

COMHAIRLE CHONTAE ÁTHA CLIATH

File Reference <i>PC 15455</i>	LOCAL GOVERNMENT (PLANNING AND DEVELOPMENT) ACT 1963 & 1976 PLANNING REGISTER	REGISTER REFERENCE SA.657 <i>S</i>
1. LOCATION	Firhouse Road West, Aylesbury/Tymon Bawn, Odd Bawn, Tallaght	
2. PROPOSAL	Alterations to site layout and 28 additional houses	
3. TYPE & DATE OF APPLICATION	TYPE <i>P.</i>	Date Received <i>20th April, 1979</i>
		Date Further Particulars
		(a) Requested
		(b) Received
		1.
		2.
4. SUBMITTED BY	Name <i>Jordan Rafter & Assoc.,</i> Address <i>Main St., Celbridge, Co. Kildare</i>	
5. APPLICANT	Name <i>Carton Homes Ltd.,</i> Address <i>Carton Court, Maynooth, Co. Kildare</i>	
6. DECISION	O.C.M. No. <i>p/2387/79</i> Date <i>19th June, 1979</i>	Notified <i>19th June, 1979</i> Effect <i>To refuse permission</i>
7. GRANT	O.C.M. No. Date	Notified Effect
8. APPEAL	Notified <i>1st Party</i> Type <i>23/7/79</i>	Decision <i>Permission granted,</i> Effect <i>31st July 1980</i>
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.....

PL. 6/5/46199

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

County Dublin

Planning Register Reference Number: S.A. 657

APPEAL by Carton Homes Limited of Carton Court, Maynooth, County Kildare, against the decision made on the 19th day of June, 1979, by the Council of the County of Dublin deciding to refuse to grant a permission for shopping and housing development on a site at Aylesbury Estate, 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 reason 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

Subject to compliance with the conditions set out in the Second Schedule hereto, it is considered that the proposed development would be in accordance with the proper planning and development of the area.

SECOND SCHEDULE

<u>Column 1 - Conditions</u>	<u>Column 2 - Reasons for Conditions</u>
<p>1. Proposed houses numbered 45 to 51, inclusive, shall be omitted from the proposed development. The area affected shall be reserved for use as public open space and shall be levelled, seeded, soiled and landscaped for that purpose.</p> <p>2. Existing healthy trees and shrubs on the site shall be preserved, save where removal is necessary to facilitate the development.</p>	<p>1. It is considered that the houses in this location would detract from the appearance and value of existing and proposed open space areas, and that the area would be more appropriately used as open space.</p> <p>2. and 3. In the interests of amenity.</p>

Contd./....

PL. 6/5/46199

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Contd./.....

SECOND SCHEDULE

Column 1 - Conditions	Column 2 - Reasons for Conditions
<p>3. Pedestrian access only shall be provided to the front of proposed house number 44, to link up with the existing open space to the east.</p>	
<p>4. The developers 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 developers and the said Council before the development is commenced, or failing agreement, shall be as determined by An Bord Pleanála.</p>	<p>4. The provision of such services in the area by the Council will facilitate the proposed development. It is considered reasonable that the developers should contribute towards the cost of providing the services.</p>
<p>5. Before the development is commenced, the developers shall lodge with the Dublin County Council a cash deposit, a bond of an insurance company or other security to secure the provision and satisfactory completion and maintenance until taken in charge by the said Council of roads, footpaths, sewers, watermains, drains, public open spaces, public lighting and other services required in connection with the development, coupled with an agreement empowering the said Council to apply such security or part thereof for the satisfactory completion or maintenance as aforesaid of any part of the development. The form and amount of the security shall be as agreed between the planning authority and the developers or, failing such agreement, shall, be as directed by An Bord Pleanála.</p>	<p>5. To ensure satisfactory completion of the development.</p>

SECOND SCHEDULE

<u>Column 1 - Conditions</u>	<u>Column 2 - Reasons for Conditions</u>
<p>6. All public services such as electrical, communal television and telephone cables required in connection with the development shall be located underground.</p>	<p>6. In the interests of the visual amenity of the area.</p>
<p>7. Public lighting shall be provided in accordance with the standard requirements of the planning authority.</p>	<p>7. In the interests of public safety and amenity.</p>
<p>8. The areas shown as open space on the plans submitted including the area shown as "public open space proposed" shall be reserved for use as public open space and shall be levelled, soiled, seeded, and landscaped, and made available for use by the residents on completion of the houses.</p>	<p>8. In the interests of the amenities of future residents.</p>
<p>9. Provision shall be made by the developers for adequate and satisfactory waste storage and disposal in connection with the proposed shopping development, including the provision of waste and litter containers.</p>	<p>9. In the interests of amenity.</p>
<p>10. The site shown in the plans submitted as "site reserved for social purposes" shall be reserved for such purposes and shall not be used for site buildings, or for the storage of building materials, plant, machinery or other equipment.</p>	<p>10. To assist in the provision of land for community facilities in the area.</p>
<p>11. Footpaths, verges and kerbing shall be provided and constructed in accordance with the requirements of the Planning Authority, and boundary treatment shall be as agreed with the authority or, in default of an agreement, shall be as determined by An Bord Pleanála.</p>	<p>11. To ensure that these aspects of the development are satisfactory.</p>

SECOND SCHEDULE

Column 1 - Conditions	Column 2 - Reasons for Conditions
<p>12. Screen walls in brick or block not less than six feet in height and suitably capped and rendered shall be erected at the locations required by the planning authority so as to screen rear gardens from public view. The details and location of these walls shall be as agreed with the planning authority, or failing agreement, shall be as determined by An Bord Pleanála.</p> <p>13. A timetable for the carrying out of the landscaping works provided for in the plans submitted shall be agreed with the planning authority or, failing agreement, shall be as determined by An Bord Pleanála.</p>	<p>12. In the interests of visual amenity and privacy.</p> <p>13. In the interests of amenity.</p>

A DENIS PRINGLE



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

Dated this 31st day of July, 1980.

DUBLIN COUNTY COUNCIL

Telephone 712355
Ext.: 143/145

PLANNING DEPARTMENT
46/49 Dame Street,
Dublin 2.

NOTIFICATION OF A DECISION TO REFUSE:

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

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

To;

Jordan, Rafter & Assoc.,

Register Reference No. SA. 657

Main Street,

Planning Control No. 15455

Calbridge,

Application Received 20/4/79

Co. Kildare.

Additional Inf. Recd.

Carton Homes Ltd.

APPLICANT

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/ 2387/79 dated 19th June, 1979. decide to refuse:

~~OUTLINE PERMISSION~~

PERMISSION

~~APPROVAL~~

For Proposed alterations and revisions (including 29 additional dwelling houses) to previously approved shopping centre at Aylesbury est., Tallaght. for the following reasons:

1. That proposed development, which envisages a diminution in the previously approved shopping and social facilities, with unsatisfactory open space and traffic circulation arrangements would contravene materially conditions nos. 1, 15, 18 and 22 of Order no. P/781/79 dated 21/2/79 (Reg. no. RA.2136) and would not be in accordance with the proper planning and development of the area.
2. The proposed development which envisages vehicular movements to and from site nos. 23-51, together with service access to the mini-market, to the residential estate local distributor road at a junction which is unacceptably close to the Aylesbury western section junction would endanger public safety by reason of traffic hazard.
3. The proposed 29 additional dwellinghouses are undesirably located in relation to the proposed shopping, social facilities and open spaces and would not be in accordance with the proper planning and development of the area.

Signed on behalf of the Dublin County Council

for PRINCIPAL OFFICER

Date 19th June, 1979.

NOTE: An appeal against the decision may be made to An Bord Pleanala 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 shall be in writing and shall state the subject matter of the appeal and grounds of the appeal and should be addressed to An Bord Pleanala, 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 Pleanala will determine the application for permission as if it had been made to them in the first instance.

FUTURE PRINT