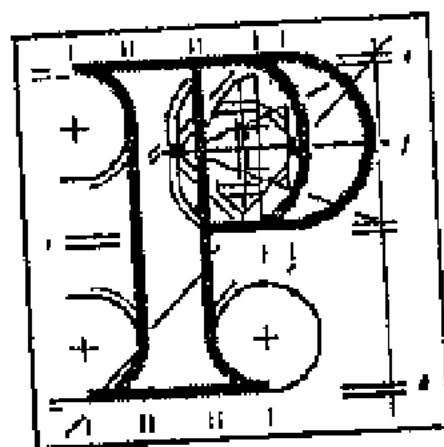


	South Dublin County Council Local Government (Planning & Development) Acts 1963 to 1993 Planning Register (Part 1)	Plan Register No. S99A/0826	
1. Location	4 and 5 Ballymount Road Upper, Dublin 24.		
2. Development	To demolish two dwellings and construct two blocks for office based industry.		
3. Date of Application	22/11/99	Date Further Particulars (a) Requested (b) Received	
3a. Type of Application	Permission	1. 2.	1. 2.
4. Submitted by	Name: Mark O'Reilly & Associates, Address: Greenmount House, Harolds Cross Road,		
5. Applicant	Name: Choragus Ltd., Address: Turnings, Straffan, Co. Kildare.		
6. Decision	O.C.M. No. 0114 Date 20/01/2000	Effect RP REFUSE PERMISSION	
7. Grant	O.C.M. No. Date	Effect RP REFUSE PERMISSION	
8. Appeal Lodged	15/02/2000	Written Representations	
9. Appeal Decision	02/10/2000	Grant Permission	
10. Material Contravention			
11. Enforcement		Compensation	Purchase Notice
12. Revocation or Amendment			
13. E.I.S. Requested	E.I.S. Received	E.I.S. Appeal	
14. Registrar	 Date	 Receipt No.	

An Bord Pleanála



LOCAL GOVERNMENT (PLANNING AND DEVELOPMENT) ACTS, 1963 TO 1999

County South Dublin

Planning Register Reference Number: S99A/0826

APPEAL by Choragus Limited care of Mark O'Reilly and Associates of Greenmount House, Harold's Cross Road, Dublin against the decision made on the 20th day of January, 2000 by the Council of the County of South Dublin to refuse permission for development comprising the demolition of two dwellings and the construction of two blocks for office based industry at 4 and 5 Ballymount Road Upper, Dublin in accordance with plans and particulars lodged with the said Council:

DECISION: Pursuant to the Local Government (Planning and Development) Acts, 1963 to 1999, 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 plans and particulars submitted in connection with the application and the appeal, subject to the conditions specified in the Second Schedule hereto, the reasons for the imposition of the said conditions being as set out in the said Second Schedule and the said permission is hereby granted subject to the said conditions.

FIRST SCHEDULE

Having regard to the industrial zoning of the site and to the pattern of development in the area, it is considered that, subject to compliance with the conditions set out in the Second Schedule, the proposed development would not seriously injure the amenities of the area or of property in the vicinity and would be acceptable in terms of traffic safety and convenience. The proposed development would, therefore, be in accordance with the proper planning and development of the area.

SECOND SCHEDULE

1. Prior to commencement of development, details of a raised roof profile for both office blocks shall be submitted to the planning authority for agreement.

Reason: In the interest of visual amenity.

2. Water supply and drainage arrangements, including the disposal of surface water, shall comply with the requirements of the planning authority for such works and services.

Reason: In the interest of public health and to ensure a proper standard of development.

3. Only one access point shall service this site as indicated on Drawing Number 1 Site Layout, Services Layout and Details lodged with the planning authority on the 22nd day of November, 1999. The access point at number 4 Ballymount Road Upper shall be closed.

Reason: In the interest of traffic safety.

4. Prior to commencement of development, details of the materials, colours and textures of all the external finishes to the proposed development shall be submitted to the planning authority for agreement.

Reason: In the interest of orderly development and the visual amenities of the area.

5. The developer shall pay a sum of money to the planning authority as a contribution towards expenditure that was and/or that is proposed to be incurred by the planning authority in respect of works facilitating the proposed development. The amount of the contribution and the arrangements for payment shall be agreed between the developer and the planning authority or, in default of agreement, shall be determined by An Bord Pleanála.

In the case of expenditure that is proposed to be incurred, the requirement to pay this contribution is subject to the provisions of section 26(2)(h) of the Local Government (Planning and Development) Act, 1963 generally, and in particular, the specified period for the purposes of paragraph (h) shall be the period of seven years from the date of this order.

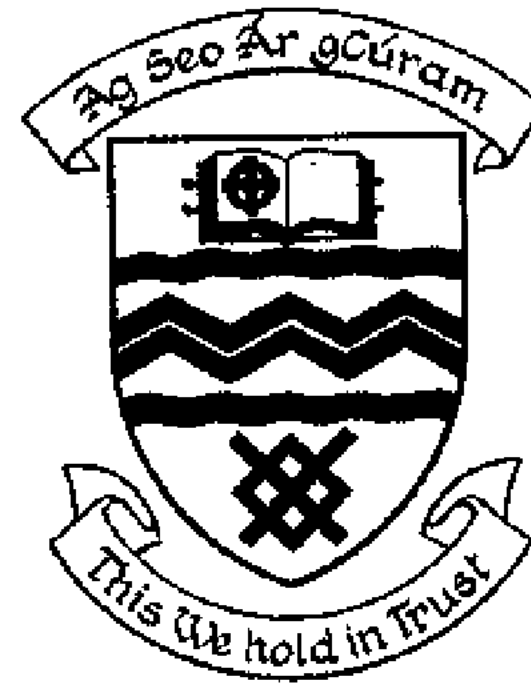
Reason: It is considered reasonable that the developer should contribute towards the expenditure that was and/or that is proposed to be incurred by the planning authority in respect of works facilitating the proposed development.



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

Dated this 2nd day of October 2000.

SOUTH DUBLIN COUNTY COUNCIL
COMHAIRLE CHONTAE ÁTHA CLIATH THEAS



Bosca 4122,
Lár an Bhaile, Tamhlacht,
Baile Átha Cliath 24.

Telefon: 01-414 9000
Facs: 01-414 9104

**PLANNING
DEPARTMENT**
P.O. Box 4122,
Town Centre, Tallaght,
Dublin 24.

Telephone: 01-414 9000
Fax: 01-414 9104

NOTIFICATION OF DECISION TO REFUSE PERMISSION
LOCAL GOVERNMENT (PLANNING AND DEVELOPMENT) ACTS, 1963 TO 1993

Decision Order Number 0114	Date of Decision 20/01/2000 <i>LM</i>
Register Reference S99A/0826	Date 22/11/99

Applicant Choragus Ltd.,
Development To demolish two dwellings and construct two blocks for
office based industry.
Location 4 and 5 Ballymount Road Upper, Dublin 24.

Floor Area Sq Metres

Time extension(s) up to and including

Additional Information Requested/Received /

Clarification of Additional Information Requested/Received /

In pursuance of its functions under the above mentioned Acts, the South Dublin County Council, being the Planning Authority for the County Health District of Dublin, did by Order dated as above make a decision to **REFUSE PERMISSION** in respect of the above proposal.

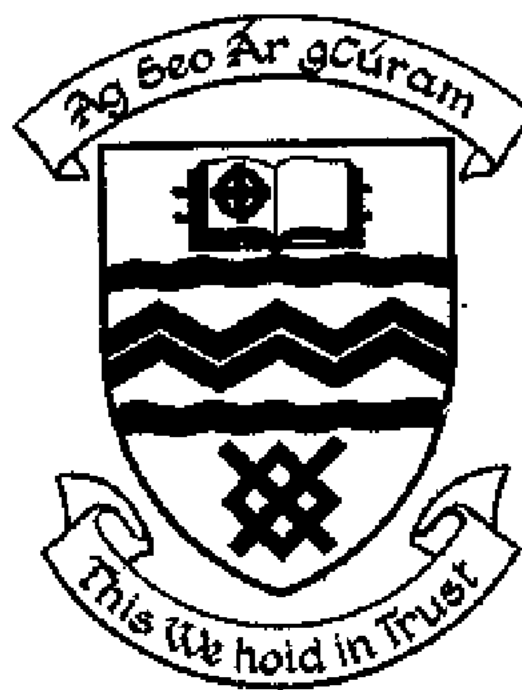
for the (2) Reasons on the attached Numbered Pages.

Signed on behalf of the South Dublin County Council

LM
..... 20/01/00
for SENIOR ADMINISTRATIVE OFFICER

Mark O'Reilly & Associates,
Greenmount House,
Harolds Cross Road,
Dublin 6W.

SOUTH DUBLIN COUNTY COUNCIL
COMHAIRLE CHONTAE ÁTHA CLIATH THEAS



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REG REF. S99A/0826

Reasons

- 1 The proposed development involves the loss of existing dwellings and as such is contrary to Section 2.2.3, Policy R3, of the South Dublin County Development Plan 1998 which states that it is the policy of the Council to conserve the existing housing stock of the County wherever possible.
- 2 The proposed development would leave the existing semi detached dwellings, numbers 3 and 6 Ballymount Road Upper, as detached dwellings. The application includes no satisfactory information on the proposed means of protecting the structural stability and integrity of these dwellings or to indicate their structural suitability to be left as detached dwellings. As such the proposed development would seriously injure the amenities and depreciate the value of property in the vicinity.