

# COMHAIRLE CHONTAE ÁTHA CLIATH

|                               |   |  |   |
|-------------------------------|---|--|---|
| File Reference                | LOCAL GOVERNMENT (PLANNING AND DEVELOPMENT) ACT 1963 & 1976<br><b>PLANNING REGISTER</b>                                   |  | REGISTER REFERENCE<br><br>TA.962          |
| 1. LOCATION                   | Kilnamanagh Townland, Ballymount Road, Upper, Tallaght, Co. Dublin. <span style="float: right; font-size: 2em;">S.</span> |  |   |
| 2. PROPOSAL                   | Industrial warehousing development,   |  |   |
| 3. TYPE & DATE OF APPLICATION | TYPE<br><br>P   | Date Received<br><br>22nd May 1980               | Date Further Particulars<br>(a) Requested |
|                               |   |  | (b) Received                              |
|                               |   |  | 1. Time extended up to and incl. 1/9/80   |
|                               |   |  | 2.  |
| 4. SUBMITTED BY               | Name O'Malley & Bergin,   |  |   |
|                               | Address 33 Fitzwilliam Pl., Dublin 2.   |  |   |
| 5. APPLICANT                  | Name J. Doyle,  |  |   |
|                               | Address c/o J. P. & M. Doyle, 105 Terenure Road East, Dublin 6.   |  |   |
| 6. DECISION                   | O.C.M. No. PA/1848/80   |  | Notified 1st Sept., 1980                  |
|                               | Date 1st Sept., 1980  |  | Effect To refuse permission,              |
| 7. GRANT                      | O.C.M. No.  |  | Notified                                  |
|                               | Date  |  | Effect                                    |
| 8. APPEAL                     | Notified 12th Sept., 1980   | Decision Permission granted by An Bord Pleanala, |   |
|                               | Type 1st Party,   | Effect 27th May, 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 ..... |            | Copy issued by .....Registrar. |  |
| Checked by .....  |            | Date .....                     |  |
| Grid Ref.         | O.S. Sheet | Co. Accts. Receipt No. ....    |  |
|                   |            |                                |  |

# DUBLIN COUNTY COUNCIL

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

Phone 724755  
Fax 262/264

## NOTIFICATION OF A DECISION TO REFUSE:

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

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

To;

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

Register Reference No. TA. 962.

Planning Control No. 11946

Application Received 22/5/80.

~~Additional Info. Request~~ Letter of extension up to and  
including 1st September, 1980.

APPLICANT J. Doyle

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/1848/80, dated 1/9/80, decide to refuse:

~~OUTLINE PERMISSION~~

PERMISSION

~~APPROVAL~~

For proposed industrial and warehousing development at Kilmamanagh Townland, Ballymount

Road Upper, Tallaght,

for the following reasons:

1. The site is located in an area zoned in the Development Plan "to preserve open space amenity and to provide for industrial development". The industrial and warehouse development proposed, which envisages the construction of two-thirds of the industrial units in the open space amenity zoned area, would contravene materially this objective, would not be in accordance with the proper planning and development of the area, and would seriously injure the amenities of the area.
2. Public piped water services are not available to serve the proposal.
3. The proposed development would be premature by reason of the said existing deficiency in the provision of water facilities and the period within which such deficiency may reasonably be expected to be made good.
4. The proposed road reservation boundaries are incorrectly located on the plans submitted and proposed industrial buildings do not provide for the necessary 100-ft. building line clearances from the proposed motorway system.

Signed on behalf of the Dublin County Council

for PRINCIPAL OFFICER

Date 1st September, 1980.

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 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 Pleanála, Holbrook 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.

AN BORD PLEANÁLA  
LOCAL GOVERNMENT (PLANNING AND DEVELOPMENT) ACTS, 1963 AND 1976

County Dublin

Planning Register Reference Number: T.A.962

APPEAL by James Doyle of 105, Terenure Road East, Dublin, against the decision made on the 1st day of September, 1980, by the Council of the County of Dublin deciding to refuse to grant a permission for industrial and warehousing development on land at Kilnamanagh, Ballymount Road Upper, Tallaght, in accordance with plans and particulars lodged with the said Council:

**DECISION:** Pursuant to the Local Government (Planning and Development) Acts, 1963 and 1976, it is hereby decided, for the reasons set out in the First Schedule hereto, to grant 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 permission is hereby granted subject to the said conditions.

FIRST SCHEDULE

It is not considered that the proposed development would be prejudicial to the future development of major roads in the area or be otherwise contrary to the proper planning and development of the area, provided the conditions set out in the Second Schedule hereto, are complied with.

SECOND SCHEDULE

| Column 1 - Conditions   | Column 2 - Reasons for Conditions   |
|---|---|
| 1. No temporary access to the land from the proposed Western Parkway shall be provided.   | 1 to 3 (inclusive). In the interests of road safety.  |
| 2. Details of access to proposed units 4 and 5 shall be as agreed with the planning authority.  |   |
| 3. The developer shall be responsible for the improvement and widening of Ballymount Road Upper where it adjoins the land (the work to include the provision of a foot-path and verge); details of the work to be undertaken, and a time scale for carrying it out, to be as agreed with the planning authority.  |   |
| 4. The developer shall pay a sum of money to Dublin County Council as a contribution towards the cost of improvement works proposed to be carried out by the said Council on other sections of Ballymount Road Upper. The amount to be paid and arrangements for payment shall be agreed with the said Council before development is commenced or, failing agreement, shall be as determined by An Bord Pleanála. | 4. It is considered reasonable that the developer should contribute towards the cost of these improvements which will facilitate the development. |

Contd./.....

SECOND SCHEDULE (CONTD.)

| Column 1 - Conditions  | Column 2 - Reasons for Conditions  |
|--|--|
| <p>5. Road reservation lines affecting the land shall be marked out on the ground in consultation with the planning authority before development is commenced. No building shall be located within 100 feet of the reservation lines.</p>  | <p>5. To ensure that anticipated future road works are not prejudiced by the proposed development.</p>   |
| <p>6. The uses of any buildings located within 500 feet of the centre lines of the proposed major new roads in the vicinity shall be restricted to such uses as can be carried out without serious interference from noise from the said roads.</p>  | <p>6. To prevent noise nuisance to the occupants of the buildings.</p>   |
| <p>7. All roads, footpaths, turning bays and ancillary works required in connection with the proposed development shall be constructed or carried out in accordance with the requirements of the planning authority.</p>   | <p>7. To ensure that these parts of the development are of satisfactory standard.</p>  |
| <p>8. Water supply and sewerage arrangements shall be in accordance with the requirements of the planning authority.</p>   | <p>8. In the interests of public health.</p>   |
| <p>9. 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 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>9. 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> |

*R. J. Gloran*

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

Dated this 27<sup>th</sup> day of May 1981.

PA/1513/80.

T.A. 962

21st July, 1980.

O'Malley and Bergin,  
33 Fitzwilliam Place,  
Dublin 2.

Re: Proposed industrial and warehousing development at Kilnamanagh  
Townland, Ballymount Road Upper, Tallaght, Co. Dublin, for  
J. Doyle.

A Chara,

With reference to your planning application received here on  
22nd May, 1980, (Letter for Extension Period dated 21st July, 1980),  
in connection with the above, I wish to inform you that:-

In accordance with Section 26 (4A) of the Local Government (Planning  
and Development) Act, 1963, as amended by Section 39 (F) of the  
Local Government (Planning and Development) Act, 1976, the period  
for considering this application within the meaning of subsection  
(4A) of Section 26 has been extended up to and including  
1st September, 1980.

Mise le meas,

  
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for Principal Officer.

AB/AMD