

COMHAIRLE CHONTAE ÁTHA CLIATH

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File Reference P.C. 15898	LOCAL GOVERNMENT (PLANNING AND DEVELOPMENT) ACT 1963 PLANNING REGISTER		REGISTER REFERENCE M.1953
1. LOCATION	adj. 23, Ballyroan Crescent, Rathfarnham, Dublin, 14.		
2. PROPOSAL	Dwellinghouse, garage and boilerhouse.		
3. TYPE & DATE OF APPLICATION	TYPE	Date Received	Date Further Particulars (a) Requested (b) Received
	P.	25th July, 1977	1. 2.
4. SUBMITTED BY	Name A. C. Gannon, Esq., Address 23, Ballyroan Crescent, Rathfarnham, Dublin, 14.		
5. APPLICANT	Name DO. Address		
6. DECISION	O.C.M. No. P/3397/77 Date 21/9/77	Notified 23rd September, 1977 Effect Permission Refused	
7. GRANT	O.C.M. No. Date	Notified Effect	
8. APPEAL	Notified 6th Oct. 1977 Type 1st Party	Decision 10th February, 1978 Effect Permission Granted 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: Mr. A.C. Gannon,
23, Ballyroan Crescent,
Rathfarnham, Dublin 16.

Register Reference No: **M.1953**
Planning Control No: **15898**
Application received: **25/7/77.**

APPLICANT: **Mr. A.C. Gannon**

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/3397/77,** dated **21/9/77,** decide to refuse:

~~OUTLINE PERMISSION~~; PERMISSION; ~~APPROVAL~~,
for **proposed dwellinghouse, garage and boilerhouse at 23, Ballyroan Crescent,**
Rathfarnham,

for the following reasons:

1. The site is located in an area zoned with the objective - 'to preserve and improve residential amenity' - in the Development Plan. The proposed development with inadequate provision for rear garden space for the existing and proposed house would materially conflict with this objective, would be contrary to the proper planning and development of the area and would seriously injure the amenities of the area.
1. The proposed development would contravene materially a condition attached to an existing permission, i.e. Condition No. 1 of decision to grant permission by order P/2354/77, dated 12/7/77.

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

21st September, 1977.

Date: *23rd*

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. 6/5/40256

AN BORD PLEANALA

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

County Dublin

Planning Register Reference Number: M. 1953

PC 15898.
YAH

APPEAL by Aidan C. Gannon, of 23, Ballyroan Crescent, Rathfarnham, County Dublin, against the decision made on the 21st day of September, 1977, by the Council of the County of Dublin, deciding to refuse to grant a permission for the erection of a house on a site to the side of 23, Ballyroan Crescent, Rathfarnham, in accordance with plans and particulars lodged with the said Council:

DECISION: Pursuant to the Local Government (Planning and Development) Acts, 1963 and 1976, it is hereby decided, for the reasons set out in the First Schedule hereto, to grant permission for the erection of the said house in accordance with the said plans and particulars as amended by the revised layout plan entitled "Enlarged Site Plan" lodged with the Board on 6th October, 1977, subject to the conditions specified in column 1 of the 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 permission is hereby granted subject to the said conditions.

FIRST SCHEDULE

Provided the conditions set out in the Second Schedule are complied with and adequate rear gardens, as shown on the said revised layout plan, are provided for the proposed and existing houses, it is considered that the proposed development would not be injurious to the amenities of adjoining property or otherwise contrary to the proper planning and development of the area.

SECOND SCHEDULE

Column 1 - Conditions	Column 2 - Reasons for Conditions
1. The finished floor level of the proposed house shall be not more than 1 foot 6 inches over that of 21, Ballyroan Crescent.	1. In the interests of visual amenity.
2. The proposed extension and alterations to 23, Ballyroan Crescent in respect of which the planning authority decided to grant permission by order dated 12th July, 1977 (Planning Register Reference Number: M.1445) shall not be constructed.	2. To prevent overdevelopment of the site having regard to the permission granted by this order.

SECOND SCHEDULE CONTD/...

Column 1 - Conditions	Column 2 - Reasons for Conditions
<p>3. The developer 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 the time and method of payment shall be agreed between the developer and the said Council before the development is commenced or, failing agreement shall be as determined by An Bord Pleanala.</p>	<p>3. The provision of such services in the area by the Council will facilitate the proposed development. It is considered reasonable that the developer should contribute towards the cost of providing the services.</p>

M. J. McFADDEN

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

Dated this 10th day of February 1978.

L. S.