

COMHAIRLE CHONTAE ÁTHA CLIATH

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| P. C. Reference | LOCAL GOVERNMENT (PLANNING AND DEVELOPMENT) ACT 1963 & 1976 PLANNING REGISTER | REGISTER REFERENCE YA.1821 |
| 1. LOCATION | Somerton, Ballyboden Road, Dublin 14. | |
| 2. PROPOSAL | 30 Apartments in 3 buildings and ancillary site works. | |
| 3. TYPE & DATE OF APPLICATION | TYPE | Date Received |
| | P. | 2nd Dec. 83. |
| | | Date Further Particulars |
| | | (a) Requested |
| | | (b) Received |
| | | 1. |
| | | 2. |
| 4. SUBMITTED BY | Name Mr. Gerald Cantan, Address 84, Lower Dodder Road, Dublin 14. | |
| 5. APPLICANT | Name Owendoher Builking Co. Limited, Address Somerton, Ballyboden Road, Dublin 14. | |
| 6. DECISION | O.C.M. No. P/209/84 | Notified 1st Feb., 1984 |
| | Date 1st Feb., 1984 | Effect To refuse permission |
| 7. GRANT | O.C.M. No. | Notified |
| | Date | Effect |
| 8. APPEAL | Notified 1st March, 1984 | Decision Permission refused |
| | Type 1st Party | Effect by An =Bord Pleanala 11th Oct., 1984 |
| 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. | | |

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| Prepared by | Copy issued by Registrar. |
| Checked by | Date |
| | Co. Accts. Receipt No |

AN BORD PLEANÁLA

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

County Dublin

Planning Register Reference Number: Y.A. 1821

APPEAL by Owendoher Building Company, of Somerton, Ballyboden Road, Dublin, against the decision made on the 1st day of February, 1984, by the Council of the County of Dublin to refuse permission for development consisting of the erection of thirty apartments in three blocks and ancillary site works on a site at Somerton, Ballyboden Road, Dublin:

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

SCHEDULE

1. The proposed development, located on a small and restricted riverside site in an area zoned to protect and improve residential amenity and to protect and maintain trees and woodlands in the County Development Plan, would materially contravene these objectives which are considered reasonable.
2. The density of the proposed development on a restricted site would be grossly in excess of County Development Plan density standards and would be seriously injurious to the amenities of the area.
3. The area of private open space proposed to serve the development is insufficient in relation to Development Plan standards and is also badly orientated.
4. The area of public open space proposed to serve the development is already in the charge of the Dublin County Council and does not represent a satisfactory proposal to serve the development. The layout proposed which does not provide for any public open space would obstruct the development of a linear park along the Owendoher River and would seriously affect the natural and visual amenities of the area.
5. The proposal to construct three apartment blocks on top of or within 5 metres of either bank of a stream would not be in accordance with the proper planning and development of the area.

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

Dated this 11th day of October 1984.

DUBLIN COUNTY COUNCIL

tel. 724755 (ext. 262/264)

PLANNING DEPARTMENT,
BLOCK 2,
IRISH LIFE CENTRE,
LR. ABBEY STREET,
DUBLIN 1.

NOTIFICATION OF A DECISION TO REFUSE:

~~OUTLINE PERMISSION:~~ PERMISSION: APPROVAL
~~XXXXXXXXXXXXXXXXXXXX~~ ~~XXXXXXXXXXXX~~
LOCAL GOVERNMENT (PLANNING AND DEVELOPMENT) ACTS, 1962-82, ~~1963-83~~ **1963-1983**

To **Gerald Cantan,** Register Reference No. **YA 1821**
84 Lower Dodder Road, Planning Control No.
Dublin 14. Application Received **2/12/83**
Additional Information Received

Applicant **Owendohr Building Company 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/**209/84** dated **1/2/84** decided to refuse:

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

For **DEVELOPMENT OF 30 apartments in 3 buildings and ancillary site works at Somerton,**
Ballyboden Road, Dublin 14
for the following reasons:

1. The proposed development located on a small and restricted riverside site and in an area zoned "to protect and improve residential amenity" and "to protect and maintain trees and woodlands" in the County Development Plan, would contravene materially these objectives, would not be in accordance with the proposed planning and development of the area.
2. The proposed development, containing 30 no. apartments on a site area of 0.41 ha (c. iac.) would be grossly in excess of County Development Plan standards, would not be in accordance with the proper planning and development of the area and would be seriously injurious to the amenities of the area.
3. The area of private open space to serve the development is insufficient in relation to Development Plan standards and is also badly orientated and would not be in accordance with the proper planning and development of the area.
4. The area of public open space to serve the proposed development is already in the charge of the Dublin County Council and does not represent a satisfactory proposal to serve the development. The layout proposed which does not provide for any public open space to serve the development, which would obstruct the development of a linear park along the Owendohr River and which would seriously affect the natural and visual amenities of the area, would not be in accordance with the proper planning and development of the area and would be seriously injurious to the amenities of the area.

Contd./.... over leaf.

Signed on behalf of the Dublin County Council
for PRINCIPAL OFFICER

Date **1st February, 1984.**

NOTE: (1) An appeal against the decision may be made to An Bord Pleanala by the applicant within one month from 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, Irish Life Centre, Lower Abbey Street, Dublin 1. An Appeal lodged by an applicant or agent with An Bord Pleanala will be invalid unless accompanied by a fee of £30 (Thirty Pounds). (2) A party to an appeal making a request to An Bord Pleanala for an oral Hearing of an appeal must, in addition to (1) above, pay to An Bord Pleanala a fee of £30 (Thirty Pounds). (3) A person who is not a party to an appeal must pay a fee of £10 (Ten Pounds) to An Bord Pleanala in relation to an appeal. 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.

5. The proposal to develop an apartment complex having two vehicular accesses and having separate vehicular access to three car parking bays all from the main Ballyboden Road would endanger public safety by reason of a serious traffic hazard because of the number and location of access points in close proximity to a signal controlled junction at the Ballyboden Road/Ballyroan Road and would not be in accordance with the proper planning and development of the area.

6. The residential buildings shown have an inadequate building line to the Ballyboden Road.

7. The proposal to construct three no. apartment blocks on top of or within 5 metres of either bank of a stream would not be in accordance with the proper planning and development of the area.

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