

COMHAIRLE CHONTAE ÁTHA CLIATH

File Reference P.C. 16168	LOCAL GOVERNMENT (PLANNING AND DEVELOPMENT) ACT 1963 PLANNING REGISTER		REGISTER REFERENCE K.2606
1. LOCATION	Grange Road, Rathfarnham, Dublin, 14. S		
2. PROPOSAL	Residential development.		
3. TYPE & DATE OF APPLICATION	TYPE P.	Date Received 27.10.'76	Date Further Particulars (a) Requested 1. 2. (b) Received 1. 2.
4. SUBMITTED BY	Name Gallagher Group Limited, Address 23, Clare St., Dublin, 2.		
5. APPLICANT	Name Gallagher Group Limited, Address 23, Clare St., Dublin, 2.		
6. DECISION	O.C.M. No. P/4308/76 Date 23/12/76		Notified 24th December, 1976 Effect Permission Refused
7. GRANT	O.C.M. No. Date		Notified Effect
8. APPEAL	Notified 24/1/77 Type 1st Party		Decision 11th March, 1977 Effect Minister Granted Permission
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 byRegistrar.	
Checked by		Date	
Grid Ref.	O.S. Sheet	Co. Accts. Receipt No.	

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LOCAL GOVERNMENT (PLANNING AND DEVELOPMENT) ACT, 1963

PLANNING REGISTER REFERENCE NUMBER: K.2605

County Dublin

Planning Register Reference Number: K.2605

PC 16/68 g RH

APPEAL by Gallagher Group Limited of 23 Clare Street, Dublin, against the decision made on the 23rd day of December, 1976, by the Council of the County of Dublin deciding to refuse to grant a permission for residential development on a site at Grange Road, Rathfarnham, County Dublin, in accordance with plans and particulars lodged with the said Council:

DECISION: Pursuant to subsections (5) and (9) of section 26 of the Local Government (Planning and Development) Act, 1963 it is hereby decided to grant permission for residential development on the said site in accordance with the said plans and particulars, subject to the conditions specified in column 1 of the Schedule hereto, the reasons for the imposition of the said conditions being as set out in column 2 of the said Schedule and the said permission is hereby granted subject to the said conditions.

SCHEDULE

Column 1 - Conditions	Column 2 - Reasons for Conditions
1. The houses numbered 27, 28 and 29 on the lodged plans shall be omitted from the development and the land shall be developed as a children's play lot.	1. To provide a recreational open space in the north-western portion of the site in the interests of residential amenity.
2. The houses numbered 99, 100, 101, 146 and 147 on the lodged plans shall be omitted.	2. To ensure an orderly relationship between houses and the proposed primary route passing through the eastern portion of the site.
3. The house numbered 52 on the lodged plans shall be omitted and the houses numbered 41 to 43 (inclusive) shall be rearranged.	3. To ensure that the proposed pedestrian way between the houses numbered 41 and 43 is not less than 20 feet wide and that the said two houses are sited in an orderly manner.
4. The walls, not less than 6 feet high, suitably topped and finished, shall be erected at the front, side and rear of houses where necessary to screen rear gardens from public view.	4. To ensure the interests of residential amenity.

(Cont/d...)

Column 1 - Conditions

Column 2 - Reasons for Conditions

5. The designated areas on the lodged plans on either side of the reservation for the proposed primary route in the southern portion of the site shall be amalgamated into the adjoining public open space areas. These areas as so incorporated shall be reserved for public use and shall be levelled, soiled, seeded and landscaped and shall be made available for use by residents on completion of the houses.

5. In the interests of the amenities of the residents.

6. All wired or piped services required for the development such as electrical, communal television and telephone cables shall be located underground.

6. In the interests of the visual amenity of the area.

7. The developers shall pay a sum of money to the Dublin County Council as a contribution towards the said Council's expenditure on 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 the Minister for Local Government.

7. 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.

8. Before the development is commenced the developers shall lodge with the Dublin County Council a cash deposit, or part of an insurance company, or other security to secure the provision and satisfactory completion and maintenance of all works by the said Council of roads, footpaths, sewers, stormwater drains, public open spaces, public lighting and other services required in connection with the development.

8. To ensure the satisfactory completion of the development.

SCHEDULE

(Cont./Annex)

Column 1 - Conditions	Column 2 - Reasons for Conditions
8. (Cont'd...) entered into 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 developer, or, failing such agreement shall be as directed by the said Minister.	

PATRICK J. REYNOLDS

Parliamentary Secretary to the Minister
 for Local Government to whom the relevant
 powers and duties of the said Minister
 under the Local Government (Planning and
 Development) Act, 1955, are delegated by
 the Local Government (Delegation of
 Ministerial Functions) Order, 1975.

Dated this 11th day of March, 1977.

PL. 1/2/1978

HOUSE PLANNING ACT

LOCAL GOVERNMENT (PLANNING AND DEVELOPMENT) ACT, 1963

County Dublin

Planning Register Reference Number: K.2604

APPEAL by Collinger Group Limited of 23 Clare Street, Dublin, against the decision made on the 23rd day of December, 1976, by the Council of the County of Dublin deciding to refuse to grant a permission for residential development on a site at George Road, Rathfernham, County Dublin, in accordance with plans and particulars lodged with the said Council:

DECISION: Pursuant to subsections (5) and (9) of section 26 of the Local Government (Planning and Development) Act, 1963 it is hereby decided to grant permission for residential development on the said site in accordance with the said plans and particulars, subject to the conditions specified in column 1 of the Schedule hereto, the reasons for the imposition of the said conditions being as set out in column 2 of the said Schedule and the said permission is hereby granted subject to the said conditions.

SCHEDULE

<u>Column 1 - Conditions</u>	<u>Column 2 - Reasons for Conditions</u>
1. The houses numbered 27, 28 and 29 on the lodged plans shall be omitted from the development and the land shall be developed as a children's play lot.	1. To provide a recreational open space in the north-western portion of the site in the interests of residential amenity.
2. The houses numbered 99, 100, 101, 145 and 147 on the lodged plans shall be omitted.	2. To ensure an orderly relationship between houses and the proposed primary route passing through the eastern portion of the site.
3. The house numbered 92 on the lodged plans shall be omitted and the houses numbered 42 to 52 (inclusive) shall be rearranged.	3. To ensure that the proposed pedestrian way between the houses numbered 41 and 42 is not less than 20 feet wide and that the said two houses are sited in an orderly manner not less than 20 feet apart.
4. Screen walls, not less than 6 feet high, suitably capped and rendered, shall be erected at the flanks, corners and rears of houses where necessary to screen rear gardens from public view.	4. In the interests of visual amenity.

Column 1 Conditions

Column 2 - Reasons for Conditions

5. The designated area in the lodged plans on either side of the reservation for the proposed primary route in the southern portion of the site shall be amalgamated into the adjoining public open space areas. These areas as so increased shall be reserved for public use and shall be levelled, seeded, mowed and landscaped and shall be made available for use by residents on completion of the houses.

5. In the interests of the amenities of the residents.

6. All wires or piped services required for the development such as electrical, communal television and telephone cables shall be located underground.

6. In the interests of the visual amenity of the area.

7. The developers shall pay a sum of money to the Dublin County Council as a contribution towards the said Council's expenditure on 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 the Minister for Local Government.

7. 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.

8. 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, footpaths, sewers, watermain, drains, public open spaces, public lighting and other services required in connection with the development.

8. To ensure satisfactory completion of the development.

SECRET

(Cont'd...)

Column 1 - Conditions	Column 2 - Reasons for Conditions
B. (Cont'd...) 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 developer, or, failing such agreement shall be as directed by the said Minister.	

PATRICK J. REYNOLDS

Parliamentary Secretary to the Minister for Local Government to whom the relevant powers and duties of the said Minister under the Local Government (Planning and Development) Act, 1953, are delegated to the Local Government (Delegation of Ministerial Functions) Order, 1976.

Dated this 11th day of March, 1977.

Road/Drive are inadequate in width - the desired minimum width should be approx. 20-ft.

- (e) The plans submitted do not show the proposed use for the small area of land at the north/east corner of the site at the east side of the Nutgrove Avenue, Grange Road Primary Distributor Road.
- (f) The minimum number of approximately 50-dwellinghouses only should discharge onto Grange Road.
- (g) The construction of the major portion of the development is premature unless and until the Barton Road Distributor Link is constructed.
- (h) The housing layout of the southern half of the site does not provide for a centrally located open space area of approximately $\frac{1}{2}$ acres together with a more acceptable house and road orientation in relation to the Barton Road Distributor Link.
- (i) The two and half acre park referred to in (h) above together with at least two reasonably sized playlots are considered necessary for this development. Any additional open space generated by the number of houses on this site should be located on the applicant's lands south of the Barton Road Distributor Link.
- (j) The drainage arrangements proposed are unsatisfactory in that the necessary agreements with Dublin Corporation have not been provided.
- (k) None of the site covered by the present application is zoned residential, the greater part being zoned "H" and the ~~agreement~~ segment east of the Nutgrove Avenue - Grange Road reservation being zoned "T".


for. Senior Administrative Officer.

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: Gallagher Group Ltd.
3 Clara Street,
Dublin 2

Register Reference No: 16160

Planning Control No: 16160

Application received: 17/10/76

APPLICANT: Gallagher Group Ltd.

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 23/12/76 decide to refuse:

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

for Proposed residential development (7 houses) at Grange Road,
Rathfarnham, Co. Dublin.
for the following reasons:

1. The site is located in an area zoned to provide educational or institutional development in open lands in the Development Plan. The development proposal would contravene materially this objective would not be in accordance with the proper planning and development of the area and would seriously injure the amenities of the area.
2. The proposed development would endanger public safety by reason of traffic hazard because of the inadequate access arrangements to the existing inadequate road network, and because of the additional vehicular turning movements to and from the site on to the existing inadequate road network.
3. The layout is unsatisfactory for the following reasons:-
 - (a) The plans submitted do not provide for the necessary fire and ambulance station 1.5 acre site at the east side of the Grange Road/Nutgrove Avenue, Primary Route, north of the Barton Road Link Distributor.
 - (b) The proportion of minimum standard rear gardens (30-ft) is unacceptable.
 - (c) Provision for a playlot in the vicinity of house Nos. 31, 32, 33, has not been shown.
 - (d) The flank building line clearances with regard to site Nos. 99-100 and 101 adjoining the Nutgrove Avenue/Grange Road Primary Distributor are inadequate and unacceptable. The Pedestrian connections to the existing local shopping at Barton

Signed on behalf of the Dublin County Council: AS

Date 21st December 1976

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.

Access Drive are inadequate in width - the desired minimum width should be approx. 20-ft.

- (e) The plans submitted do not show the proposed use for the small area of land at the north/east corner of the site at the east side of the Nutgrove Avenue, Grange Road Primary Distributor Road.
- (f) The minimum number of approximately 50-dwellinghouses only should discharge onto Grange Road.
- (g) The construction of the major portion of the development is premature unless and until the Barton Road Distributor Link is constructed.
- (h) The housing layout of the southern half of the site does not provide for a centrally located open space area of approximately 1/2 acres together with a more acceptable house and road orientation in relation to the Barton Road Distributor Link.
- (i) The two and half acre park referred to in (h) above together with at least two reasonably sized playlots are considered necessary for this development. Any additional open space generated by the number of houses on this site should be located on the applicant's lands south of the Barton Road Distributor Link.
- (j) The drainage arrangements proposed are unsatisfactory in that the necessary agreements with Dublin Corporation have not been provided.
- (k) None of the site covered by the present application is zoned residential, the greater part being zoned "H" and the segment east of the Nutgrove Avenue - Grange Road reservation being zoned "T".


for. Senior Administrative Officer.