

CORPORATION OF DUBLIN

PLAN NO. 1741/73.	LOCAL GOVERNMENT (PLANNING AND DEVELOPMENT) ACT 1963 PLANNING REGISTER (Part 1)		REGISTER REFERENCE 1534/73. F 28927										
1. LOCATION	KINMAGE ROAD WEST.		OS. NO. 22 II GRID REF. 190157										
2. PROPOSED DEVELOPMENT	3 STOREY APARTMENT BLOCKS CONTAINING 108 FLATS.		PREPARED BY: PH CHECKED BY: 1977										
3. TYPE & DATE OF APPLICATION	TYPE P	APPLICATION DATE 20th July, 73.	<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <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> </thead> <tbody> <tr> <td>1.</td> <td>1.</td> </tr> <tr> <td>2.</td> <td>2.</td> </tr> <tr> <td>3.</td> <td>3.</td> </tr> </tbody> </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 ROBERT CREEDON & ASSOCIATES. Address 30 DARTMOUTH SQUARE, DUBLIN 6.												
5. APPLICANT	Name ST. ANNE'S ESTATES, LTD. Address 11 NEWMARKET, DUBLIN 8.												
6. DECISION	O.C.M. No. & DATE P2091. 18th Sept, 73. Date NOTIFIED 18th Sept, 73.		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 23rd October, 73 CORPORATION 31st Jan. 1975.		Decision PERMISSION GRANTED SUBJECT TO (7) SEVEN CONDITIONS. (SEE OPPOSITE)										
9. APPLICATION SECTION 26 (3)	Date of application		Decision										
10. COMPENSATION	Ref. in Compensation Register C 2/78												
11. ENFORCEMENT	Ref. in Enforcement Register												
12. PURCHASE NOTICE													
13. REVOCATION or AMENDMENT													
14.													
15.													
16.													

DATE OF ISSUE OF COPY

CERTIFYING OFFICER

CORPORATION OF DUBLIN
Order of the Assistant City and County Manager
Local Government (Planning & Development) Act, 1963: Local Government (Dublin) Acts 1924-1937

RECOMMENDATION:

I hereby endorse the recommendation of the

Development Control Assistant Grade 1/Planning Assistant Grade 1 :

Decision Order No. **1741/72** Date **20th July, 1972**

TO REFUSE ~~PERMISSION~~ in respect of the Application received on

for reasons, for the development proposed in Plan No. **1741/72** Reg. No. **1741/72**

by Applicant **St. Anne's Estates, Ltd.** of **11 Mountfort, Dublin 8.**

namely to: **Erect Three Blocks of Three-storey Flats (108 flats in all) at Kimmage Road West.**

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 I consider will be 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 reasons stated below

REASONS

1. Satisfactory proposals for dealing with the Fiddle River have not been submitted and also the proposal makes no provision for a children's play-plot which is essential to any housing scheme.
2. The open space indicated on the plans for the proposed development is fragmented to an excessive degree and would be very difficult to maintain.
3. The location of the car parking spaces for 33 cars is considered to be sited in an unsatisfactory manner in relation to the flat dwellings which it proposes to serve.
4. It is considered that the flat development proposed is inconsistent with the proper planning and development of the area and that it would be more desirable to have a series of mixed residential development such as houses and flats.
5. The proposed road layout does not comply with the standard of "Requirements for New Developments" i.e. 24 ft. road width and a 9 ft. wide foot path (including grass verge) on each side. The building line does not comply with the normal 45 ft. from centre of proposed road or 34 ft. from edge of proposed kerb.
6. The means of access to the site from Kimmage Road West, as indicated on the lodged plan is unsatisfactory because it would create serious

REASONS

traffic hazards in the adjoining public road by reasons of close proximity to the junction at Kinnage Cross Roads.

ASSISTANT CITY AND COUNTY MANAGER

Date _____

to whom the appropriate powers have been delegated by Order of the City & County Manager dated day of 19

PL. 29/5/25152

PL. 6/5/25154

ROINN PHAIRTAIS AITHIUL

LOCAL GOVERNMENT (PLANNING AND DEVELOPMENT) ACT, 1963

Contae-Bhuirí Bhaile Átha Cliath

Planning Register Reference Number: 1534/73

Contae Bhuirí Átha Cliath

Planning Register Reference Number: F. 1567

APPEALS by Saint Anne's Estates Limited of 11, Newmarket, Dublin, against the decision made on the 18th day of September, 1973, by the Right Honourable the Lord Mayor, Aldermen and Burgesses of Dublin and the decision made on the 21st day of September, 1973, by the Council of the County of Dublin deciding to refuse permission for flat development on a site at "Saint Anne's" Kimmage Road, West in accordance with plans and particulars lodged with the said Corporation and 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 appeals, it is hereby decided to grant permission for the said development, 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 means of access to the site from Mainsfort Drive shall be limited to pedestrian access only.	1. The generation of additional vehicular traffic on Mainsfort Drive as a result of the proposed development is considered undesirable, because it would be injurious to the amenities of the residents of that road.
2. The access road from Kimmage Road West shall be not less than 24 feet wide with two footpaths, each 9 feet wide. Internally, the road shall be designed and constructed as a looped road to serve the development.	2. To ensure the provision of an adequate road system to serve the proposed development.
3. (a) Flat blocks numbered 1, 2, 31, 42 and 43 shall be omitted from the proposed development. Flat blocks numbered 37, 38, 39 and 40 shall be relocated to face eastwards on to the re-designed looped road. (b) The car-parking spaces shown on the lodged plans at the western end of the site shall be omitted and the area to the east of the	3. (a) To ensure a more compact form of development related to the loop road and to ensure that none of the flat blocks is located too close to the boundaries of other residential development in the vicinity. (b) and (c) The location of these car-parking spaces in relation to the flat dwellings which they are

SCHEDULE (Continued)

Column 1 - Conditions	Column 2 - Reasons for Conditions
the west of the relocated flat blocks numbered 37, 38, 39 and 40 (including the area which would have been occupied by the said car-parking spaces) shall be reserved and developed as an open space in connection with the proposed development.	intended to serve and in relation to existing residential development in the vicinity is considered unsatisfactory. It is considered that the area affected should be devoted to open space purposes in the interests of the amenities of the development itself and of other development in the area.
(c) The said car-parking facilities shall be relocated on the site in closer proximity to the flat blocks they would serve.	
4. The section of the river Fodde through the site shall be diverted to run through the southern portion of the site and the section of the river thus diverted shall be culverted by means of a 6 feet by 6 feet pipe at a gradient of 1/290. The culvert shall be constructed in accordance with detailed plans (including details of reinforcement) to be submitted to and agreed with Dublin Corporation and Dublin County Council, or failing agreement, as may be determined by the Minister for Local Government.	4. The open channel as proposed is considered unsuitable on the edge of an extensive residential development. As the site could not be developed without adequate culverting of the river, it is considered reasonable that the developer should be responsible for this work.
5. The area shown on the lodged plans as being reserved for the proposed busway shall be preserved free from buildings. To the extent that the said area is not incorporated (for the present) into the open space required to be provided in accordance with condition 3 (b) above, it shall be treated on similar lines to those proposed for the area along the northern boundary (i.e. planted and landscaped and used for the provision of limited car-parking facilities, until such time as it may be needed for the busway).	5. To allow for possible future road works and for suitable interim use of the land affected.
6. The site shall be planted and landscaped and the open space areas shall be developed in accordance with a scheme to be submitted to and agreed with Dublin Corporation and Dublin County Council or in default of agreement as may be determined by the said Minister.	6. In the interests of amenity.

Contd/.....

SCHEDULE (Continued)

Column 1 - Conditions	Column 2 - Reasons for Conditions
7. A revised layout plan of the overall development incorporating the modifications required by conditions numbers 1, 2, 3, and 5 above shall be submitted to and agreed with the Dublin Corporation and the Dublin County Council or, in default of agreement, shall be as determined by the Minister and the development shall be carried out in accordance with the said revised layout plan as so agreed or determined.	7. To secure satisfactory compliance with the conditions specified.

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) (No. 2) Order, 1963.

Dated this 31st day of January 1975.