

CORPORATION OF DUBLIN

PLAN NO. 38/83 (1126/81)		LOCAL GOVERNMENT (PLANNING AND DEVELOPMENT) ACTS 1963-1982 PLANNING REGISTER (Part I)		REGISTER REFERENCE VA 1957^T
1. LOCATION		8 St, Mary's Terrace, Dublin 14. S		O.S. NO. S-3391-3 GRID REF. 1438-28
2. PROPOSED DEVELOPMENT		retention of ground floor offices and first floor flat.		PREPARED BY: CHECKED BY: <i>[Signature]</i>
3. TYPE & DATE OF APPLICATION	TYPE P.	APPLICATION DATE 10.1.1983	Date Further Particulars:	
			(a) Requested	(b) Received
4. SUBMITTED BY		Name	Polar Design Ltd., tbn., 127 North Strand Road, Dublin 3.	
5. APPLICANT		Name	Hugh P.J. Byrne, 26 Kerryman Rise, Foxrock, Co. Dublin.	
6. DECISION		O.C.M. No. & DATE P562. 2nd March, 1983.	EFFECT TO REFUSE PERMISSION (SEE OPPOSITE).	
7. GRANT		O.C.M. No. & DATE Date NOTIFIED	EFFECT	
8. APPEAL		NOTIFICATION TO SH Appd, 1983.	Decision PERMISSION REFUSED. (SEE OPPOSITE).	
8a. DATE OF AN BORD PLEANALAS DECISION:-		19th September, 1985.		
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.				
15.				
16.				

DATE OF ISSUE OF COPY

CERTIFYING OFFICER

FINANCE OFFICER AND TREASURER'S RECEIPT NO.



CORPORATION OF DUBLIN
Order of the Assistant City and County Manager

Local Government (Planning & Development) Act, 1963, Local Government (Dublin) Acts 1930-1955

- 2 MAR 1983

Decision Order No. P562 Date

JC/JC Date 23.2.83

RECOMMENDATION:

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

TO REFUSE PERMISSION in respect of the Application received on 10.1.1983

for THREE reasons, for the development proposed in Plan No. Reg 38/83

by Applicant Hugh P.J. Byrne, 26, Kerry Mount Rise, Foxrock, Co. Dublin

namely to: retain ground floor offices and first floor flat at 8, St. Mary's Terrace, Dublin 14.

By order dated 16th June 1982, Permission was granted ^{in effect} for the use otherwise than for human habitation of the ground floor of the house at Number 8, St. Mary's Terrace, Rathfarnham, Dublin 4, under Section 4(6)(b) of the Housing Act, 1969.

Signed: RB/f Assistant Principal Officer. Date: 2/3/83

ORDER: In accordance with the recommendation of the Assistant 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) Act, 1963 for the three reasons stated below

REASONS

1. The dwelling house ¹⁷¹⁵ proposed to convert of offices is within an area zoned for residential uses in the 1980 Dublin Development Plan. The proposed use of the house for offices purposes would conflict with the zoning objective for the area which is to protect and/or improve residential amenity.
2. No provision is made or can be made for off street carparking in the curtilage of the proposed development. This would result in on street parking which would cause serious injury to residential amenity.
3. The proposed conversion of an existing house would be contrary to the Corporations policy to retain and expand where possible the existing housing stock within the county borough. Furthermore, the proposal would set a precedent for the conversion of all the existing houses on this terrace which would be contrary to the proper planning and development of the area.

RB 3/3/83

ASSISTANT CITY AND COUNTY MANAGER Date

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

AN BORD PLEANÁLALOCAL GOVERNMENT (PLANNING AND DEVELOPMENT) ACTS, 1963 TO 1982Dublin County BoroughPlanning Register Reference Number: 38/83

APPEAL by Mr. Hugh P.J. Byrne of 26, Kerry Mount Rise, Foxrock, County Dublin, against the decision made on the 2nd day of March, 1983, by the Right Honourable, the Lord Mayor, Aldermen and Burgesses of Dublin to refuse permission for development consisting of the retention of ground floor offices and a first floor flat at 8, St. Mary's Terrace, Rathfarnham, Dublin 14:

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

SCHEDULE

1. The site is located in an area where the objective of the planning authority, as expressed in the Dublin City Development Plan 1980, is to provide for the protection and improvement of residential amenity. This objective is considered reasonable and the proposed development would conflict with it.
2. The proposed development is deficient because it does not, and cannot, make provision for off-street, in-curtilage car parking and would, therefore, result in on-street parking which would cause serious injury to residential amenity.
3. The proposed development would conflict with the policy of the planning authority to retain and expand, where possible, the existing housing stock within the Dublin County Borough. This policy is considered reasonable in this instance.
4. It is considered that the proposed development would set a precedent for the conversion of all the existing houses on the terrace and the Board considers that this would be contrary to the proper planning and development of the area.

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

Dated this 19th day of September 1983