

	South Dublin County Council Local Government (Planning & Development) Acts 1963 to 1993 Planning Register (Part 1)	Plan Register No.  S99A/0074	
1. Location	Lands to the rear of 32 Kilvere, Rathfarnham, Dublin 14.		
2. Development	1 no. detached residence.		
3. Date of Application	10/02/99	Date Further Particulars (a) Requested (b) Received	
3a. Type of Application	Permission	1. 02/03/1999 2.	1. 12/03/1999 2.
4. Submitted by	Name: Mr. Ed. Mulvey, Address: 32 Kilvere, Rathfarnham,		
5. Applicant	Name: Mr. Edwin Mulvey, Address: 2 Kilvere, Rathfarnham, Dublin 14.		
6. Decision	O.C.M. No. 0889  Date 29/04/1999	Effect RP REFUSE PERMISSION	
7. Grant	O.C.M. No. Date	Effect RP REFUSE PERMISSION	
8. Appeal Lodged	28/05/1999	Written Representations	
9. Appeal Decision	27/09/1999	Refuse 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/0074

**APPEAL** by Edwin Mulvey care of Anthony Cotter of 36 Main Street, Blackrock, County Dublin against the decision made on the 29th day of April, 1999 by the Council of the County of South Dublin to refuse permission for development comprising the erection of one detached house at lands to the rear of 32 Kilvere, Rathfarnham, County Dublin:

**DECISION:** Pursuant to the Local Government (Planning and Development) Acts, 1963 to 1999, permission is hereby refused for the said development for the reasons set out in the Schedule hereto.

## SCHEDULE

1. The proposed development, by reason of its backland location, with inadequate private open space provision for the existing dwelling and the proposed dwelling and inadequate separation from adjoining properties, would constitute substandard development, would lead to overlooking of adjoining properties and would constitute overdevelopment of the site. The proposed development would, therefore, seriously injure the amenities and depreciate the value of property in the vicinity and would, accordingly, be contrary to the proper planning and development of the area.
2. The proposed development would contravene the zoning objective for the area which is "to protect and/or improve residential amenity".



*Louis O'Leary*

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

Dated this 27th day of September 1999.

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

Decision Order Number 0889	Date of Decision 29/04/1999
Register Reference S99A/0074	Date 10th February 1999

Applicant Mr. Edwin Mulvey,  
Development 1 no. detached residence.  
Location Lands to the rear of 32 Kilvere, Rathfarnham, Dublin 14.

Floor Area Sq Metres  
Time extension(s) up to and including  
Additional Information Requested/Received 02/03/1999 /12/03/1999

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

.....  
for SENIOR ADMINISTRATIVE OFFICER 29/04/1999

Mr. Ed. Mulvey,  
32 Kilvere,  
Rathfarnham,  
Dublin 14.

SOUTH DUBLIN COUNTY COUNCIL  
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REG REF. S99A/0074

Reasons

- 1 The proposed development, by reason of its backland location, with seriously deficient private open space provision for the existing and proposed dwellings and inadequate separation from adjoining properties, would constitute sub-standard development, would lead to an unacceptable level of overlooking of adjoining properties and would constitute over-development of the subject site. As such, the proposed development would seriously injure the amenities and depreciate the value of property in the vicinity.
- 2 The proposed development would be contrary to the zoning objective for the area which is "to protect and/or improve residential amenity". The proposed development would therefore be contrary to the proper planning and development of the area.

SOUTH DUBLIN COUNTY COUNCIL  
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LOCAL GOVERNMENT (PLANNING AND DEVELOPMENT) ACTS, 1963 TO 1993

Order Number 0436	Date of Order 02/03/1999
Register Reference S99A/0074	Date 10/02/1999

Applicant            Mr. Edwin Mulvey,  
Development        1 no. detached residence.  
Location            Lands to the rear of 32 Kilvere, Rathfarnham, Dublin 14.

Dear Sir/Madam,

An inspection carried out on 15/02/99 has shown that a site notice was not erected in respect of your planning application. Before this application can be considered, you must erect a 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 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.

Mr. Ed Mulvey,  
32 Kilvere,  
Rathfarnham,  
Dublin 14.

SOUTH DUBLIN COUNTY COUNCIL  
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- (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,

*RAH*  
..... 02/03/1999  
for Senior Administrative Officer.