

COMHAIRLE CHONTAE ÁTHA CLIATH

File Reference P.C. 10067	LOCAL GOVERNMENT (PLANNING AND DEVELOPMENT) ACT 1963 PLANNING REGISTER		REGISTER REFERENCE H.375								
1. LOCATION	Orchardton, Willbrook, Rathfarnham, Dublin, 14.										
2. PROPOSAL	Flat development. S										
3. TYPE & DATE OF APPLICATION	TYPE P.	Date Received 26/2/'75.	<table border="1"> <tr> <th colspan="2">Date Further Particulars</th> </tr> <tr> <th>(a) Requested</th> <th>(b) Received</th> </tr> <tr> <td>1.</td> <td>1.</td> </tr> <tr> <td>2.</td> <td>2.</td> </tr> </table>	Date Further Particulars		(a) Requested	(b) Received	1.	1.	2.	2.
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(a) Requested	(b) Received										
1.	1.										
2.	2.										
4. SUBMITTED BY	Name Carr, Sweeney, O'Farrell, Architects, Address 1, Ontario Terrace, Dublin, 6.										
5. APPLICANT	Name Mr. J. Noone, Address C/o Architect's Address.										
6. DECISION	O.C.M. No. P/1115/75 Date 25/4/75	Notified 25/4/75 Effect Permission Refused									
7. GRANT	O.C.M. No. Date	Notified Effect									
8. APPEAL	Notified 6/6/75 Type 1st Party	Decision 12th March, 1976 Effect Permission Granted									
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	Notice of Revocation Served on the 11th May, 1976										
14.											
15.											
16.											
Prepared by Checked by		Copy issued byRegistrar. Date Co. Accts. Receipt No.									
Grid Ref.	O.S. Sheet										

DUBLIN PLANNING AUTHORITY

LOCAL GOVERNMENT (PLANNING AND DEVELOPMENT) ACT, 1963

Central Office of the Planning Authority

Planning Register Reference Number: R. 375

PC10067

8/4/75

APPEAL by J. Morris care of Cert, Surveyor, O'Farrell, 1 Ontario Terrace, Dublin, against the decision made on the 25th day of April, 1975, by the Council of the County of Dublin deciding to refuse to grant a permission for the erection of five blocks of flats on a site at Drumcondra, Willbrook, 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, and after consideration of the report of the person who conducted an oral hearing of the said appeal, it is hereby decided to grant permission for the erection of the said five blocks of flats 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 proposed third storey in each block shall be omitted and the total number of flats comprising the development shall be reduced accordingly to 50.	1. To secure an acceptable density of development on the site in the interests of the preservation of the amenities of adjoining residential properties.
2. The number of carparking spaces to be provided to serve the proposed development shall be reduced to 35 and the area of open space shall be increased accordingly, particularly along the boundaries of the site.	2. To ensure that the number of carparking spaces to be provided relates to the number of flats approved and to reduce the impact of the development on the amenities of adjoining properties.
3. Before the development is commenced, a detailed landscaping and planting scheme, including a detailed tree survey showing existing trees on the site, their species, height, spread, age and condition and indicating those trees proposed to be retained and those proposed to be removed, together with details of proposed additional planting and landscaping shall be submitted to the planning authority for approval. Provision shall be made for the retention of as many of the existing trees on the site as possible and steps shall be taken during building operations to protect the trees to be preserved. Additional tree planting proposed shall be carried out at the earliest practicable time.	3. To preserve and improve the skyline character of the site as far as possible in the interests of the visual amenities of the area.

ANNEXURE (Continued)

Column 1 - Conditions

3. The developer shall pay a sum of money to the Dublin County Council as a contribution towards the cost of the provision or improvement of 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 the Minister for Local Government.

6. The proposed private sewage treatment plant shall be excluded from the proposed development.

Column 2 - Reasons for Conditions

4. The provision or improvement 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 service.

5. In the interests of public health.

SIGNED J. PLUNKETT

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, 1965 are delegated by the Local Government (Delegation of Ministerial Functions) Order, 1975.

Dated this 12th day of March 1976.

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.

H. 375

To: **Messrs. Carr, Sweeney, O'Farrell,**
Architects,
1, Ontario Terrace,
Dublin 6.

Register Reference No:.....

10067

Planning Control No:.....

26/2/75.

Application received:.....

Mr. J. Noone

APPLICANT:.....

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 **25/4/75** decide to refuse:

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

for **proposed flat development (40 No. flats) at Orchardton,**
Willbrook, Rathfarnham,

for the following reasons:

- (1) The site is located in an area zoned "to preserve and improve residential amenity in the Development Plan. The development proposed would contravene materially this objective by reason of the excessive density proposed on this restricted site; the unacceptable building height in relation to adjoining residential properties would not be in accordance with the proper planning and development of the area, and would seriously injure the amenities of the area.
- (2) Public piped sewerage facilities are not available to serve the proposal, by reason of the lack of existing pipe capacity.
- (3) The proposed development would be premature by reason of the said existing deficiency in the provision of public piped sewerage facilities and the period within which such deficiency may reasonably be expected to be made good.
- (4) The proposal to provide a temporary private sewage treatment plant with effluent disposal to the Owendoher River is not acceptable, 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: *M. Keating*

25th April, 1975.

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.