



Bosca 174,
P. O. Box 174,
Bloc 2, Ionad Bheatha na hEireann,
Block 2, Irish Life Centre,
Sraid na Mainistreach Iacht,
Lower Abbey Street,
Baile Atha Cliath,
Dublin 1.
Telephone: (01) 724755
Fax: (01) 724896

Honorary Secretary,
C/o 35 Moyville,
Dublin 16.

Our Ref. **Vg/LD**

Your Ref.

Date **28 May 1991**

REG.REF. 91A/0485

RE: Development at Ballyboden

Dear Sir,

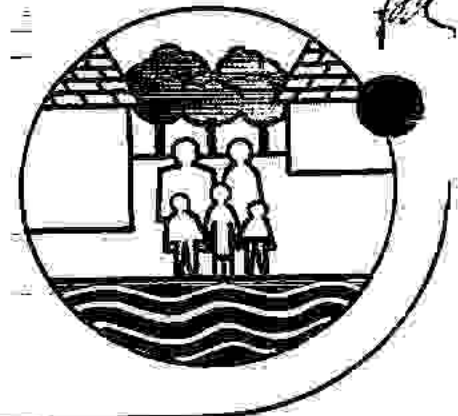
I refer to your letter received in this Department on 22nd May 1991 regarding the above and wish to inform you that a Decision to REFUSE Permission was made on this application on 22nd May 1991. An Appeal against this Decision may be made within 21 days beginning on the date of the Decision. An Appeal should be in writing and should state the subject matter and grounds of the appeal. It should be addressed to An Bord Pleanála, Block 6 & 7, Irish Life Centre, Lower Abbey Street, Dublin 1. An Appeal must be accompanied by a fee of £50.00.

Yours faithfully

for PRINCIPAL OFFICER

91A/485
339

MOYVILLE, Edmondstown Green, Edwards Court & Beechview (M.E.E.B.) RESIDENTS ASSOCIATION



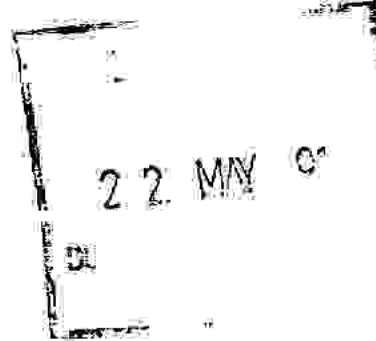
Your Ref: Reg. 91A/0485

Our Ref: RF

Date: 21/5/91

All correspondence to the
Honorary Secretary at:
35 Moyville,
Dublin 16.

Planning Department,
Dublin County Council,
Irish Life Centre,
Lr. Abbey St.,
Dublin 1.



Handwritten: 24/5

OBJECTION

RE: Proposal for 58 HOUSES by
Laradale Distribution Ltd
STOCKING LANE, BALLYBODEN

Dear Sirs,

This Association hereby objects to the above proposal to build 58 houses on a site off Stocking Lane, Ballyboden.

The Council will already be aware of our views on the condition of the road network in this area and that, primarily on this basis, we are currently appealing two other proposals for significant numbers of houses. Any extra housing will only exacerbate the hazards to road users, especially pedestrians and cyclists, until all the major deficiencies are rectified.

Indeed, there are already several housing schemes being built or yet to start and these alone will seriously worsen the existing situation. We estimate that the traffic using the Scholarstown Road/Ballyboden Road junction has increased by 50% since the last official count in late '86. This junction and the surrounding roads can only get more congested as more people discover new routes to and from the Western Parkway at Firhouse Bridge.

This Association is also opposed to any rezoning of this site and adjoining lands to permit housing. We feel that in a Dublin Region context it is not wise to facilitate more housing in far out suburbs while the city centre is in need of re-population.

We urge the Council to refuse permission in this case.

Yours sincerely,

Hon. Secretary.

FILE DISCUSSED AT COUNCIL/COMMITTEE MEETING

FILE REF: 91A 485

MEETING	COMMENTS	NOTED IN DEV. CONTROL	NOTED BY
<p>BELGARD H+P <u>23/4/91</u></p>	<p>Refusal Recommended by Cllrs Muldoon & Ormond</p>		

LOCAL GOVERNMENT (PLANNING AND DEVELOPMENT) ACTS, 1963 TO 1982

ASSESSMENT OF FINANCIAL CONTRIBUTION

REG. REF.:

CONT. REG.:

SERVICES INVOLVED: WATER/FOUL SEWER/SURFACE WATER

AREA OF SITE:

FLOOR AREA OF PRESENT PROPOSAL:

MEASURED BY:

CHECKED BY:

METHOD OF ASSESSMENT:

TOTAL ASSESSMENT

MANAGER'S ORDERED NO: R/ /
DATE

ENTERED IN CONTRIBUTIONS REGISTER:

DEVELOPMENT CONTROL ASSISTANT GRADE

FINANCIAL CONTRIBUTION :-
AMOUNT € NIL
F REFUSAL

AN BORD PLEANÁLALOCAL GOVERNMENT (PLANNING AND DEVELOPMENT) ACTS, 1963 TO 1990County DublinPlanning Register Reference Number: 91A/485

APPEAL by Laradale Distribution Limited care of Conroy Crowe Kelly of 26 Kingram Place, Fitzwilliam Square, Dublin against the decision made on the 21st day of May, 1991 by the Council of the County of Dublin to refuse permission for development comprising the erection of fifty-eight houses on lands at Airpark, Stocking Lane, Rathfarnham, Dublin:

DECISION: Pursuant to the Local Government (Planning and Development) Acts, 1963 to 1990, permission is hereby refused for the said development for the reasons set out in the Schedule hereto.

SCHEDULE

1. The site is located in an area designated in the Dublin County Development Plan, 1983 with the zoning objective "to protect and provide for the development of agriculture". This objective is considered to be reasonable. The proposed development would contravene materially that development objective indicated in the Development Plan for the use of the area primarily for agricultural purposes and would, accordingly, be contrary to its proper planning and development.
2. The proposed development includes a number of houses located less than 30 metres from the road reservation line for the proposed Southern Cross Motorway. The proposed development would therefore result in infringement of the building line determined by the planning authority for this road, which would represent substandard development and which would, thereby, be contrary to the proper planning and development of the area.
3. The proposed development would increase the number of turning movements onto Stocking Lane which is essentially a narrow rural road with no footpaths or public lighting. It would thereby endanger public safety by reason of traffic hazard with particular reference to pedestrians.

P/5758/91

6/5/86088

SCHEDULE (CONTD.)

- 4. The number of car parking spaces to be provided in connection with the proposed terraced housing is considered to be inadequate. The proposed development would therefore result in on-street parking which could give rise to traffic hazard and would be contrary to the proper planning and development of the area.



[Handwritten signature]

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

Dated this *27th* day of *November* 1991.

Order Noted: <i>L.D</i>	<i>[Signature]</i>
Dated: <i>Nov. 91</i> <i>9.12.91</i>	ASSISTANT COUNTY MANAGER
to whom the appropriate powers have been delegated by order of the Dublin City and County Manager.	
Date: <i>10th</i> day of <i>December</i> 1991	

COMHAIRLE CHONTAE ÁTHA CLIATH

Record of Executive Business and Manager's Orders

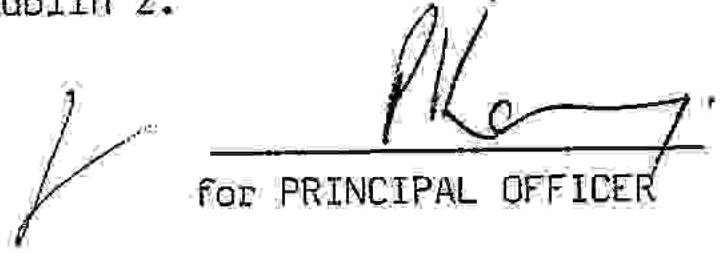
REFUND OF FEE IN CASE OF CERTAIN REPEAT APPLICATIONS

A Planning Application No. 90A/1397 for 58 houses at Airpark, Stocking Lane, Rathfarnham was received on the 2/8/90. The applicant was Laradale Distribution Ltd. a fee of £1,856 was paid (58 houses @ £32 per house) and Receipt No. N18673 issued. On the 28/9/90 this application was withdrawn.

A second planning application on the same site was made by Laradale Distribution Ltd. on the 28/3/91 - Reg.Ref. No. 91A/0485. A fee of £1,856 (58 houses @ £32 per house) was paid and Receipt No. N35033 issued. A decision to Refuse permission was made on the second application on the 21/5/91.

A letter was received on the 27/6/91 from Conroy Crowe Kelly Architect, agents for the applicant, claiming a refund.

As this claim complies with Article 10 of the Local Government (Planning and Development)(Fees) Regulations 1984, I recommend that a refund of £1,392 be made to Laradale Distribution Ltd., c/o Conroy Crowe, Kelly Architects, 26 Kingram Place, Fitzwilliam Square, Dublin 2.


FOR PRINCIPAL OFFICER

RW - ORDER; That a refund of £1,392 be paid to Laradale Distribution Ltd.
Dated; 11 July, 1991


ASSISTANT CITY & COUNTY MANAGER

to whom the appropriate powers have been delegated by order of the Dublin City and County Manager dated 8/7/91.

PK

CONROY CROWE KELLY
ARCHITECTS

26 KINGRAM PLACE, FITZWILLIAM SQUARE, DUBLIN 2 613990 613991 Fax 765715

BARRE CONROY Dip Arch
MICHAEL CROWE BArch
DANIEL KELLY BArch

Our Ref: 9024 MC/AK.

The Planning Fees Section,
Planning Department,
Dublin County Council,
Block 2,
Irish Life Centre,
Lower Abbey Street,
Dublin 1.

Handwritten: 28/6

26th June, 1991.

**RE: PROPOSED DEVELOPMENT OF 58 HOUSES ON LANDS AT AIRPARK,
STOCKING LANE, RATHFARHAM, DUBLIN 16.**

CLAIM FOR PLANNING FEE REFUND.

Dear Sirs,

We refer to the above development for which two consecutive Planning Applications were made.

The first application, Register Reference: 90A/1397, for 58 houses, was made on 2 August 1990 and withdrawn by the applicant on the 28 September 1990. A reapplication for the 58 houses was made on the 28 March 1991 and a decision, Order No. P/2252/91 was made on 21 May 1991.

We formally request therefore that a refund be made in respect of the relevant Planning fee. The fee, in each case, was in the sum of £1856.

We look forward to hearing from you. If you have any queries please phone.

Yours faithfully,

Handwritten signature: Michael Crowe

Michael Crowe.

CONROY CROWE KELLY ARCHITECTS.

Handwritten: 91A/485

Stamp: 27 JUN 91

cc Gannon Homes Ltd.

John Tommary
Mr. Jack P. Ware,

Acting Draughtsman/Technician Grade 1
.....

I attach, herewith, files Reg.Ref.'s 90A/1397 & 91A/0485.

Please let me know if Building Eye-Less Application Reg.Ref. ... 91A/0485.....

relates: (a) to development of the same character or description as the

development to which the earlier application related, and

(b) relates to land substantially consisting of the site or part

of the site to which the earlier application related.

(a) Yes
(b) Yes

J.Y. 3/7/91

ARTICLES 7,8,9, - LOCAL GOVERNMENT (PLANNING AND DEVELOPMENT) (FEES AND AMENDMENT)
REGULATIONS, 1983

REFUND OF FEE IN CASE OF CERTAIN REPEAT APPLICATION

RE: 58 houses at Quispark Stocky Lane
Rathfarnham

REG. REF.: 91A/0485

A Claim for a refund under the above regulations has been made in respect of the above Planning Application. Please let me have your report on question 4 as listed below.

Files Reg. Ref. 91A/0485 & 90A/1397 are attached.

1. Date of decision 21/may/91
2. Date of claim for refund received: 3/6/91
3. Is second application made by or on behalf of the same applicant :- yes
4. Does it relate to development of the same character or description:-
Decided as first
5. Date of withdrawal or determination of first application:- Application withdrawn 28/9/90
6. Fee paid on first application:- 1856

Refund of Fee in case of certain Repeat Applications

Current

Utd

A Planning Application No. 904/1397 for 58 houses at Stociny Lane at Rathfarnham was received on the 2/ Aug / 90. The applicant was Karadale Distribution a fee of £1856 was paid, and Receipt No. N 18673 issued. On the 28/9/90 a decision to refuse was made on the 28/9/90 for this development was made.

A second Planning Application on the same site was made by Karadale Distribution Utd on the 28/3/91. (Reg. Ref. 58 houses @ 432 per house) No. 91A/0485. A fee of £1856 was paid and Receipt No. N.35033 issued. A decision to refuse was made on the second application on the 21 May 91.

A letter was received on the 27/6/91 from Conroy Crave Kelly Architects claiming a refund.

As this claim complies with Articles 7, 8 and 9 of the Local Government (Planning and Development) - (Fees and Amendment) Regulations 1984 I recommend that a refund of £1392.00 be made to Karadale Distribution Utd.

10
U/O Conroy Crave, Kelly Architects
26 Kingrom Place,
Fitzwilliam Sq
 for Principal Officer.

ORDER: That a refund of £1392 be paid to Karadale Distribution Utd

Dated: 1985.

ASSISTANT CITY AND COUNTY MANAGER

to whom the appropriate powers have been delegated by order of the Dublin City and County Manager dated

c

c o

DUBLIN COUNTY COUNCIL

REG. REF:

91A/485.

LOCATION:

Airpark, Stocking Lane, Rathfarnham.

APPLICANT:

Laradale Distribution Ltd.

PROPOSAL:

58 Houses.

DATE LODGED:

28.3.91.

PLANNING DEPT. 8.06
DEVELOPMENT CONTROL SECT
14.4.91

Previous application on the site (Reg. Ref: 90A/1397) was withdrawn. The site is located just inside the Motorway ring with the southern side boundary on the Motorway Reservation Line. The 30m building line set back from the motorway is being slightly infringed by a number of houses in the proposal. Roads were concerned with this, the location of a "cross-roads" inside the main access, plus the inadequate hammerheads.

Current proposal infringes the Motorway building line by between 1 and 3m. The minor cross-roads inside the estate is still as it was in the previous lodgement. It is recognised that to provide for a road access at the proposed location (which is the optimum in the short and long term) it is very difficult to provide an alternative to the proposal lodged. It is also noted that the numbers of houses on each of the side roads are low (5 and 8 with the lower number on the right turn (turn manoeuvre)).

The proposal cannot provide for pedestrian facilities along Stocking Lane to Scholarstown Road beyond his site boundary. Roads have expressed reservation about the lack of pedestrian provision on this road in reference to the Ballymore homes site (90A/5031).

Roads are also concerned about the Motorway building line. Particularly in the Scholarstown area the building setback is under severe pressure. Roads Department feel the 30m setback is a minimum standard.

The site is part of the Scholarstown area inside the Motorway ring.

Roads require a submission of Additional Information showing:-

1. Full setback from the Motorway Reservation.
2. Pedestrian provision along Stocking Lane (it should be noted that this will involve lands outside the applicant's control).
3. Applicant's willingness to contribute £1850 per house towards the provision of road network in the area (including a special contribution of £1,000 per house towards the Green Route).

EM/BMcC
9.5.91.

SIGNED: E. J. O'Connell

ENDORSED: _____

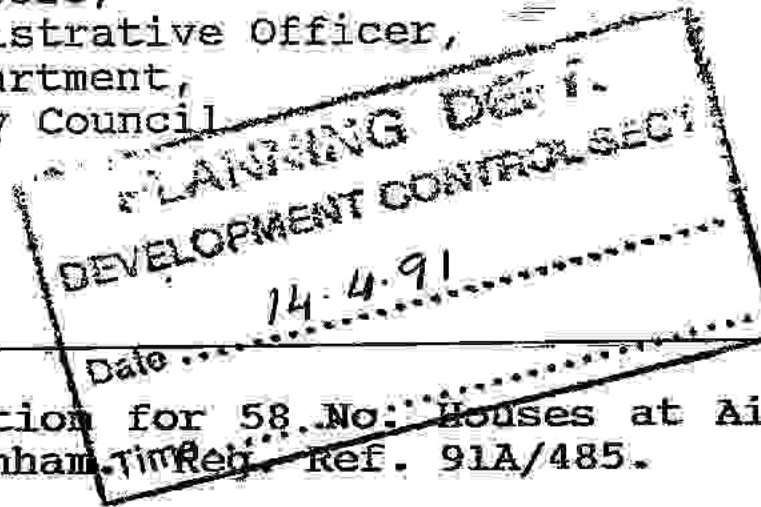
DATE: 9th May 91

DATE: _____



Bosca 174
P. O. Box 174
5 Rae Gardiner,
5 Gardiner Row,
Baile Atha Cliath 1.
Dublin 1.
Telephone. (01)727777
Fax. (01)727530

Mr. D. Drumgoole,
Senior Administrative Officer,
Planning Department,
Dublin County Council



Our Ref.
Your Ref.
Date 08.05.1991

RE: Application for 58 No. Houses at Airpark, Stocking Lane,
Rathfarnham. Tim Reg. Ref. 91A/485.

The Parks Department's comments in relation to this application are;

- 1) The open space layout as per drawing No. 9024 13 101 is totally unacceptable to this Department, as it only provides for piece-meal environmental open space. In this regard, the applicant should be requested to submit additional information outlining a more realistic approach to open space provision.
- 2) The applicant should be requested to pay a financial contribution of £1,000 per house towards the acquisition and development of Class I type open space in the area.
- 3) In view of the number and size of the trees on site, the applicant should be requested to submit a detailed tree survey indicating the location, species, age, condition, crown spread and height of tree. Information should be given on the proposals for removal/retention of these trees and measures proposed to protect them during the course of development.
- 4) That a landscape plan, specification and programme of works for the development of the open space be submitted and agreed with the Parks Department prior to the construction of any houses on site. This is to include grading, topsoiling, seeding, tree and shrub planting, etc. Alternatively, the applicant is to lodge a financial contribution of £300 per house with Dublin County Council for the development of the open space.
- 5) The applicant submit and agree details of the boundary treatment, prior to the commencement of development.

13 MAY 1991

PLANNING DEPT.
DEVELOPMENT CONTROL SEC.
Date 14.4.91
Time

DUBLIN COUNTY COUNCIL

REG. REF: 91A/485.
LOCATION: Airpark, Stocking Lane, Rathfarnham.
APPLICANT: Laradale Distribution Ltd.
PROPOSAL: 58 Houses.
DATE LODGED: 28.3.91.

Previous application on the site (Reg. Ref: 90A/1397) was withdrawn. The site is located just inside the Motorway ring with the southern side boundary on the Motorway Reservation Line. The 30m building line set back from the motorway is being slightly infringed by a number of houses in the proposal. Roads were concerned with this, the location of a "cross-roads" inside the main access, plus the inadequate hammerheads.

Current proposal infringes the Motorway building line by between 1 and 3m. The minor cross-roads inside the estate is still as it was in the previous lodgement. It is recognised that to provide for a road access at the proposed location (which is the optimum in the short and long term) it is very difficult to provide an alternative to the proposal lodged. It is also noted that the numbers of houses on each of the side roads are low (5 and 8 with the lower number on the right turn entering manoeuvre).

The proposal cannot provide for pedestrian facilities along Stocking Lane to Scholarstown Road beyond his site boundary. Roads have expressed reservation about the lack of pedestrian provision on this road in reference to the Ballymore homes site (90A/543).

Roads are also concerned about the Motorway building line. Particularly in the Scholarstown area the building setback is under severe pressure. Roads Department feel the 30m setback is a minimum standard.

The site is part of the Scholarstown area inside the Motorway ring.

Roads require a submission of Additional Information showing:-

1. Full setback from the Motorway Reservation.
2. Pedestrian provision along Stocking Lane (it should be noted that this will involve lands outside the applicant's control).
3. Applicant's willingness to contribute £1850 per house towards the provision of road network in the area (including a special contribution of £1,000 per house towards the Green Route).

EM/BMcC
9.5.91.

SIGNED: E. J. O'Connell

ENDORSED: _____

DATE: 9th May 91

DATE: _____

Urgent (SS only)

Register Reference : 91A/0485

Date : 12th April 1991

Development : 58 houses

LOCATION : Airpark, Stocking Lane, Rathfarnham

Applicant : Laradale Distribution Limited

App. Type : PERMISSION

Planning Officer : M.O'SHEE *Ext*

Date Recd. : 28th March 1991

PLANNING DEPT.
DEVELOPMENT CONTROL SECT
Date ... 27.05.91
Time ... 4.30

Attached is a copy of the application for the above development. Your report would be appreciated within the next 28 days.

Yours faithfully,

Paul Joban

DUBLIN Co. COUNCIL
23 APR 1991
SANITARY SERVICES

Date received in sanitary services

DUBLIN CO. CC
PRINCIPAL OFFICER
SANITARY SERVICES
24 MAY 1991
Returned *[Signature]*

FOUL SEWER

Refusal recommended.

- ① This site was not included in the design catchment of the Doldor Valley Sewer.
- ② The applicant has not submitted details of the proposed internal drainage infrastructure.
- ③ The applicant has not submitted details of the drainage down to the nearest public system.

SURFACE WATER

Refusal recommended

See ② and ③ above.

Note Redundant provisions to connect to the systems intervening between this development and the public sewer have not been provided.

SENIOR ENGINEER,
SANITARY SERVICES DEPARTMENT,
46/49 UPPER O'CONNELL STREET,
DUBLIN 1

[Signature]
21.5.91

J.R.
21/5/91

90A/1397

Register Reference : 91A/0485

Date : 12th April 1991

.....
ENDORSED _____

DATE _____

WATER SUPPLY.....

Water available on payment by developer of £2000/acre towards the upgrading of the watermain infrastructure. No. site construction traffic permitted to traverse the existing 375mm main from Balby Lodge to Woodtown without prior approval by the Area Engineer Sandy Ford of the protection methods proposed. Branch connections etc. James V. O'Boyle
14/5/91

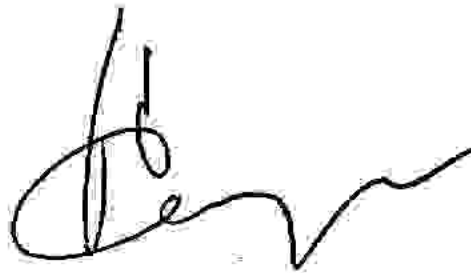
ENDORSED

J. Rice

DATE

22/5/91

for S.E.



22-5-91

PLANNING DEPT.
DEVELOPMENT CONTROL SECT
Date .. 27.05.91
Time .. 4.30

COMHAIRLE CHONTAE ÁTHA CLIATH

Record of Executive Business and Manager's Orders

Proposed 58 houses on lands at Airpark Stocking Lane, Rathfarnham, Dublin 16 for Laradale Distribution Limited.

Conroy Crowe Kelly Archs.,
26 Kingram Place,
Fitzwilliam Square,
Dublin 2.

Reg. Ref.	91A/0485.
App. Recd:	28.03.91
Floor Area:	
Site Area:	25,745 sq.m.
Zoning:	'B'

Report of the Dublin Planning Officer, dated 17 May 1991

This is an application for PERMISSION for 58 houses on lands at Airpark Stocking Lane, Rathfarnham, Dublin 16. for Laradale Construction Ltd. which is stated to have a freehold interest in the site.

A previous application for permission for 58 houses on this site lodged under Reg. Ref. 90A/1397 was withdrawn prior to its determination.

The site is zoned 'B' in the County Development Plan where it is the objective of the Planning Authority "to protect and provide for the development of agriculture". The reservation for the Southern-Cross Motorway adjoins the site immediately to the south. There is a specific objective "to protect and maintain trees and woodlands on the site". The area of the site is stated to be 25745 sq.m. (6.36 acres). The boundaries of the site are defined as follows:

- (i) a stone wall forms the roadside boundary of the site where the site adjoins Stocking Lane,
- (ii) Trees and hedgerows forms the northern boundary of the site and separates the site from the private road serving Nova Park.

The site surrounds the site of an existing nursing home (Reg. Ref. 88A/1495 and 90A/1508) and was included in the site for the nursing home which was granted permission under Reg. Ref. 88A/1495 and 90A/1508.

The present proposal is for 58 houses on a 6.3 acre site resulting in a density of 9.2 houses per acre.

House types proposed include a mixture of semi-detached, detached and terraced houses.

The public open space provided for measures 1.47 acres in total and is fragmented throughout the development.

Over

COMHAIRLE CHONTAE ÁTHA CLIATH

Record of Executive Business and Manager's Orders

Proposed 58 houses on lands at Airpark Stocking Lane, Rathfarnham, Dublin 16 for Laradale Distribution Limited.

Several of the houses have inadequate private open space provided for to the rear. The required 2.3 metre distance between flank walls of adjoining houses has not been met in many cases. The required 30 metre building line between the proposed development and the proposed Southern Cross Motorway has not been maintained throughout the development.

The proposed development site encroaches slightly (c. 2 metres) on the reservation for the proposed Southern Cross Motorway.

Inadequate off-street car parking has been provided for in connection with the proposed terraced houses which comprise of 3 no. blocks (only one space has been provided for each residential unit here).

Access to the proposed development is onto Stocking Lane which is a narrow winding rural road without footpaths or public lighting.

The Roads Department report dated 09.05.91 notes that the proposed development infringes the 30 metre building setback for the proposed Southern Cross Motorway and that applicant can not provide for pedestrian facilities along Stocking Lane to Scholarstown Road beyond his site boundary. It recommends that additional information be requested from the application in relation to:

- (1) setback of 30 metres from the reservation line
- (2) pedestrian provision along Stocking Lane including its provision on lands outside the applicants control,
- (3) applicants willingness to contribute £1850 per house towards the provision of road network in the area.

The Sanitary Services report was unavailable at the time of writing this report. The previous Sanitary Services report on the earlier application (Reg. Ref. 90A/1397) has been noted.

The proposed development constitutes a material contravention of the 1983 County Development Plan.

I recommend that a decision to REFUSE PERMISSION be made under the Local Government (Planning and Development) Acts, 1963-1990 for the following (9) Reasons:-

1. The site is located in an area zoned in the 1983 County Development Plan "to protect and provide for the development of agricultural". The proposed development would contravene materially a development objective indicated in the 1983 Development Plan for the use primarily of this area for agricultural purposes and so would be contrary to the proper planning and development of the area.

(Over)

COMHAIRLE CHONTAE ÁTHA CLIATH

Record of Executive Business and Manager's Orders

Proposed 58 houses on lands at Airpark Stocking Lane, Rathfarnham, Dublin 16 for Laradale Distribution Limited.

2. The proposed development site appears to encroach on the reservation line for the proposed Southern Cross Motorway (by c. 1.2 metres) which is indicated as a Specific Objective in the 1983 Development Plan. The proposed development would seriously interfere with the Motorway proposal.
3. The proposed development indicates houses located less than 30m. from the Road Reservation line for the proposed Southern Cross Motorway. The proposed development would infringe the building line determined by the Planning Authority for this road and would represent substandard development.
4. The proposed development would increase the number of turning movements onto Stocking Lane which is essentially a narrow rural road with no footpaths or public lighting. The proposed development would thereby endanger public safety by reason of traffic hazard, with particular reference to pedestrians.
5. The proposed development would be premature by reference to the capacity of existing water supply and sewerage facilities being required for the prospective development of another part of the functional area of the Planning Authority as indicated in the Development Plan and the period within which this constraint may reasonably be expected to cease.
6. The proposed development is dependent on the provision of watermains and public foul and surface water services on lands outside the applicant's control.
7. Development Plan standards with regard to space about dwellings have not been met throughout the proposed development with specific reference to the provision of 10.7 metre long rear gardens and the provision of a 2.3 metre separation distance between the flank walls of adjoining houses. The proposed development would be contrary to the proper planning and development of the area.
8. Inadequate car parking provision has been provided in connection with the proposed terraced housing. The proposed development would result in on-street car parking and would be contrary to the proper planning and development of the area.

Over




COMHAIRLE CHONTAE ÁTHA CLIATH

Record of Executive Business and Manager's Orders

Proposed 58 houses on lands at Airpark Stocking Lane, Rathfarnham, Dublin 16 for Laradale Distribution Limited.

9. The proposed development would eliminate the car parking facilities ~~provided for~~ ^{proposed for} ~~and approved~~ ⁹ on the application ~~for~~ ^{the} ~~the~~ ^{the} ~~subject~~ ^{subject} ~~of~~ ^{of} ~~the~~ ^{the} ~~planning~~ ^{planning} ~~permission~~ ^{permission} by decision ~~no~~ ^{no} 7/4528/88 dated 20.12.88 (L915-88A 1495.), the proposed development would be contrary to the proper planning & development of the area, the development would thus contravene materially a condition attached to an existing permission for development (i.e. condition 4 of 88A1495).

MOS/AC

Endorsed:- 
for Principal Officer


For Dublin Planning Officer
20.5.91

Order:- Pursuant to Section 26(1) to the Local Government (Planning and Development) Acts, 1963-1990 a decision to REFUSE PERMISSION for the above proposal is hereby made by the Council for the (9) reasons set out above and PERMISSION is REFUSED accordingly.

Dated: 21 May, 1991.


ASSISTANT CITY & COUNTY MANAGER

to whom the appropriate powers have been delegated by Order of the Dublin City and County Manager, dated 26 April, 1991.

**PLANNING DEPT.
DEVELOPMENT CONTROL SECT**

Date 27.05.91
Time 4.30

Register Reference : 91A/0486

Date : 12th April 1991

Development : Retention for reconstructed house

LOCATION : Kiltalown, Jobstown, Tallaght

Applicant : A. O'Brien

App. Type : RENEWAL OF PERMISSION

Planning Officer : M. DARLEY

Date Recd. : 28th March 1991

DUBLIN COUNTY COUNCIL
23 APR 1991
ENVIRONMENT

Attached is a copy of the application for the above development. Your report would be appreciated within the next 28 days.

Yours faithfully,

Paul Galvin

PRINCIPAL OFFICER

I called to this site on Thursday 23/5/91. This house is built.

1. Additional information is required re distance of permeation areas and septic tanks from the site boundary.
2. Evidence of ~~water~~ ^{existing} potability of water supply from the well must be submitted.
3. The existing barn shed must be removed from the top of the septic tank and all drains in same made good.
4. The existing temporary supply from the group water scheme must be properly connected or discontinued.

SUPER. ENVIRON. HEALTH OFFICER,
33 GARDINER PLACE,
DUBLIN 1.

Hilary Malher

Ma Devine for
Filed - John O'Reilly, SEHO
24/5/91 ✓

DUBLIN COUNTY COUNCIL

REG. REF: 91A/485.
 LOCATION: Airpark, Stocking Lane, Rathfarnham.
 APPLICANT: Laradale Distribution Ltd.
 PROPOSAL: 58 Houses.
 DATE LODGED: 28.3.91.

Previous application on the site (Reg. Ref: 90A/1397) was withdrawn. The site is located just inside the Motorway ring with the southern side boundary on the Motorway Reservation Line. The 30m building line set back from the motorway is being slightly infringed by a number of houses in the proposal. Roads were concerned with this, the location of a "cross-roads" inside the main access, plus the inadequate hammerheads.

Current proposal infringes the Motorway building line by between 1 and 3m. The minor cross-roads inside the estate is still as it was in the previous lodgement. It is recognised that to provide for a road access at the proposed location (which is the optimum in the short and long term) it is very difficult to provide an alternative to the proposal lodged. It is also noted that the numbers of houses on each of the side roads are low (5 and 8 with the lower number on the right turn entering manoeuvre).

The proposal cannot provide for pedestrian facilities along Stocking Lane to Scholarstown Road beyond his site boundary. Roads have expressed reservation about the lack of pedestrian provision on this road in reference to the Ballymore homes site (90A/543).

Roads are also concerned about the Motorway building line. Particularly in the Scholarstown area the building setback is under severe pressure. Roads Department feel the 30m setback is a minimum standard.

The site is part of the Scholarstown area inside the Motorway ring.

Roads require a submission of Additional Information showing:-

1. Full setback from the Motorway Reservation.
2. Pedestrian provision along Stocking Lane (it should be noted that this will involve lands outside the applicant's control).
3. Applicant's willingness to contribute £1850 per house towards the provision of road network in the area (including a special contribution of £1,000 per house towards the Green Route).

EM/BMcC
 9.5.91.

SIGNED: E. Madde

ENDORSED: _____

DATE: 9th May 91

DATE: _____

20 June 1991

Seamus Brennan Esq., T.D.,
Minister for Tourism, Transport
and Communications,
Baile Atha Cliath, 2.

Dear Minister,

I wish to refer to your recent letter on behalf of the Moyville Residents Association who are objecting to an application for planning permission submitted on behalf of Laradale Distribution Ltd. for fifty-eight houses on lands at Airpark, Stocking Lane, Rathfarnham, Dublin 16.

I wish to inform you that on the 21st May, 1991 the County Council made a decision to refuse permission in respect of this proposal. A copy of the Notification of Decision to Refuse is enclosed for your information.

Yours sincerely,



for PRINCIPAL OFFICER

ENCL. 1

DD/MC



OIFIG AN AIRE TURASÓIREACHTA, IOMPAIR AGUS CUMARSAIDE
(Office of The Minister for Tourism, Transport and Communications)

BAILE ÁTHA CLIATH 2
(Dublin 2)

Telephone (01) 789522
Fax (01) 785906

Dept. Office: 767309.

Constituency Office:
9 Braemor Road, Churchtown,
Dublin 14. Tel: 95

OBJEC

29 May, 1991.

Dermot Drumgoole,
Senior Administrative Officer,
Planning Dept.,
Dublin County Council,
Block 2,
Irish Life Centre,
Lr. Abbey St.,
Dublin 1.

Dear Dermot,

I wish to formally support the objection by Moyville Resident's Association to application 91A/0485, which I understand they have outlined to you in their letter dated May 21.

The area in question is already the subject of many other recent approvals and it would be prudent to allow these approvals to be completed and the road network improved before adding further to the housing density in the area.

I would appreciate if this letter could be associated with the file and if you could let me know the decision of Dublin County council in due course.

With best wishes,

Seamus

Seamus Brennan, T.D.,
Minister for Tourism, Transport
& Communications.

31 MAY 91

WOODFIELD ESTATE

Existing Corporation
watermain

TEMPLE PROPERTIES
LTD

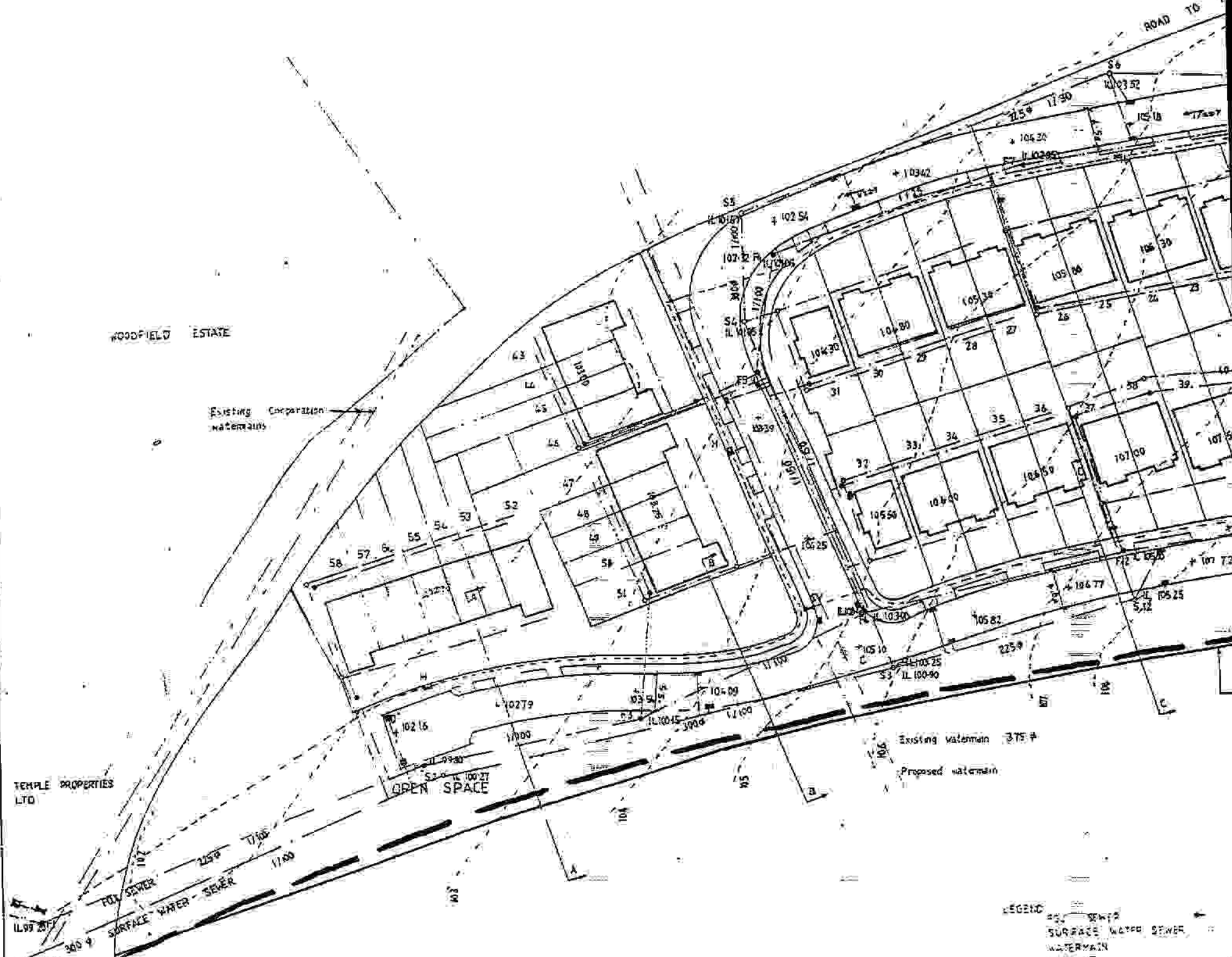
OPEN SPACE

Existing watermain 375 #
Proposed watermain

LEGEND

---	SEWER
---	SURFACE WATER SEWER
---	WATERMAIN
---	HYDRANT
---	SLUCE VALVE
---	ROAD GULLY
---	FINN LEVEL
---	INVERT LEVEL
---	FLOOR LEVEL

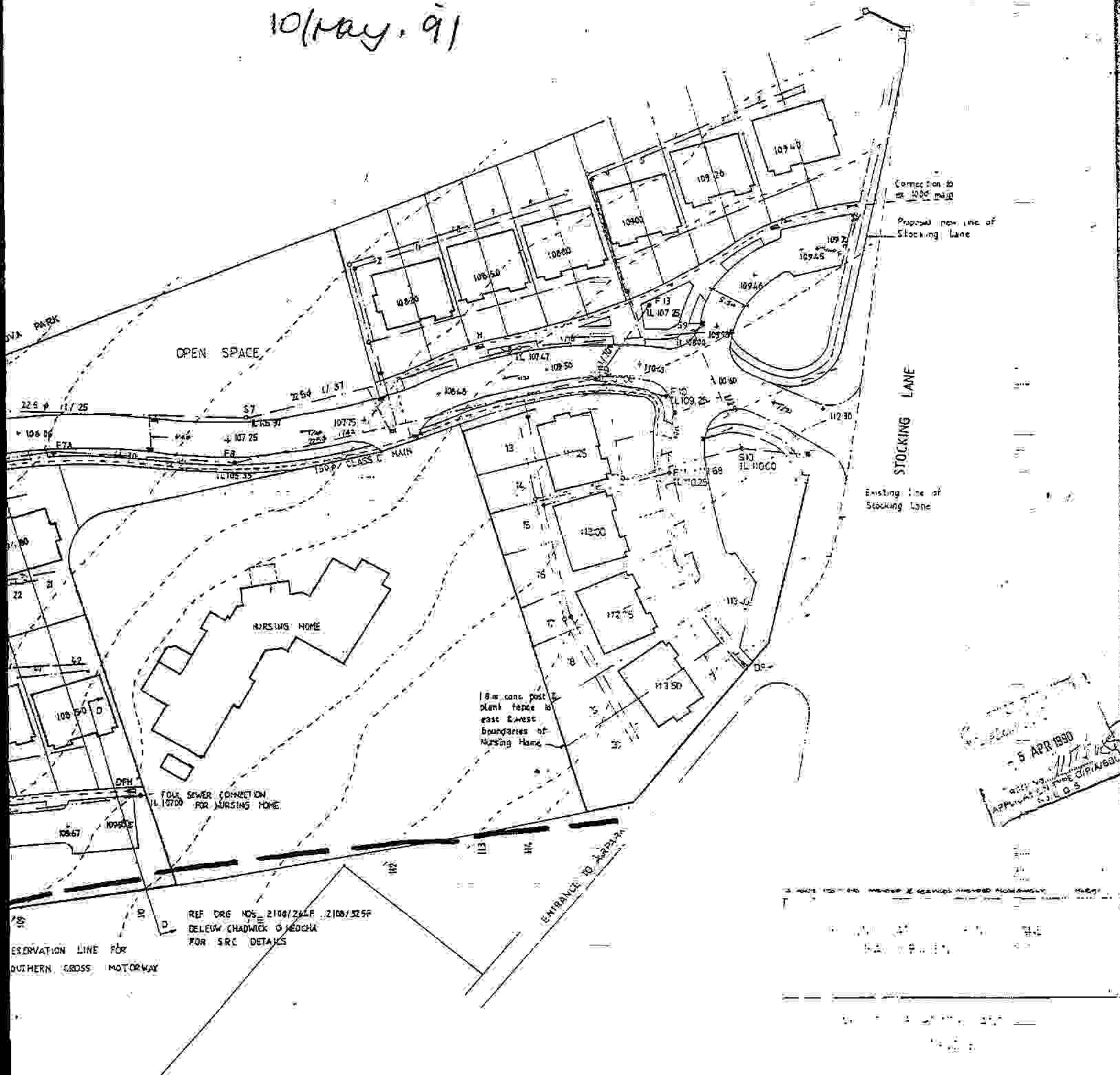
Ref DAG NO 11ES FOR
DETAILS OF SEWERS AND
WATERMAIN CONNECTIONS
TO ADJOINING DEVELOPMENT



Paul
Rhott

91A 0485

10/May. 91

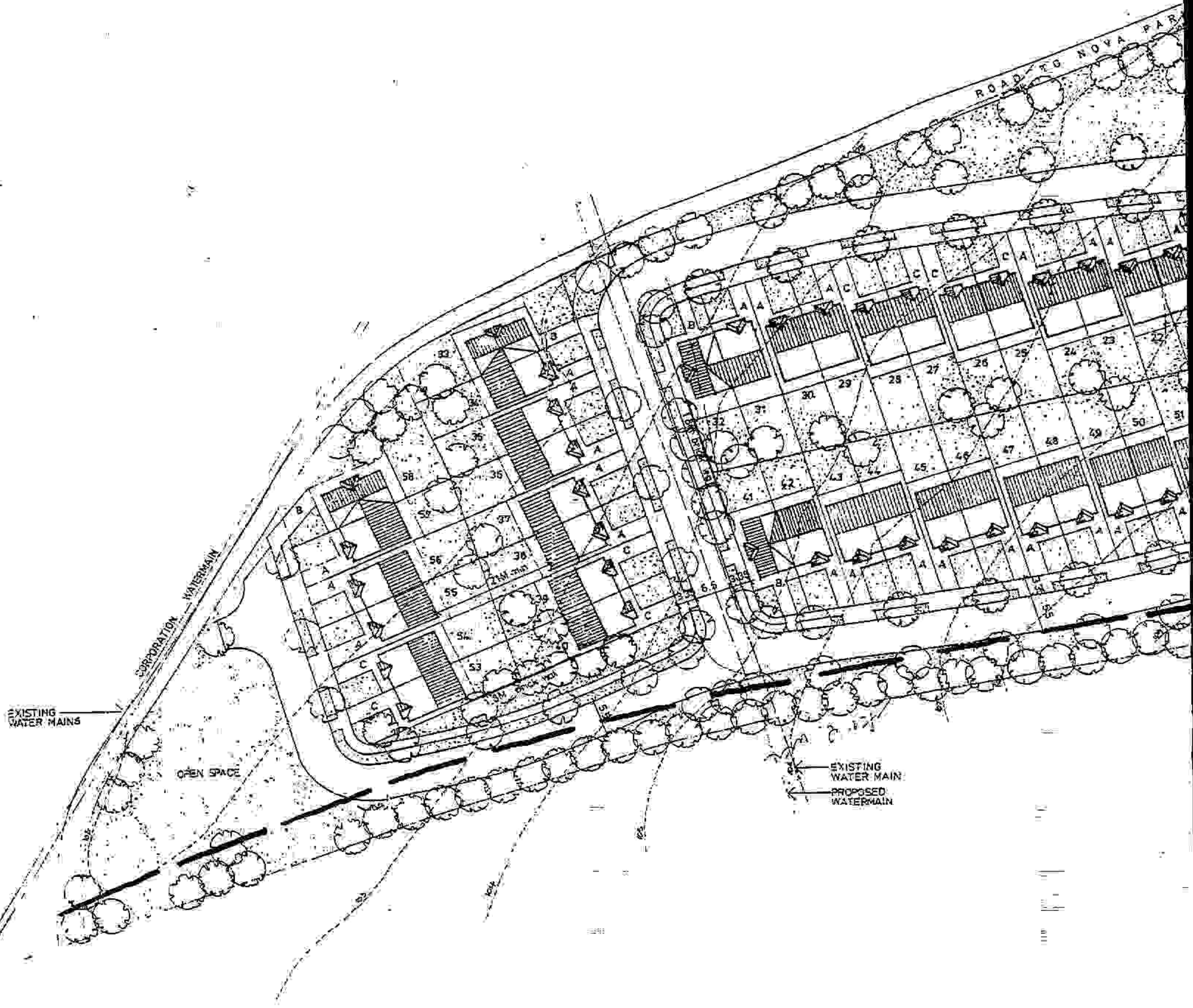
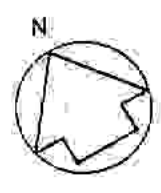


5 APR 1990
 APPROVED BY THE DIRECTOR
 S.I.L.S.

NO.	DESCRIPTION	DATE	BY
1	ISSUED FOR PERMITS	10/5/91	PAUL RHOTT
2	ISSUED FOR CONSTRUCTION	10/5/91	PAUL RHOTT
3	ISSUED FOR AS-BUILT	10/5/91	PAUL RHOTT
4	ISSUED FOR FINAL	10/5/91	PAUL RHOTT

NOTE:
 1. ALL DIMENSIONS ARE IN METERS UNLESS OTHERWISE SPECIFIED.
 2. DIMENSIONS TO BE CHECKED ON SITE.
 3. BEFORE PROCEEDING WITH WORK.
 4. CONSULT LOCAL USE ZONING REGULATIONS.

This drawing is copyright.



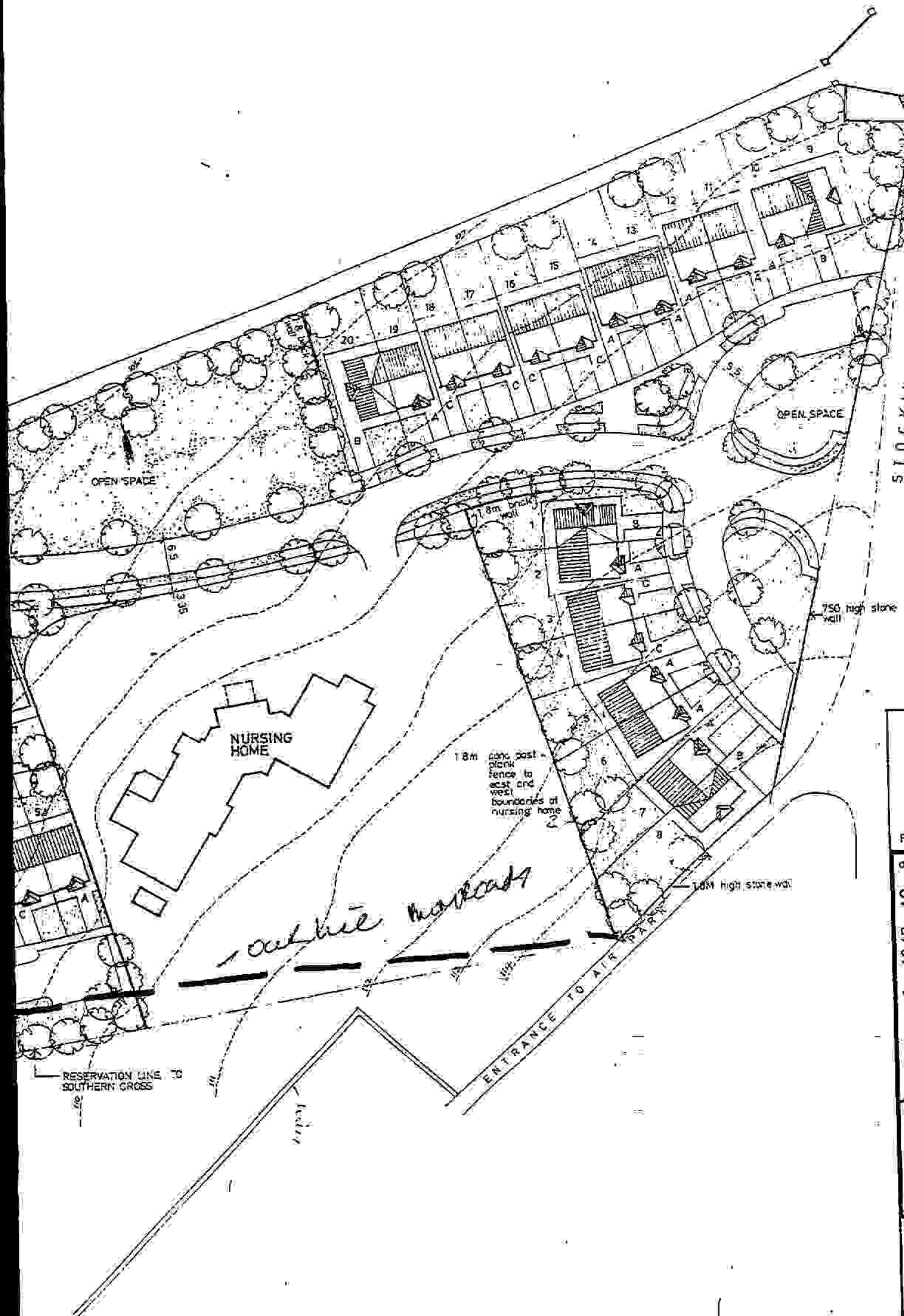
EXISTING WATER MAINS

OPEN SPACE

EXISTING WATER MAIN
PROPOSED WATERMAIN

90A 1397

- 1. Do not scale this drawing.
- 2. Errors and omissions to be immediately notified to the Architect.
- 3. All dimensions to be checked on site.



PROPOSED NEW LINE OF STOCKING LANE
EXISTING LINE OF STOCKING LANE

STOCKING LANE

OPEN SPACE

NURSING HOME

1.8m concrete post-plank fence to east and west boundaries of nursing home

750 high stone wall

1.0M high stone wall

outlet roads

ENTRANCE TO AIR PARK

RESERVATION LINE TO SOUTHERN CROSS

Revisions	date	init
DESCRIPTION	9024	D 101
<p>SITE PLAN 58 NO. 4 BED SEMI DETACHED</p>		
JOB	scale	1:500
Housing at Stocking Lane Ballyboden	date	JUNE 90
	drawn	
	checked	
client		
LARADALE DISTRIBUTION LTD.		
issue		
<p>CONROY CROWE KELLY ARCHITECTS 26 KINGRAM PLACE FITZWILLIAM SQUARE DUBLIN 2</p>		

B. Morris
10/01/04 Phone

- This land would
even ~~be~~ ^{valley} drain
into doddle valley
sew. system - which
has capacity at
present - but where
planned
capacity did not
include this site

- ∴ per should be
revised.

• review order on
drains & mains on
adjacent site - ~~site~~ -
on land outside
applicant's control

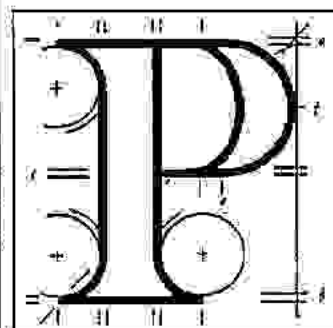
Our Ref: PL 6/5/86088
P.A. Ref: 91A/485

PA

*Re
12/11*

Dublin County Council,
Planning Department,
Block 2,
Irish Life Centre.

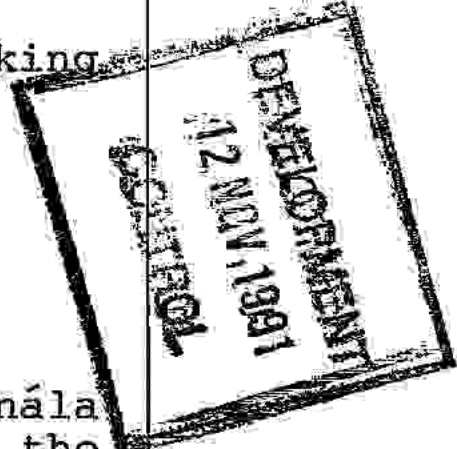
An Bord Pleanála



Date: - 8 NOV 1991

Floor 3 Blocks 6 & 7
Irish Life Centre
Lower Abbey Street
Dublin 1
tel (01) 728011

Appeal re: 58 houses on lands at Airpark, Stocking Lane, Rathfarnham, Dublin 16.



Dear Sir,

An order has been made by An Bord Pleanála determining the above-mentioned appeal under the Local Government (Planning and Development) Acts, 1963 to 1990. A copy of the order is enclosed.

Yours faithfully,

M Baxter
Miriam Baxter.

Encl.

BP 352

12/11

AN BORD PLEANÁLA

LOCAL GOVERNMENT (PLANNING AND DEVELOPMENT) ACTS, 1963 TO 1990

County Dublin

Planning Register Reference Number: 91A/485

APPEAL by Laradale Distribution Limited care of Conroy Crowe Kelly of 26 Kingram Place, Fitzwilliam Square, Dublin against the decision made on the 21st day of May, 1991 by the Council of the County of Dublin to refuse permission for development comprising the erection of fifty-eight houses on lands at Airpark, Stocking Lane, Rathfarnham, Dublin:

DECISION: Pursuant to the Local Government (Planning and Development) Acts, 1963 to 1990, permission is hereby refused for the said development for the reasons set out in the Schedule hereto.

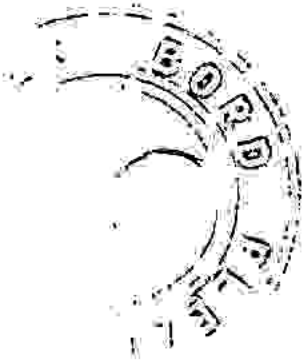
SCHEDULE

1. The site is located in an area designated in the Dublin County Development Plan, 1983 with the zoning objective "to protect and provide for the development of agriculture". This objective is considered to be reasonable. The proposed development would contravene materially that development objective indicated in the Development Plan for the use of the area primarily for agricultural purposes and would, accordingly, be contrary to its proper planning and development.
2. The proposed development includes a number of houses located less than 30 metres from the road reservation line for the proposed Southern Cross Motorway. The proposed development would therefore result in infringement of the building line determined by the planning authority for this road, which would represent substandard development and which would, thereby, be contrary to the proper planning and development of the area.
3. The proposed development would increase the number of turning movements onto Stocking Lane which is essentially a narrow rural road with no footpaths or public lighting. It would thereby endanger public safety by reason of traffic hazard with particular reference to pedestrians.

PL 6/5/86088

SCHEDULE (CONTD.)

4. The number of car parking spaces to be provided in connection with the proposed terraced housing is considered to be inadequate. The proposed development would therefore result in on-street parking which could give rise to traffic hazard and would be contrary to the proper planning and development of the area.



J. Lunny

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

Dated this *8th* day of *November* 1991.

COMHAIRLE CHONTAE ATHA CLIATH

Tel. 224755

Ext. 268/269

Planning Department,
Irish Life Centre,
Lr. Abbey Street,
Dublin 1.

Your Ref. 6/5/86088

Our Ref. 91A-485

07.02.91

An Bord Pleanála,
Blocks 6 and 7,
Irish Life Centre,
Lr. Abbey Street,
Dublin 1.

LOCAL GOVERNMENT (PLANNING & DEVELOPMENT) ACTS, 1963 TO 1983

PROPOSAL : 58 houses at Asepark, Stocking Lane,
Rathfarnham
APPLICANT : Laradale Distribution Ltd.

Dear Sir,

With reference to your letter dated 25.06.91 I enclose herewith:-

- (1) & (2) A copy of the application which indicated the applicant's interest in the land or structure.
- (3) A copy of the public notice given, i.e. IRISH PRESS 04.03.91
- (4) The plan(s) received from the applicant on 28.03.91
- (6) & (7) A certified copy of Manager's Order P/252/91 together with technical reports in connection with the application.

(8) HISTORY DOC'S; FOR 90A-1508 see 6/5/84441
88A-1495 INCLUDED

Yours faithfully,

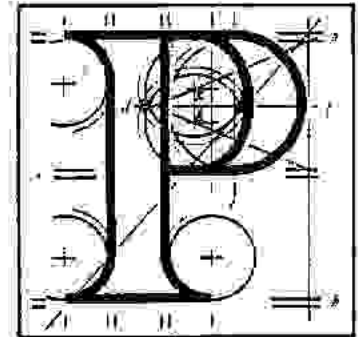
M. Murtogh
for PRINCIPAL OFFICER

Encls.

Our Ref: PL 6/5/86088
P.A. Ref : 91A/485

PK
28/6
27 JUN 91

An Bord Pleanála



Floor 3 Blocks 6 & 7
Irish Life Centre
Lower Abbey Street
Dublin 7
tel: (01) 728011

The Secretary,
Dublin County Council,
Planning Department,
Block 2,
Irish Life Centre.

Date: 25th June 1991.

Appeal re: erection of 58 houses at Airpark,
Stocking Lane, Rathfarnham, County Dublin.

Dear Sir/Madam,

An Bord Pleanála has asked me to refer to the
above-mentioned appeal.

To enable consideration of the appeal to proceed,
the following further documents are required:-

A copy of the plans, reports and Manager's Order for
88A/1495 and 90A/1508. → 6/5/8444

Would you be good enough to have these documents
forwarded with the appeal documentation please.

Yours sincerely,

Suzanne Lacey
Suzanne Lacey

BP 008

Sent
MW
02-04-91

Our Ref: PL 6/5/86088
Your Ref: 91A/485

The Secretary,
Dublin County Council,
Planning Department,
Block 2,
Irish Life Centre.

Date: 25th June 1991.

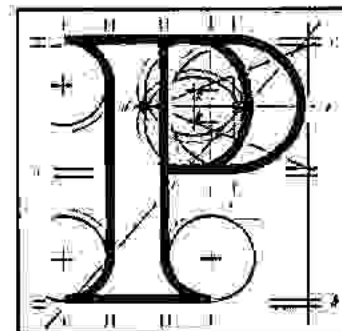
Planning authority decision re: erection of 58
houses at Airpark, Stocking Lane, Rathfarnham,
County Dublin.

Dear Sir/Madam,

Enclosed is a copy of an appeal under the Local
Government (Planning and Development) Acts, 1963 to
1990, in relation to the above-mentioned decision.
So that consideration of the appeal may proceed, you
are requested to forward to the Board within two
weeks:

- (1) The application made to the planning authority.
- (2) Particulars of the applicant's interest in the
land or structure, as supplied to the planning
authority.
- (3) A copy of the public notice, whether published
in a newspaper or on the site.
- (4) Any drawings, maps, particulars, information,
evidence or written study received or obtained
from the applicant, including the ordnance
survey number.
- (5) Copies of requests (if any) to the applicant for
further information relating to the application
under appeal and copies of reply and documents
(if any) submitted in response to such requests.
- (6) A certified copy of the relevant Manager's
Order.
- (7) Copies of any technical or other reports
relevant to the decision on the application.
- (8) Particulars and relevant documents relating to
previous decisions affecting the same site or
relating to applications for similar development
close by.

214
An Bord Pleanála



Floor 3 Blocks 6&7
Irish Life Centre
Lower Abbey Street
Dublin 1
tel (01) 728011

Please note that the other party/parties to the appeal are being notified that copies of the planning authority documents relevant to the decision which gave rise to the above-mentioned appeal will be available for inspection at your offices after the expiration of a period of fourteen days from the date of this letter. It would be appreciated if parties could be facilitated in this regard.

Copies of the representations or observations made to the planning authority in relation to the application should not be sent to the Board. It is assumed that the planning authority has notified observers of the decision made and of the right of appeal.

The planning authority may make to the Board, in writing, such observations on the appeal as it thinks fit. Where practicable, any such observations should be submitted with the documents listed above but the furnishing of the documents should not be held up until observations are available. In any event, to ensure that they will be taken into account in the determination of the appeal, any such observations should be furnished within one month of the date of this letter.

Please quote the above appeal reference number in any further correspondence.

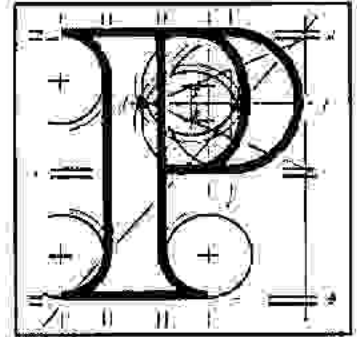
Yours faithfully,

Suzanne Lacey
Suzanne Lacey

Encl.

BP 005

An Bord Pleanála



Floor 3 Blocks 6&7
Irish Life Centre
Lower Abbey Street
Dublin 1
tel (01) 728011

Our Ref: 9024 MC/AK.

An Bord Pleanála,
Floor 3,
Blocks 5 & 7,
Irish Life Center,
Lower Abbey Street,
Dublin 1.

By Hand MH

21/6/91

£100 ea

B 23664

20th June, 1991.

RE: 58 HOUSES ON LAYDS AT AIRPARK, STOCKING LANE, RATHFARNHAM, DUBLIN 16.
REGISTER REFERENCE: 91A/0455.

Dear Sirs,

We wish to appeal the decision of Dublin County Council with regard to the above application, Decision Order P/2252/91 dated 21/05/91. We outline below our reasons for appeal with reference to Dublin County Council's refusal. It should be understood that we will need to elaborate on certain points once the Planners Report and other items of information becomes available.

REASON FOR REFUSAL NO. 1:

"The site is located in an area zoned in the 1983 County Development Plan "to protect and provide for the development of agriculture". The proposed development will contravene materially a development objective indicated in the 1983 Development Plan for the use primarily of this area for agricultural purposes and so would be contrary to the proper planning and development in the area."

It is acknowledged that the site is zoned for agricultural use in the 1983 County Development Plan, however the majority of the lands located between the proposed Southern Cross and Scholarstown Road are in the same category and it has been acknowledged from a planning point of view that these lands up to the Southern Cross Motorway are now deemed to be development land for housing purposes. Most of this land is already developed or is in the process of development. The Southern Cross is considered to be the 'urban wall' containing the city. Small pockets of agricultural land left as isolated residual areas between developed housing land and the motorway could not be considered as suitable for the development and practice of agriculture.

Cont'd.....

REASON FOR REFUSAL NO. 2:

"The proposed development site appears to encroach on the reservation line for the proposed Southern Cross Motorway (by c. 4-2 meters) which is indicated as a Specific Objective in the 1945 Development Plan. The proposed development would interfere with the motorway proposal."

The development site outlined on the drawings corresponds with and is surveyed from the existing fence line dividing the development site from the Southern Cross Reservation. This line was positioned on site by Dublin County Council or their agents and was located with reference to local ordnance. It is understood that there may be a disparity between this interpretation and later projections based on the National Grid. We enclose for your attention a letter to Ewtank Preece O'Books, Consultants to Dublin County Council, with reference to the repositioning of the Southern Cross Reservation line.

REASON FOR REFUSAL NO. 3:

"The proposed development indicates houses located less than 30 meters from the Road Reservation line for the proposed Southern Cross Motorway. The proposed development would infringe the building line determined by the Planning Authority for this road and would represent sub standard development".

It is noted that in certain instances houses are located within 30 meters of the actual reservation line. It should be noted however that the distance between the actual carriageway and the reservation line is not at constant due to local topography, and thus it has been possible for small number of houses to be slightly closer to the reservation line while maintaining the same or greater distance from the actual carriageway. The houses in question in this instance would be numbers 32, 33 and 34 which may be deemed to be 3 meters, 2 meters and 1 meter respectively too close. House No. 51 is single storey with a two meter high wall surrounding it. Furthermore the boundary of the entire site with the motorway comprising of a two meter high wall.

Cont'd/.....

REASON FOR REFUSAL NO. 4:

"The proposed development would increase the number of turning movements on Stocking Lane which is essentially a narrow rural road with no footpaths or public lighting. The proposed development would thereby endanger public safety by reason of traffic hazard with particular reference to pedestrians".

In context of the Southern Cross Motorway and the completed proper development of the area, Stocking Lane will be a suburban/transitional road for the section (in question) north of the motorway, the remainder, south of the motorway will remain a rural road. It is understood that Dublin County Council have advanced plans with regard to the provision of a footpath and lighting on Stocking Lane which will be designed to maintain the rural quality insofar as possible while meeting the suburban development requirements of the area.

REASON FOR REFUSAL NO. 5:

"The proposed development would be premature by reference to the capacity of existing water supply and sewage facilities being required for the prospective development of another part of the functional area of the Planning Authority as indicated in the Development Plan and the period in which this constraint may be reasonably expected to cease".

This site with reference to water supply and sewage facilities is being serviced through Temple Properties / Orlagh / Beverley. It is understood that there is sufficient sewage capacity and water supply available from this source.

REASON FOR REFUSAL NO. 6:

"The proposed development is dependant on the provision of watermains and public foul and surface water services on lands outside the applicants control".

Agreements are in place that this site can be serviced through Temple Properties and Orlagh etc. A copy of these agreements will be forwarded to An Bord Pleanála shortly.

REASON FOR REFUSAL NO. 7:

"Development Plan standards with regard to space about dwellings have not been met throughout the proposed development with specific reference provision of 10.7 meter long rear gardens and the provision of 2.3 meters separation distance between party walls of adjoining houses. The proposed development would be contrary to the proper Planning and Development of the area".

4.

Development standards with regard to space about dwellings have generally been met throughout.

With regard to widths it may be noted from the drawings that the site width of semi detached houses is 7.5 meters. It may be noted that on the house type drawings that the houses are dimensioned at 6.53 M wide leaving a residual 1150mm to the centre line of the side passage giving the required 2300mm from gable to gable. The roof plans indicated on the site plan allow for the overhang and this may have caused the Planning Department to underestimate the (dimensioned) gap between the houses.

The back garden lengths in general are in excess of 10.7 meters. The only exceptions to this are No. 58 which is a two bedroomed single storey house with a wider than normal garden orientated towards the side, and numbers 4 and 2 which were inadvertently shown with 10 meter gardens. There is however no restriction on the length of these plots and an amended drawing indicating these two houses with extra 700mm of rear garden will be forwarded shortly.

REASON FOR REFUSAL NO. 8:

"Inadequate carparking provision has been provided in connection with the proposed terrace housing. The proposed development would result in on-street carparking and would be contrary to the proper Planning and Development of the area."

The 1983 Development Plan requires that housing have 1 to 2 parking spaces available. The terraced houses in question are two bedroomed houses and are envisaged as starter homes and retirement homes in connection with the nursing home. In the opinion of the applicant these houses will less likely to be occupied by two car families than the four bedroomed houses for which a two car provision has been allowed. Furthermore the terraced houses are all located in areas of one sided development thus reducing the likelihood of traffic hazard in the event of onstreet parking. Additional parking bays could be provided if so required particularly in the case of the end houses, however, it would be unfortunate if an over provision of car parking spaces in lieu of landscaped area was made if it transpired that these spaces were not required. This is particularly the case with reference to houses 52 to 56 which are the only houses in the 70 meter cul de sac.

5.

REASON FOR REFUSAL NO. 9:

"The proposed development would eliminate the car parking facilities proposed and approved in the application for the nursing home which was the subject of the decision to grant Planning Permission by Decision Order P/4528/88, dated 20/12/88 (Register Ref: 88A/1495). The proposed development would be contrary to the proper Planning and Development of the area. The development would thus contravene materially a condition attached to an existing permission for development (ie. condition number 1 of 88A/1495).

A subsequent application, 90A/1508, was made with regard to the Nursing Home obtaining Permission for retention of a number of alterations to the original Planning Permission including revisions to the site layout.

We will make further comment as soon as the Planner's Report becomes available.

We enclose the appeal fee in the sum of £100.

Yours faithfully,



Michael Crowe

CONROY CROWE KELLY ARCHITECTS.

Enc.

C O N R O Y C R O W E K E L L Y
A R C H I T E C T S

26 KINGRAM PLACE, FITZWILLIAM SQUARE, DUBLIN 2 613990 613991 Fax 765715

Our Ref: 9024 MC/AK.

BASE COMED BY MR
MICHAEL CROWE KELLY
DANIEL KELLY BARR

Mr. Michael McEntee,
Ewbank Preece O'hEocha,
8 Fitzwilliam Place,
Dublin 2.

4th February, 1991.

RE: SOUTHERN CROSS RESERVATION WEST OF STOCKING LANE.

Dear Mr. McEntee,

Further to our previous conversation we note that your surveyors when setting out the Southern Cross reservation line from local features to the west of Stocking Lane came to a similar line as indicated on our drawings from the same source. It appears now that a problem has arisen as a co-ordinate based survey is at variance with lines drawn from local features.

It appears to us that your drawings are based on 1:1000 blow ups of 1:2500 scale maps, presumably checked by aerial survey.

However, we are aware from our own survey experience in the area that local 1:2500 scale maps do not tally with the situation on the ground. It should be noted that the base drawings on which these maps are founded were surveyed over 150 years ago in the pre-famine Ireland of 1837. We feel the chances of getting correspondence between this and present day technology and features indicate certain tolerance would be essential.

As you are aware 1:2500 scale maps in a rural context are not an exact science when it comes to bramble ditches etc. and to set up new lines through fields relies on a modern day exactitude somewhat at variance with the spirit in which these maps are normally interpreted.

In view of your surveyors opinion from local ordinance of where the southern cross line should be corresponding with our opinion from the same source, and in view of rural tolerances applying to the south of the reservation while urban tolerances apply to the northern side, there would be a great deal of sense in striking the northern reservation with regard to local requirements and tolerances and leaving the southern purchase line defined by the north.

We would be happy to provide any assistance we can in this matter in order to achieve a practical solution. We look forward to hearing from you.

Yours sincerely,



Michael Crowe,
CONROY CROWE KELLY ARCHITECTS.

DUBLIN COUNTY COUNCIL

Tel. 724755 (ext. 262/264)

PLANNING DEPARTMENT,
BLOCK 2,
IRISH LIFE CENTRE,
LR. ABBEY STREET,
DUBLIN 1.

NOTIFICATION OF A DECISION TO REFUSE:

~~CONROY CROWE KELLY ARCHS.~~: PERMISSION: ~~CONROY CROWE KELLY ARCHS.~~

LOCAL GOVERNMENT (PLANNING AND DEVELOPMENT) ACTS, 1963-1983

To Conroy Crowe Kelly Archs. Register Reference No. 91A/0485
26 Kingram Place, Planning Control No.
Fitzwilliam Square, Application Received 28.03.91
Dublin 2. Additional Information Received
Applicant Laradale Distribution Ltd.

In pursuance of its functions under the above-mentioned Acts, the Dublin County Council, being the Planning Authority for the County Health District of Dublin, did by order, P/ P/2252/91 dated 21.05.91 decided to refuse:

~~CONROY CROWE KELLY ARCHS.~~ ON PERMISSION ~~CONROY CROWE KELLY ARCHS.~~

For fifty-eight houses on lands at Airpark Stocking Lane, Rathfarnham,
Dublin 16.

for the following reasons:

1. The site is located in an area zoned in the 1983 County Development Plan "to protect and provide for the development of agriculture". The proposed development would contravene materially a development objective indicated in the 1983 Development Plan for the use primarily of this area for agricultural purposes and so would be contrary to the proper planning and development of the area.
2. The proposed development site appears to encroach on the reservation line for the proposed Southern Cross Motorway (by c. 1-2 metres) which is indicated as a Specific Objective in the 1983 Development Plan. The proposed development would interfere with the Motorway proposal.
3. The proposed development indicates houses located less than 30m. from the Road Reservation line for the proposed Southern Cross Motorway. The proposed development would infringe the building line determined by the Planning Authority for this road and would represent substandard development.
4. The proposed development would increase the number of turning movements onto Stocking Lane which is essentially a narrow rural road with no footpaths or public lighting. The proposed development would thereby endanger public safety by reason of traffic hazard, with particular reference to pedestrians.

Signed on behalf of the Dublin County Council


Rose
for PRINCIPAL OFFICER

Date 21 May 1991

IMPORTANT:

NOTE: (1) An appeal against the decision may be made to An Bord Pleanála. The applicant may appeal within one month from the date of receipt by him of this notification. The appeal shall be in writing and shall state the subject matter of the appeal and grounds of appeal and should be addressed to An Bord Pleanála, Irish Life Centre, Lower Abbey Street, Dublin 1. An appeal lodged by an applicant or his agent with An Bord Pleanála will be invalid unless accompanied by a fee of £36. (Thirty-six pounds). (2) A party to an appeal making a request to An Bord Pleanála for an oral hearing of an appeal must, in addition to (1) above, pay to An Bord Pleanála a fee of £36. (Thirty-six pounds). (3) A person who is not a party to an appeal must pay a fee of £10 (Ten pounds) to An Bord Pleanála in relation to an appeal. When an appeal has been duly made and has not been withdrawn, An Bord Pleanála will determine the application for permission as if it had been made to them in that instance.

5. The proposed development would be premature by reference to the capacity of existing water supply and sewerage facilities being required for the prospective development of another part of the functional area of the Planning Authority as indicated in the Development Plan and the period within which this constraint may reasonably be expected to cease.
6. The proposed development is dependent on the provision of watermains and public foul and surface water services on lands outside the applicant's control.
7. Development Plan standards with regard to space about dwellings have not been met throughout the proposed development with specific reference to the provision of 10.7 metre long rear gardens and the provision of a 2.3 metre separation distance between the flank walls of adjoining houses. The proposed development would be contrary to the proper planning and development of the area.
8. Inadequate car parking provision has been provided in connection with the proposed terraced housing. The proposed development would result in on-street car parking and would be contrary to the proper planning and development of the area.
9. The proposed development would eliminate the car parking facilities proposed and approved in the application for the nursing home which was the subject of a decision to grant planning permission by Decision Order P/4528/88, dated 20.12.88 (Reg. Ref. 88A/1495). The proposed development would be contrary to the proper planning and development of the area. The development would thus contravene materially a condition attached to an existing permission for development (i.e. Condition No. 1 of 88A/1495).



for Principal Officer
21 May 1991

Unselected A.I

0.28.0

TECHING COUNTY COUNCIL
Public Works Dept. Registry Section
APPLICATION RECEIVED
- 5 APR 1998
REG No. 911A/048
APPLICATION TYPE O/P/A/BBL
N. L. S.

5/4/91

Building Control Department,
Liffey House,
Tara Street,
Dublin 1.
Telephone: 773066



Bloc 2, Ionad Bheatha na hEireann,
Block 2, Irish Life Centre,
Sraid na Mainistreach Iacht,
Lower Abbey Street,
Baile Atha Cliath 1.
Dublin 1.
Telephone. (01)724755
Fax. (01)724896

Register Reference : 91A/0485

Date : 2nd April 1991

LOCAL GOVERNMENT (PLANNING AND DEVELOPMENT) ACTS, 1963 TO 1990

Dear Sir/Madam,

DEVELOPMENT : 58 houses

LOCATION : Airpark, Stocking Lane, Rathfarnham

APPLICANT : Laradale Distribution Limited

APP. TYPE : PERMISSION

With reference to above, I acknowledge receipt of your application received on 28th March 1991.

Yours faithfully,

.....
PRINCIPAL OFFICER

Conroy Crowe Kelly, Architects,
26 Kingram Place,
Fitzwilliam Square,
Dublin 2.



PLEASE READ INSTRUCTIONS AT BACK BEFORE COMPLETING FORM. ALL QUESTIONS MUST BE ANSWERED.

1. Application for Permission Outline Permission Approval Place in appropriate box.
Approval should be sought only where an outline permission was previously granted. Outline permission may not be sought for the retention of structures or continuances of uses.

2. Postal address of site or building AIRPARK, STOKING LANE, RATHFARNHAM,
(If none, give description sufficient to identify) DUBLIN 16.

3. Name of applicant (Principal not Agent) LARDALE DISTRIBUTION LTD
Address 26 KINGSDOWN PLACE, FITZGILIARD SQ. D.2 Tel. No. 613991

4. Name and address of LAWROY CLAWNS KELLY ARCHITECTS - 26 KINGSDOWN
person or firm responsible for preparation of drawings PLACE, FITZGILIARD SQ. D.2 Tel. No. 613990

5. Name and address to which AS NO. 4 ABOVE **EYE LAW APPLICATION**
notifications should be sent NIL

6. Brief description of proposed development A2 NO. 4 BED HOUSES
16 NO. 2 BED HOUSES (58 IN TOTAL)

7. Method of drainage PUBLIC 8. Source of Water Supply PUBLIC

9. In the case of any building or buildings to be retained on site, please state:-
(a) Present use of each floor or use when last used. / 1856 J. PROSS 4/3/91
2/4

(b) Proposed use of each floor /

10 Does the proposal involve demolition, partial demolition or change of use of any habitable house or part thereof? NO N 35033

11.(a) Area of Site 25,775 Sq. m.

(b) Floor area of proposed development 58 HOUSES Sq. m.

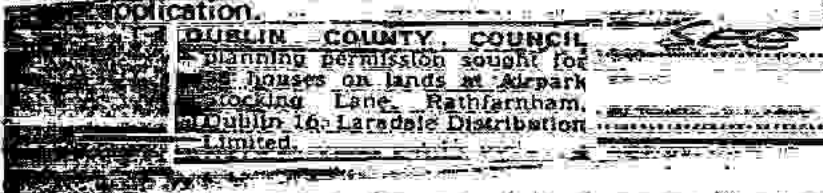
(c) Floor area of buildings proposed to be retained within site / Sq. m.

12.State applicant's legal interest or estate in site (i.e. freehold, leasehold, etc.) FREEHOLD

13.Are you now applying also for an approval under the Building Bye Laws?
Yes No Place in appropriate box.

14.Please state the extent to which the Draft Building Regulations have been taken in account in your proposal:
AS FAR AS PRACTICABLE

15.List of documents enclosed with application SEE ACCOMPANYING LETTER



16.Gross floor space of proposed development (See back) 58 HOUSES Sq. m.

No of dwellings proposed (if any) 58 Class(es) of Development No. 1.

Fee Payable £ 1856 Basis of Calculation 58 x 32
If a reduced fee is tendered details of previous relevant payment should be given

Signature of Applicant (or his Agent) [Signature] Date 28/3/99

Application Type P FOR OFFICE USE ONLY
Register Reference 91A/0485 2-16-0-4
Amount Received £ 22/14 78
Receipt No 22/14
Date

LOCAL GOVERNMENT (PLANNING & DEVELOPMENT) REGULATIONS 1977 to 1984.

Outline of requirements for applications for permission or Approval under the Local Government (Planning & Development) Act 1963 to 1983. The Planning Acts and Regulations made thereunder may be purchased from the Government Publications Sales Office, Sun Alliance House, Molesworth Street, Dublin 2.

1. Name and Address of applicant.
2. Particulars of the interest held in the land or structure, i.e. whether freehold, leasehold, etc.
3. The page of a newspaper, circulating in the area in which the land or structure is situate, containing the required statutory notice. The newspaper advertisement should state after the heading Co. Dublin.
 - (a) The address of the structure or the location of the land.
 - (b) The nature and extent of the development proposed. If retention of development is involved, the notice should be worded accordingly. Any demolition of habitable accommodation should be indicated.
 - (c) The name of the applicant.

NB. Applications must be received within 2 weeks from date of publication of the notice.
4. Four (4) sets of drawings to a stated scale must be submitted. Each set to include a layout or block plan, proposed and existing services to be shown on this drawing, location map, and drawings of relevant floor plans, elevations, sections, details of type and location of septic tank (if applicable) and such other particulars as are necessary to identify the land and to describe the works or structure to which the application relates (new work to be coloured or otherwise distinguished from any retained structures). Buildings, roads, boundaries and other features bounding the structure or other land to which the application relates shall be shown on site plans or layout plans. The location map should be of scale not less than 1: 2500 and should indicate the north point. The site of the proposed development must be outlined in red. Plans and drawings should indicate the name and address of the person by whom they were prepared. Any adjoining lands in which the applicant has an interest must be outlined in blue.
5. In the case of a proposed change of use of any structure or land, requirements in addition to 1, 2, & 3 are:
 - (a) a statement of the existing use and the proposed use, or, where appropriate, the former use and the use proposed.
 - (b) (i) Four (4) sets of the drawings to a stated scale must be submitted. Each set to consist of a plan or location map (marked or coloured in red so as to identify the structure or land to which the application relates) to a scale of not less than 1:2500 and to indicate the North point. Any adjoining lands in which the application has an interest must be outlined in blue.
 - (ii) A layout and a survey plan of each floor of any structure to which the application relates.
 - (c) Plans and drawings should indicate the name and address of the person by whom they were prepared.
6. Applications should be addressed to: Dublin County Council, Planning Department, Irish Life Centre, Lr. Abbey Street, Dublin 1, Tel. 724755.

SEPTIC TANK DRAINAGE: Where drainage by means of a septic tank is proposed, before a planning application is considered, the applicant may be required to arrange for a trial hole to be inspected and declared suitable for the satisfactory percolation of septic tank effluent. The trial hole to be dug seven feet deep at or about the site of the septic tank. Septic tanks are to be in accordance with I.I.R.S. S.R. 6:75.

INDUSTRIAL DEVELOPMENT:

The proposed use of an industrial premises should, where possible, be stated together with the estimated number of employees, (male and female). Details of trade effluents, if any, should be submitted.

Applicants to comply in full with the requirements of the Local Government (Water Pollution) Act, 1977 in particular the licencing provisions of Sections 4 and 16.

PLANNING APPLICATIONS

CLASS NO.	DESCRIPTION	FEE
1.	Provision of dwelling — House/Flat.	£32.00 each
2.	Domestic extensions/other improvements.	£16.00
3.	Provision of agricultural buildings (See Regs.)	£40.00 minimum
4.	Other buildings (i.e. offices, commercial, etc.)	£1.75 per sq. metre (Min. £40.00)
5.	Use of land (Mining, deposit or waste)	£25.00 per 0.1 ha (Min £250.00)
6.	Use of land (Camping, parking, storage)	£25.00 per 0.1 ha (Min. £40.00)
7.	Provision of plant/machinery/tank or other structure for storage purposes.	£25.00 per 0.1 ha (Min. £100.00)
8.	Petrol Filling Station.	£100.00
9.	Advertising Structures	£10.00 per m ² (min £40.00)
	Electricity transmission lines.	£25.00 per 1,000m (Min. £40.00)
	other development.	£5.00 per 0.1 ha (Min. £40.00)

BUILDING BYE-LAW APPLICATIONS

CLASS NO.	DESCRIPTION	FEE
A	Dwelling (House/Flat)	£55.00 each
B	Domestic Extension (improvement/alteration)	£30.00 each
C	Building — Office/Commercial Purposes	£3.50 per m ² (min. £70.00)
D	Agricultural Buildings/Structures	£1.00 per m ² in excess of 300 sq. metres (min. - £70.00) (Max. - £300.00)
E	Petrol Filling Station	£200.00
F	Development or Proposals not coming within any of the foregoing classes.	£9.00 per 0.1 ha (£70.00 min.)
		Min. Fee £30.00 Max. Fee £20,000

should be made payable to: Dublin County Council.

space is to be taken as the total floor space on each floor measured from the inside of the external walls.
 All of Fees and Exemptions see Local Government (Planning and Development) (Fees) Regulations 1984.

RECEIPT CODE

COMHAIRLE CHONTAE ÁTHA CLIAITH

PAID BY

DUBLIN COUNTY COUNCIL

This receipt is not an acknowledgement that the fee registered is the prescribed application fee.

46/49 UPPER O'CONNELL STREET, DUBLIN 1.

CASH

CHEQUE

M.O.

B.L.

I.T.

N 35033

£1856.00

Received this 21 day of April 1991

from M/S Lacadale Distillers Ltd
26 Kingroad place

the sum of one thousand eight hundred and fifty six Pounds
Pence being

application at Airport, Shelving Lane, Rathbarney

Michael O'Han

Cashier

S. CAREY
Principal Officer

Class 1

C O N R O Y C R O W E K E L L Y
A R C H I T E C T S

26 KINGRAM PLACE, FITZWILLIAM SQUARE, DUBLIN 2 613990 613991 Fax 765715

BARRY CONROY Dip Arch
MICHAEL CROWE BArch
DANIEL KELLY BArch

Our Ref: 9024 MC/AK.

Dublin County Council,
Planning Department,
Irish Life Centre,
Lower Abbey Street,
Dublin 1.

25th March, 1991.

RE: HOUSING AT AIRPARK, STOCKING LANE, RATHFARNHAM, DUBLIN 16.

Dear Sirs,

On behalf of our clients Laradale Distribution Ltd. we wish to apply for full Planning Permission for 58 houses at Airpark, Stocking Lane, Rathfarnham, Dublin 16. We enclose for your attention the following information:

1. Architects drawings in quadruplicate:

9024 D 100 Rev A 9024 D 105
9024 D 101 Rev C 9024 D 107 Rev A
9024 D 103 9024 D 109
9024 D 104 Rev A 9024 D 110
9024 D 111.

2. Engineers drawings in quadruplicate:

1/ES, 2A/ES

3. Completed application form.

4. Newspaper advertisement dated 14th March, 1991.

5. Cheque in the sum of £1856.

6. Architects Report.

If you have any queries with regard to the above please phone.

Yours faithfully,

Michael Crowe

Michael Crowe.

CONROY CROWE KELLY ARCHITECTS.

Encs.

28 MAR 91

DUBLIN COUNTY COUNCIL
28 MAR 1991
91A/0485

OUR REF: 9024 MC/AK.

PROPOSED DEVELOPMENT OF 58 HOUSES
at
AIRPARK, STOCKING LANE, RATHFARNHAM, DUBLIN 16.

ARCHITECTS REPORT.

1. INTRODUCTION:

It is proposed to carry out a housing development on lands at Airpark, Stocking Lane, Rathfarnham. The proposal is for 58 houses on lands surrounding an existing Nursing Home.

2. THE SITE:

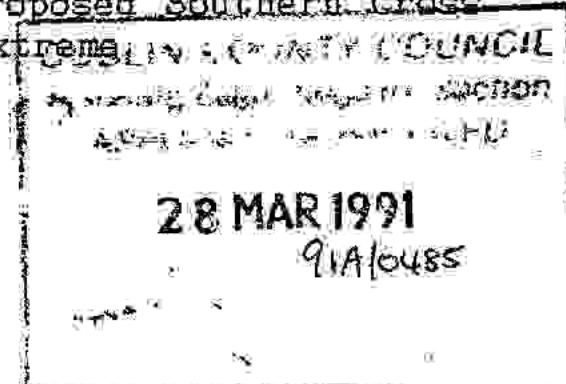
The site located on the northern side of the proposed Southern Cross Motorway adjoining Stocking Lane. The site comprises of circa 7 acres surrounding the existing Nursing Home on approximately 1.4 acres. The site slopes towards the north west and is bounded on the north by Dublin County Council's water plant and on the south by the proposed Southern Cross boundary.

Access to the site is from Stocking Lane to the east while the site is serviced from Temple Properties to the west.

3. THE PROPOSAL:

It is proposed to build 58 houses around the existing Nursing Home. The layout has been determined by a number of existing site features, in particular the Nursing Home, the Southern Cross to the south, and watermains crossing the site to the Dublin County Council treatment works.

The housing has been arranged to form a crescent surrounding a small green at the entrance on Stocking Lane, with the remainder of the housing situated on the west of the site. Open space has been left on front of the Nursing Home affording clear views both to the north and south. The housing to the west has been arranged with the landscaped buffer zones between it and the proposed Southern Cross and also a second green space at the western extremity.



It is proposed that there would be a mix of housing types on the site. The mix consists predominately of four bedroom semi-detached houses and two bedroomed two storey and single storey houses. It is envisaged that the four bedroomed houses would cater for the demand for family houses in the area while the smaller houses will cater both for starter homes and for the demand for retirement houses in the area in particular in association with the Nursing Home. The houses have been designed to be substantial in style and character and to make reference to their particular locations on the site. Special houses have been designed for all corner positions with bay windows and entrance doors on the gables ensuring the houses relate in two directions. Similarly, the terraced houses with the flanking single storey wings have been designed in compositions relative to their particular locations. The majority of the houses are four bedroom semi detached with bay windows to the front. The finishes throughout would be selected brick and plastered walls, with complimentary tiled roofs.

4. SITE SERVICES:

It is proposed to connect the drains to the adjoining Temple Property's site as indicated on the drawings. There is an agreement in place with the owners of Temple Property's to this effect.

The water main connection will be to the Temple Property's site to the west and also on the existing water main on Stocking Lane to the east.

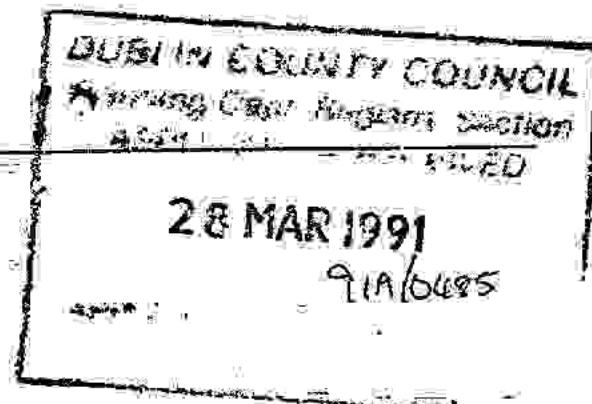
5. ROADS:

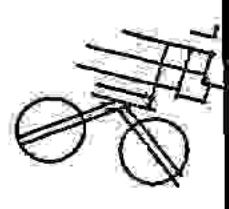
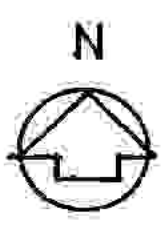
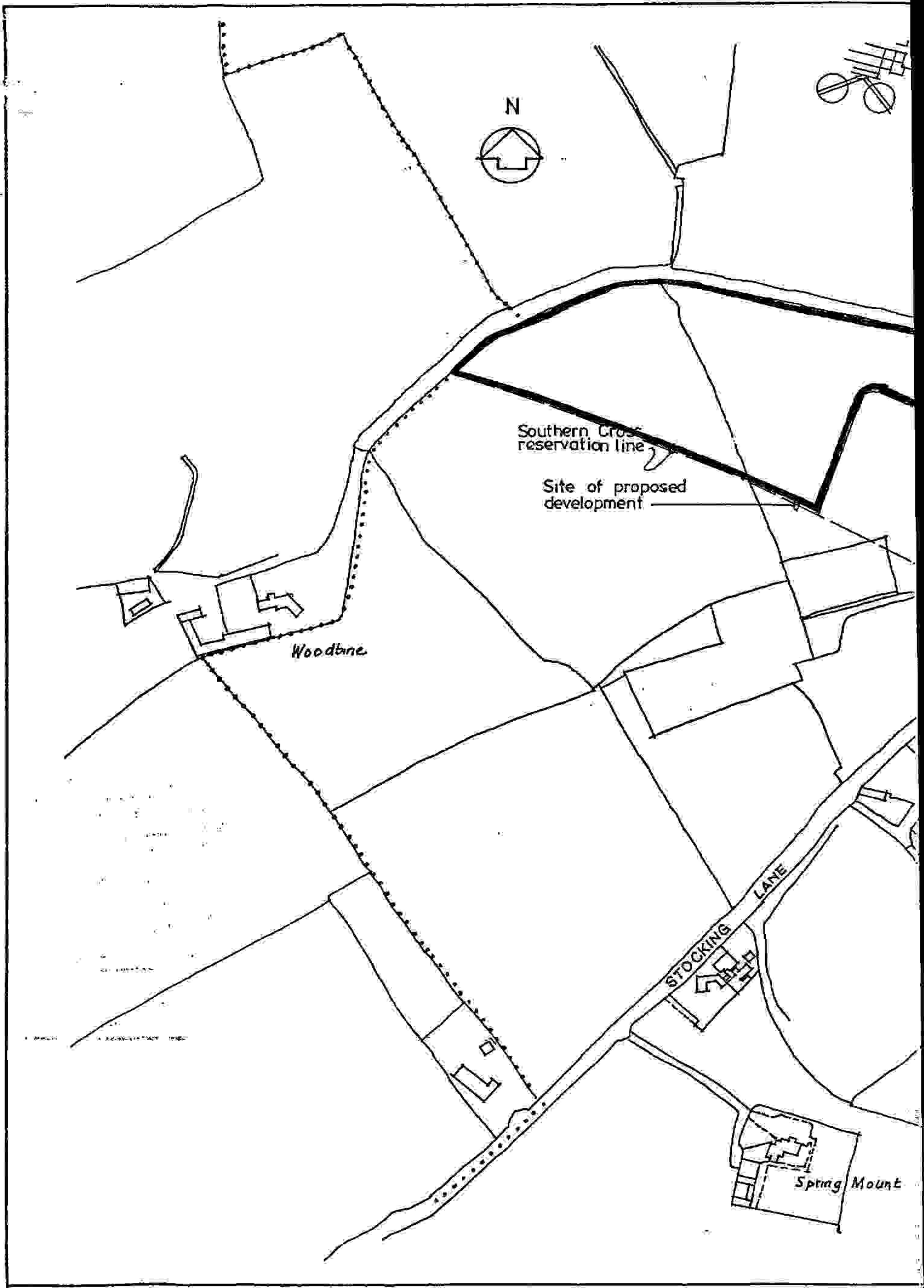
The access to the proposed scheme corresponds with the access already approved for the Nursing Home. The required set backs for widening on Stocking Lane are allowed for and have been indicated on the drawings. The boundary to the Southern Cross as indicated on the drawings is as set out for Dublin County Council by Ewbank Preece O'hEocha, Consulting Engineers.

6. LANDSCAPING:

The only existing trees on the site are located along the northern boundary, and all of these trees will be maintained within the new proposal. It is further proposed that extensive additional planting will take place in particular along the buffer zone located to the west of the site between the proposed housing and the Southern Cross Motorway. The detail of this planting and street planting of trees will be agreed with Dublin Council prior to commencing the development.

CONROY CROWE KELLY ARCHITECTS.





Southern Cross reservation line

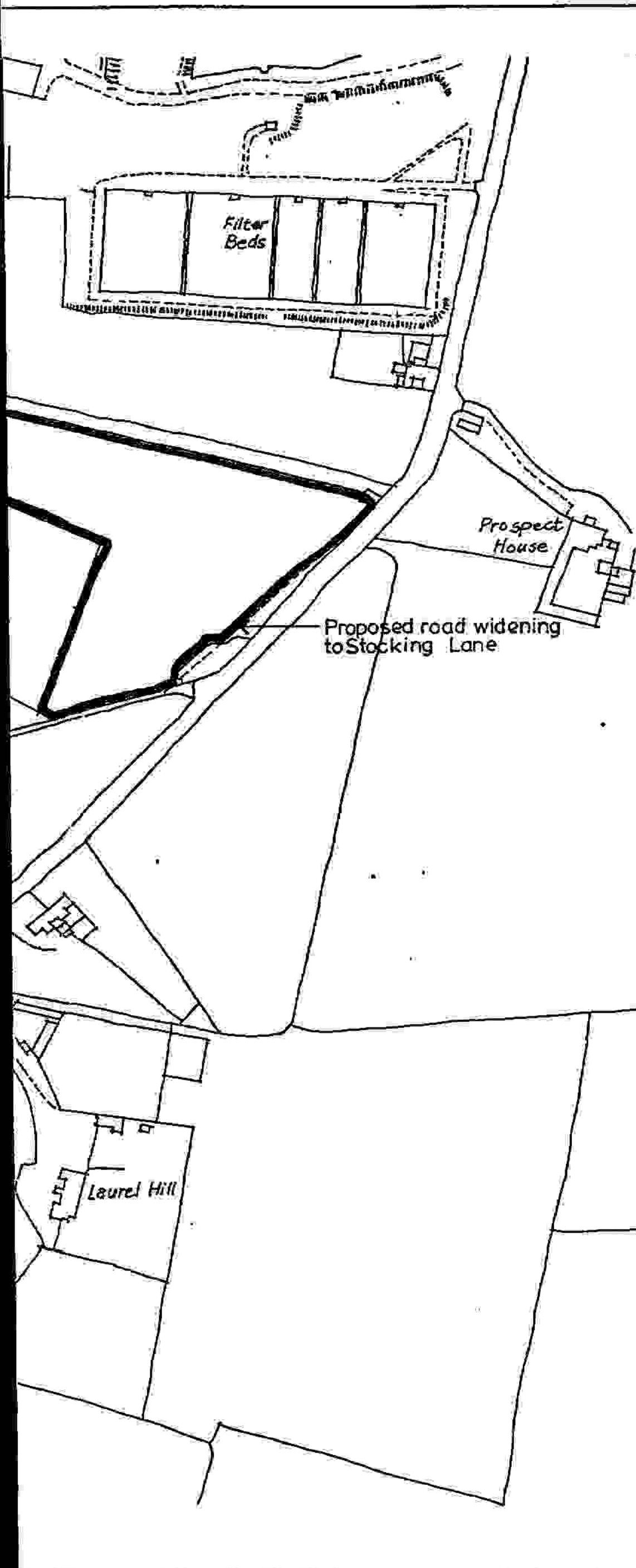
Site of proposed development

Woodbine

STOCKING LANE

Spring Mount

UNLAWFUL
CONSTRUCTION
IN THIS AREA
OR VIOLATION
OF ANY
CITY ORDINANCE
OR STATE
LAWS
OR FEDERAL
REGULATIONS
OR FEDERAL
LAW ENFORCEMENT
AGENCY



A: SITE ADJUSTED TO ALLOT

Revisions

date
int

description

**SITE LOCATION
PLAN**

drawing no.
9024 D 100

drawn
[Signature]

job

**HOUSING AT
STOCKING LANE
BALLYBODEN**

scale
1:2500

date
JUN 90

drawn

checked

client

**LARADALE
DISTRIBUTION
LTD.**

DUBLIN COUNTY COUNCIL
Planning & Control Services Section

issue

28 MAR 1991

91A/0485

**CONROY-CROWE KELLY
ARCHITECTS**

**26 KINGRAM PLACE
FITZWILLIAM SQUARE
DUBLIN 2**

TELEPHONE: 613990 FAX: 613391