

COMHAIRLE CHONTAE ÁTHA CLIATH

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File Reference	LOCAL GOVERNMENT (PLANNING AND DEVELOPMENT) ACT 1963 & 1976 PLANNING REGISTER		REGISTER REFERENCE TA.1142
1. LOCATION	Orchard House, Clondalkin, Co. Dublin		
2. PROPOSAL	Conversion of dwelling house into offices, and erection of bungalow		
3. TYPE & DATE OF APPLICATION	TYPE O/P	Date Received 19.6.80	Date Further Particulars (a) Requested 1. 2. (b) Received 1. 2.
4. SUBMITTED BY	Name P.J. Cusack & Co., Address Solicitors, Orchard Road, Clondalkin, Co. Dublin		
5. APPLICANT	Name E.A. Cusack, Address Orchard Road, Clondalkin, Co. Dublin		
6. DECISION	O.C.M. No. PA/1698/80 Date 15th August 1980	Notified 18th August 1980 Effect To refuse permission,	
7. GRANT	O.C.M. No. Date	Notified Effect	
8. APPEAL	Notified 10th Sept., 1980 Type 1st Party,	Decision O. Permission granted by Effect An Bord Pleanala, 30th Sept., 1981	
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.			
16.			

Prepared by
Checked by

Copy issued by Registrar.

Date.....

Co. Accts. Receipt No.

Grid Ref.

O.S. Sheet

AN BORD PLEANÁLA

LOCAL GOVERNMENT (PLANNING AND DEVELOPMENT) ACTS, 1963 AND 1976

County Dublin

Planning Register Reference Number: T.A.1142

APPEAL by Christopher A. Cusack, of Orchard Road, Clondalkin, County Dublin against the decision made on the 15th day of August, 1980 by the Council of the County of Dublin deciding to refuse to grant permission in relation to an application for outline permission for a development comprising the conversion of a house to offices and the erection of a bungalow on a site at Orchard House, Orchard Lane, Clondalkin, County Dublin, in accordance with plans and particulars lodged with Dublin County Council:

DECISION: Pursuant to the Local Government (Planning and Development) Acts, 1963 and 1976, it is hereby decided, for the reason set out in the First Schedule hereto, to grant outline permission for the said development in accordance with the said plans and particulars, subject to the conditions specified in column 1 of the Second Schedule hereto, the reasons for the imposition of the said conditions being as set out in column 2 of the said Second Schedule and the said outline permission is hereby granted subject to the said conditions.

FIRST SCHEDULE

It is considered that, subject to compliance with the conditions set out in the Second Schedule hereto and as the site of the proposed development is located adjoining an area zoned for shopping and commercial development and especially as the development is of a small scale, the proposed development would not be contrary to the proper planning and development of the area or seriously injurious to the amenities thereof.

SECOND SCHEDULE

Column 1 - Conditions	Column 2 - Reasons for Conditions
<p>1. The existing access from Orchard Lane shall be closed off in a manner to be agreed with the planning authority, or in default of agreement, determined by An Bord Pleanála.</p> <p>2. The detailed drawings to be submitted for approval shall include the following particulars:-</p> <p>(a) details of bungalow access from Orchard Lane.</p> <p>(b) details of offices access from Watery Lane including any measures necessary to provide adequate sighting distances.</p> <p>(c) layout of car-parking spaces for the offices.</p> <p>3. The developer shall pay a sum of money to the Dublin County Council as a contribution towards the said Council's expenditure on 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 agreed between the developer and the said Council before the development is commenced, or failing agreement, shall be as determined by An Bord Pleanála.</p>	<p>1 and 2 (a) and (b). In the interests of traffic safety.</p> <p>2 (c). In the interests of orderly development.</p> <p>3. 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.</p>

J. Gannon

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

Dated this *30* day of *September* 1981.

DUBLIN COUNTY COUNCIL

Telephone 724755
Ext.: 262/264

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

NOTIFICATION OF A DECISION TO REFUSE:

~~PERMISSION~~ ~~PERMISSION~~ ~~APPROVAL~~
LOCAL GOVERNMENT (PLANNING & DEVELOPMENT) ACTS, 1963 & 1976

To;

Mrs. Peter J. Cusack & Co., Soles, Register Reference No. TA. 1142.
Orchard Road, Planning Control No.
Clondalkin, Co. Dublin, Application Received. 19/6/80.
..... Additional Inf. Recd.

APPLICANT Mr. C.A. Cusack

In pursuance of its functions under the above mentioned Acts the Dublin County Council, being the Planning Authority for the County Health District of Dublin, did by order, P/ A/1698/80, dated 15/8/80, decide to refuse:

~~PERMISSION~~ ~~PERMISSION~~ ~~APPROVAL~~
and construction of a bungalow
For proposed change of use at Orchard House, Clondalkin, Co. Dublin,

for the following reasons:

1. The site of the proposed development is situated in an area zoned 'R' in the 1972 County Development Plan - "to preserve open space amenity". The proposed development would be contrary to this objective and, therefore, would be contrary to the proper planning and development of the area and seriously injurious to the amenities of the area.
2. There are no piped water or sewerage facilities available to serve the proposed development.
3. The proposed development would be premature by reason of the said existing deficiency in the provision of public piped water and sewerage facilities and the period within which such deficiency may reasonably be expected to be made good.
4. The proposed development, situated on the heavily trafficked Orchard Road, would endanger public safety by reason of a traffic hazard.
5. The development would be premature pending the construction of the Clondalkin Bypass Road.
6. Plans are insufficiently detailed to deal with this application fully.

Signed on behalf of the Dublin County Council

for PRINCIPAL OFFICER

18th August, 1980.

Date.....

NOTE: An appeal against the decision may be made to An Bord Pleanála by the applicant within one month from the date of receipt by the applicant of this notification or by any other person within twenty-one days of the date of the decision. The appeal should be made in writing and must state the grounds of the appeal and should be addressed to An Bord Pleanála, Holbrooke House, Holles Street, Dublin 2 and accompanied by a deposit of £10. When an appeal has been duly made and has not been withdrawn An Bord Pleanála will determine the application for permission as if it had been made to them in the first instance.