

CORPORATION OF DUBLIN

PLAN NO. 4598/81	LOCAL GOVERNMENT (PLANNING AND DEVELOPMENT) ACT 1963 PLANNING REGISTER (Part I)		REGISTER REFERENCE WA2993	
1. LOCATION	Ashfield, Brookvale, Rathfarnham Dublin 14.		O.S. NO. S-3328-23	GRID REF. 1432-2947
2. PROPOSED DEVELOPMENT	69 Terraced Houses.		PREPARED BY: CM	CHECKED BY: PB
3. TYPE & DATE OF APPLICATION	TYPE P & B	APPLICATION DATE 24/12/81	Date Further Particulars: (a) Requested 1. 2. 3. (b) Received 1. 2. 3.	
4. SUBMITTED BY	Name Randal McDonnell, B. Arch, Address "Cara", Ballinteer Road, Dublin 14.			
5. APPLICANT	Name Whitbay Ltd., Address Bective House, Dawson Street, Dublin 2.			
6. DECISION	*** O.C.M. No. & DATE P614. 4th March, 1982. Date NOTIFIED 4th March, 1982.		EFFECT PERMISSION REFUSED. (SEE OPPOSITE).	
7. GRANT	O.C.M. No. & DATE Date NOTIFIED		EFFECT	
8. APPEAL	NOTIFICATION TO Local Appeal, 1982 CORPORATION		Decision PERMISSION REFUSED. (SEE OPPOSITE).	
8A. DATE OF AN BOARD PLEANALAS DECISION:-				
9. APPLICATION SECTION 26 (3)	Date of 23rd March, 1983. application		Decision	
10. COMPENSATION	Ref. in Compensation Register			
11. ENFORCEMENT	Ref. in Enforcement Register			
12. PURCHASE NOTICE				
13. REVOCATION or AMENDMENT				
14. ***IN ACCORDANCE WITH SECTION 39(1) OF THE LOCAL GOVERNMENT (PLANNING AND DEVELOPMENT) ACT 1976 AMENDING SECTION 26(4) OF THE LOCAL GOVERNMENT (PLANNING AND DEVELOPMENT) ACT, 1963 THE PLANNING AUTHORITY HAS EXTENDED UNTIL 4th MARCH, THE PERIOD FOR MAKING A			DATE OF ISSUE OF COPY	
15. DECISION ON THIS APPLICATION.			CERTIFYING OFFICER	
16.			FINANCE OFFICER AND TREASURER'S RECEIPT NO.	

AN BORD PLEANÁLA

LOCAL GOVERNMENT (PLANNING AND DEVELOPMENT) ACTS, 1963 TO 1982

Dublin County Borough

Planning Register Reference Number: 4598/81

APPEAL by Whitbay Limited, of Bective House, Dawson Street, Dublin, against the decision made on the 4th day of March, 1982, by the Right Honourable the Lord Mayor, Aldermen and Burgesses of Dublin to refuse permission for the erection of 69 terraced houses at Ashfield, Brookvale, Rathfarnham, Dublin:

DECISION: Pursuant to the Local Government (Planning and Development) Acts, 1963 to 1982, permission is hereby refused for the erection of the said houses for the reasons set out in the Schedule hereto.

SCHEDULE

1. The proposed development would be in conflict with the development plan zoning for the area as it would involve an encroachment of development onto land having a zoning objective "F" i.e. "to preserve recreational amenity including open space". This zoning objective is considered reasonable.
2. The proposed development would be seriously injurious to the visual amenities of the area because some of the houses, e.g. 17 to 26, would be located in an obtrusive elevated position at the top of a steep escarpment overlooking the Dodder Valley amenity area and not adequately set back to allow for retention of existing trees and the provision of further necessary screening. In addition, the proposal to have houses 58-59 backing onto the public open space close to the Rathfarnham Road - Dodder Valley Parkway junction would be injurious to visual amenity also.
3. The proposed development would give rise to injury to the residential amenities and reduction in the value of nearby properties due in particular to the proposed house type and the proposal to locate the access road alongside the rear garden walls of houses on Rathfarnham Road. In addition, the location of house number 69 in particular would result in serious overlooking and overshadowing of adjoining properties.

Anthony J. Lambert

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

Dated this ^{25th} day of *March* 1983.

CORPORATION OF DUBLIN

Order of the Assistant City and County Manager

Local Government (Planning & Development) Acts 1963/76, Local Government (Dublin) Acts 1930-195

RECOMMENDATION:

Decision Order No. **P614** Date.....

I hereby endorse the recommendation of the

Development Control Assistant Grade 1/Planning Assistant Grade 1: **WT/EH** Date **4.3.82**

TO REFUSE PERMISSION.....in respect of the Application received on **24.12.82**

for **6** reasons, for the development proposed in Plan No./Reg. No. **4598/81**

by Applicant **Whitbay Ltd** of **Beetive House Dawson St Dublin 2**

namely to: **Erect 69 Terraced houses at Ashfield Brookvale Rathfarnham Dublin**

Signed: *RB* Principal Officer. Date: **4/3/82**

ORDER: In accordance with the recommendation of the 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 PERMISSION** therefor under the Local Government (Planning and Development) Acts 1963/76 for the **6** reasons stated below.

REASONS

1. The encroachment of houses , (particularly sites 53 to 57) onto the floor of the Dodder Valley would spoil its unique open character and would seriously injure the amenity of the area and would encroach on lands zoned objective F in the Dublin Development Plan i.e. to preserve recreational amenity and open space.

2. The backing of houses (particularly sites 58 to 69) onto the open space would be injurious to visual and residential amenity.

3. The provision of a linear open space at the backs of houses on a steeply sloping bank would be unsatisfactory in terms of both amenity and maintenance and would be contrary to the proper planning and development of the area.

4. The predominance of narrow frontage, high roofed design/^{houses}in the proposed development is out of character with surrounding development in the area.

5. The applicant has failed to provide adequately detailed landscaped proposals and a tree survey.

6. The proximity of the rear of houses no. 18 to 25 to the steep embankment would be seriously injurious to visual amenity and these houses would encroach on lands zoned objective F in the Development Plan i.e. to preserve recreational amenity and open spaces.

Date.....

Assistant City and County Manager

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

day of.....19.....