

COMHAIRLE CHONTAE ÁTHA CLIATH

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| File Reference P.C. 6025 | LOCAL GOVERNMENT (PLANNING AND DEVELOPMENT) ACT 1963 PLANNING REGISTER | | REGISTER REFERENCE M.1911 |
| 1. LOCATION | Knocklyon House, Templeogue, Dublin, 14. | | |
| 2. PROPOSAL | 128 detached dwellinghouses | | |
| 3. TYPE & DATE OF APPLICATION | TYPE P. | Date Received 20th July, 1977 | Date Further Particulars (a) Requested 1. _____ 2. _____ (b) Received 1. _____ 2. _____ |
| 4. SUBMITTED BY | Name Architect's Dept., Wates and Co. Limited, Address Strandville Ave. East, Dublin, 3. | | |
| 5. APPLICANT | Name Oak Investment Company Limited, Address Strandville Ave. East, Dublin, 3. | | |
| 6. DECISION | O.C.M. No. P/3383/77 Date 19/9/77 | Notified 19th September, 1977 Effect Permission Refused | |
| 7. GRANT | O.C.M. No. Date | Notified Effect | |
| 8. APPEAL | Notified 18th Oct. 1977 Type 1st Party | Decision 16th June, 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 _____ Checked by _____ | | Copy issued by _____ Registrar. Date _____ Co. Accts. Receipt No. _____ | |
| Grid Ref. | O.S. Sheet | | |

AN BORD PLEANÁLA

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

County Dublin

Planning Register Reference Number: M.1911

APPEAL by Oak Investment Company Limited care of Wates and Company Limited, Strandville Avenue East, Dublin, against the decision made on the 19th day of September, 1977, by the Council of the County of Dublin deciding to refuse to grant a permission for housing development on a site at Knocklyon House, Templeogue, 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 said housing development in accordance with the said plans and particulars as revised by drawing number 1 dated January, 1978, which was submitted at the oral hearing of the appeal on 25th January, 1978, 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

The proposed development is in accordance with the zoning provisions of the development plan and having regard to the planning authority's road proposals for the area, the availability of a water supply and the relationship of the site to existing and proposed residential development and facilities in the vicinity it is considered that, provided the conditions set out in the Second Schedule are complied with, the proposed development would accord with the proper planning and development of the area.

SECOND SCHEDULE

| Column 1 - Conditions | Column 2 - Reasons for Conditions |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1. The land expected to be required by the planning authority for the improvement of Knocklyon and Scholarstown roads shall be reserved for that purpose and the proposed new roadside boundaries of the site shall be revised to coincide with the proposed road widening lines. The | 1. To ensure that the proposed development takes account of proposed works for the improvement of these roads and to provide for improved visibility for traffic pending the carrying out of the works. |

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SECOND SCHEDULE (CONTD)

| Column 1 - Conditions | Column 2 - Reasons for Conditions |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------|
| <p>boundaries of the land expected to be required for road works shall be marked out on the ground in consultation with the planning authority before development is commenced. The areas between the road widening lines and the existing roadside boundaries of the site shall be graded evenly by the developers from site level to road level along the entire road frontages of the site.</p> <p>2. Pending the possible provision of through access to the lands to the west and to the south of the site, suitable hammerhead traffic-turning points, to the standards required by the planning authority, shall be provided at the site boundary between plots numbered 12 and 13 and between plots numbered 58 and 59 as shown on the said drawing number 1.</p> <p>3. The vacant space between the western boundary of the site and plots numbered 58 to 65, inclusive, as shown on the said drawing number 1, shall be incorporated into the said plots and the proposed through road between plots numbered 58 and 59 shall be extended to the site boundary (where a hammerhead turning point is to be provided in accordance with condition 2 above).</p> <p>4. The layout of the north-western portion of the proposed development (i.e. the area proposed to be occupied by plots numbered 66 to 72, inclusive) shall be revised so as to provide for the incorporation of the vacant triangular parcel of land to the rear of the said plots into the development. Details of the revised layout required to comply with the foregoing shall be submitted to the planning authority for approval.</p> | <p>2. In the interests of orderly development.</p> <p>3. and 4. To provide for a more satisfactory layout.</p> |

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SECOND SCHEDULE (CONTD)

| Column 1 - Conditions | Column 2 - Reasons for Conditions |
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| <p>5. The building line of all houses adjacent to Scholars-town and Knocklyon roads shall be not less than 9 metres from the proposed widening lines for these roads, as referred to at condition 1 of this order. Any house which infringes this 9 metre building line shall, together with the row of houses of which it forms part, be relocated so as to provide for a building line of not less than 9 metres. Details of any adjustments to the layout necessary to comply with the foregoing shall be agreed with planning authority before construction of any of the rows of houses so affected commences or, in the event of disagreement, shall be as determined by An Bord Pleanála.</p> | <p>5. To provide for an adequate set back distance from these roads in the interests of residential amenity.</p> |
| <p>6. The proposed new avenue to Knocklyon House shall be omitted, the existing avenue shall be retained and the total area of land to the north and west of Knocklyon House designated as "open space" on drawing number Kh/02 dated July, 1977, lodged with the planning authority, shall be reserved for use as public open space in association with the development. This area shall be levelled, soiled, seeded and landscaped in accordance with the requirements of the planning authority and shall be made available for use by residents on completion of the houses. Suitable playlots and temporary fencing for the protection during the course of construction work on the site of trees and hedges which it is proposed to retain shall be provided as required by the planning authority.</p> | <p>6. In the interests of the amenities of the future occupants of the houses.</p> |

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SECOND SCHEDULE (CONTD)

| Column 1 - Conditions | Column 2 - Reasons for Conditions |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>7. All public services for the proposed development including electrical, communal television, telephone cables and equipment shall be located underground throughout the entire site.</p> | <p>7. In the interests of visual amenity.</p> |
| <p>8. Screen walls in brick or block and not less than 2 metres in height and suitably capped and rendered shall be erected at the locations required by the planning authority so as to screen rear gardens from public view.</p> | <p>8. In the interests of visual amenity and privacy.</p> |
| <p>9. Public lighting shall be provided in accordance with the planning authority's standard requirements for such a service.</p> | <p>9. In the interests of amenity and public safety.</p> |
| <p>10. The water supply and drainage arrangements shall be in accordance with the requirements of Dublin County Council.</p> | <p>10. In the interests of public health and to ensure that these services are of adequate standard.</p> |
| <p>11. The developers 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 developers and the said Council before the development is commenced or, failing agreement, shall be as determined by An Bord Pleanála.</p> | <p>11. The provision 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 the services.</p> |
| <p>12. The developers shall also pay a sum of money to the Dublin County Council as a contribution towards the said Council's anticipated expenditure on the improvement of Knocklyon and Scholarstown roads. 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.</p> | <p>12. It is considered reasonable that the developers should contribute towards the cost of road works which will facilitate the proposed development.</p> |

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SECOND SCHEDULE (CONTD)

| Column 1 - Conditions | Column 2 - Reasons for Conditions |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------|
| <p>13. 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, foot-paths, sewers, watermains, drains, public open space, playlots, 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 such agreement, shall be as directed by An Bord Pleanála.</p> | <p>13. To ensure the satisfactory completion of the development.</p> |



M. J. McFADDEN

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

Dated this 16th day of June 1978.

DUBLIN COUNTY COUNCIL

TELEPHONE: 742951 (EXT. 143 and 145)

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

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

M. 1911

Register Reference No:.....

6025

Planning Control No:.....

20/7/77

Application received.....

To: Wates & Co. Limited,
Strandville Avenue East,
Dublin 3.

APPLICANT: Oak Investment Co. Limited.

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 dated 19/9/77 refuse:

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

for 128-detached dwellinghouses at Knocklyon House, Templeogue.

for the following reasons:

1. The proposed development is premature because a road layout for the area has not been approved by the Planning Authority or on appeal.
2. The proposed layout is not acceptable by reason of the undesirable house location: backing to Knocklyon Road, unacceptable screen wall locations, main open space divided by a private driveway, main access undesirably located in relation to existing and proposed developments at the east side of Scholarstown and would thus not be in accordance with the proper planning and development of the area.
3. The proposed development of excessive density would be premature pending the clarification of revised major road proposals, expanded community and educational facilities and the preparation of revised Action Plans for this area which are considered necessary to integrate further development in the neighbourhood.
4. Adequate and satisfactory details of the existing landscape features have not been submitted (i.e., girth, height, spread and condition of trees).
5. Adequate public piped water facilities are not available to serve the proposal.
6. The proposed development would be premature by reason of the said existing deficiency in the provision of water facilities and the period within which such deficiency may reasonably be expected to be made good.

Signed on behalf of the Dublin County Council:

ARK
for Senior Administrative Officer

19th September, 1977.

Date:.....

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.