

COMHAIRLE CHONTAE ÁTHA CLIATH

File Reference	LOCAL GOVERNMENT (PLANNING AND DEVELOPMENT) ACT 1963 & 1976 PLANNING REGISTER	REGISTER REFERENCE SA90		
1. LOCATION	Cappaghmore Estate, 9th Lock, Clondalkin, Co. Dublin. S			
2. PROPOSAL	Revised layout			
3. TYPE & DATE OF APPLICATION	TYPE P.	Date Received 23.1.79	Date Further Particulars	
			(a) Requested	(b) Received
			1.	1.
			2.	2.
4. SUBMITTED BY	Name Mr. D. McHugh, Address 48 Clarinda Park East, Dun Laoghaire, Co. Dublin			
5. APPLICANT	Name Mr. T. Flynn, Address Grange, Rathfarnham, Dublin			
6. DECISION	O.C.M. No.	P/1038/79	Notified 22nd march 1979	
	Date	22/3/79	Effect To refuse permission	
7. GRANT	O.C.M. No.		Notified	
	Date		Effect	
8. APPEAL	Notified	1st Party	Decision 30th July, 1979	
	Type	9/4/79	Effect Permission granted by An Bord Pleanala	
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

Checked by

Grid Ref.	O.S. Sheet

Copy issued by..... Registrar.

Date.....

Co. Accts. Receipt No.....

6/5/45250

AN BORD PLEANÁLA

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

County Dublin

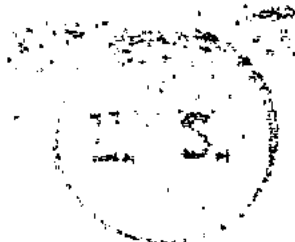
Planning Register Reference Number: S.A. 90.

APPEAL by Thomas Flynn, of "Saint Ita's", Grange Road, Rathfarnham, County Dublin, against the decision made on the 22nd day of March, 1979 by the Council of the County of Dublin deciding to refuse to grant a permission for the amendment of the layout of the Cappaghmore housing estate, 9th Lock, Clondalkin, involving the revision of the boundaries of the area of public open space to be provided to serve the estate 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 reasons set out in the Schedule hereto, to grant permission for the said amendment of the layout of the said estate in accordance with the said plans and particulars and the said permission is hereby granted.

SCHEDULE

Having regard to the fact that Cappaghmore House and its gate lodge have been re-instated, the Board accepts the need to leave them with a reasonable area of private open space. The Board considers that in view of its size, shape, and location the area proposed to be reserved as private open space in the revised layout submitted is acceptable and that the area of public open space remaining to serve the estate is reasonable.



SEAN O'BRIEN

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

Dated this 30th day of July, 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~~
~~XXXXXXX~~ ~~XXXXXXX~~
LOCAL GOVERNMENT (PLANNING & DEVELOPMENT) ACTS, 1963 & 1976

To;

.. Mr. David McHugh, Architect, Register Reference No. S.A. 90
.. 48 Clarinda Park East, Planning Control No.
.. Dun Laoghaire, Application Received 23/1/79
.. Co. Dublin. Additional Inf. Recd.
APPLICANT Mr. T. Flynn.

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/ 1038/79 dated 22nd March, 1979 decide to refuse:

~~OUTLINE PERMISSION~~

PERMISSION

~~APPROVAL~~

For proposed revised layout at Cappaghmore Estate, 9th Lock, Clondalkin, Co. Dublin.

for the following reasons:

1. The development would contravene materially a condition attached to an existing permission i.e., Condition No. 7 of Order No. P/1578/69, dated 22nd September, 1969, which states:
"That the area shown as open space be reserved as public open space and levelled, soiled, seeded and landscaped to the satisfaction of the County Council and to be available for use by residents on completion of their dwellings".

2. The applicant has indicated as open space the side garden of three private houses which even if in the applicant's control would not be acceptable as public open space.

3. The open space for this estate which was proposed by the applicant and approved by the Planning Authority on 29/10/69, indicated the following lands:-
(a) Most of the area now proposed as open space, and
(b) The area to the rear of sites 66 to 79, including Cappaghmore House, its driveway and lodge.

The development now proposed by omitting area (b) would be seriously deficient in its provision of public open space and would be seriously injurious to the amenities of the adjoining residents who acquired their houses on the understanding that the open space would include all areas listed in (a) above.

Signed on behalf of the Dublin County Council
for PRINCIPAL OFFICER

Date 22nd March, 1979.

NOTE: An appeal against the decision may be made to An Bord Pleanala by the applicant within one month from the date 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 that instance.