

**CORPORATION OF DUBLIN**

PLAN NO.  4329/79 (4268/79)	LOCAL GOVERNMENT (PLANNING AND DEVELOPMENT) ACTS 1963 & 1976  PLANNING REGISTER (Part I)		REGISTER REFERENCE  S125337 S
1. LOCATION	200 Rathfarnham Road, Dublin 14.		O.S. NO.  GRID REF.
2. PROPOSED DEVELOPMENT	Change of use to shops on ground floor with restaurant above.		PREPARED BY: <i>[Signature]</i> CHECKED BY: <i>[Signature]</i>
3. TYPE & DATE OF APPLICATION	TYPE  0	APPLICATION DATE  30-10-79	Date Further Particulars: (a) Requested (b) Received 1. .... 2. .... 3. ....
4. SUBMITTED BY	Name R. Urbach, Address 200 Rathfarnham Road, Dublin 14.		
5. APPLICANT	Name Darwen Developers Ltd., Address 200 Rathfarnham Road, Dublin 14.		
6. DECISION	O.C.M. No. & DATE P. 390. 1st February, 1985. Date NOTIFIED 4th February, 1985.		EFFECT TO REFUSE OUTLINE PERMISSION (SEE OPPOSITE).
7. GRANT	O.C.M. No. & DATE Date NOTIFIED		EFFECT
8. APPEAL	NOTIFICATION TO CORPORATION 15/3/85 Date of An Bord Pleanála's Decision: 29th January, 1986.		Decision OUTLINE PERMISSION REFUSED (SEE OPPOSITE).
9. APPLICATION SECTION 26 (3)	Date of application		Decision
10. COMPENSATION	Ref. in Compensation Register		
11. ENFORCEMENT	Ref. in Enforcement Register		
12. PURCHASE NOTICE			
13. REVOCATION or AMENDMENT			
14.	THIS APPLICATION IS AFFECTED BY THE HOUSING ACT 1969		DATE OF ISSUE OF COPY
15.			CERTIFYING OFFICER
16.			FINANCE OFFICER AND TREASURER'S RECEIPT NO.

CORPORATION OF DUBLIN

Order of the Assistant City and County Manager

Local Government (Planning & Development) Acts 1963/82; Local Government (Dublin) Acts 1930-1955

FEB 1985

RECOMMENDATION:

Decision Order No. P390

Date

I hereby endorse the recommendation of the Development Control Assistant Grade 1/Planning Assistant Grade 1:

ATJ/JC

1/2/85

Date

30/10/79

TO REFUSE **OUTLINE PERMISSION** in respect of the Application received on

for **ONE** reason, for the development proposed in Plan No./Reg. No. **4329/79**

by Applicant **Darwen Developers Ltd.,** of **200, Rathfarnham Road, Dublin 14.**

namely to: **carry out change of use to shops on ground floor with restaurant above at**

**200, Rathfarnham Road, Dublin 14.** (neighbourhood)  
RJ

Signed: \_\_\_\_\_ Principal Officer. Date: \_\_\_\_\_

**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 **OUTLINE PERMISSION** therefor under the Local Government (Planning and Development) Acts 1963/82 for the **ONE** reason stated below.

REASONS

1. The proposed development involving a change of use of a dwelling house to shops on ground floor with restaurant above in this location which is zoned to protect and/or improve residential amenities in the current Dublin City Development Plan, 1980 would not be in accordance with the proper planning and development in the area, would directly contravene these zoning provisions and would be seriously injurious to the amenities of the area and the surrounding residential properties.

ATJ/JC  
1/2/85

Assistant City and County Manager  
to whom the appropriate powers have been delegated by Order of the City and County Manager dated \_\_\_\_\_ Date: \_\_\_\_\_

AN BORD PLEANALA

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

Dublin County Borough

Planning Register Reference Number: 4329/79

APPEAL by Darwen Developers Limited of 200, Rathfarnham Road, Dublin, against the decision made on the 1st day of February, 1985, by the Right Honourable the Lord Mayor, Aldermen and Burgesses of Dublin, to refuse an outline permission for change of use to shops on ground floor with restaurant above at 200, Rathfarnham Road, Dublin:

DECISION: Pursuant to the Local Government (Planning and Development) Acts, 1963 to 1983, outline permission is hereby refused for the said change of use for the reasons set out in the Schedule hereto.

SCHEDULE

1. The proposed development would not be consistent with the zoning provisions of the Dublin City Development Plan, 1980 wherein the area is zoned "to protect and/or improve residential amenities", this provision is considered reasonable. While the proposed uses are open for consideration in such a zone the present proposal would conflict with the zoning objectives and would injure the amenity of permitted uses in the area, particularly having regard to the proximity of Rathfarnham Village which fulfills the requirement for neighbourhood shops.
2. The proposed development would result in increased traffic movement and business activity along a roadway which carries a large volume of traffic and would contribute to the generation of a traffic hazard as well as causing serious injury to the amenities of surrounding residential premises.

*Eoghan B. Branigan*

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

Dated this 29<sup>th</sup> day of *January* 1986.

