

COMHAIRLE CHONTAE ÁTHA CLIATH

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File Reference P.C. 10374/10224	LOCAL GOVERNMENT (PLANNING AND DEVELOPMENT) ACT 1963 PLANNING REGISTER		REGISTER REFERENCE G.2689
1. LOCATION	Yellow Meadows, Clondalkin, Co. Dublin.		
2. PROPOSAL	287-houses.		
3. TYPE & DATE OF APPLICATION	TYPE O.P.	Date Received 19/12/74	Date Further Particulars (a) Requested 1. 2. (b) Received 1. 2.
4. SUBMITTED BY	Name E. Burke and M. O'Dea, Architects, Address 40, Fitzwilliam Place, Dublin, 2.		
5. APPLICANT	Name Walsh Developments Limited, Address Floraville Estate Office, Monastery Rd., Clondalkin		
6. DECISION	O.C.M. No. P/454/75 Date 18/2/75	Notified 18/2/75 Effect Outline Permission Refused	
7. GRANT	O.C.M. No. Date	Notified Effect	
8. APPEAL	Notified 4th March, 1975 Type 1st Party	Decision 19th March, 1976 Effect Outline 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			
14.			
15.			
16.			

Prepared by
 Checked by

Copy issued byRegistrar.
 Date

Grid Ref.

O.S. Sheet

Co. Accts. Receipt No.

DUBLIN COUNTY COUNCIL

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

TELEPHONE: 42951 (EXT. 131)

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

To: Edmund Burke and Michael O'Dea,
Architects,
40, Fitzwilliam Place,
Dublin 2.

Register Reference No: G.2689
Planning Control No: 10374/
10224.
Application received 19/12/74

APPLICANT: Walsh Developments 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 P/454/75, dated 18th February, 1975, decide to refuse:

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

for proposed 287 houses at Yellow Meadows, Clondalkin,

for the following reasons:

(1) An area in excess of 4 acres at the western side of the site forms part of the approved open space in respect of the existing residential development adjacent to it; this area was proposed by the applicants, A. Walsh & Sons, as public park and as open space in the layout for the area and condition imposed in grants of permission required that the area be landscaped and reserved as open space and public park, Ref. Order No. P/302/67, dated 1/6/67.

To permit housing on this land would be in contravention of the existing permission and a serious injury to the amenities of the existing residents.

(2) The area in which the site is located is zoned in the Development Plan "to preserve open space amenity". Housing development, as proposed, is incompatible with the use zoning provision of the Development Plan.

(3) The proposed development is considered premature for the following reasons:-

(a) An Action Plan for the area has not been finalized and road patterns have not been finally established. The proposed road reservations shown on the applicant's drawings may be incorrect.

(b) The existing road system is inadequate to cater for the proposed development.

(c) There is no suitable public water supply available to serve the proposed development.

(d) There is no public foul sewer available to serve the proposed development. (Contd. Over/)

Signed on behalf of the Dublin County Council: Mary Keating
18th February, 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.

- (4) The proposed development would be premature by reason of the said existing deficiency in the provision of water and sewerage facilities and the period within which such deficiency may reasonably be expected to be made good.
- (5) The existing Clondalkin Sewerage Works forms portion of the site. The future of this works has not yet been determined.
- (6) The Camac River, which runs close to the site is liable to flooding. An increase in the impervious area in this vicinity would aggravate this situation.
- (7) The proposed areas of open space are unsatisfactorily located in that they are too far from residential development and largely on the wrong side of the proposed primary route.
- (8) Insufficient information has been submitted to determine the suitability of the proposed layout. Roads generally are inadequate, footpaths are not shown, depths of front and rear gardens not indicated; boundary walls and screen walls not indicated. Some houses are too close to primary route. Play areas too close to houses.

Signed on behalf of the Dublin County Council:-

Mary Keating

Date: 18th February, 1975.

PL. 6/5/30547

LOCAL GOVERNMENT (PLANNING AND DEVELOPMENT) ACT, 1963

LOCAL GOVERNMENT (PLANNING AND DEVELOPMENT) ACT, 1963

Cork City Council

Planning Register Reference Number: G. 2639

PC10374/10224
NKP.

APPEAL by Walsh Developments Limited of 7 Cardiner Row, Dublin, against the decision made on the 13th day of February, 1975, by the Council of the County of Dublin deciding to refuse an outline permission for residential development on a site at Yellow Meadows, Clondalkin, 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 outline permission for residential development on the said site, 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 outline permission is hereby granted subject to the said conditions.

SCHEDULE

Column 1 - Conditions	Column 2 - Reasons for Conditions
<p>1. The scale of the development shall be reduced so as not to exceed 174 houses. Subject to the conditions attached to this outline permission, the layout of the housing development shall be generally in accordance with the revised layout plan numbered 7437/2 lodged with the Minister for Local Government on the 26th day of February, 1976.</p> <p>2. The land in the appellants' ownership to the east, north and north-west of the proposed housing estate shown edged in red on the said plan and lying to the west of the line of the proposed regional route other than:- (a) the parts of the land expected to be required in connection with the construction of the proposed primary route, (b) the part of the land occupied by the existing builders yard, and (c) the part of the land shown as reserved for the construction of a possible feeder road, shall be reserved for use as public open space and for eventual handing over to Dublin County Council for that purpose and the detailed plans and particulars to be lodged for approval shall so provide.</p>	<p>1. The original layout proposed is not acceptable because it involved encroachment on a linear open space reserved in connection with adjoining development and undue encroachment also on the linear open space reservation envisaged in the development plan.</p> <p>2. In the interests of the amenities of future residents in the Clondalkin area generally and to assist in the achievement of the Council's objective for the provision of a linear public open space in this part of the new town.</p>

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Part 1 (Continued)

Column 1 - Conditions	Column 2 - Reasons for Conditions
<p>3. The detailed plans to be lodged for approval shall also provide for:-</p> <p>(a) the construction of roads and footpaths to a standard equal to that obtaining in the adjoining Castle Park estate,</p> <p>(b) the revision of the roads system to include the construction of two roads suitable for provision of future access to the lands to the south of the site.</p> <p>4. The developer 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 developer and the said Council before the development is commenced, or, failing agreement, shall be as determined by the Minister for Local Government.</p>	<p>(a) To ensure satisfactory standard for these parts of the development.</p> <p>(b) To ensure provision of facilities for future vehicular access to the lands to the south.</p> <p>4. 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>

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, 1975.

Dated this 19th day of March, 1976.