1978.	Decision PERMISSION REFUSED (SEE OPPOSITE).	
9. APPLICATION SECTION 26 (3)	PLEANALA'S DECISION Date of application	Decision	
10. COMPENSATION	Ref. in Compensation Register		
11. ENFORCEMENT	Ref. in Enforcement Register		
12. PURCHASE NOTICE			
13. REVOCATION or AMENDMENT			
14.			
15.			

DATE OF ISSUE OF COPY

CERTIFYING OFFICER

18 MAR 1977

**RECOMMENDATION:**

I hereby endorse the recommendation of the

Decision Order No. 2544 Date

Development Control Assistant Grade 1/Planning Assistant Grade 1 : J.C./A.C. Date: 10.3.77

**TO REFUSE PERMISSION** in respect of the Application received on 20th January, 1977

for 3 reasons, for the development proposed in Plan No. 127/77 Reg. No. 127/77

by Applicant St. Anne's Estates Ltd. of 11, Newmarket, Dublin 8.

namely to: Erect 32 flats, in two three-storey blocks at St. Anne's Court, Fortfield road, Kimmage Road West, Dublin 8.

Signed: [Signature] Assistant Principal Officer. Date: 16/3/77

**ORDER:** In accordance with the recommendation of the Assistant Principal Officer, I decide that having regard to the provisions which are included in the Development Plan, the above proposal would be contrary to proper planning and development and I, therefore, decide **TO REFUSE PERMISSION** therefor under the Local Government (Planning and Development) Act, 1963 for the reasons stated below

**REASONS**

1. The site is affected to some extent by the route of the proposed Tallaght busway. The alignment and width of this busway is inaccurately indicated on the drawings submitted. The proposed development would, therefore, inhibit the objective of the planning authority to reserve free of any building or road access the line of the Tallaght busway and would therefore be inconsistent with the proper planning and development of the area.
2. There is no vehicular access to the site from Kimmage Road West by way of an existing road. The access into the site is substandard in width and does not indicate the provision of footpaths connecting to the outer road. The proposed development would therefore constitute substandard development which would be inconsistent with the proper planning and development of the area.
3. It is considered that the provision of 33 dwellings on this site would result in overdevelopment having regard to the required provision of adequate off-street car parking and communal open space, for the flat dwellings and the characteristic residential density in the vicinity of the site. The proposed development would therefore seriously injure the residential amenities of property in the vicinity.
4. As the application is deemed to relate to that site outlined in red on the lodged plans the areas required to provide a satisfactory access and drainage layout as shown, are not included in the area to which this application relates. The proposed development as submitted in this application is totally substandard from a drainage and access point of view. (As this is an application which depends on the implementation of an adjoining approved scheme from the point of view of access from Kimmage Road West that part of the overall development common to both specific applications is required to be included in the lodged plans for both applications.)

ASSISTANT CITY AND COUNTY MANAGER

to whom the appropriate powers have been delegated by Order of the City and County Manager dated 18/3/77 day of March, 1977

AN BORD PLEANÁLA

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

Dublin County Borough

Planning Register Reference Number: 127/77

APPEAL by Saint Anne's Estates Limited care of Robert Creedon, Robert Creedon and Associates, 30 Dartsouth Square, Dublin, against the decision made on the 18th day of March, 1977, by the Right Honourable the Lord Mayor, Aldermen and Burgesses of Dublin deciding to refuse a permission for the erection of thirty-three flats in two three-storey blocks at Saint Anne's Court, Fortfield Road, Kimmage Road West, Dublin:

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

SCHEDULE

1. The erection of 33 flats on the site as proposed would result in an excessive density of development, would constitute overdevelopment of the site and would be seriously injurious to the amenities of the occupants of the proposed flats and to the amenities of the area generally.
2. The site is dependent on the development of adjoining lands for satisfactory access to a public road and its development in isolation independently of the said adjoining lands would be contrary to the proper planning and development of the area.
3. The site is likely to be affected by the proposed Tallaght Busway.

JRENDAN O'DONOGHUE

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

Dated this 18th day of September 1978.