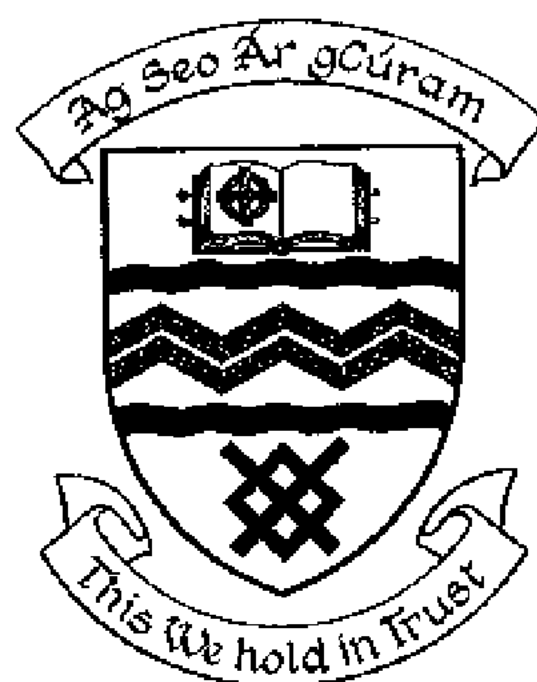


	South Dublin County Council Local Government (Planning & Development) Acts 1963 to 1993 Planning Register (Part 1)	Plan Register No. S99A/0782	
1. Location	No. 2 Tower Road, Clondalkin, Dublin 22.		
2. Development	Change of use to the ground floor of a two storey residential property to office use with provision of a residential apartment to the first floor, single storey rear office extension, removal of existing garage, side addition and rear workshops/stores, associated site works and provision of 5 car spaces to the front.		
3. Date of Application	05/11/99	Date Further Particulars (a) Requested (b) Received	
3a. Type of Application	Permission	1. 25/11/1999 2.	1. 07/12/1999 2.
4. Submitted by	Name: McBains Cooper, Address: 41 Fitzwilliam Place, Dublin 2.		
5. Applicant	Name: Philip Brennan, Address: 2 St. Patrick's Avenue, Clondalkin, Dublin 22.		
6. Decision	O.C.M. No. 0196 Date 03/02/2000	Effect RP REFUSE PERMISSION	
7. Grant	O.C.M. No. Date	Effect RP REFUSE PERMISSION	
8. Appeal Lodged			
9. Appeal Decision			
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.			

SOUTH DUBLIN COUNTY COUNCIL
COMHAIRLE CHONTAE ÁTHA CLIATH THEAS

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Lár an Bhaile, Tamhlacht,
Baile Átha Cliath 24.

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

Decision Order Number 0196	Date of Decision 03/02/2000 <i>LM</i>
Register Reference S99A/0782	Date 05/11/99

Applicant Philip Brennan,

Development Change of use to the ground floor of a two storey residential property to office use with provision of a residential apartment to the first floor, single storey rear office extension, removal of existing garage, side addition and rear workshops/stores, associated site works and provision of 5 car spaces to the front.

Location No. 2 Tower Road, Clondalkin, Dublin 22.

Floor Area Sq Metres

Time extension(s) up to and including

Additional Information Requested/Received 25/11/1999 /07/12/1999

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 (6) Reasons on the attached Numbered Pages.

Signed on behalf of the South Dublin County Council

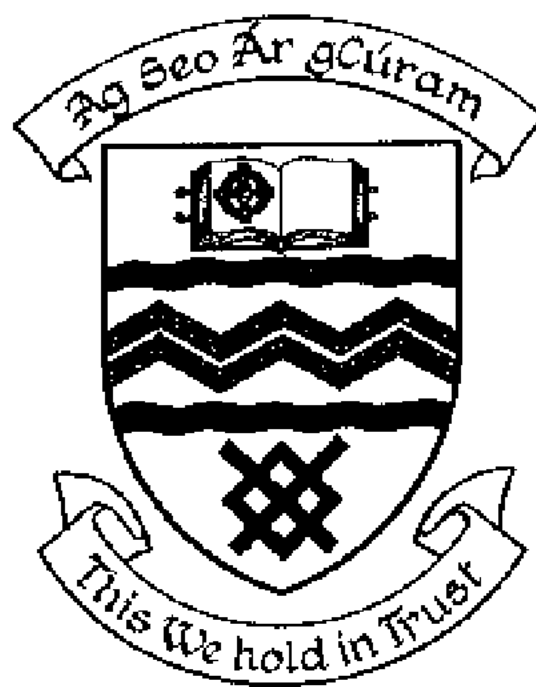
LM
..... 03/02/00
for SENIOR ADMINISTRATIVE OFFICER

McBains Cooper,
41 Fitzwilliam Place,
Dublin 2.

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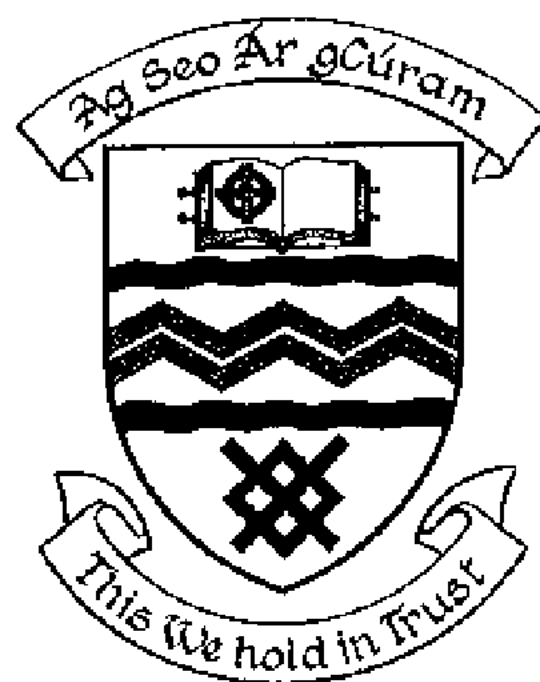
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Reasons

- 1 The proposed development would materially contravene zoning objective A of the South Dublin County Development Plan 1998 "to protect and or improve residential amenity". The office content of the proposed development is in excess of the maximum limit open to consideration within areas containing this zoning objective.
- 2 The proposed development, by itself or by the precedent which the grant of permission for it would set for other similar development, would lead to the erosion of the remaining residential housing stock along Tower Road. The protection of this attractive row of dwellings and the encouragement to retain a residential presence in the village centre after commercial closing hours, is vital to the long term sustainable regeneration of Clondalkin Village. Therefore, the conversion of an existing dwelling into a predominantly commercial orientated premises is contrary to the proper planning an development of the area.
- 3 The proposed development would materially contravene the policies of the South Dublin County Council Development Plan 1998 regarding the conservation of the existing housing stock of the County where ever possible and to protect and improve residential amenities in existing residential areas. Policy 2.2.3(ii) of the current Development Plan states that the implementation of this policy will involve the use of the Council's powers under planning legislation to curtail the change of use of existing housing to other uses and to prevent any new development or change of use which would seriously reduce the amenity of nearby dwellings. Therefore, the proposed development would be contrary to this policy.
- 4 The proposed development would materially contravene development control objective 3.3.4 of the South Dublin County Council Development Plan 1998 covering development in conservation areas. This objective states that any new development or alterations to the existing fabric of the area will be considered in relation to the particular features of the conservation area. It is noted that the proposed development is located within a conservation area.

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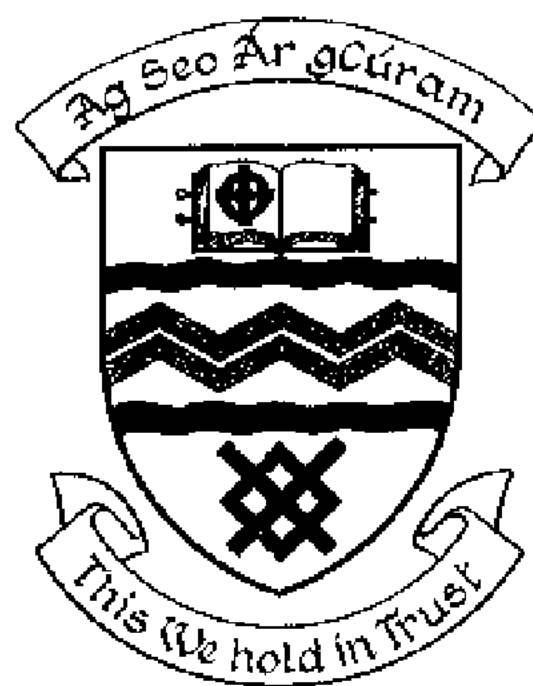
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It is considered that the existing fabric of that part of Tower Road zoned Objective A, is still primarily one of large residential properties with large front and rear gardens planted with mature trees. The proposed development would therefore be injurious to this existing fabric and contrary to the proper planning and development of the area.

- 5 The proposed development would materially contravene the policies of the South Dublin County Council Development Plan 1998 regarding the provisions of home based economic activities. Policy 2.2.8(i) of the current Development Plan in particular states that home based economic activities are small scale commercial and professional activities in nature, carried out by residents of the dwelling, and are subordinate to the main use of the property as residential accommodation. It is considered that the residential element of the proposed development, as indicated in drawings submitted with the application, would be subordinate to the main use of the dwelling as a commercial enterprise.
- 6 The proposed development, its associated car parking arrangements and extension to the rear, as indicated on drawings submitted with this application, would have a negative impact on neighbouring residential properties in the vicinity and would thus seriously injure the amenities, or depreciate the value, of property in the vicinity.

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LOCAL GOVERNMENT (PLANNING AND DEVELOPMENT) ACTS, 1963 TO 1993

Order Number 2575	Date of Order 25/11/1999
Register Reference S99A/0782	Date 05/11/99

Applicant Philip Brennan,

Development Change of use to the ground floor of a two storey residential property to office use with provision of a residential apartment to the first floor, single storey rear office extension, removal of existing garage, side addition and rear workshops/stores, associated site works and provision of 5 car spaces to the front.

Location No. 2 Tower Road, Clondalkin, Dublin 22.

Dear Sir/Madam,

An inspection carried out on 22/11/99 has shown that the site notice erected in respect of your planning application does not comply with the requirements of the Local Government (Planning and Development) Regulations, 1994 as the notice is not legible from the public road. Before this application can be considered, you must erect a new notice on the site or structure, and submit the following to this Department:

- (a) two copies of the text of the notice
- (b) two plans showing the position of the notice on the land or structure
- (c) a statement of the date on which the notice is erected

The notice must be maintained in position for at least one month and must fulfill the following conditions:-

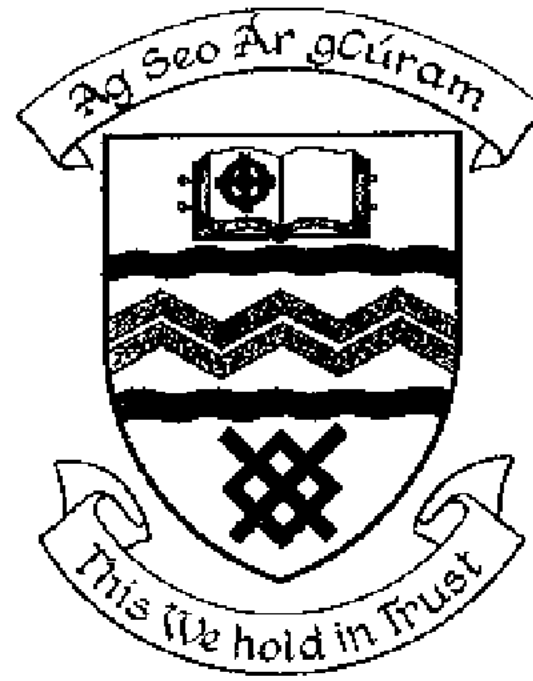
- 1. Must be durable material
- 2. Must be securely erected in a conspicuous position easily visible and legible

McBains Cooper,
41 Fitzwilliam Place,
Dublin 2.

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by persons using the public road

3. Must be headed "Application to Planning Authority".
4. Must state:

- (a) Applicant's name
- (b) whether application is for Permission, Outline Permission, or Approval.
- (c) nature and extent of development including number of dwellings (if any)
- (d) that the application may be inspected at the Planning Department, South Dublin County Council, Town Centre, Tallaght, Dublin 24.

No further consideration will be given to this application until you comply with these requirements.

Yours faithfully,

MA
.....
for Senior Administrative Officer.

25/11/99