

COMHAIRLE CHONTAE ÁTHA CLIATH

File Reference P.C. 15853	LOCAL GOVERNMENT (PLANNING AND DEVELOPMENT) ACT 1963 PLANNING REGISTER		REGISTER REFERENCE M. 2267
1. LOCATION	Newtown, Rathfarnham		
2. PROPOSAL	Retention of Dog Kennels and Stores		
3. TYPE & DATE OF APPLICATION III	TYPE P.	Date Received 26th August, 1977	Date Further Particulars (a) Requested 1. _____ 2. _____ (b) Received 1. _____ 2. _____
4. SUBMITTED BY	Name Brady, Shipman, Martin, Address 26 Temple Road, Dartry, Dublin 6		
5. APPLICANT	Name Hans Peter Wendland, Esq., Address Mount Venus Road, Rockbrook, Rathfarnham		
6. DECISION	O.C.M. No. P/3843/77 Date 21/10/77		Notified 21st October, 1977 Effect Permission Refused
7. GRANT	O.C.M. No. Date		Notified Effect
8. APPEAL	Notified 13th November, 1977 Type 1st Party		Decision 17th April, 1978 Effect Permission Refused by An Bord Pleanála
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. _____	

DUBLIN COUNTY COUNCIL

TELEPHONE: 42951 (EXT. 131)

Planning Department,
46-49 Dame Street,
Dublin 2.

NOTIFICATION OF A DECISION TO REFUSE:
~~OUTLINE PERMISSION~~ PERMISSION ~~APPROVAL~~
LOCAL GOVERNMENT (PLANNING & DEVELOPMENT) ACT, 1963.

To: Brady, Shipman, Martin,
26 Temple Road,
Dartry, Dublin 6.

Register Reference No. A.2267.

Planning Control No. 15853

Application received 26/8/77.

APPLICANT: Hans Peter Wendland.

In pursuance of its functions under the above mentioned Act the Dublin County Council, being the Planning Authority for the County Health District of Dublin, did by order P/3843/77 dated 21/10/77 decide to refuse:

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

for Proposed retention of Dog Kennels and stores at Newtown,
Rathfarnham, Dublin 14.

for the following reasons:

1. The retention of this development would contravene materially condition No. 1 of the grant of outline permission on appeal by the Parliamentary Secretary to the Minister for Local Government by order dated 10/2/75, and would thus not be in accordance with the proper planning and development of the area and would seriously injure the amenities of the area.
2. The retention of this development would contravene materially condition No. 2 of Order No: P/191/75, dated 23/1/75, (Reg.G. 263) would not be in accordance with the proper planning and development of the area and would seriously injure the amenities of the area.
3. The retention of this development would contravene materially condition No. 1 of Order No: P/2222/75, dated 23/7/75 (Reg. H.1157) would not be in accordance with the proper planning and development of the area and would seriously injure the amenities of the area.

Signed on behalf of the Dublin County Council: *MW*

Date: 21st October 1977.

NOTE: An appeal against the decision may be made to the Minister 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 the Secretary, (Planning Appeals Section), Department of Local Government, Custom House, Dublin 1. When an appeal has been duly made and has not been withdrawn the Minister for Local Government will determine the application for permission as if it had been made to him in the first instance.

PL. 6/5/40608

AN BORD PLEANÁLA

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

County Dublin

Planning Register Reference Number: M.2267

PL 15.853.
yRH

APPEAL by Hans Peter Wendland, of Mount Venus Road, Rockbrook, Rathfarnham, County Dublin, against the decision made on the 21st day of October, 1977, by the Council of the County of Dublin deciding to refuse to grant a permission for the retention of development consisting of dog kennels and a store on a site at Newtown, Rathfarnham:

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

SCHEDULE

1. Outline permission for the erection of a dwellinghouse and kennels on the site was granted on appeal by order of the Parliamentary Secretary to the Minister for Local Government dated 10th February, 1975 (Planning Register Reference Number: F. 1974) and approval for the erection of the said dwellinghouse and kennels was granted on appeal by order of the Parliamentary Secretary to the said Minister dated 27th October, 1975 (Planning Register Reference Number: H.1157). The approved development has been carried out and the development which it is proposed to retain represents a material contravention of the approved layout and of condition 1 attached to the said outline permission which required a reduction in the scale of development proposed and a revised layout so as to ensure that the development would not be injurious to the recreational and residential amenities of property in the vicinity and so that it could be satisfactorily accommodated on the site. The terms of the said condition are considered reasonable.
2. The planning authority decided to grant a temporary permission for the retention of the development by order dated 23rd January, 1975 (Planning Register Reference Number: G.2631) and condition 1 attached to the said temporary permission required that the kennels be removed from the site on or before 31st December, 1975. That condition is considered reasonable and the development is in material conflict with it.
3. The development is seriously injurious to the recreational and residential amenities of the area and contrary to its proper planning and development.

M. J. McFADDEN

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

Dated this 17th day of April 1978.