

CORPORATION OF DUBLIN

PLAN NO. 1765/75.	LOCAL GOVERNMENT (PLANNING AND DEVELOPMENT) ACT 1963 PLANNING REGISTER (Part I)		REGISTER REFERENCE 1765/75. H 2941										
1. LOCATION	200, RATHFARNHAM ROAD, DUBLIN 14.		OS. NO. 22 VII. GRID REF. 1451 2916.										
2. PROPOSED DEVELOPMENT	CHANGE OF USE FROM OFFICES TO SHOPS OF SMALL BUILDING.		PREPARED BY: CHECKED BY: FR										
3. TYPE & DATE OF APPLICATION	TYPE P.	APPLICATION DATE 23rd June 75.	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th colspan="2" style="text-align: center;">Date Further Particulars</th> </tr> <tr> <th style="width: 50%;">(a) Requested</th> <th style="width: 50%;">(b) Received</th> </tr> <tr> <td>1.</td> <td>1.</td> </tr> <tr> <td>2.</td> <td>2.</td> </tr> <tr> <td>3.</td> <td>3.</td> </tr> </table>	Date Further Particulars		(a) Requested	(b) Received	1.	1.	2.	2.	3.	3.
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(a) Requested	(b) Received												
1.	1.												
2.	2.												
3.	3.												
4. SUBMITTED BY	Name R. URBACH, Address 27, BALLYTORE ROAD, DUBLIN 14.												
5. APPLICANT	Name DARWEN DEVELOPERS LTD., Address 200, RATHFARNHAM ROAD, DUBLIN 14.												
6. DECISION	O.C.M. No. & DATE P2726. 20th Aug. 75. Date NOTIFIED 21st Aug. 75.		EFFECT TO REFUSE PERMISSION (SEE OPPOSITE).										
7. GRANT	O.C.M. No. & DATE Date NOTIFIED		EFFECT										
8. APPEAL 8A. DATE OF MINISTER'S DECISION	NOTIFICATION TO 22nd Sept, 75. CORPORATION 31st March, 76.		Decision PERMISSION REFUSED. (SEE OPPOSITE).										
9. APPLICATION SECTION 26 (3)	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.													
16.													

DATE OF ISSUE OF COPY

CERTIFYING OFFICER

CITY TREASURER'S RECEIPT NO

CORPORATION OF DUBLIN

Order of the Assistant City and County Manager

Local Government (Planning & Development) Act, 1963: Local Government (Dublin) Acts 1930-1955

20 AUG 1975

P2726

RECOMMENDATION:

I hereby endorse the recommendation of the
Development Control Assistant Grade 1/Planning Assistant Grade 1:

Decision Order No. Date

PFAMGD/PB

Date: **12.8.75**

PERMISSION

23rd June, 1975

TO REFUSE in respect of the Application received on

1765/75

1765/75

for **3** reasons, for the development proposed in Plan No. Reg. No.

Darwen Developers Ltd., 200 Rathfarnham Road, Dublin 14.

by Applicant of

namely to: **change of use of small building from offices to shops at 200 Rathfarnham**

Road, Dublin 14.

Signed: Assistant Principal Officer. Date:

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 **3** reasons stated below

REASONS

- (1) The site is located in an area zoned for residential use in Dublin Development Plan 1971. A shop is not a permitted use in a residential zone and the proposal would therefore be inconsistent with the proper planning and development of the area.
- (2) Within the curtilage of the site defined in this application the ~~off~~ off-street loading and unloading facilities could not be provided for service vehicles to the proposed shop. The proposal would, therefore, endanger public safety by reason of obstruction and consequent traffic hazards on Rathfarnham Road.
- (3) The proposal does not comply with the requirements of the Chief Medical Officer because insufficient information has been provided in order to determine whether or not the proposal ~~complies~~ with the requirements of the Public Health Acts and regulations made thereunder. This would be prejudicial to public health.

WPR
21/8

Date

ASSISTANT CITY AND COUNTY MANAGER

wherein the appropriate powers have been delegated by Order of the City and County Manager dated

day

PL. 29/6/32335

ROINN RIALTAIRÍ ÁITIÚIL

LOCAL GOVERNMENT (PLANNING AND DEVELOPMENT) ACT, 1963

Contae-Bhaireag Bhaile Átha Cliath

Planning Register Reference Number: 1765/75

APPEAL by Carson Developments Limited of 200 Bathfarnham Road, against the decision made on the 20th day of August, 1975, by the Right Honourable the Lord Mayor, Aldermen and Burgesses of Dublin deciding to refuse to grant permission for the change of use of a structure at 200 Bathfarnham Road, Dublin, from use as an office to use as a shop:

DECISION: Pursuant to subsection (5) of section 26 of the Local Government (Planning and Development) Act, 1963, permission is hereby refused for the said change of use of the said structure for the reasons set out in the Schedule hereto.

SCHEDULE

1. The structure is located in an area zoned for residential use in the Dublin Development Plan. This zoning is considered reasonable and the proposed change of use from a minor non-conforming office use to use as a shop would result in a significant intensification of the commercial use of the structure and would be seriously injurious to the residential amenities of the area.
2. There is no provision for off street loading and unloading facilities to serve the proposed shop and in the absence of such facilities the development would endanger public safety by reason of obstruction and traffic hazard on Bathfarnham Road.

JOHN J. FLANAGAN

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, 1963 are delegated by
the Local Government (Delegation of
Ministerial Functions) Order, 1973.

Dated this 31st day of March 1976.