

CORPORATION OF DUBLIN

PLAN NO. 4504/82 (4293/82)	LOCAL GOVERNMENT (PLANNING AND DEVELOPMENT) ACTS 1963-1982 PLANNING REGISTER (Part I)		REGISTER REFERENCE XA26977	
1. LOCATION	200 Rathfarnham Road, Dublin 14.		O.S. NO. S-3328-21 GRID REF. 1447-292	
2. PROPOSED DEVELOPMENT	3-storey block of offices over ground floor shops.		PREPARED BY: ML CHECKED BY:	
3. TYPE & DATE OF APPLICATION	TYPE O.P.	APPLICATION DATE 26.11.1982	Date Further Particulars: (a) Requested 1. 2. 3. (b) Received 1. 2. 3.	
4. SUBMITTED BY	Name R. Urbach, tbn., Address 200 Rathfarnham Road, Dublin 14.			
5. APPLICANT	Name Darwen Developers Ltd., Address 200 Rathfarnham Road, Dublin 14.			
6. DECISION	O.C.M. No. & DATE P188. 25th January, 1983. Date NOTIFIED 25th January, 1983.		EFFECT TO REFUSE OUTLINE PERMISSION FOR FIVE REASONS. (SEE OPPOSITE).	
7. GRANT	O.C.M. No. & DATE Date NOTIFIED		EFFECT	
8. APPEAL 8A. DATE OF AN BORD	NOTIFICATION TO 11th February, 1983 CORPORATION PLEANALAS DECISION:- 31st October, 1984.		Decision OUTLINE 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			DATE OF ISSUE OF COPY CERTIFYING OFFICER FINANCE OFFICER AND TREASURER'S RECEIPT NO. "	
14.				
15.				
16.				

CORPORATION OF DUBLIN

Order of the Assistant City and County Manager

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

25 JAN 1983

RECOMMENDATION :

I hereby endorse the recommendation of the

Development Control Assistant Grade 1/Planning Assistant Grade 1 : **WT/GK** Date ... **24.1.83** ...

TO REFUSE **OUTLINE PERMISSION** in respect of the Application received on **25.11.82**

for **five** reasons, for the development proposed in Plan No. Reg. No. **4504/82**

by Applicant **Darwen Developers Ltd.** of **200 Rathfarnham Rd., Dublin 14.**

namely to: **Erect 3-storey block of offices over ground floor shops at 200 Rathfarnham Rd., Dublin 14.**

By order dated 10th February 1970 permission was granted for the demolition of 198/200 Rathfarnham Road, under Section 4 of the Housing Act 1969.

Signed: **AB/W** Assistant Principal Officer. Date: **28/1/83**

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** **OUTLINE PERMISSION**

therefor under the Local Government (Planning and Development) Act, 1963 for the reasons stated below

five

REASONS

1. The proposed office use of shops is not consistent with the zoning provisions of the Dublin Development Plan as the area is zoned to protect and/or improve residential amenities. Office use is not a permitted use in this zone. While the proposed use as neighbourhood shopping is "open for consideration" in such a zone, the location of the shops would not contribute to the zoning objective and would not be in the interests of the proper planning and development of the area.

2. The proposal would result in an increased traffic movement and business activity which would result in serious injury to the amenity of surrounding residential premises.

3. The proposal would overlook and overshadow adjacent flat development which would result in serious injury to residential amenity.

4. The proposal would result in the loss of residential accommodation from the area. The existing house was designed for and is suitable as a residential premises, its demolition would be contrary to the proper planning and development of the area and to the policy of the Corporation as set out in Paragraph 2.2.2. of the Dublin Development Plan particularly having regard to the proximity of Rathfarnham Village which fulfils the requirement of neighbourhood shopping.

5. Applicant has failed to show how it is proposed to satisfy condition 2 of the Housing Act permission H6/70 Granted on 10th February, 1970. Consequently, it could not be definite that the development would be in accordance with the proper planning and development of the area and the 1969 Housing Act.

Sm
25/1/83

..... Date

ASSISTANT CITY AND COUNTY MANAGER

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

AN BORD PLEANÁLA

LOCAL GOVERNMENT (PLANNING AND DEVELOPMENT) ACTS, 1963 to 1983

Dublin County Borough

Planning Register Reference Number: 4504/82

APPEAL by Darwen Developers of 200 Rathfarnham Road, Dublin against the decision made on the 25th day of January, 1983, by the Right Honourable, The Lord Mayor, Aldermen and Burgesses of Dublin to refuse to grant an outline permission for the erection of a three storey block of offices over ground floor shops at 200 Rathfarnham Road, Dublin:

DECISION: Pursuant to the Local Government (Planning and Development) Acts, 1963 to 1983, outline permission is hereby refused for the erection of the said block of offices over the said shops for the reasons set out in the Schedule hereto.

SCHEDULE

1. The proposed office use of shops is not consistent with the zoning provisions of the Dublin Development Plan as the area is zoned to protect and/or improve residential amenities. Office use is not a permitted use in this zone. While the proposed use as neighbourhood shopping is "open for consideration" in such a zone, the location of the shops would not contribute to the zoning objective and would not be in the interests of the proper planning and development of the area, particularly having regard to the proximity of Rathfarnham Village which fulfills the requirement of neighbourhood shopping.

2. The proposal would result in increased traffic movement and business activity along a roadway which carries a large volume of traffic and would contribute to the generation of a traffic hazard as well as causing serious injury to the amenities of surrounding residential premises.

Coghan P. Brangan

Member of An Bord Pleanála duly
authorised to authenticate the
seal of the Board.

Dated this 31st day of October 1984.