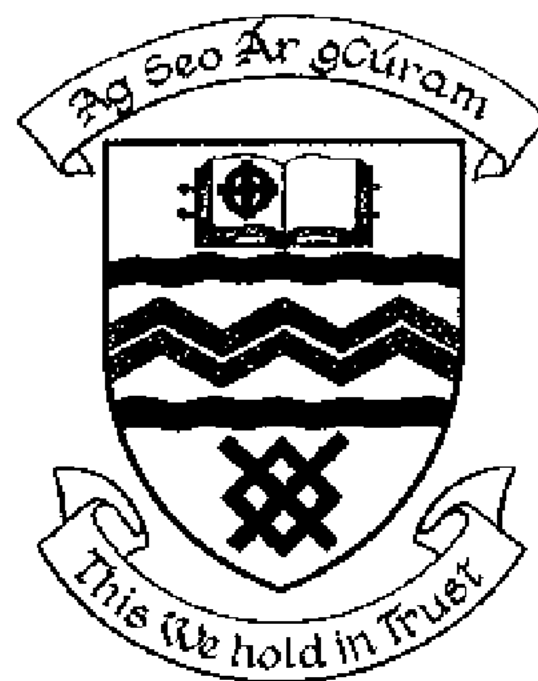


	South Dublin County Council Local Government (Planning & Development) Acts 1963 to 1993 Planning Register (Part 1)	Plan Register No. S99A/0544	
1. Location	39-41 Butterfield Avenue, Rathfarnham, Dublin 14.		
2. Development	Demolition of existing 2 storey residences, provision of 5 no. 2 bedroom apartments and 5 no. 1 bedroom apartments in part 2 storey and in part 3 storey building, provision of 10 car parking spaces, relocation of existing entrances together with ancillary site and external works.		
3. Date of Application	05/08/99	Date Further Particulars (a) Requested (b) Received	
3a. Type of Application	Permission	1. 2.	1. 2.
4. Submitted by	Name: Gerard Higgins, Address: Consulting Engineer, Ballintесkin,		
5. Applicant	Name: James and Frank Maguire, Address: Annaghaskin, Enniskerry, Co. Wicklow.		
6. Decision	O.C.M. No. 2151 Date 01/10/1999	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



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

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**PLANNING
DEPARTMENT**
P.O. Box 4122,
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Dublin 24.

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

Decision Order Number 2151	Date of Decision 01/10/1999
Register Reference S99A/0544	Date 05/08/99

Applicant James and Frank Maguire,

Development Demolition of existing 2 storey residences, provision of 5 no. 2 bedroom apartments and 5 no. 1 bedroom apartments in part 2 storey and in part 3 storey building, provision of 10 car parking spaces, relocation of existing entrances together with ancillary site and external works.

Location 39-41 Butterfield 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 (7) Reasons on the attached Numbered Pages.

Signed on behalf of the South Dublin County Council

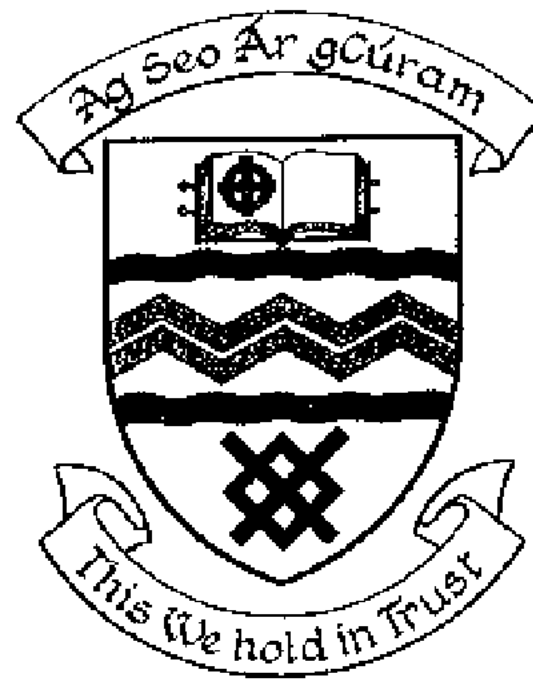
..... 01/10/99
for SENIOR ADMINISTRATIVE OFFICER

Gerard Higgins,
Consulting Engineer,
Ballintreskin,
Wicklow,
Co. Wicklow.

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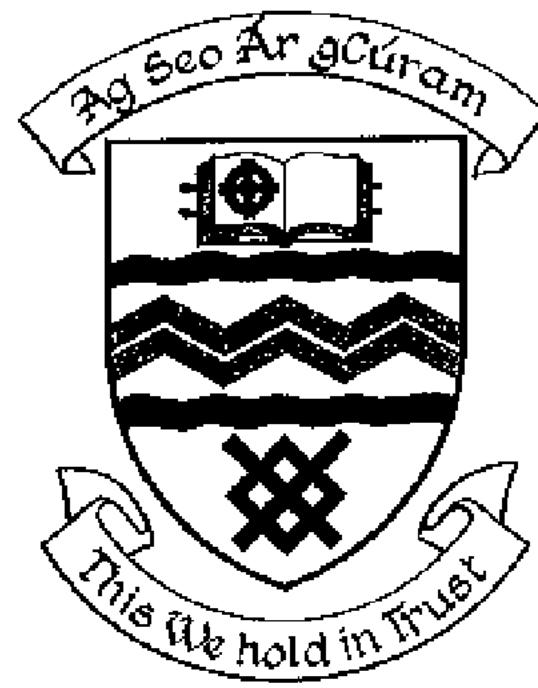
Reasons

- 1 The proposed development by reason of its nature and it's excessive scale and density would seriously alter the established character of development in this suburban area in a manner which would be seriously injurious to the amenities of property in the vicinity.
- 2 The proposed development, having regard to proposed window positions and balconies would result in an unacceptable level of overlooking of adjoining properties and would be seriously injurious to residential amenity. The proposed development would therefore materially contravene the zoning objective for the area, which is "to protect and/or improve residential amenity" and would seriously injure the amenities of property in the vicinity.
- 3 The proposed development would set an undesirable precedent for further similar developments in the area. The proposed development would therefore be contrary to the proper planning and development of the area.
- 4 The proposed development would be substandard with regard to off-street parking facilities. The proposed development would therefore lead to on-street parking adjacent to a junction which would endanger public safety by reason of a traffic hazard and/or obstruction to road users.
- 5 The proposed development has made no provision for fuel storage, clothes drying and cycle storage, facilities which are considered fundamental to the basic amenities of the development. The proposed development would be contrary to the provisions of the Development Plan in this regard as set out at Section 3.4.17 of the written statement and would be contrary to the proper planning and development of the area.
- 6 The proposed development would be contrary to the Draft Guidelines for Planning Authorities on Residential Density (PD 4/98) as the high density proposed would be achieved at an unacceptable amenity cost to the existing adjoining residents and the future residents of the proposed development.

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- 7 The proposed bin storage area and common patio area would be poorly related to the existing residential property to the north and as such would seriously injure the amenities of property in the vicinity.