

COMHAIRLE CHONTAE ÁTHA CLIATH

P. C. Reference	LOCAL GOVERNMENT (PLANNING AND DEVELOPMENT) ACT 1963 & 1976 PLANNING REGISTER		REGISTER REFERENCE 85A/457	
1. LOCATION	lands at top of Killakee Road, Rathfarnham, Dublin 16. S			
2. PROPOSAL	Bungalow, septic tank and entrance			
3. TYPE & DATE OF APPLICATION	TYPE	Date Received	Date Further Particulars	
			(a) Requested	(b) Received
	OP	4th April, 1985	1. 2.	1. 2.
4. SUBMITTED BY	Name Paul O'Brien, Address Whiteoaks, Grange Road, Rathfarnham,			
5. APPLICANT	Name Miss Myriam Kavanagh Address Killakee Road, Rathfarnham, Dublin 16.			
6. DECISION	O.C.M. No. P/1901/85		Notified 30th May, 1985	
	Date 29th May, 1985		Effect To grant o. permission	
7. GRANT	O.C.M. No.		Notified ,	
	Date		Effect	
8. APPEAL	Notified 5th July, 1985		Decision Permission granted by	
	Type 1st Party		An Bord Pleanala, (O) Effect 27th Nov., 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

Checked by

Copy issued by

Date

Co. Accts. Receipt No

Registrar.

AN BORD PLEANALA

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

County Dublin

Planning Register Reference Number: 85A/457

APPEAL by Miriam Kavanagh of Killakee Road, Killakee, Rathfarnham, Dublin, against the decision made on the 29th day of May, 1985, by the Council of the County of Dublin to grant subject to conditions an outline permission for the erection of a bungalow on a site at Killakee, Rathfarnham, 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 outline permission for the erection of the said house 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 outline permission is hereby granted subject to the said conditions.

FIRST SCHEDULE

Having regard to the proposed use of the land by the developer for agricultural purposes and provided the conditions set out in the Second Schedule are complied with, it is considered that the proposed development would be consistent with the proper planning and development of the area.

SECOND SCHEDULE

1. Before the development is commenced, the owner of the area of approximately 400 acres outlined in blue on the maps received by Dublin County Council on 4th April, 1985, shall have entered into an agreement with the said Council under Section 38 of the Local Government (Planning and Development) Act, 1963 to preserve the said area from any further housing development for so long as the area is zoned for agriculture or as an area of high amenity in the Dublin County Development Plan.

Reason: The area is zoned as an area of high amenity in the County Dublin Development Plan. This zoning is considered reasonable and these conditions are intended to support it. The proposed development is acceptable only because it is put forward as being necessary for the use of the land affected for agricultural purposes.

Contd./...

SECOND SCHEDULE (Contd.)

2. The house when completed shall be first occupied by the applicant and/or members of her immediate family.

Reason: To provide for the housing needs of persons engaged primarily in agriculture in the area.

3. Before any development is commenced, the applicant shall enter into an agreement under Section 38 of the Local Government (Planning and Development) Act, 1963, providing for sterilization from further housing development of the applicants landholding, as shown outlined in blue on the map submitted to Dublin County Council on 4th April, 1985.

Reason: The area is zoned as an area of high amenity in the County Dublin Development Plan. This zoning is considered reasonable and these conditions are intended to support it. The proposed development is acceptable only because it is put forward as being necessary for the use of the land affected for agricultural purposes.

4. No trees, shrubs, bushes or embankments shall be removed from the boundaries of the field in which the house plot is situated and all new boundaries, including entrance boundaries shall be of natural materials indigenous to the area.

Reason: To protect the visual amenities of the area.

5. The water supply and drainage arrangements, including disposal of surface water, shall comply with the requirements of Dublin County Council for such services and works.

Reason: In the interests of public health.

6. The plans and drawings to be submitted for approval shall provide for the following: -

(A) The house shall be single-storeyed and of low profile with a roof pitch lying within the range of $17\frac{1}{2}$ to 22 degrees. A small scale appearance for the building shall be achieved by suitable architectural design and external treatment including limitations of roof spans and limitation of unbroken wall areas. In particular, the overall height of the proposed house from existing ground level (on the lowest side) to roof ridge shall not exceed 5 metres and the finished internal floor level shall be 0.33 metres maximum above the existing site level (on the lowest side).

(B) The colour of all external finishes to the proposed building shall be neutral in tone and texture and the use of either very bright or very strongly contrasting colours shall be strictly excluded.

Contd./...

SECOND SCHEDULE (CONTD.)

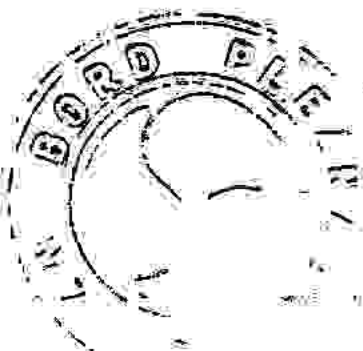
- (C) No extensions or other structures shall be constructed within the curtilage of the house plot except in accordance with a permission under the Local Government (Planning and Development) Acts, 1963 to 1983.

Reason: To control development on the site in the interests of amenity.



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

Dated this 27th day of November 1985.



PL 6/5/69447

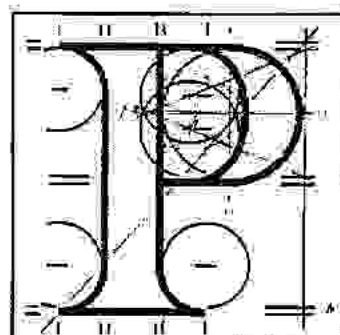
T. Caffrey new

Revised
pl
1st
P. J. O'Sullivan

DUBLIN COUNTY COUNCIL
PLANNING DEPT.
RECEIVED
13 DEC 1985

The Secretary,
Dublin County Council,
Block 2,
Irish Life Centre,
Dublin 1.

An Bord Pleanála



Floor 3 Blocks 6&7
Irish Life Centre
Lower Abbey Street
Dublin 1
tel (01) 728011

note q.

85A 457

17 December, 1985.

Appeal Re: Bungalow at Killakee, Rathfarnham, County
Dublin.

Dear Sir,

I have been directed by An Bord Pleanála to refer to the
above mentioned appeal which was determined by the
Board by order dated 27th November, 1985.

I am to point out that due to an error, condition 3 of
that order is superfluous and should be deleted.

The other parties to the appeal are also being notified
of the position and any inconvenience caused is
regretted.

Yours faithfully,

LB. Hubert W. [Signature]

DUBLIN COUNTY COUNCIL

Tel. 724755 (ext. 262/264)

PLANNING DEPARTMENT,
BLOCK 2,
IRISH LIFE CENTRE,
LR. ABBEY STREET,
DUBLIN 1.

Notification of Decision to Grant Outline Permission

Local Government (Planning and Development) Acts, 1963-1983
~~1963-1983~~ 1963-1983

To.... Paul O'Brien,
..... "Whiteoaks",
..... Grange Road,
..... Rathfarnham, Dublin 16.
Applicant Miriam Kavanagh.

Decision Order
Number and Date ... P/1901/85 29/5/85
Register Reference No. 83A-457
Planning Control No.
Application Received on 4/4/85
Additional Information received

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 dated as above make a decision to grant Outline Permission for

..... bungalow with septic tank and new entrance at lands at Kilakeo, Rathfarnham.

SUBJECT TO THE FOLLOWING CONDITIONS:

CONDITIONS

1. That details relating to layout siting, height, design and external appearance of the proposed building and means of access thereto shall be submitted to and approved by the Planning Authority before any works are begun.
2. That the water supply and drainage arrangements, be in accordance with the requirements of the County Council. These matters must be the subject of consultation and agreement with the Eastern Health Board, 33 Gardiner Place, Dublin 1, before the submission of detailed plans for approval.
3. That the proposed bungalow shall be a single storey building with a low pitch roof, blue-black, turf brown or slate grey slates or tiles and shall be located on site so as not to intrude on the sight line from the road to the valley or opposite hillside.
4. That the house, when completed, be first occupied by the applicant and/or members of her immediate family.
5. That an agreement under Section 39 of the Local Government (Planning and Development) Act, 1963, be drawn up and entered into by the applicant with Dublin County Council sterilising from further building development the applicants landholding as shown /.....
Signed on behalf of the Dublin County Council

REASONS FOR CONDITIONS

1. In the interest of the proper planning and development of the area.
2. In order to comply with the Sanitary Services Acts, 1878-1964.
3. In the interest of the proper planning and development of the area.
4. In the interest of the proper planning and development of the area.
5. In the interest of the proper planning and development of the area.

For Principal Officer

Date 30th May, 1985

IMPORTANT: Turn overleaf for further information

Form 1

CONDITIONS

REASONS FOR CONDITIONS

5. Contd./.....
outlined in blue on the map submitted with the application.

NOTE:

If there is no appeal to An Bord Pleanala against this decision **OUTLINE PERMISSION** will be granted by the Council as soon as may be after the expiration of the period for taking of such appeal. If every appeal made in accordance with the Act has been withdrawn, the Council will grant **OUTLINE PERMISSION** after the withdrawal.

An appeal against the decision may be made to An Bord Pleanala. The applicant may appeal within one month from the date of receipt by him of this notification. **ANY OTHER PERSON** may appeal within twenty-one days beginning on the date of the decision.

An appeal shall be in writing and shall state the subject matter and grounds of the appeal. It should be addressed to:—
An Bord Pleanala, Blocks 6 and 7, Irish Life Centre, Lower Abbey Street, Dublin 1.

(1) An appeal lodged by an applicant or his agent with An Bord Pleanala will be invalid unless accompanied by a fee of ~~£10~~ Pounds). (2) A party to an appeal making a request to An Bord Pleanala for an Oral Hearing of an appeal must, in addition to (1) pay to An Bord Pleanala a fee of ~~£10~~ Pounds). (3) A person who is not a party to an appeal must pay a fee of £10 Pounds) to An Bord Pleanala when making submissions or observations to An Bord Pleanala in relation to an appeal.

Approval of the Council under Building Bye-laws must be obtained and the terms of the approval must be complied with in the carrying out of the work before any development which may be permitted is commenced.