

CORPORATION OF DUBLIN

PLAN NO. 407/83 (4504/82)	LOCAL GOVERNMENT (PLANNING AND DEVELOPMENT) ACTS 1963-1982 PLANNING REGISTER (Part I)		REGISTER REFERENCE 407/83 YA 1997¹
1. LOCATION	200 Rathfarnham Road, Dublin 14. S		O.S. NO. S-3328-24 GRID REF. 1449-2919
2. PROPOSED DEVELOPMENT	ground floor shops with restaurant above.		PREPARED BY: ML CHECKED BY:
3. TYPE & DATE OF APPLICATION	TYPE O.P.	APPLICATION DATE 23.2.1983	Date Further Particulars: (a) Requested (b) Received 1. 2. 3.
4. SUBMITTED BY	Name R. Urbach, tbn., 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 P1166. 13th April, 1983. Date NOTIFIED 15th April, 1983.		EFFECT TO REFUSE OUTLINE PERMISSION. (SEE OPPOSITE).
7. GRANT	O.C.M. No. & DATE Date NOTIFIED		EFFECT
8. APPEAL 8A. DATE OF AN BORD	NOTIFICATION TO 9th May, 1983. CORPORATION PLEANALAS DECISION:- 31st October, 1984.		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.	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 1963/76, Local Government (Dublin) Acts 1930-1955

RECOMMENDATION:

Decision Order No. P1166 Date 13 APR 83

I hereby endorse the recommendation of the Development Control Assistant Grade 1/Planning Assistant Grade 1: BB/GK Date 12.4.83

TO REFUSE outline permission in respect of the Application received on 23.2.83

for 4 reasons for the development proposed in Plan No./Reg. No. 407/83

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

namely to: Change of use to ground floor shops with restaurant above at 200 Rathfarnham Rd., Dublin 14.

Signed: [Signature] Principal Officer. Date: 13/4

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 1963/76 for the reasons stated below.

REASONS

1. The proposed development is not consistent with the zoning provisions of the 1980 Dublin City Development Plan wherein the area is zoned "to protect and/or improve residential amenities" - while the proposed use is 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.
2. The proposal would result in increased traffic movement and business activity which would result in serious injury to the amenity of surrounding residential premises and would cause a traffic hazard at Crannagh Rd. and Rathfarnham Rd.
3. The proposal would result in the loss of residential accommodation from the area. The existing house is designed for and is suitable as a residential premises; consequently its conversion to shopping and restaurant use would be contrary to the proper planning and development of the area and to the policy of the Corporation set out in paragraph 2.2.2. of the Dublin Development Plan particularly having regard to the proximity of Rathfarnham Village Centre which fulfills the requirements for neighbourhood shops.
4. The applicant does not show how it is proposed to set back the front boundary of 200 Rathfarnham Rd. to the road widening line required by the Roads Engineer. The applicant has not shown how it is proposed to satisfy condition No. 2 of the Housing Act permission H6/70 granted on the 10.2.70; consequently it could not be ensured that the development will be in accordance with the proper planning and development of the area or 1969 Housing Act.

Assistant City and County Manager Date

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

day of 19

AN BORD PLEANÁLA

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

Dublin County Borough

Planning Register Reference Number: 407/83

APPEAL by Darwen Developers Limited of 200 Rathfarnham Road, Dublin against the decision made on the 13th day of April, 1983, by the Right Honourable the Lord Mayor, Aldermen and Burgesses of Dublin to refuse to grant an outline permission for a change of use to ground floor shops with restaurant above at 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 is not consistent with the zoning provisions of the Dublin Development Plan wherein the area is zoned "to protect and/or improve residential amenity". While the proposed use is 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 proposal 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. Brangan

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

Dated this 31st day of October 1984.