


## CORPORATION OF DUBLIN

PLAN NO 4293/82 (4329/79)	LOCAL GOVERNMENT (PLANNING AND DEVELOPMENT) ACTS 1963-1982 PLANNING REGISTER (Part I)		REGISTER REFERENCE <del>XXXXXX</del> XA26787
1. LOCATION	200 Rathfarnham Road, Dublin 14. <span style="font-size: 2em; float: right;">9</span>		O.S. NO. S 3328-2 GRID REF. 1447-292
2. PROPOSED DEVELOPMENT	change of use to shops on ground floor and restaurant on upper floors.		PREPARED BY: ML CHECKED BY: 
3. TYPE & DATE OF APPLICATION	TYPE O.P.	APPLICATION DATE 9.11.1982	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 P3927. 24th December, 1982. Date NOTIFIED 24th December, 1982.		EFFECT TO REFUSE OUTLINE PERMISSION .(SEE OPPOSITE)
7. GRANT	O.C.M. No. & DATE Date NOTIFIED		EFFECT
8. APPEAL 8A. DATE OF AN BORD	NOTIFICATION TO 26th January, 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			
14.			
15.			
16.			

DATE OF ISSUE OF COPY  
 CERTIFYING OFFICER  
 FINANCE OFFICER AND  
 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

RECOMMENDATION:

I ~~do not~~ endorse the recommendation of the

Development Control Assistant Grade 1/Planning Assistant Grade 1: ~~WT/JC~~

Decision Order No. ~~P3927~~

24 DEC 1982

Date

Date 22.12.82

TO REFUSE ~~PERMISSION~~

in respect of the Application received on 9.11.1982

for ~~four~~ reasons,

for the development proposed in Plan No.

Reg No 4293/82

by Applicant ~~Darven Developers Ltd.~~

200, Rathfarnham Road, Dublin 14.

namely to

carry out change of use to shops on ground floor and restaurant on upper

floors 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

~~ROUTINE~~ PERMISSION

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

FOUR

REASONS

1. The proposed development is not consistent with the zoning provisions of the Dublin Development Plan where in the area is zoned "To protect and/or improve residential amenities" - while the proposed use is open for consideration in such a zone, the present proposal would conflict with the zoning objective and would injure the amenity of permitted uses in the area.
2. The proposal would result in <sup>in</sup>creased traffic movement and business activity which would result in serious injury to the amenity of surrounding residential premises.
3. 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, consequently its conversion to shopping and restaurant use would be contrary to the proper planning and development of the area and to the policy of the Corporation set out in paragraph 2.2.2. of the Dublin Development plan particularly having regard to the proximity of Rathfarnham Village centre which fulfills the requirement for neighbourhood shops.
4. Applicant has not shown how it is proposed to set back the front boundary of 200 and 200A to the road widening line required by the Roads Engineer. Applicant has not shown how it is proposed to satisfy condition 3 of Housing Act permission H6/70 granted on 10th February 1970 and submitted with this application, consequently it could not be ensured that the development would be in accordance with the proper planning and development of the area and the 1959 Housing Act.

ASSISTANT CITY AND COUNTY MANAGER

Date

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

of....., 19.....

AN BORD PLEANÁLA

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

Dublin County Borough

Planning Register Reference Number: 4293/82

APPEAL by Darwen Developers of 200 Rathfarnham Road, against the decision made on the 24th day of December, 1983, by the Right Honourable the Lord Mayor, Aldermen and Burgesses of Dublin to refuse to grant an outline permission for a change of use to shops on ground floor and restaurant on upper floors 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 said change of use for the reasons set out in the Schedule hereto.

SCHEDULE

1. The proposed development is not consistent with the zoning provisions of the Dublin Development Plan wherein the area is zoned "to protect and/or improve residential amenity". While the proposed use is open for consideration in such a zone the present proposal would conflict with the zoning objectives and would injure the amenity of permitted uses in the area, particularly having regard to the proximity of Rathfarnham Village which fulfills the requirement for neighbourhood shops.
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.

*Eoghan L. Brangan*

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

Dated this 31<sup>st</sup> day of October 1984.