

# COMHAIRLE CHONTAE ÁTHA CLIATH

File Reference <b>P.C.10046</b>	LOCAL GOVERNMENT (PLANNING AND DEVELOPMENT) ACT 1963 & 1976 <b>PLANNING REGISTER</b>	REGISTER REFERENCE <b>SA171</b>
1. LOCATION	<b>Bancroft Estate, Tallaght, Co. Dublin</b> <span style="font-size: 2em; float: right;">S</span>	
2. PROPOSAL	<b>17 houses</b>	
3. TYPE & DATE OF APPLICATION	TYPE	Date Received
	<b>P.</b>	<b>5.2.79</b>
		Date Further Particulars
		(a) Requested
		(b) Received
		1. ....
		2. ....
4. SUBMITTED BY	Name <b>Lynch O'Toole Walsh,</b> Address <b>1 Woodside Drive, Rathfarnham, Dublin 14.</b>	
5. APPLICANT	Name <b>Noel Murray &amp; Sons Ltd.,</b> Address <b>Bancroft Estate, Tallaght, Co. Dublin</b>	
6. DECISION	O.C.M. No. <b>P/1250/79</b>	Notified <b>4th April, 1979</b>
	Date <b>4/4/79</b>	Effect <b>To refuse permission</b>
7. GRANT	O.C.M. No.	Notified
	Date	Effect
8. APPEAL	Notified <b>1st Party</b>	Decision <b>21st Dec. 1979</b>
	Type <b>10/4/79</b>	Effect <b>Permission refused by An Bord Pleanala</b>
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 6/5/45300

AN BORD PLEANALA

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

County Dublin

Planning Register Reference Number: S.A. 171

APPEAL by Noel Murray and Sons Limited, care of Lynch, O'Toole, Walsh, Architects, 1, Woodside Drive, Rathfarnham, Dublin, against the decision made on the 4th day of April, 1979, by the Council of the County of Dublin deciding to refuse to grant a permission for the erection of seventeen houses on land at Bancroft Estate, Tallaght:

DECISION: Pursuant to the Local Government (Planning and Development) Acts, 1963 and 1976, permission is hereby refused for the erection of the said seventeen houses for the reasons set out in the Schedule hereto.

SCHEDULE

By order dated 22nd November, 1972, the Parliamentary Secretary to the Minister for Local Government granted an outline permission for housing development on the land. Condition Number 1 attached to that order required that houses should not be erected on the northern portion of the land. This condition was imposed because it was considered that the part of the land affected should be preserved free from building development in order to facilitate its incorporation into the open space system planned for the area. The area in question was shown as public open space in the plans lodged with the planning authority in connection with a later application (Planning Register Reference Number: K. 1643), which was the subject of an appeal to An Bord Pleanala. In its order dated 12th December, 1977, determining the appeal, the Board required (Condition Number 11) that the said area be reserved for use as public open space. The proposed development would materially contravene this condition and the relevant condition attached to the order dated 22nd November, 1972. The Board considers that the said conditions are reasonable and in the interests of the proper planning and development of the area.

JOHN S. CONWAY

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



Dated this 21<sup>st</sup> day of December 1979.

# 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;

Messrs. Lynch O'Toole, Walsh,  
1, Woodside Drive,  
Rathfarnham,  
Dublin 14.

Register Reference No... **S.A. 171**  
Planning Control No... **10046**  
Application Received... **5/2/79**  
Additional Inf. Recd.....

APPLICANT **Messrs. Noel Murray & Sons Ltd.**

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/ **1250/79**, dated **4/4/79**, decide to refuse:

~~OUTLINE PERMISSION~~

PERMISSION

~~APPROVAL~~

For... **proposed seventeen houses at Bancroft Estate, Tallaght, Co. Dublin;**

for the following reasons:

1. The proposed development would contravene materially a condition of a permission, i.e. condition No. 1 of the grant of permission, on appeal by An Bord Pleanala, dated 12/12/77. The development now proposed which envisages erection of dwelling-houses on the previously approved public open space would not be in accordance with the proper planning and development of the area and would seriously injure the amenities of the area.
2. The development proposed which envisages construction of a 9" diameter foul sewer outfall through an adjoining public open space, without adequate provision for the necessary restoration of this public open space area, would not be in accordance with the proper planning and development of the area and would seriously injure the amenities of the area.

Signed on behalf of the Dublin County Council

  
for PRINCIPAL OFFICER

Date... **4th April, 1979.**

An appeal against the decision may be made to An Bord Pleanala by the applicant within one month from the date 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

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