

# COMHAIRLE CHONTAE ÁTHA CLIATH

P. C. Reference		LOCAL GOVERNMENT (PLANNING AND DEVELOPMENT) ACT 1963 & 1976 PLANNING REGISTER		REGISTER REFERENCE XA 1383.	
1. LOCATION		1-5 inclusive, Main Street, Tallaght.			
2. PROPOSAL		Shopping and commercial development with 2 no. self-contained flats and temporary and permanent access.			
3. TYPE & DATE OF APPLICATION		TYPE	Date Received	Date Further Particulars (a) Requested (b) Received	
		P	19th July 1982	1. .... 2. ....	1. .... 2. ....
4. SUBMITTED BY		Name O'Malley & Bergin. Address 33 Fitzwilliam Pl., D.2.			
5. APPLICANT		Name Dermot Kennedy. Address Beechlawn, Killinarden, Tallaght.			
6. DECISION		O.C.M. No. PA/2343/82 Date 17th Sept., 1982		Notified 17th Sept., 1982 Effect To refuse permission,	
7. GRANT		O.C.M. No. Date		Notified Effect	
8. APPEAL		Notified 4th Oct., 1982 Type 1st Party,		Decision Permission granted by An Bord Pleanála Effect 14th Feb., 1985	
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.					
Prepared by .....		Copy issued by ..... Registrar.			
Checked by .....		Date .....			
		Co. Accts. Receipt No .....			

AN BORD PLEANALA

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

County Dublin

Planning Register Reference Number: X.A. 1383

**APPEAL** by Dermot Kennedy of Beechlawn, Killinarden, Tallaght, County Dublin, against the decision made on the 17th day of September, 1982, by the Council of the County of Dublin to refuse permission for shopping, commercial and residential development on a site at Main Street Tallaght, County Dublin, in accordance with plans and particulars lodged with the said Council:

**DECISION:** Pursuant to the Local Government (Planning and Development) Acts, 1963 to 1983, it is hereby decided, for the reason set out in the First Schedule hereto, to grant permission for the said shopping, commercial and residential development in accordance with the said plans and particulars, subject to the conditions specified in the Second Schedule hereto, the reasons for the imposition of the said conditions being as set out in the said Second Schedule and the said permission is hereby granted subject to the said conditions.

FIRST SCHEDULE

The Board considers that provided the conditions set out in the Second Schedule hereto are complied with, the proposed development would be in accordance with the proper planning and development of the area.

SECOND SCHEDULE

1. Access to the proposed development shall be from Main Street only. Prior to the commencement of development the location and details of the access from Main Street to the site shall be agreed between the developer and the planning authority or failing agreement, shall be as determined by An Bord Pleanála.

**Reason:** To ensure orderly development and satisfactory traffic movements in the interests of public safety.

2. Prior to the commencement of development, the developer shall submit to the planning authority for their agreement details of a revised architectural treatment of the elevations of the proposed structures. This shall apply in particular to the elevation to Main Street, and shall provide that this elevation shall reflect the existing physical character of the village, and shall be compatible with the existing village streetscape in terms of roof line, solid to void ratio and materials of construction. In the event of the parties failing to agree on such details or any of them, the matter or matters in dispute shall be referred to An Bord Pleanála for determination.

SECOND SCHEDULE

**Reason:** To ensure in the interests of the proper planning and development of the area, that the development will not result in injury to the visual amenities of the village.

3. The developer shall pay a sum of money to the Dublin County Council as a contribution towards 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 as agreed between the developer and the said Council before the development is commenced, or, failing such agreement, shall be as determined by An Bord Pleanála.

**Reason:** 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.

4. The developer shall pay a sum of money to the Dublin County Council as a contribution towards the improvement of the road network in the area. The amount to be paid and the time and method of payment shall be as agreed between the developer and the said Council before the development is commenced or, failing such agreement, shall be as determined by An Bord Pleanála.

**Reason:** The improvement of the road network in the area by the Council will facilitate the proposed development. It is considered reasonable that the developer should contribute towards the cost of such improvement.

5. The site shall be planted and landscaped in accordance with a scheme to be submitted to and agreed with the planning authority prior to the commencement of development or, failing such agreement, as may be determined by An Bord Pleanála.

**Reason:** In the interests of visual amenity.

6. Details of all advertisement signs and structures proposed to be erected in connection with the proposed development shall be subject to prior agreement with the planning authority or, failing such agreement, shall be as determined by An Bord Pleanála.

**Reason:** In the interests of visual amenity.

Contd/...

SECOND SCHEDULE

7. All wired or piped services for the proposed development shall be located underground throughout the site.

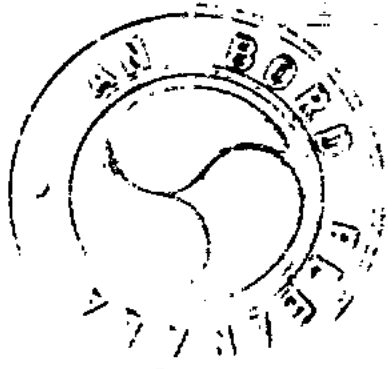
Reason: In the interests of visual amenity.

*John Dwyer*

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

Dated this *14<sup>th</sup>* day of *February*

1985.



# DUBLIN COUNTY COUNCIL

PLANNING DEPARTMENT  
Block 2  
Irish Life Centre  
Lower Abbey Street  
Dublin 1

ne 724755

32/264

## NOTIFICATION OF A DECISION TO REFUSE:

~~OUTLINE PERMISSION~~ : PERMISSION : ~~APPROVAL~~

LOCAL GOVERNMENT (PLANNING & DEVELOPMENT) ACTS, 1963 & 1976 1963-1982

To;  
**O'Malley & Bergin,**  
  
**33 Fitzwilliam Place,**  
  
**Dublin 2.**

Register Reference No. .... **XA 1281** .....  
Planning Control No. .... **17088/17140** .....  
Application Received ..... **19/7/82** .....  
Additional Inf. Recd. ....

APPLICANT ..... **Dermot Kennedy.**

In pursuance of its functions under the above mentioned Acts the Dublin County Council, being the Planning Authority for County Health District of Dublin, did by order, P/ **A/2343/82** ..... dated **17/9/82** ..... decide to refuse:

~~OUTLINE PERMISSION~~

PERMISSION

~~APPROVAL~~

**Provision of shopping & commercial development (plus 2 self-contained flats over), to include 14,000sq.ft. of shopping (at ground floor level), Building Society Offices (at 1st floor) & 14,000sq.ft. of offices (at 1st floor) at 1, 2, 3, 4 & 5, Main Street, Tallaght, in Kennedy's of Tallaght Ltd. to the north & west with temporary access from Main Street to undeveloped, lands to the west.**

for the following reasons:-

1. The proposed development with access to the existing Main Street of Tallaght Village endanger public safety by reason of traffic hazard because of the generation of considerable turning movements off the existing village Street.
2. In the absence of detailed clarification of and planning approval for the development lands immediately to the west of the site through which the applicant proposes to provide a permanent access to the proposed development and to provide additional off-street car parking the development is considered premature and not in the interests of the proper planning and development of the area.
3. As inadequate provision has been made in the proposed development for off-street car parking and operational unloading space to the standards required under the Development the proposal is inconsistent with the proper planning and development of the area.
4. The proposed development would seriously injure the amenities of adjoining resident properties and would not be in the interest of the proper planning and development of the area.
5. The proposed development which provides for a sizeable shopping content does not conform with the overall shopping policy for Tallaght which envisages, a four tier structure of Neighbourhood, District and Town Centre Shopping Units. The present proposal to introduce significant and unplanned for element into the existing and planned shopping hierarchy adversely affect the planned provision of shopping elsewhere in Tallaght/in particular Tallaght Town Centre Development.

Signed on behalf of the Dublin County Council

for PRINCIPAL OFFICER

Date..... **17th September, 1982.**

An appeal against the decision may be made to An Bord Pleanala by the applicant within one month from the date of the decision or by any other person within twenty-one days of the date of the decision. The appeal must be in writing and shall state the subject matter of the appeal and grounds of the appeal and should be addressed to An Bord Pleanala, Irish Life Centre, Dublin 1, and accompanied by a deposit of £10. When an appeal has been duly made and has not been withdrawn, An Bord Pleanala will determine the application for permission as if it had been made to the first instance.

P.T.O.

FUTURE

condt.....

6. The proposed development by virtue of its scale, location and design would be in conflict with the Planning Authority's objectives for the development of the proposed Tallaght Town Centre and existing Village as expressed in the Development Plan and the Draft Structure Plan for the Town Centre which provide for major commercial and ancillary office development in the designated Town Centre only, with the preservation of the existing physical character and retention of the present balance of commercial to residential properties in the immediate village vicinity.

NOTE: Alternative uses could be considered for this site when a co-ordinated access has been organised with the adjoining landowner for both vehicles and pedestrians and a mixture of uses would be preferred.

  
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for Principal Officer.