

FILE DISCUSSED AT COUNCIL/COMMITTEE MEETING

FILE REF:

91A 735

MEETING	COMMENTS	NOTED IN DEV. CONTROL	NOTED BY
BELGARD H+P <u>28/5/91</u> <u> </u>	Noted by CEO Leung		



Bloc 2, Ionad Bheatha na hEann,
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/0735

Date : 14th May 1991

Dear Sir/Madam,

Development : Change of use to ground floor shop and first floor flat

LOCATION : No. 8 Whitehall Road West, Dublin 12.

Applicant : C. Flanagan

App. Type : PERMISSION

Date Recd : 7th May 1991

Your application in relation to the above was submitted with a fee of £83.06 .

On examination of the plans submitted it would appear that the appropriate amount should be £104.50 .

I should be obliged if you would submit the balance of £21.44 as soon as possible as a decision cannot be made on this application until the correct fee is received.

Yours faithfully,


.....
PRINCIPAL OFFICER

John Conleth Flanagan,
8 Whitehall Road West,
Dublin 12.

91A/0735

CERTIFICATE NO: 25210

Change from Dwellings to Shop with apartment

8 Whitehall Road West Dublin 12

C. Flanagan

1	2	3	4	5	6	7
DWELLINGS/AREA LENGTH/STRUCT	RATE	AMT. OF FEE RES.	AMOUNT LOANED	BALANCE DUE	BALANCE DUE	DATE/ REMARKS
Dwellings	€ 332	€ 24	€ 24			
45.10m ²		€ 80.50	€ 59.06	€ 21.44		
				€ 21.44		17/5/91
						N39049

21.44 17/5/91

N39049

J. Flanagan J/TI

18/5/91

Flanagan

S.O

19/5/91

Column 1 Certified Signed: _____ Grade: _____ Date: _____

Column 1 Endorsed Signed: _____ Grade: _____ Date: _____

Columns 2, 3, 4, 5, 6 & 7 Certified Signed: _____ Grade: _____ Date: _____

Columns 2, 3, 4, 5, 6 & 7 Endorsed Signed: _____ Grade: _____ Date: _____

LOCATION GOVERNMENT (PLANNING AND DEVELOPMENT) ACTS, 1953 TO 1982

ASSESSMENT OF FINANCIAL CONTRIBUTION

REG. REF.: *91A/735*

CONT. REG.:

SERVICES INVOLVED: WATER/FOUL SEWER/SURFACE WATER

AREA OF SITE:

FLOOR AREA OF PRESENT PROPOSAL:

*486 FT²
J.Y.
13/5/91.*

MEASURED BY:

CHECKED BY:

METHOD OF ASSESSMENT:

TOTAL ASSESSMENT

MANAGER'S ORDER NO: *1*
DATE

ENTERED IN CONTRIBUTIONS REGISTER:

DEVELOPMENT CONTROL ASSISTANT GRADE

Co Co meeting
30. 10 92

901

C/900/92

~~CONTINUATION OF CONSIDERATION OF DRAFT
DUBLIN COUNTY DEVELOPMENT PLAN 1991 - MAP 19
(TALLAGHT/GREENHILLS/TERENURE) AND
OBJECTIONS AND REPRESENTATIONS RELATING
THERETO AND REPORT ON THE OBJECTIONS AND
REPRESENTATIONS (ALREADY CIRCULATED)~~

C/901/92

LANDS AT 8 WHITEHALL ROAD WEST
REPRESENTATION NO. 000431 -
JOHN CONLETH FLANAGAN

The following report by the Manager which had been circulated was considered:

"SYNOPSIS OF REPRESENTATION:

This is a representation for the re-zoning of a property at 8, Whitehall Road West to 'C1' i.e. "to protect, provide for and or improve neighbourhood/local centre facilities" so that it will form a part of the neighbourhood centre it adjoins. It is stated that the property is physically a part of the centre. It lacks private open space front and rear and the hardstanding extends in front of it. It is unsuitable as a dwellinghouse due to lack of privacy and danger from traffic. It is impossible to sell the property as a dwellinghouse.

SITE HISTORY:

(i) Planning Applications

In July, 1991 the Council decided to refuse outline permission for a change of use of the subject premises to a ground floor shop and first floor flat (Reg. Ref. 91A/735). The reason for refusal was as follows:

"There is serious traffic congestion in the vicinity of this site with parking on both sides of the road. This proposal would increase parking demand in close proximity to a busy junction and it would endanger public safety by reason of a traffic hazard."

An Bord Pleanála confirmed this decision on appeal in December, 1991 citing a similar reason and adding a further reason relating to the residential zoning of the site.

(ii) Development Plan

In the 1983 County Development Plan the site is zoned 'A' i.e. "to protect and/or improve residential amenity."

PLANNING OFFICER'S REPORT:

The reasoning underlying the recent decision to refuse permission for change of use of this property still applies.

RECOMMENDATION:

It is recommended that the Draft Plan should not be changed."

Motion in the names of Councillors Upton and Keane:

It was proposed by Councillor Keane, seconded by Councillor Upton:

"Dublin County Council hereby resolves that the area marked in red (i.e. No. 8 Whitehall Road West) on the attached map be zoned C1 so that it will have the same zoning as the neighbourhood centre it adjoins and is physically part of."

The motion was put and was PASSED unanimously.

902/92

**SITE AT CROMWELLSFORT ROAD
REPRESENTATION NO. 00484 -
BRENDAN O'MAHONY & COMPANY**

The following report by the Manager which had been circulated was considered:

SYNOPSIS OF REPRESENTATION:

This is a representation for a change of zoning on a site at Cromwellsfort Road, Walkinstown from objective 'A' i.e. "to protect and improve residential amenity" to 'C1' i.e. "to protect, provide for and/or improve neighbourhood/local centre facilities". The basis of this proposal to change is to recognise the existing commercial use (solicitor's office) rather than maintaining it as a non-conforming use. In relation to the latter it is stated that anything other than only minimal alteration to the existing business would be a material contravention of the Development Plan which should not be the case for normal business activities.

The case for changing the zoning is also based on the following:

Cromwellsfort Road is a main road and already fronted along significant parts of its length with commercial properties. Directly opposite the site there is a significant development of retail shops with offices overhead. The sites are linked by traffic lights and would form a logical commercial service area for the local neighbourhood.

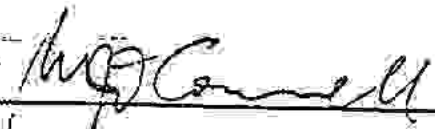
AN BORD PLEANÁLALOCAL GOVERNMENT (PLANNING AND DEVELOPMENT) ACTS, 1963 TO 1990County DublinPlanning Register Reference Number: 91A/735

APPEAL by John C. Flanagan care of Patrick C. Minogue of 2 Chalfont Road, Malahide, County Dublin against the decision made on the 4th day of July, 1991, by the Council of the County of Dublin to refuse an outline permission for development comprising change of use of house to ground floor shop and first floor flat at 8 Whitehall Road West, Dublin, in accordance with plans and particulars lodged with the said Council:

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

SCHEDULE

1. The additional parking and turning movements generated by the proposed development would aggravate the traffic congestion already experienced in the vicinity and interfere with the safety and free flow of traffic on the adjoining road in close proximity to a busy junction and would, therefore, endanger public safety by reason of traffic hazard.
2. The proposed development would contravene materially the zoning objective for the area as expressed in the Dublin County Development Plan, 1983, that is, 'A', "to protect, and/or improve residential amenity", which objective is considered reasonable and it would, therefore, be contrary to the proper planning and development of the area.


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


Dated this 19th day of December 1991.

AN BORD PLEANÁLA

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

County Dublin

Planning Register Reference Number: 91A/735

Order No:	LD.
Dated:	<i>JAN. 92.</i> 
ASST. COUNTY MANAGER	
to whom the planning powers have been delegated by order of the Dublin City and County Manager.	
Dated:	<i>10TH</i> day of <i>DECEMBER</i> 19 <i>91</i>

91A/73S

~~91A/73S~~
91A/73S

91A/73S

COMHAIRLE CHONTAE ATHA CLIATH

TO: G. Boothman,
Executive Planner.

REG. REF. 91A/0735

RE: Proposed change of use of ground floor shop and first floor flat
at 8 Whitehall Road West, Dublin 12 for C. Flanagan.

I attach for your observations memo/letter dated 19th September, 1991
from An Bord Pleanala.

Please reply before: 18th December 1991

S McN
for Principal Officer

DATED: 4 December 1991

OBSERVATIONS:

further letter of 5/12/91

Signature of person
making observations: _____

Countersigned: _____

(S.E.D.C.)

DATE: _____

DATE: _____

COMHAIRLE CHONTAE ATHA CLIATH

TO: G. Boothman,
Executive Planner.

REG. REF. 91A/0735

RE: Proposed change of use of ground floor shop and first floor flat
at 8 Whitehall Road West, Dublin 12 for C. Flanagan.

I attach for your observations memo/letter dated 19th September, 1991
from An Bord Pleanala.

Please reply before: 18th December 1991

S. M. M.
for Principal Officer

DATED: 4 December 1991

OBSERVATIONS:

Further letter of ^{2nd} 5/12/91

No further comment to Planning
Officers report dated 1.7.91

Signature of person
making observations: _____

Countersigned: P. Connors
(S.E.D.C.)

DATE: _____

DATE: 15.1.92



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

An Bord Pleanála,
Floor 3,
Blocks 6 & 7,
Irish Life Centre,
Lower Abbey Street,
Dublin 1.

Our Ref: 91A/0735

Your Ref: PL6/5/86435

Date: 3 October 1991

RE: Proposed change of use to ground floor shop and first-floor flat at 8 Whitehall Road West, Dublin 12 for C. Flanagan.

Dear Sir/Madam,

I refer to your letter dated 19th September, 1991, enclosing correspondence regarding the above appeal.

It is considered that the grounds of appeal do not raise any new matter which in the opinion of the Planning Authority would justify a change of attitude to the proposed development. The points raised have been dealt with in the Planning Authority's decision order dated 4th July, 1991.

Yours faithfully,

for Principal Officer.

COMHAIRLE CHONTAE ATHA CLIATH

TO: G. Boothman,
Executive Planner.

REG. REF. 91A/735

RE: Proposed change of use to ground floor shop and first-floor flat
at 8 Whitehall Road West, Dublin 12 for C. Flanagan

I attach for your observations memo/letter dated 19th September, 1991 from An Bord Pleanala.

Please reply before: 16th October, 1991

for Principal Officer

DATED: 2 October 1991

OBSERVATIONS:

No further comment

Signature of person making observations: _____

Countersigned: P. Connors
(S.E.D.C.)

DATE: _____

DATE: 2.10.91

COMHAIRLE CHONTAE ÁTHA CLIATH

Record of Executive Business and Manager's Orders

Proposed change of use to ground floor shop and first-floor flat at 8 Whitehall Road West, Dublin 12 for C. Flanagan.

John Conleth Flanagan,
8 Whitehall Road West,
Dublin 12.

Reg. Ref.	91A/0735
App. Recd:	07.05.91
Floor Area:	90 sq.m.
Site Area:	170 sq.m.
Zoning:	'A'

Report of the Dublin Planning Officer, dated 1 July 1991

This is an application for **OUTLINE PERMISSION** for change of use to ground floor shop and first-floor flat at 8 Whitehall Road West, Dublin 12 for C. Flanagan.

The area of the site is quoted as 170 sq.m. While the floor area involved is 90 sq.m. The house involved has no front or rear private open space. The paved space appears to have been taken over by the adjoining butcher's shop at some time in the past. The front is merely a concrete apron, without boundaries. The back yard/garden accommodates a full cold store, and washing/toilet facilities.

The house is zoned 'A' ^{and} that adjoins a 'C1' neighbourhood centre.

Roads Department report dated 13.06.91 recommends refusal because of existing problems with serious parking and traffic congestion close to a busy junction. It recommends refusal due to traffic hazard.

The present application appears to be invalid as it is for outline permission for a change of use.

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

1. There is serious traffic congestion in the vicinity of this site, with parking on both sides of the road. This proposal would increase parking demand in close proximity to a busy junction and it would endanger public safety by reason of a traffic hazard.
2. Planning applications for change of use should be for full planning permission. Consequently this outline planning application appears to be invalid.

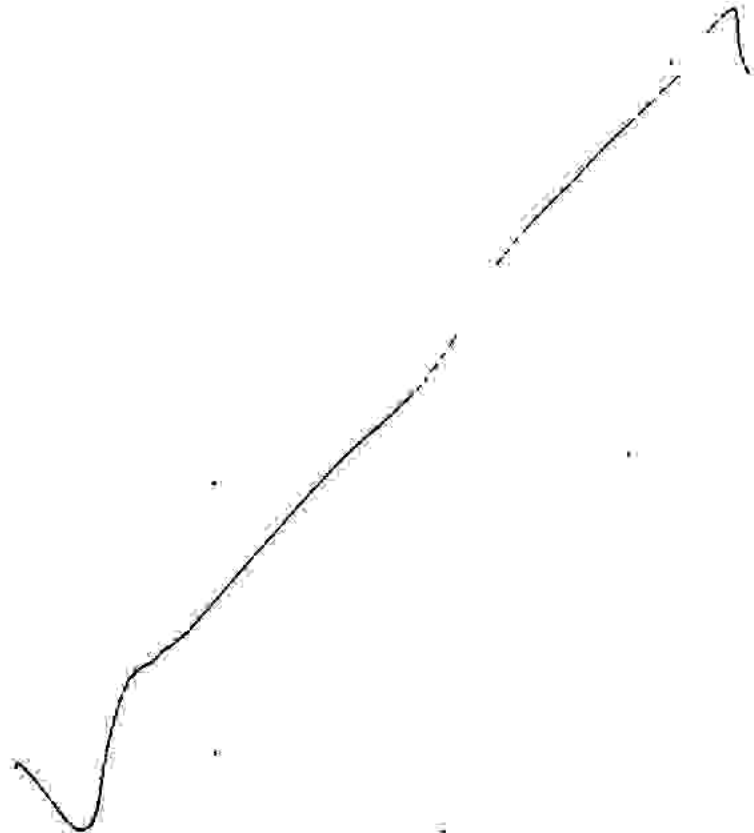
Over

COMHAIRLE CHONTAE ÁTHA CLIATH

Record of Executive Business and Manager's Orders

Proposed change of use to ground floor shop and first-floor flat at 8 Whitehall Road West, Dublin 12 for C. Flanagan.

(RC/AC)



Endorsed:-

[Signature]
for Principal Officer

Richard Cermine SEP
For Dublin Planning Officer

1.7.91

Order:-

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

Dated:

~~June~~, 1991.

H July,

[Signature]
APPROVED OFFICER

to whom the appropriate powers have been delegated by Order of the Dublin City and County Manager, dated 19 June 1991.

Mary Darley.

DUBLIN COUNTY COUNCIL

REG. REF: 91A/0735.
 DEVELOPMENT: Change of use to shop and flat.
 LOCATION: No. 8 Whitehall Road West, Dublin 12.
 APPLICANT: C. Flanagan.
 DATE LODGED: 7.5.91.

This application is for outline permission for change of use to ground floor shop and first floor flat at 8 Whitehall Road West, Dublin 12.

The site is at present a residential development located approximately 50m from the junction of Kimmage Road, Cromwell's Fort Road and Whitehall Road West.

The area upon investigation is seriously congested with parking on both sides of the road. Any proposal which would increase parking demand in this area (a resource which is seriously lacking at present) in such close proximity to a major junction would be unacceptable.

Roads recommend refusal on the grounds that the development would only deteriorate congestion problems and would endanger public safety by reason of a traffic hazard.

PLANNING DEPT.
DEVELOPMENT CONTROL SECT
 Date 24.06.91
 Time 3.30

MA/BMcC.
13.6.91.

SIGNED: Michael Arthur
 DATE: 13-6-91

ENDORSED: [Signature]
 DATE: _____

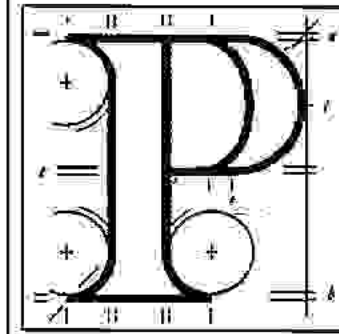
Our Ref: PL 6/5/86435
P.A. Reg. Ref: 91A/735

PR

*h
11/12*

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

An Bord Pleanála



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

DEC 6 1991

Date: 5th December 1991.

Appeal re: Change of use from residential to ground floor shop and first floor flat at 8 Whitehall Road West, Dublin 12.

Dear Sir/Madam,

Enclosed for your information is a copy of a letter received by the Board in relation to the above-mentioned appeal.

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

DEVELOPMENT CONTROL
11 DEC 1991

Yours faithfully,

Suzanne Lacey
Suzanne Lacey

DLs

Encl.

BP 555



2nd December 1991

Floor 3, Block 6/7,
Irish Life Centre
Lr. Abbey Street
Dublin 1

2 Chalfont Road
Malahide
Co. Dublin

Your ref: PL 6/5/86435: P.A. Ref: 91A/735

re: Refusal of Application for Change of Use at
8 Whitehall Road West, Dublin 12.

Dear Sir,

I refer to the above appeal made on behalf of John Conleth Flanagan and your letter of 21st November raising the issue of the zoning of this site. The following observations are relevant to this point.

1. The Planning Officer's report in stating that the property, while zoned A, adjoined a C1 neighbourhood centre and in detailing the lack of private open space front and rear, clearly implied that the current zoning is an anomaly. This view is reinforced by the fact that no reference is made to zoning in the Planning Officer's recommendation or the resultant decision. I would reiterate the lack of suitability of the property as a dwelling house due to lack of privacy, lack of private gardens or other open space, front or rear, and danger from traffic, particularly for young children.
2. A submission has been made regarding the zoning of the site in the context of the draft Development Plan because of the difficulties currently being experienced by Mr. Flanagan and his family. These are reflected in the virtual impossibility of selling this property as a dwelling house with no other use possible.
3. Taking the location of the site into account, there can be no doubt that the property should be more appropriately considered as part of the local shopping area rather than as primarily for residential use. Acceptance of this fact would enhance rather than detract from the general planning of the area. Refusal would perpetuate an anomaly, ensure a continued poor quality of life for Mr. Flanagan and his family and have virtually no impact on the traffic problems of the area.

Yours Sincerely,


Patrick J. Minogue, C. Eng.

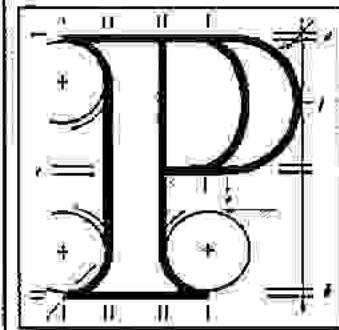
Our Ref: PL 6/5/86435
P.A. Reg. Ref: 91A/735

91A
27/11

pu

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

An Bord Pleanála



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

Date: 21st November 1991.

Appeal re: Change of use from residential to ground floor shop and first floor flat at 8 Whitehall Road West, Dublin 12.

Dear Sir/Madam,

Enclosed for your information is a copy of a letter issued in relation to the above-mentioned appeal.

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

Yours faithfully,

Suzanne Lacey
Suzanne Lacey

Encl.

BP 554

DEVELOPMENT
27 NOV 1991
CC/PT/C

Our Ref: PL 6/5/86435
P.A. Reg. Ref: 91A/735
Your Client: C. Flanagan

Patrick J. Minogue,
2 Chalfont Road,
Malahide,
County Dublin.

Date: 21st November 1991.

Appeal re: Change of use from residential to ground floor shop and first floor flat at 8 Whitehall Road West, Dublin 12.

Dear Sir,

I have been directed by An Bord Pleanála to refer further to the above-mentioned planning appeal. In considering the appeal, the following new issue has arisen which relates to the proper planning and development of the area:-

The proposed development might materially contravene the zoning objective for the area as expressed in the Dublin County Development Plan, 1983 - 'A' "To protect and/or improve residential amenity", which objective is considered reasonable and it might, therefore, be contrary to the proper planning and development of the area.

While it is not necessary for you to comment on the foregoing, any observations you may wish the Board to take into consideration in determining the appeal should be forwarded within fourteen days of the date of this letter.

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

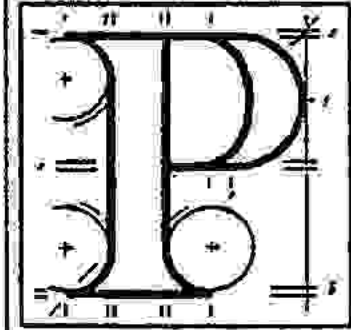
Yours faithfully,


Kevin Carleton
Executive Officer

BP 558

Registered Post

An Bord Pleanála



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

Our Ref: PL 6/5/86435
P.A. Reg. Ref: 91A/735

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

Date: 19th September 1991.

Appeal re: Change of use from residential to ground floor shop and first floor flat at 8 Whitehall Road West, Dublin 12.

Dear Sir/Madam,

Enclosed for your information is a copy of a letter received by the Board in relation to the above-mentioned appeal.

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

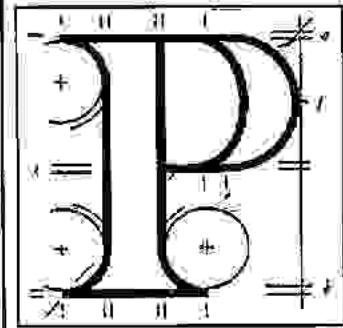
Yours faithfully,

Suzanne Lacey
Suzanne Lacey

Encl.

BP 555

An Bord Pleanála



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

085/7



3rd September 1991

Floor 3, Block 6/7,
Irish Life Centre
Lr. Abbey Street
Dublin 1

2 Chalfont Road
Malahide
Co. Dublin

Your ref: PL 6/5/86435
P.A. Ref: 91A/735

re: Refusal of Application for Change of Use at
8 Whitehall Road West, Dublin 12.

Dear Sir,

I refer to the above appeal made on behalf of John Conleth Flanagan and your letter of 6th August. I now wish to make the following further observations for your consideration.

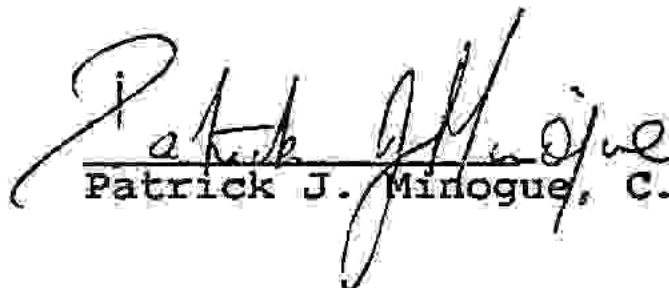
1. The property is entirely unsuitable for use as a dwelling house due to lack of privacy, lack of private gardens or other open space, front or rear, and danger from traffic, particularly for young children. This has effectively been acknowledged in the Planning Officer's report.
2. The single reason given for refusal i.e. "serious traffic congestion in the vicinity of this site with parking on both sides of the road", is in itself an argument for a change of use from that of family dwelling, a use which is quite inappropriate in these circumstances.
3. Accepting that there is a problem with traffic and parking in the area, it is questionable whether one small shop would increase parking demand and add to this problem to any significant degree. There can be no doubt that any minor increase in difficulties for the general public would not be significant compared to the difficulties currently being experienced by Mr. Flanagan and his family. These are reflected ~~in the~~ virtual impossibility of selling this property as a dwelling house with no other use possible.
4. In recent years permission has been granted by Dublin County Council for at least two other developments in this area which have far greater impact on traffic,

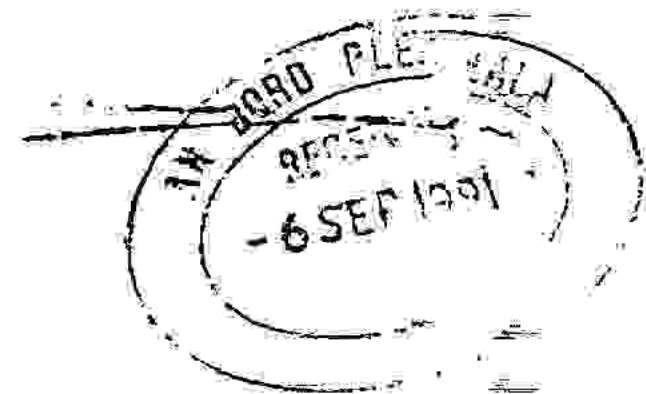
parking and general congestion in the area than would the small shop proposed.

- (a) In 1988 permission was given for an extension to the Submarine Bar, which is almost directly across the road from the site in question (Ref 88A/1694). Although this permission was conditional on the provision of separated off-street parking, there can be no doubt that it has added considerably to traffic and noise in the area, particularly late at night.
 - (b) In 1985 permission was granted for the extension of DIY premises at 3 Whitehall Road West, also across the road from the site in question (Ref 85A/487). In this case there was no condition regarding parking. Again this permission has a much greater impact on traffic in the area than the current proposal could possibly have.
5. Taking the location of the site into account, there can be no doubt that the property should be more appropriately considered as part of the local shopping area rather than as primarily for residential use. Acceptance of this fact would enhance rather than detract from the general planning of the area. Refusal would perpetuate an anomaly, ensure a continued poor quality of life for Mr. Flanagan and his family and have virtually no impact on the traffic problems of the area.

In the interests of both the current occupants of the premises and the proper planning of the area I ask that you accept this appeal and grant the permission sought. I look forward to an early favourable decision.

Yours Sincerely,


Patrick J. Minogue, C. Eng.



COMHAIRLE CHONTAE ATHA CLIATH

Tel.: 724755
Ext. 268/269

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

Your Ref.: PL615/86435

14.08.91

Our Ref.: 91A.435

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

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

Proposal: change of use to ground floor shop and
first floor flat at 8 Whitehall Rd.
West, Dublin 12.

Applicant: C. Flanagan

Dear Sir,

With reference to your letter dated 4th Aug '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 23 04 '91.
- (4) The plan(s) received from the applicant on 07.05.91.
- (6) & (7) A certified copy of Manager's Order P/2964/91,
DATED, 04.07.91 together with technical reports in
connection with the application.

(8)

Yours faithfully,

M. Murtagh
for Principal Officer.
Encls.

Our Ref: PL 6/5/86435
P.A. Reg. Ref: 91A/735

The Principal Officer,
Dublin County Council,
Planning Section,
Irish Life Centre.

DATE: 19 DEC 1991

Appeal re: Change of use from residential to
ground floor shop and first floor flat
at 8 Whitehall Road West, Dublin 12.

Dear Sir/Madam,

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,

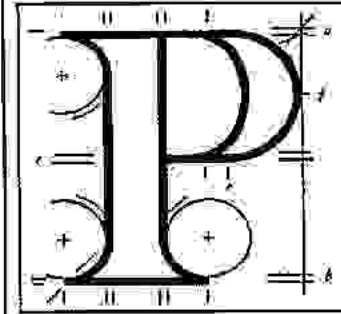
Kathleen Connole

Kathleen Connole.

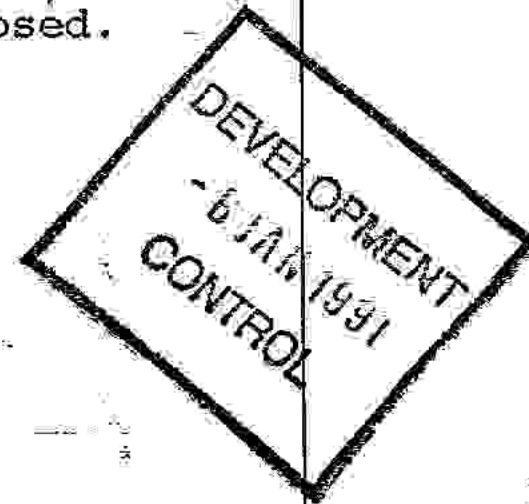
Encl.

BP 352

PK
An Bord Pleanála



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



20 DEC 91

X

AN BORD PLEANÁLA

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

County Dublin

Planning Register Reference Number: 91A/735

APPEAL by John C. Flanagan care of Patrick C. Minogue of 2 Chalfont Road, Malahide, County Dublin against the decision made on the 4th day of July, 1991, by the Council of the County of Dublin to refuse an outline permission for development comprising change of use of house to ground floor shop and first floor flat at 8 Whitehall Road West, Dublin, in accordance with plans and particulars lodged with the said Council:

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

SCHEDULE

1. The additional parking and turning movements generated by the proposed development would aggravate the traffic congestion already experienced in the vicinity and interfere with the safety and free flow of traffic on the adjoining road in close proximity to a busy junction and would, therefore, endanger public safety by reason of traffic hazard.
2. The proposed development would contravene materially the zoning objective for the area as expressed in the Dublin County Development Plan, 1983, that is, 'A', "to protect, and/or improve residential amenity", which objective is considered reasonable and it would, therefore, be contrary to the proper planning and development of the area.



John J. Connelley

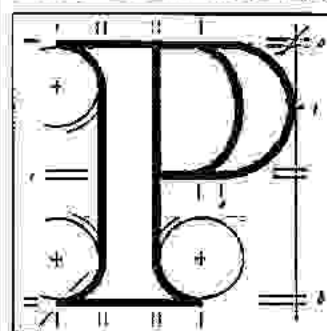
Member of An Bord Pleanála duly
authorised to authenticate the
seal of the Board.

Dated this *19th* day of *December* 1991.

Our Ref: PL 6/5/86435
Your Ref: 91A/735

*Recd
9/8*

An Bord Pleanála



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

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

08 AUG 91

Date: 7th August 1991.

Planning authority decision re: Change of use from residential to ground floor shop and first floor flat at 8 Whitehall Road West, Dublin 12.

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:

DEVELOPMENT
CONTROL
12 AUG 1991

- (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.

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.

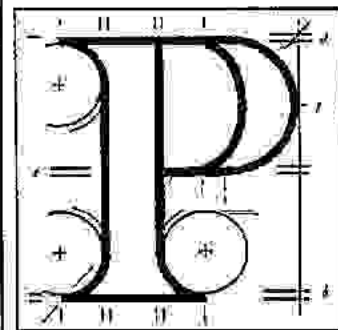
Yours faithfully,

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

8/2/91
£100.00
24250

1st August 1991

An Bord Pleanála
Floor 3, Block 6/7,
Irish Life Centre
Lr. Abbey Street
Dublin 1

2 Chalfont Road
Malahide
Co. Dublin

re: Refusal of Application for Change of Use at
8 Whitehall Road West, Dublin 12.

Dear Sir,

On behalf of the applicant, John Conleth Flanagan, I wish to appeal against the decision of Dublin County Council to refuse Outline Planning Permission for a change of use at 8 Whitehall Road West, Dublin 12. The basic grounds of appeal are that the decision does not take account of the inappropriateness of this location for use as a dwelling (the current use) and the desirability of a change to commercial use (similar to adjoining properties) for the proper planning of the area. I would propose to expand on this submission when I have access to the relevant planning reports.

I enclose:

- (a) Copy of County Council decision;
- (b) Copy of original application together with accompanying drawings and submission;
- (c) Cheque for £100.

I look forward to an early positive outcome to this appeal.

Yours Sincerely,


Patrick J. Minogue, C. Eng.

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:

OUTLINE PERMISSION: ~~REFUSAL~~ ~~APPROVAL~~

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

To.....John Conleth Flanagan,..... Register Reference No.91A/0735.....
.....8 Whitehall Road West,..... Planning Control No.
.....Dublin 12,..... Application Received07.05.91.....
..... Additional Information Received.....
Applicant.....C. Flanagan.....

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/ ~~2964/91~~ dated.....04.07.91..... decided to refuse:

OUTLINE PERMISSION ~~REFUSAL~~ ~~APPROVAL~~

For....change of use to ground floor shop and first-floor flat at 8 Whitehall Road West, Dublin 12.

for the following reasons:

1. There is serious traffic congestion in the vicinity of this site, with parking on both sides of the road. This proposal would increase parking demand in close proximity to a busy junction and it would endanger public safety by reason of a traffic hazard.



Signed on behalf of the Dublin County Council

[Signature]
for PRINCIPAL OFFICER

Date4 July 1991.....

IMPORTANT:

NOTE: (1) An appeal against the decision may be made to An Bord Pleanala. 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 Pleanala, Irish Life Centre, Lower Abbey Street, Dublin 1. An appeal lodged by an applicant or his agent with An Bord Pleanala 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 Pleanala for an oral hearing of an appeal must, in addition to (1) above, pay to An Bord Pleanala 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 Pleanala in relation to an appeal. When an appeal has been duly made and has not been withdrawn, An Bord Pleanala will determine the application for permission as if it had been made to them in the first instance.

6th May 1991

Dublin Co. Council
Planning Department
Irish Life Centre
Lr. Abbey Street
Dublin 1

2 Chalfont Road
Malahide
Co. Dublin

Dear Sir,

I enclose application for outline Permission for a change of use from a dwellinghouse to a shop (groundfloor) and apartment for No. 8 Whitehall Road West, Dublin 12.

The building is situated at the end of a row of shops and it's front door opens directly on to a concrete public area used for parking by shop customers. It is extremely busy by day and night (there is a large public house across the road) and dangerous, especially for children. The rear yard is shared with the adjoining butcher shop and is not available as a private area for the occupants of No.8. e.g. it cannot be used as a playarea by children. The property is therefore not suitable for use as a family dwellinghouse, which is it's current use.

The complete block facing onto Whitehall Road West and Kimmage Road forms a local shopping centre for the heavily populated adjoining areas. This is the only dwellinghouse in the block and is without private front and rear gardens. This application is for a change of use to a shop, a use which is clearly more appropriate to it's location. The application will not lead to a loss of a dwelling unit as provision of an apartment upstairs is proposed.

Further information can be provided, if required. I look forward to a favourable outcome to this application.

Yours Sincerely,

Patrick J. Minogue, C. Eng.





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 8 WHITEHALL ROAD WEST, DUBLIN 12
(If none, give description sufficient to identify)

3. Name of applicant (Principal not Agent) JOHN CONLETH FLANAGAN

Address 8 WHITEHALL ROAD WEST, DUBLIN 12 Tel. No. 555483

4. Name and address of person or firm responsible for preparation of drawings PATRICK MINOGUE C.ENG. 2 CHALFONT RD. MALAHIDE, CO. DUBLIN Tel. No. 451543

5. Name and address to which notifications should be sent JOHN CONLETH FLANAGAN, 8 WHITEHALL ROAD WEST, DUBLIN 12

6. Brief description of proposed development CHANGE OF USE FROM DWELLING HOUSE TO SHOP WITH APARTMENT OVER

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

9. In the case of any building or buildings to be retained on site, please state:
(a) Present use of each floor GROUND FLOOR AND FIRST FLOOR - DWELLING HOUSE
or use when last used.

(b) Proposed use of each floor GROUND FLOOR - SHOP; FIRST FLOOR - APARTMENT.

10 Does the proposal involve demolition, partial demolition or change of use of any habitable house or part thereof? CHANGE OF USE OF PART (GROUND FLOOR)

11.(a) Area of Site 170 Sq. m.

(b) Floor area of proposed development 90 Sq. m.

(c) Floor area of buildings proposed to be retained within site 90 Sq. m.

12.State applicant's legal interest or estate in site (i.e. freehold, leasehold, etc.) OWNED SUBJECT TO GROUND RENT

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:
GENERALLY

15.List of documents enclosed with application.
1. COPY OF ADVERTISEMENT - IRISH PRESS 23/4/91
2. 26 DRAWINGS (4 SETS)
3. COVERING LETTER 4. CHEQUE FOR £83.06

16.Gross floor space of proposed development (See back) 90 Sq. m.

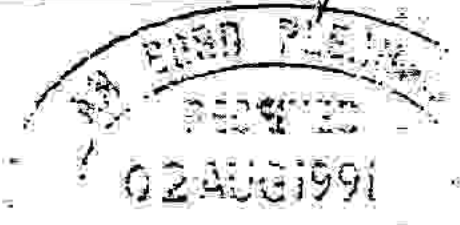
No of dwellings proposed (if any) 1 Class(es) of Development 1, 4

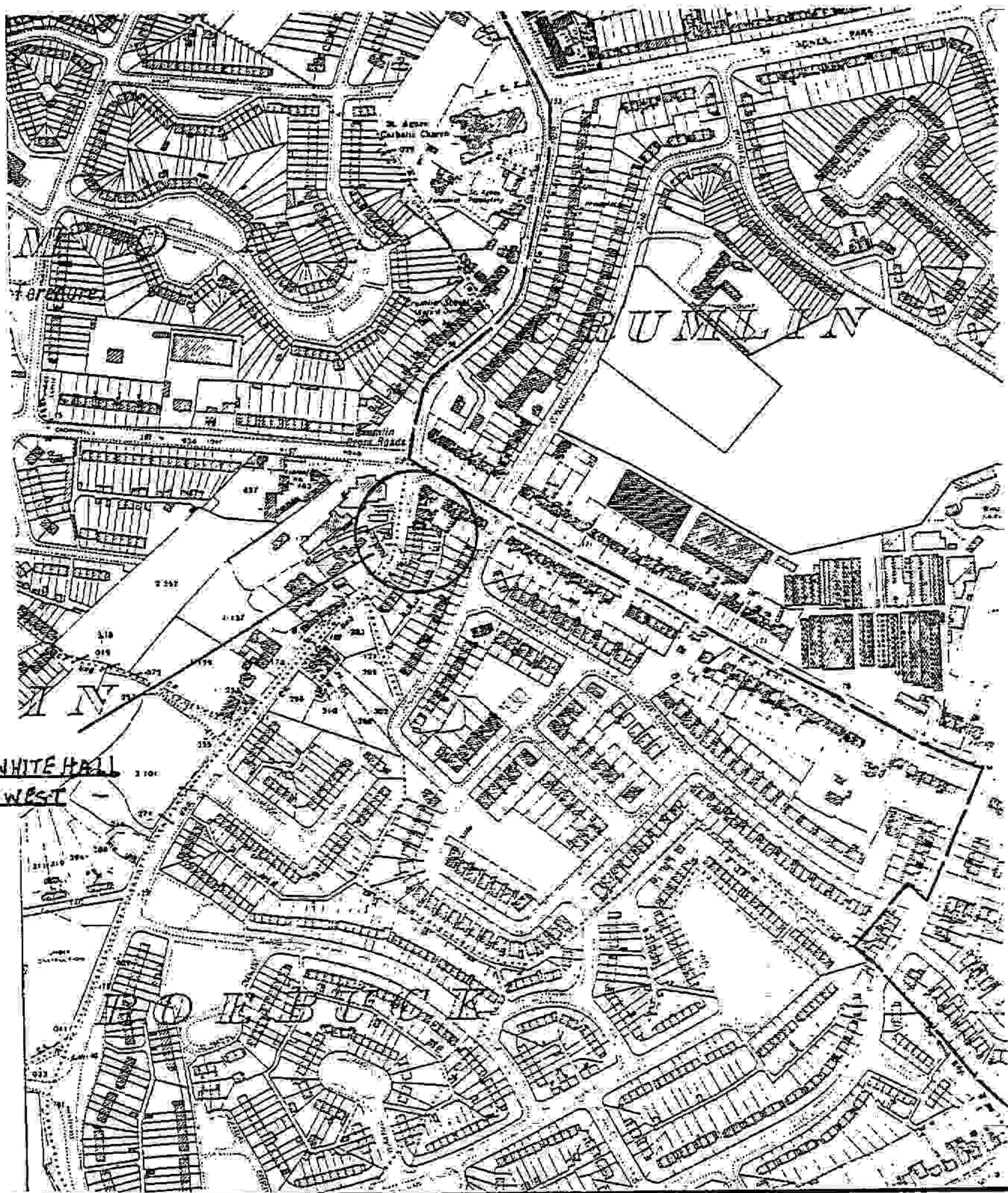
Fee Payable £ 83.06 Basis of Calculation 3/4 (45 x 1.75 + 32) = 83.06

If a reduced fee is tendered details of previous relevant payment should be given e.g. SHOP - 45 x 1.75 = 78.75
APART - 32 = 32.00
OUTLINE PERMISSION - 3/4 (110.75) = 83.06 110.75

Signature of Applicant (or his Agent) Patrick John Flanagan Date 5th May 1991

Application Type _____ FOR OFFICE USE ONLY
Register Reference _____
Amount Received £ _____
Receipt No _____
Date _____





NO. 8 WHITEHALL ROAD WEST

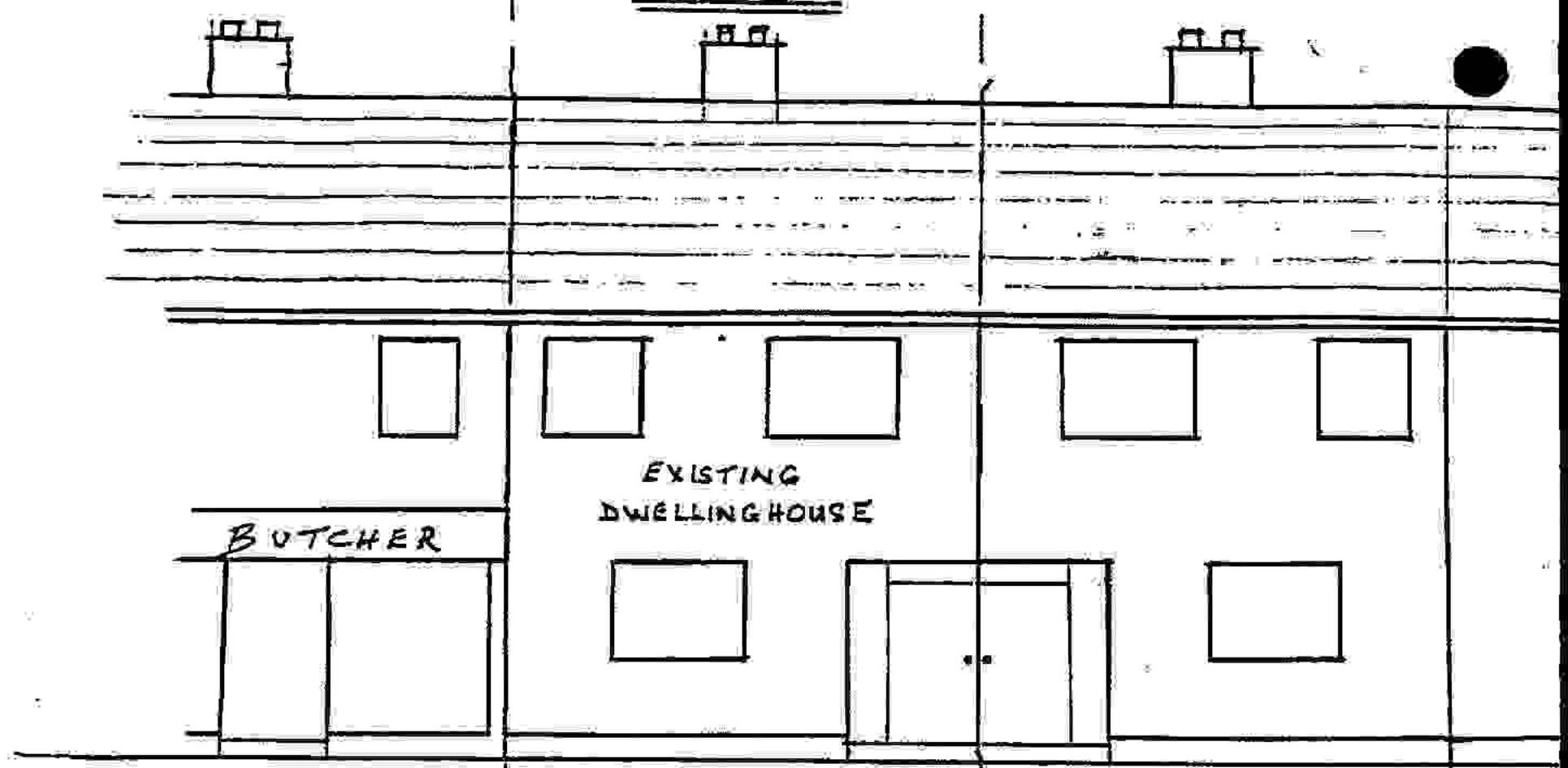
NO. 8 WHITEHALL ROAD WEST

DRAWING NO. 3

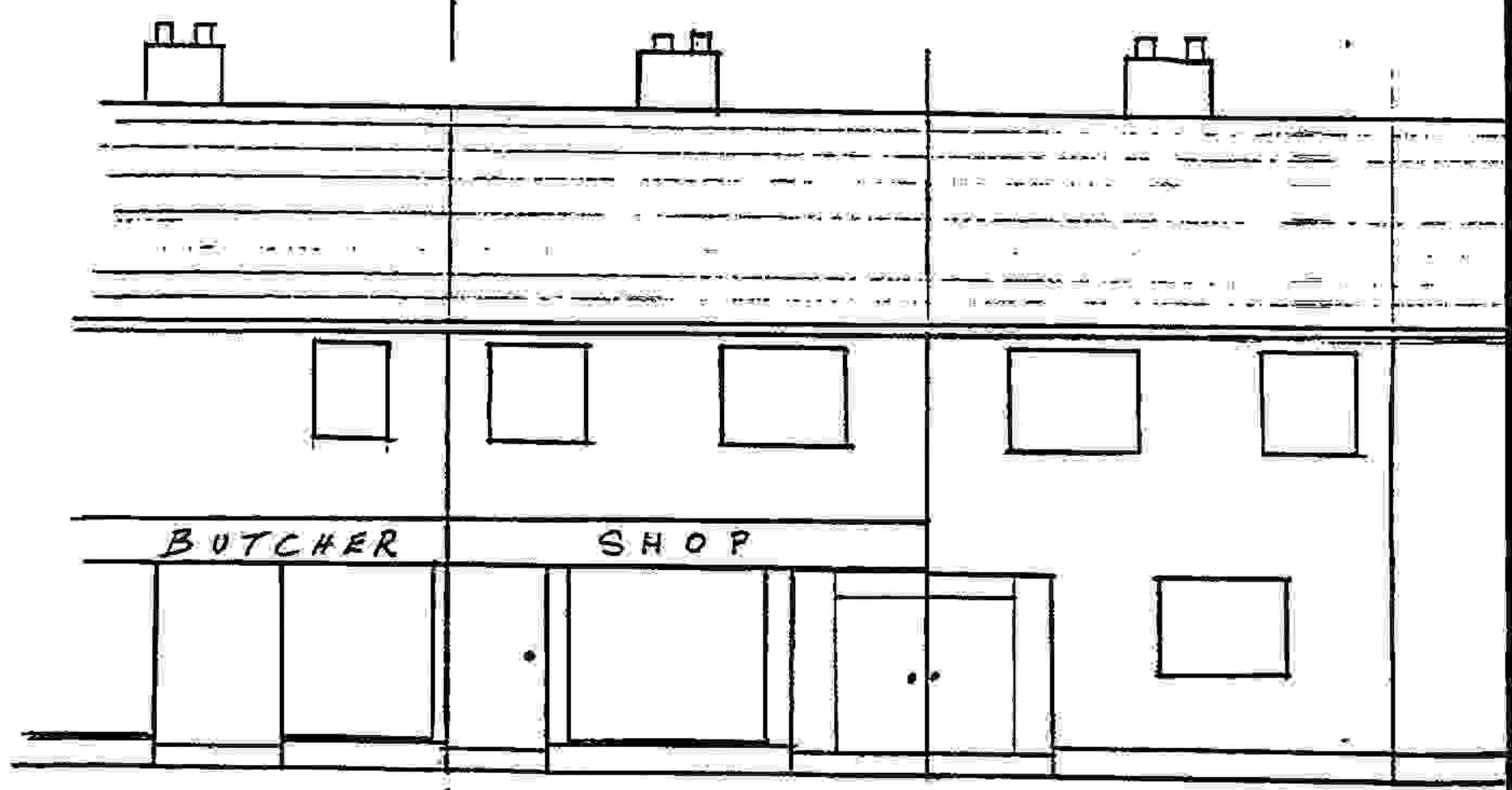
SCALE : 1 : 5000

DRAWN BY
PATRICK MINOGUE C.Eng.
3 CHALFONT RD.,
KALAHIDE.

NO 8



EXISTING ELEVATION

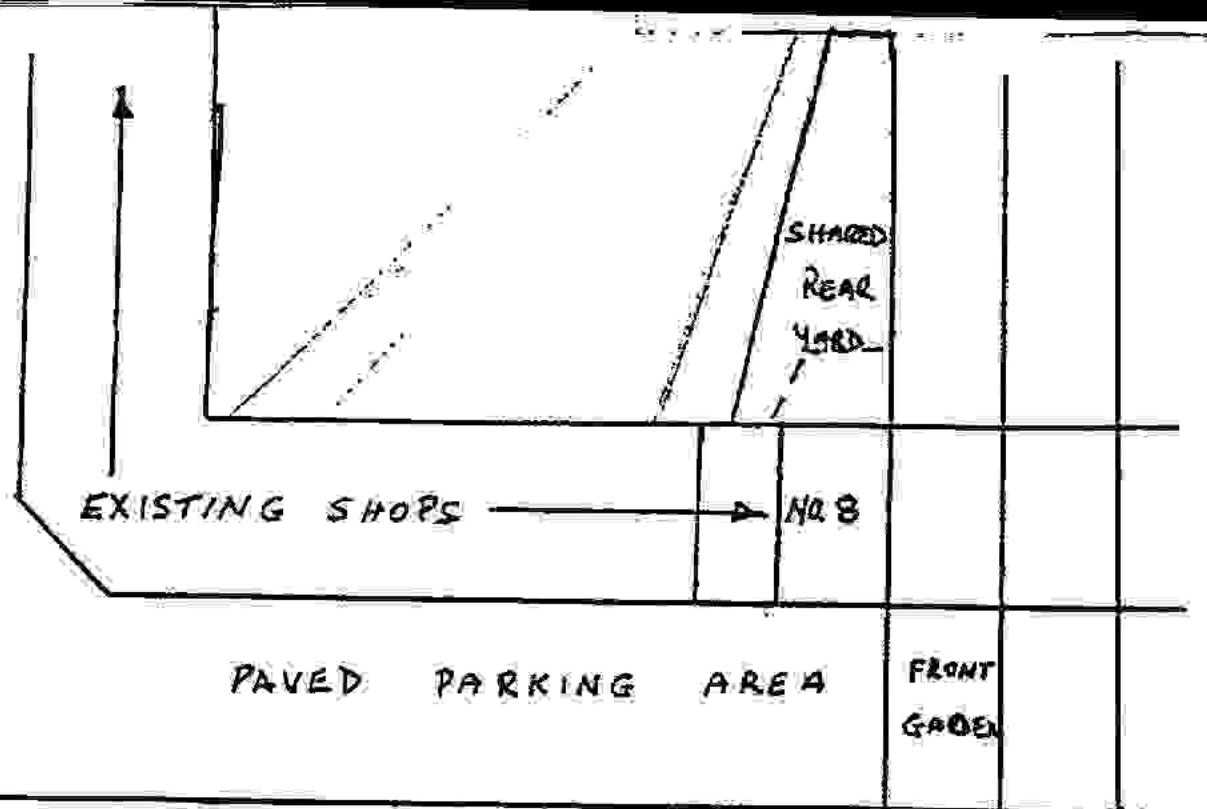


PROPOSED ELEVATION

FRONT ELEVATION

NO. 8 WHITEHALL ROAD WEST

KIMMAGE ROAD

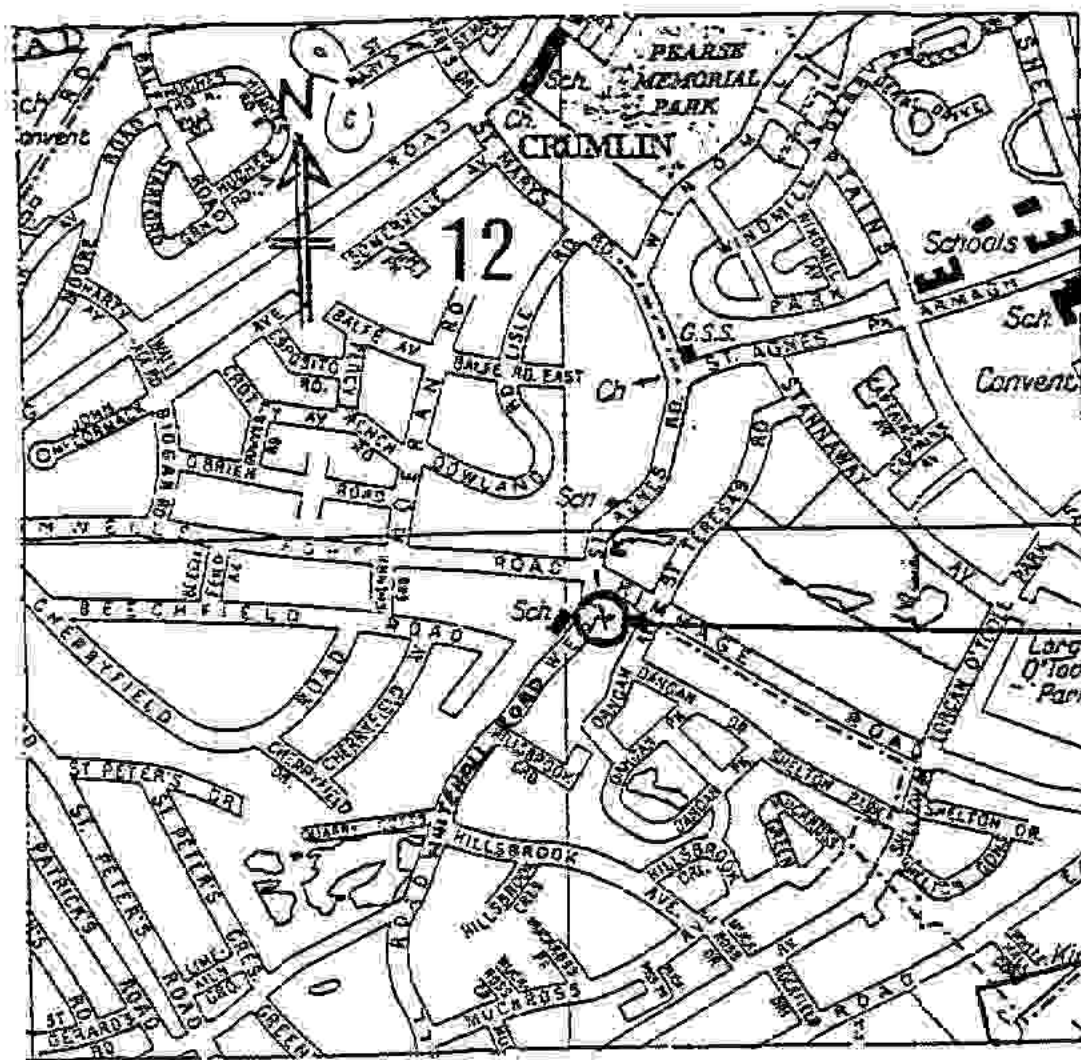


WHITEHALL ROAD WEST

SUBMARINE BAR.

CROMWELL'S FOUNT ROAD

PLAN OF AREA

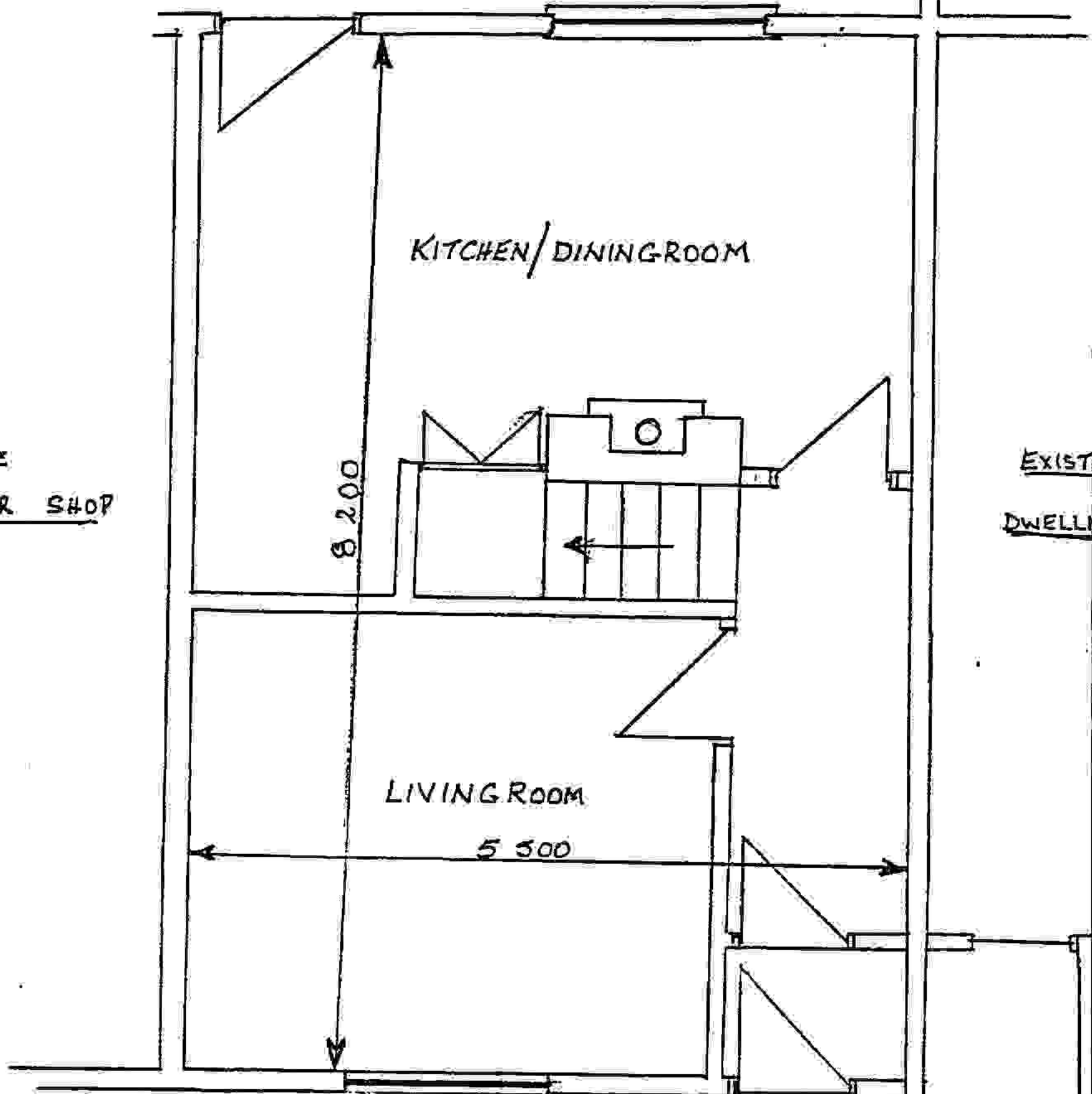


NO. 8

LOCATION

DRAWING NO. 1	
SCALES: 1:100; 1:500; 1:20,000	DATE: APRIL 1991
DRAWN BY: PATRICK MINOGUE C.Eng. 2 CHALFONT ROAD, HALFWIDE,	

EXISTING
BUTCHER SHOP

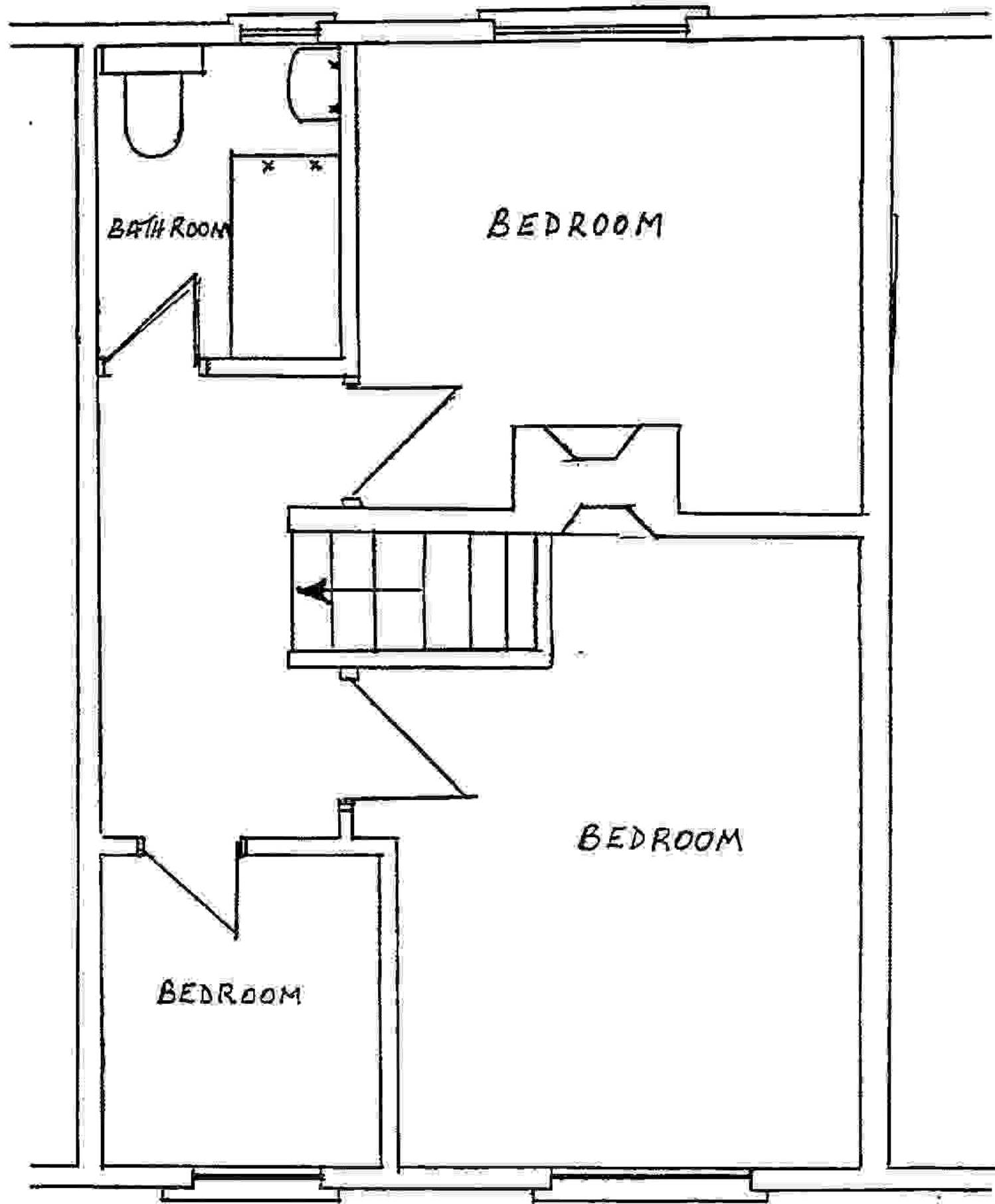


EXISTING
DWELLING

GROUND FLOOR PLAN

NO. 8 WHITEHALL ROAD WEST

ING
NG HOUSE



FIRST FLOOR PLAN

BT

DRAWING NO. 2

SCALE: 1:50

DATE: APRIL 1991

DRAWN BY: PATRICK MINOGUE C.Eng.
2 CHALFONT RD.
MALAHIDE.

DUBLIN COUNTY COUNCIL

X

Tel. 724755 (ext. 262/264)

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

NOTIFICATION OF A DECISION TO REFUSE:

OUTLINE PERMISSION: ~~PERMISSION~~ **APPROVAL**

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

To.....John Conleth Flanagan,..... Register Reference No. 91A/0735
.....8 Whitehall Road West,..... Planning Control No.
.....Dublin 12. Application Received 07.05.91
..... Additional Information Received

Applicant : C. Flanagan

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/2964/91 dated 04.07.91 decided to refuse:

OUTLINE PERMISSION ~~PERMISSION~~ **APPROVAL**

For...change of use to ground floor shop and first-floor flat at 8 Whitehall Road West, Dublin 12.

for the following reasons:

1. There is serious traffic congestion in the vicinity of this site, with parking on both sides of the road. This proposal would increase parking demand in close proximity to a busy junction and it would endanger public safety by reason of a traffic hazard.

Signed on behalf of the Dublin County Council
for PRINCIPAL OFFICER
Date 4 July 1991

IMPORTANT:
NOTE: (1) An appeal against the decision may be made to An Bord Pleanala. 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 Pleanala, Irish Life Centre, Lower Abbey Street, Dublin 1. An appeal lodged by an applicant or his agent with An Bord Pleanala 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 Pleanala for an oral hearing of an appeal must, in addition to (1) above, pay to An Bord Pleanala 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 Pleanala in connection to an appeal. When an appeal has been duly made and has not been withdrawn, An Bord Pleanala will determine the notification for permission as if it had been made to them in the first instance.

Arulata
diary

910/735

1.3.0

was A.I.

1st July 1991

Dublin Co. Council
Planning Department
Irish Life Centre
Lr. Abbey Street
Dublin 1

2 Chalfont Road
Malahide
Co. Dublin

Dear Ma. Boothman,

copy given 3/7/91

I enclose additional site plan relevant to the application for outline Permission for a change of use from a dwellinghouse to a shop (groundfloor) and apartment for No. 8 Whitehall Road West, Dublin 12 (submitted 6th May 1991).

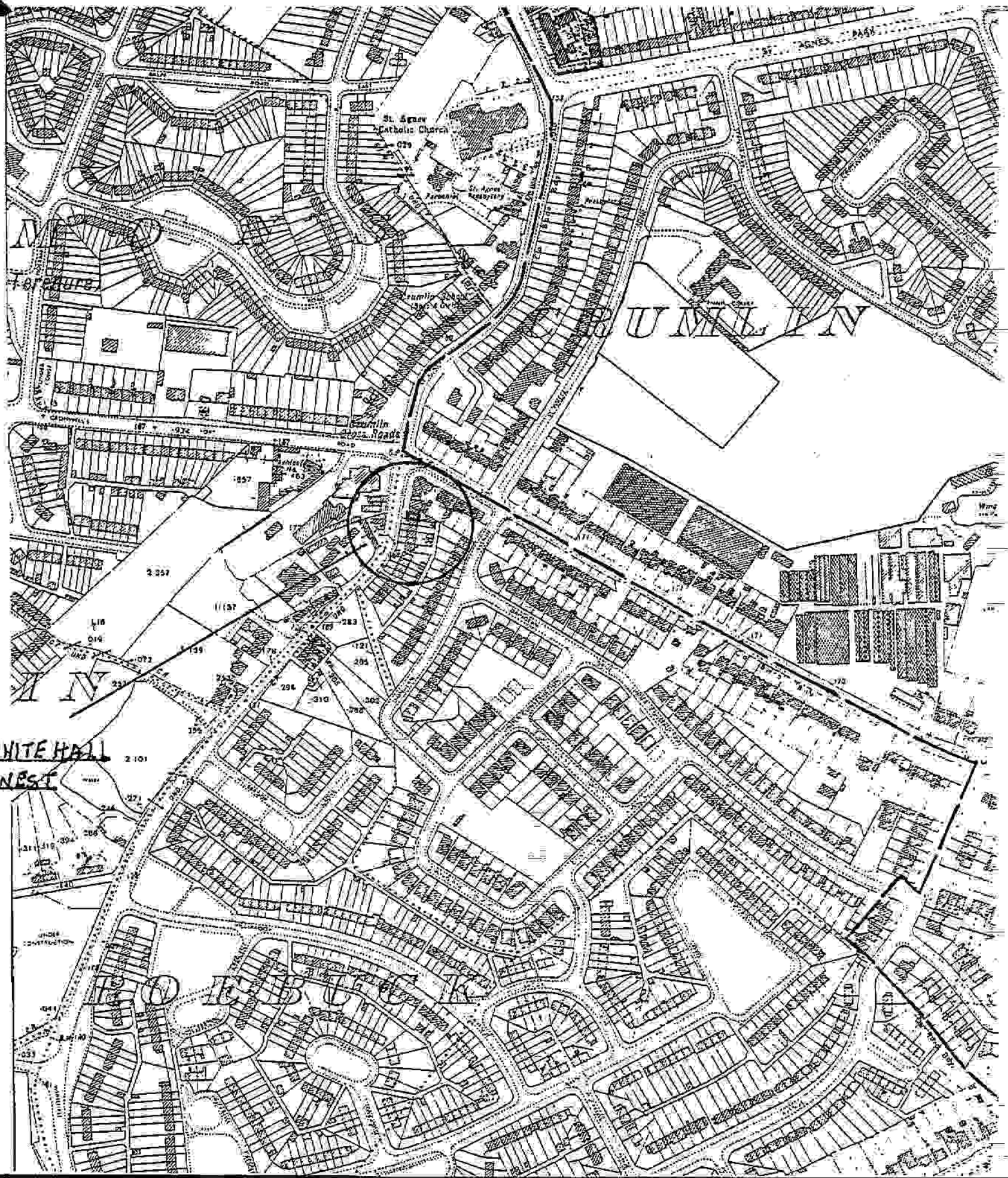
Further information can be provided, if required. I look forward to a favourable outcome to this application.

Yours Sincerely,

Patrick J. Minogue
Patrick J. Minogue, C. Eng.

02 JUL 91

X



NO. 8 WHITEHALL
ROAD WEST

NO. 8 WHITEHALL ROAD WEST

DRAWING NO. 3

SCALE: 1:5000

DRAWN BY
PATRICK MINOGUE C.Eng.
2 CHALFONT RD.,
KALAHIDE.

COMHAIRLE CHONTAE ÁTHA CLIATH

PAID BY

DUBLIN COUNTY COUNCIL

46/49 UPPER O'CONNELL STREET,

DUBLIN 1.

CASH

CHEQUE

M.O.

B.L.

I.T.

of this receipt is not an acknowledgement that the fee tendered is the prescribed application

N 39649

Balance

€ 21.44

17th

day of

May

1991

Received this

from

Mary Flanagan,

2 White Hall Rd. West

the sum of

Twenty one

Pounds

forty four

Pence, being

Balance

of fee on 91A/735

Adrian Deane

Cashier

S. CAREY

Principal Officer

Class 4

bal.

8 Whitehall Road West
Dublin. 12

16th May 1991

Principal Officer,
Dublin County Council,
Planning Department,
Block 2, Irish Life Centre,
Lr. Abbey Street,
Dublin.1.

re: No.8 Whitehall Road West, Dublin.12. Register
Reference 91A/0735.

Dear Sir,

Thank you for your letter of the 14th May 1991.

As requested I enclose cheque for £22.44. being balance
owing on above application.

I look forward to hearing further from you.

Yours sincerely,

Mary Flanagan

ppgcf.
John Conrad Flanagan

Encl.1.

DUBLIN COUNTY COUNCIL
PLANNING DEPT.
RECEIVED
17 MAY 1991

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/0735

Date : 8th May 1991

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

Dear Sir/Madam,

DEVELOPMENT : Change of use to ground floor shop and first floor flat

LOCATION : No. 8 Whitehall Road West, Dublin 12.

APPLICANT : C. Flanagan

APP. TYPE : PERMISSION

With reference to above, I acknowledge receipt of your application received on 7th May 1991.

Yours faithfully,

.....
PRINCIPAL OFFICER

John Conleth Flanagan,
8 Whitehall Road West,
Dublin 12.



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 8 WHITEHALL ROAD WEST, DUBLIN 12
(If none, give description sufficient to identify)

3. Name of applicant (Principal not Agent) JOHN CONLETH FLANAGAN
Address 8 WHITEHALL ROAD WEST, DUBLIN 12 Tel. No. 555483

4. Name and address of person or firm responsible for preparation of drawings PATRICK MINOGUE C. ENG, 2 CHALFONT RD MALAHIDE, CO. DUBLIN Tel. No. 451543

5. Name and address to which notifications should be sent JOHN CONLETH FLANAGAN, 8 WHITEHALL ROAD WEST, DUBLIN 12

6. Brief description of proposed development CHANGE OF USE FROM DWELLING HOUSE TO

SHOP WITH APARTMENT OVER

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

9. In the case of any building or buildings to be retained on site, please state:-
(a) Present use of each floor GROUND FLOOR AND FIRST FLOOR - DWELLING HOUSE
or use when last used.

(b) Proposed use of each floor GROUND FLOOR - SHOP; FIRST FLOOR - APARTMENT

10. Does the proposal involve demolition, partial demolition or change of use of any habitable house or part thereof? CHANGE OF USE OF PART (GROUND FLOOR)

Irish Press
23/4/91

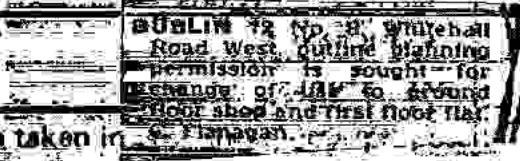
11.(a) Area of Site 170 **EYE LAW APPLICATION** Sq. m.

(b) Floor area of proposed development 90 Sq. m.

(c) Floor area of buildings proposed to be retained within site 90 Sq. m.

12. State applicant's legal interest or estate in site (i.e. freehold, leasehold, etc.) OWNED SUBJECT TO GROUND RENT

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 into account GENERALLY

15. List of documents enclosed with application. 1. COPY OF ADVERTISEMENT - IRISH PRESS 23/4/91

2. 2 NO DRAWINGS (4 SETS)

3. COVERING 4. CHECKS FOR 83.06

16. Gross floor space of proposed development (See back) 90 Sq. m.

No of dwellings proposed (if any) 1 Class(es) of Development 4 N 39509

Fee Payable £ 83.06 Basis of Calculation 3/4 (45 x 1.75) = 183.06

If a reduced fee is tendered details of previous relevant payment should be given: SHOP - 45 x 1.75 = 78.75

APART - 32 = 32.00

Signature of Applicant (or his Agent) Patrick Minogue Date 5th May 1991

Application Type O.P. FOR OFFICE USE ONLY

Register Reference 91A/0735

Amount Received £ 2.8.0

Receipt No 222

Date 222



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

Outline of requirements for applications for permission or Approval under the Local Government (Planning & Development) Acts 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

BUILDING BYE-LAW APPLICATIONS

CLASS NO.	DESCRIPTION	FEE	CLASS NO.	DESCRIPTION	FEE
1.	Provision of dwelling — House/Flat.	£32.00 each	A	Dwelling (House/Flat)	£55.00 each
2.	Domestic extensions/other improvements.	£16.00	B	Domestic Extension (improvement/alteration)	£30.00 each
3.	Provision of agricultural buildings (See Regs.)	£40.00 minimum	C	Building — Office/Commercial Purposes	£3.50 per m ² (min. £70.00)
4.	Other buildings (i.e. offices, commercial, etc.)	£1.75 per sq. metre (Min. £40.00)	D	Agricultural Buildings/Structures	£1.00 per m ² in excess of 300 sq. metres (min. - £70.00) (Max. - £300.00)
5.	Use of land (Mining, deposit or waste)	£25.00 per 0.1 ha (Min. £250.00)	E	Petrol Filling Station	£200.00
6.	Use of land (Camping, parking, storage)	£25.00 per 0.1 ha (Min. £40.00)	F	Development or Proposals not coming within any of the foregoing classes.	£9.00 per 0.1 ha (£70.00 min.)
7.	Provision of plant/machinery/tank or other structure for storage purposes.	£25.00 per 0.1 ha (Min. £100.00)			Min. Fee £30.00
8.	Petrol Filling Station.	£100.00			Max. Fee £20,000
9.	Advertising Structures.	£10.00 per m ² (min £40.00)			
10.	Electricity transmission lines.	£25.00 per 1,000m (Min. £40.00)			
11.	Any other development.	£5.00 per 0.1 ha (Min. £40.00)			

Cheques etc. should be made payable to: Dublin County Council.

Gross Floor space is to be taken as the total floor space on each floor measured from the inside of the external walls.

For full details of Fees and Exemptions see Local Government (Planning and Development) (Fees) Regulations 1984.

COMHAIRLE CHONTAE ÁTHA CLIATH

PAID BY — DUBLIN COUNTY COUNCIL

46/49 UPPER O'CONNELL STREET
DUBLIN 1.

Issue of this receipt is not an
acknowledgement that the fee
tendered is the prescribed application
fee. ~~39509~~ 39509

- CASH
- CHE
- M.O.
- B.L.
- I.T.

£83.06

Received this 7th day of May 1991

from P. A. Minojue
2 Chalfont Rd,
Malahide

the sum of eighty three Pounds

six Pence, being the fee

planning application at 8 Whitehall Rd. W.

Madeo De Cashier

S. CAREY
Principal Officer *Miss L*

6th May 1991

Dublin Co. Council
Planning Department
Irish Life Centre
Lr. Abbey Street
Dublin 1

2 Chalfont Road
Malahide
Co. Dublin

Dear Sir,

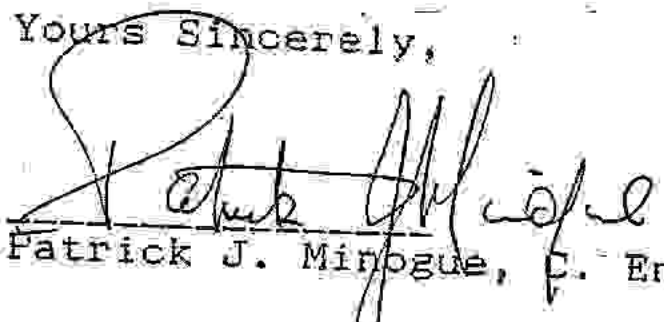
I enclose application for outline Permission for a change of use from a dwellinghouse to a shop (groundfloor) and apartment for No. 8 Whitehall Road West, Dublin 12.

The building is situated at the end of a row of shops and it's front door opens directly on to a concrete public area used for parking by shop customers. It is extremely busy by day and night (there is a large public house across the road) and dangerous, especially for children. The rear yard is shared with the adjoining butcher shop and is not available as a private area for the occupants of No.8. e.g. it cannot be used as a playarea by children. The property is therefore not suitable for use as a family dwellinghouse, which is it's current use.

The complete block facing onto Whitehall Road West and Kimmage Road forms a local shopping centre for the heavily populated adjoining areas. This is the only dwellinghouse in the block and is without private front and rear gardens. This application is for a change of use to a shop, a use which is clearly more appropriate to it's location. The application will not lead to a loss of a dwelling unit as provision of an apartment upstairs is proposed.

Further information can be provided, if required. I look forward to a favourable outcome to this application.

Yours Sincerely,


Patrick J. Minogue, P. Eng.

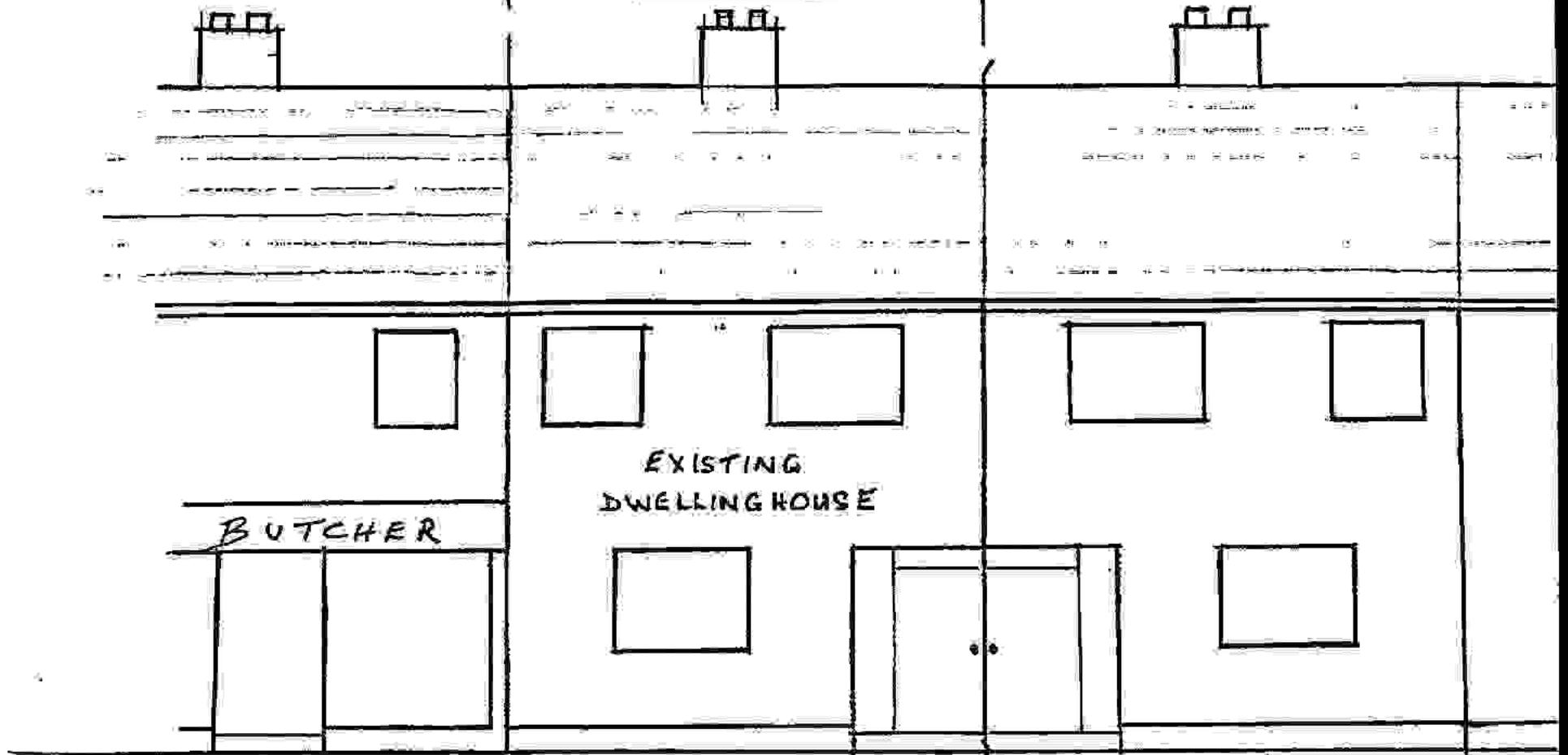
RECEIVED

07 MAY 1991

91A/0735

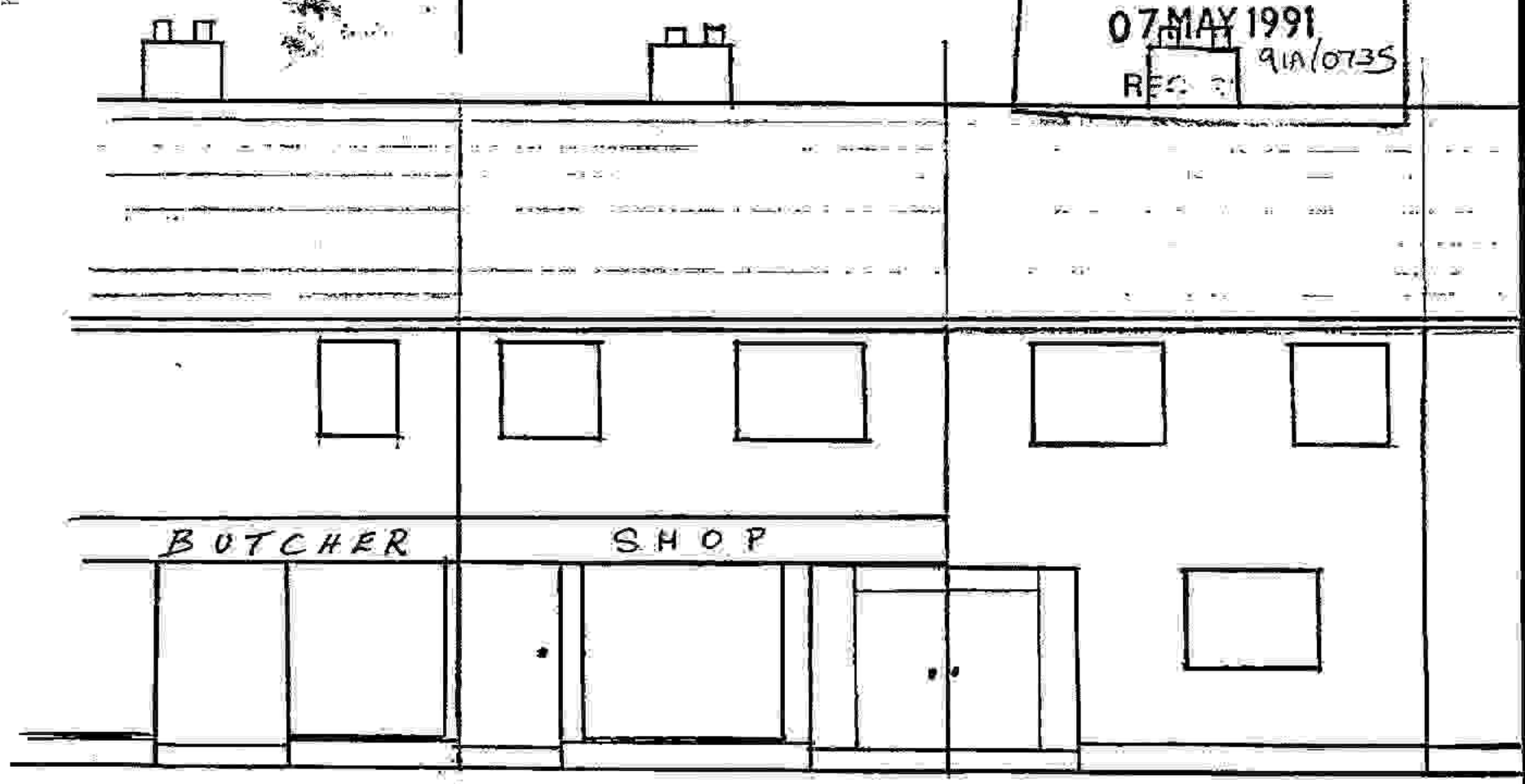
REG. SEC.

NO



EXISTING ELEVATION

RECEIVED
 07 MAY 1991
 REC 91A/0735

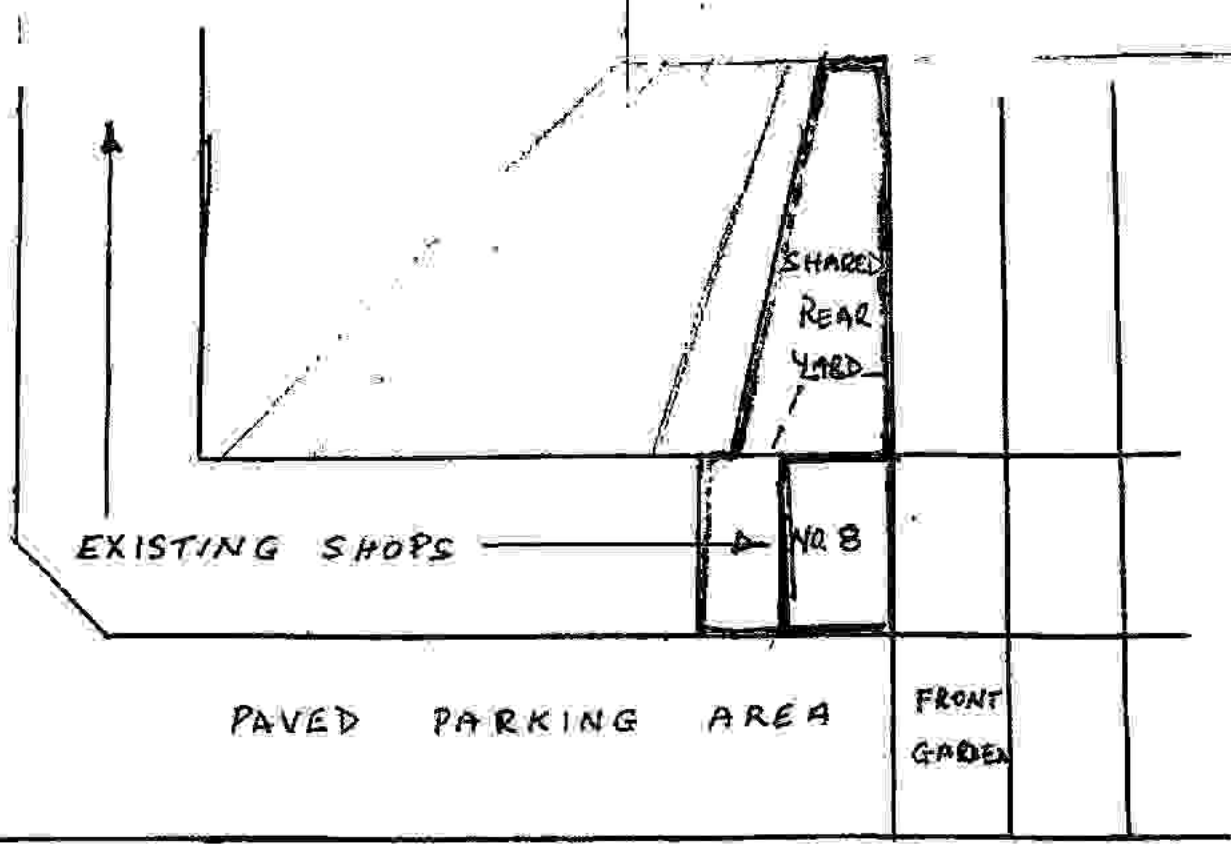


PROPOSED ELEVATION

FRONT ELEVATION

NO. 8 WHITEHALL ROAD WEST

KIMMAGE ROAD

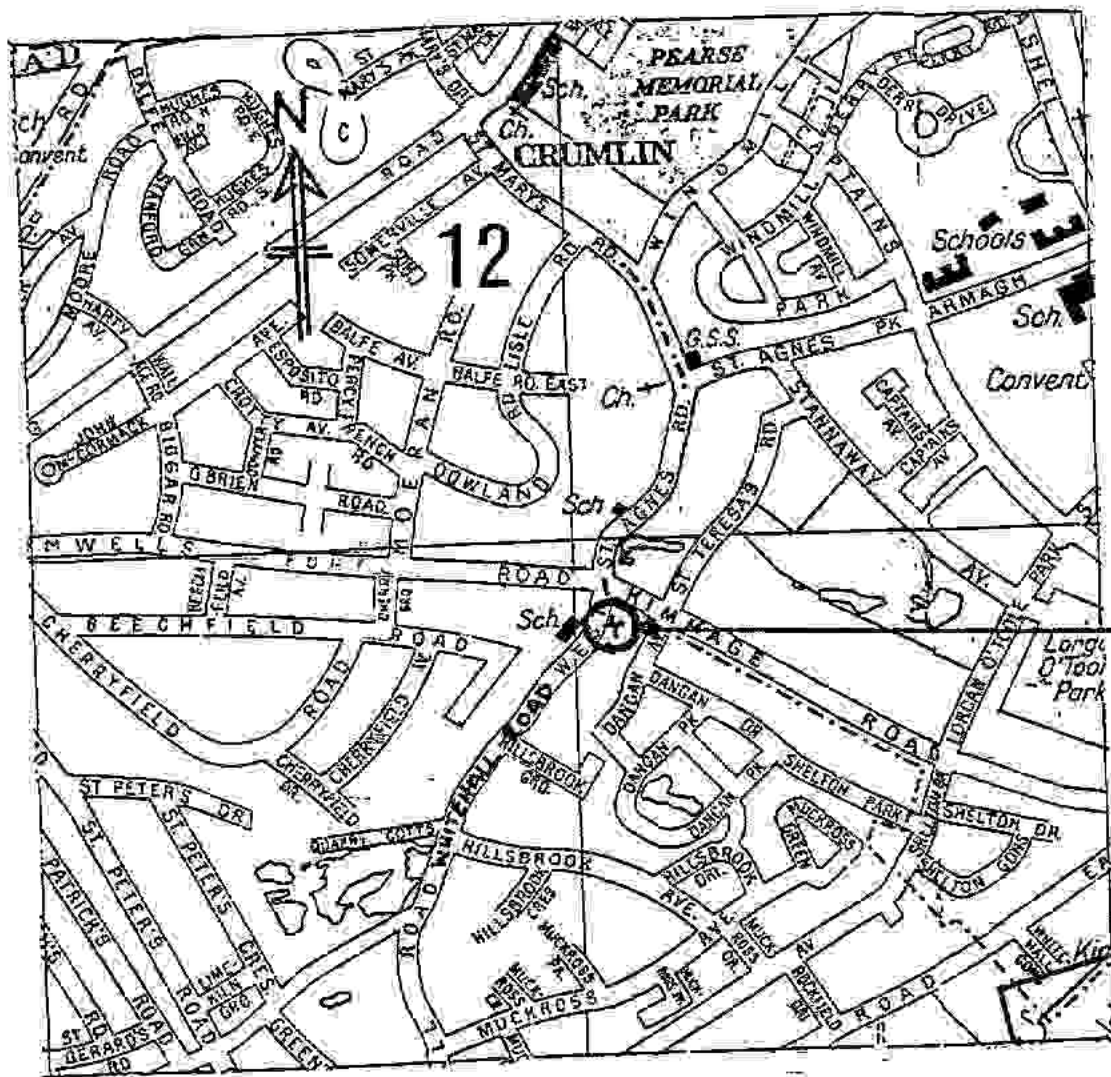


WHITEHALL ROAD WEST

CAOM WELLS FORT ROAD

SUBMARINE BAR.

PLAN OF AREA



LOCATION

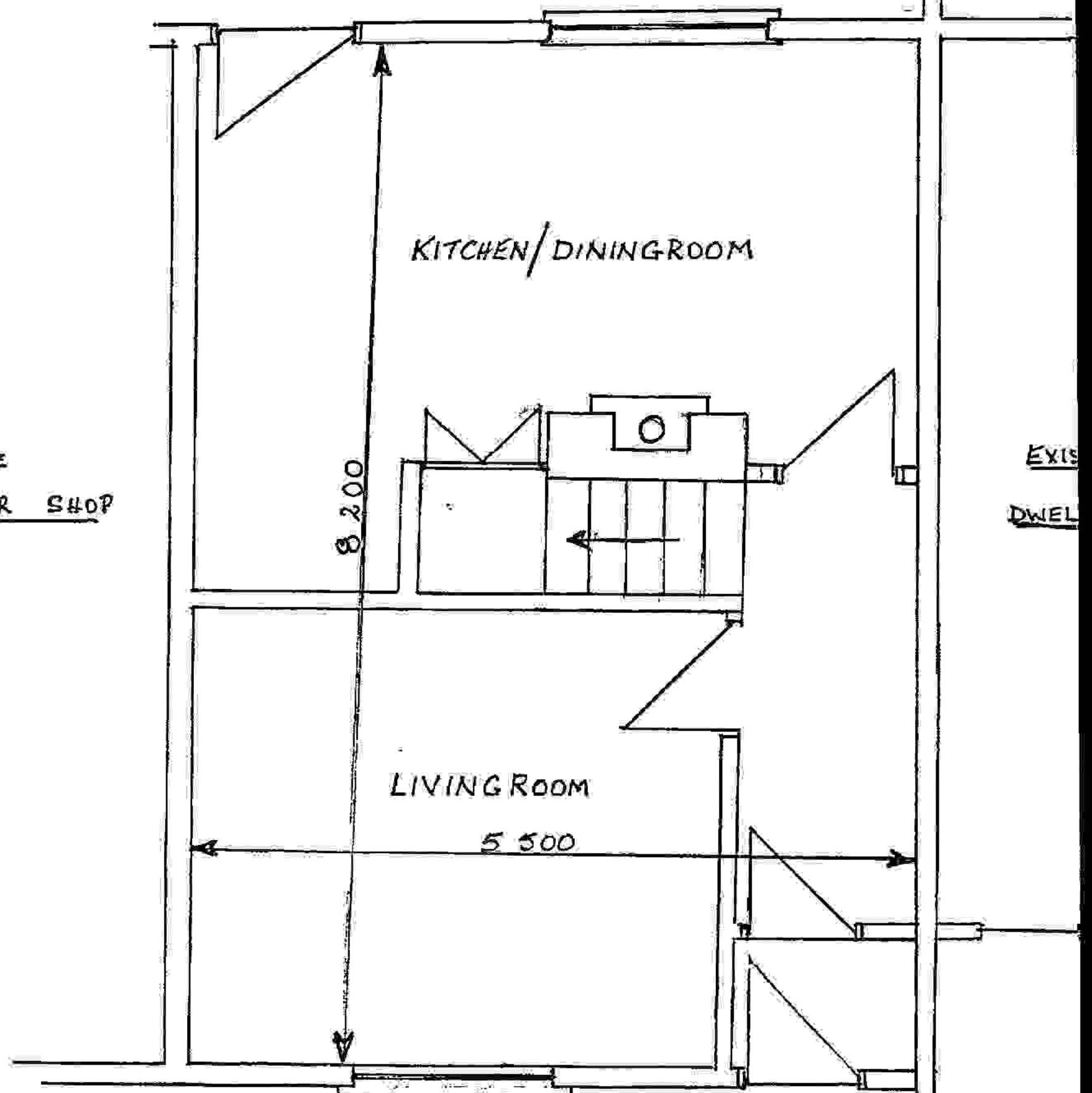
DRAWING NO. 1

SCALES: 1:100; 1:500; 1:20,000 DATE: APRIL 199

PATRICK MINOGUE C.ENG.

DRAWN BY: 2 CHALFOOT ROAD, MALAHIDE,

EXISTING
BUTCHER SHOP

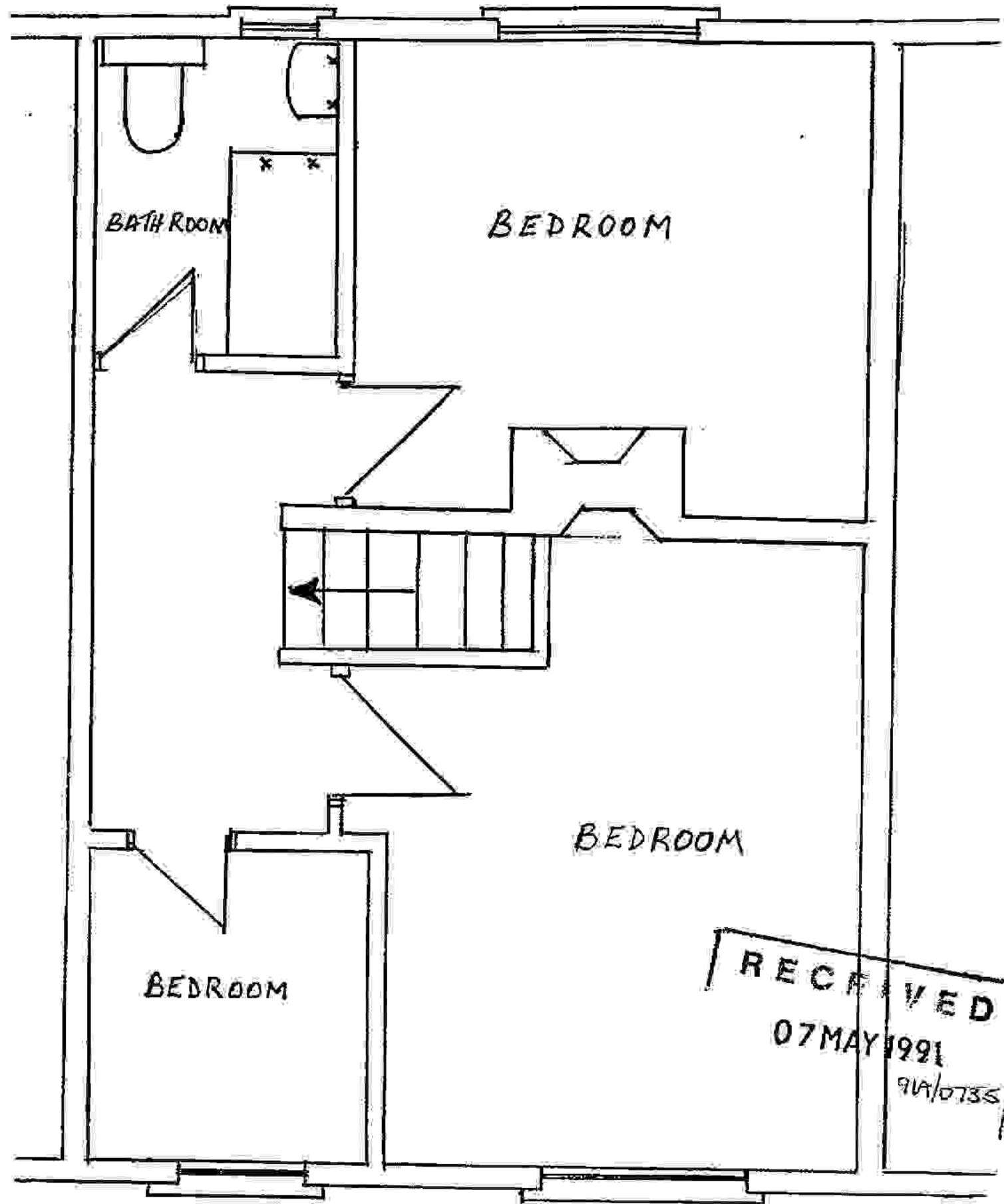


EXIST
DWEL

GROUND FLOOR PLAN

NO. 8 WHITEHALL ROAD WE

TING
LING HOUSE



RECEIVED
07 MAY 1991
91A/0735

FIRST FLOOR PLAN

ST

DRAWING NO. 2

SCALE: 1:50

DATE: APRIL 1991

DRAWN BY: PATRICK MINOQUE C.Eng.
2 CHALFONT RD.
MALAHIDE.