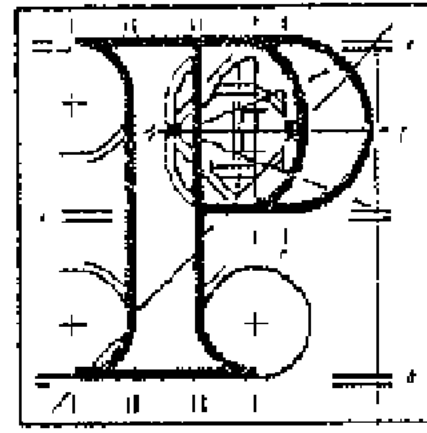


	South Dublin County Council Local Government (Planning & Development) Acts 1963 to 1993 Planning Register (Part 1)	Plan Register No. S99A/0821	
1. Location	9 St. Mary's Avenue, Rathfarnham, Dublin 14.		
2. Development	New two storey dwelling.		
3. Date of Application	19/11/99	Date Further Particulars (a) Requested (b) Received	
3a. Type of Application	Permission	1. 2.	1. 2.
4. Submitted by	Name: De Blacam & Meagher Architects, Address: 29 Raglan Road, Dublin 4.		
5. Applicant	Name: Mr. Fergal Duffy, Address: 9 St. Mary's Avenue, Rathfarnham, Dublin 14.		
6. Decision	O.C.M. No. 0070 Date 17/01/2000	Effect RP REFUSE PERMISSION	
7. Grant	O.C.M. No. Date	Effect RP REFUSE PERMISSION	
8. Appeal Lodged	16/02/2000	Written Representations	
9. Appeal Decision	14/06/2000	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/0821

APPEAL by Fergal Duffy care of deBlacam and Meagher of 29 Raglan Road, Dublin against the decision made on the 17th day of January, 2000 by the Council of the County of South Dublin to refuse a permission for development comprising the erection of a two-storey house at 9 Saint Mary's Avenue, Rathfarnham, 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 said plans and particulars, 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 setback and design of the proposed house at this end of terrace site, it is considered that, subject to compliance with the conditions as 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, therefore, be in accordance with the proper planning and development of the area.

SECOND SCHEDULE

1. The external finish of the proposed house shall be brick. Prior to commencement of development, details of the type, size and colour of brick shall be submitted to the planning authority for agreement.

Reason: In the interest of the visual amenity of the area.

2. The proposed terrace at first floor level shall have suitable screening in obscure glazing or other suitable material at its eastern side to a height of two metres. Prior to commencement of development, details of this screening shall be submitted to the planning authority for agreement.

Reason: In the interest of the residential amenity of adjoining property.

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3. Prior to commencement of development, a landscaping scheme shall be submitted to the planning authority for agreement. This scheme shall include details of all existing trees and shrubs on the site, specifying those proposed for retention, together with measures for their protection during the period in which the development is carried out. The site shall be landscaped in accordance with the agreed scheme, which shall also include a timescale for implementation.

Reason: In the interest of visual amenity.

4. 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.

5. All service cables associated with the proposed development (such as electrical, communal television, telephone and public lighting cables) shall be run underground within the site.

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

6. 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.

Michael P. Wall

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

Dated this 14th day of June 2000.

	South Dublin County Council Local Government (Planning & Development) Acts 1963 to 1993 Planning Register (Part 1)	Plan Register No: S99A/0821	
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6. Decision	O.C.M. No. 0070 Date 17/01/2000	Effect RP REFUSE PERMISSION	
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9. Appeal Decision			
10. Material Contravention			
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12. Revocation or Amendment			
13. E.I.S. Requested	E.I.S. Received	E.I.S. Appeal	
14. Registrar	 Date	 Receipt No.	

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 0070	Date of Decision 17/01/2000
Register Reference S99A/0821	Date 19/11/99

Applicant Mr. Fergal Duffy,
Development New two storey dwelling.
Location 9 St. Mary's Avenue, Rathfarnham, Dublin 14.

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 (1) Reasons on the attached Numbered Pages.

Signed on behalf of the South Dublin County Council

.....
for SENIOR ADMINISTRATIVE OFFICER

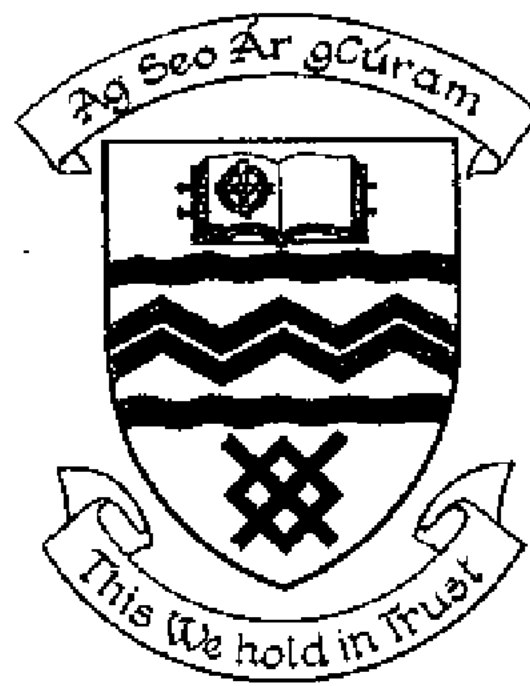
17/01/00

De Blacam & Meagher Architects,
29 Raglan Road,
Dublin 4.

SOUTH DUBLIN COUNTY COUNCIL
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REG REF. S99A/0821

Reasons

- 1 The proposed development does not meet the requirements of Section 3.4.13.i of the South Dublin County Development Plan, 1998 in respect of development of corner and side garden sites in that the proposed design does not integrate with the style of adjoining development and would have an adverse impact on the character of the streetscape to the detriment of visual amenity. As such the proposed development would seriously injure the amenities and depreciate the value of property in the vicinity.