

Hugh J. O'Hagan Ward & Co.

Norman Gruson, B.A., LL.B.,
Louis Goldberg, B.A., LL.B.,
Quentin Crivon,
Paul A. Ferris, B.A., LL.B.,

Michael G. Cosgrove, B.C.L., A.I.T.I.,
John Brannigan, B.C.L.

SOLICITORS
Commissioners for Oaths
Incorporating
RYAN WALLACE CRIVON

DDE Box No. 15

PK
94 Lr. Baggot Street
Dublin 2.

Telephone: 764496/7/8
686832
767621
Telefax: 682317

PLEASE QUOTE OUR REFERENCE

Our Ref:

NG/CB

Your Ref:

91A/0283

Register Ref No. 91A/236

No. 10 91A/915

Date:

13th August 1991

A. Smith Esq.,
Principal Officer,
Registry Section,
Planning Department,
Irish Life Mall,
Block 2,
Talbot Street,
Dublin 1.

Handwritten initials and date: 12/8

OBJE

13 10 91

RE: Proposed Conversion of Residential Flats at Orlagh Grove,
Scholarstown Road to Business Premises.

Dear Sir,

We refer to a communication of the 30th of April last when we had been discussing the question of provision of a suitable and adequate boundary wall with proper screening and fencing for our clients, Mr. & Mrs. James Isacs.

The Developers have apparently agreed to the provision of a boundary wall. It is felt that this will not be adequate enough to provide the necessary screening as it is felt that at least one block extra in height on the back wall would be required and it is also felt that more adequate and wider plantation bordering on this wall should be provided to give the additional privacy necessary. Further it is felt that the entrance/exit to the Shopping Precinct be situated further away from our clients' premises as it is felt that the disturbance and interference which may ensue because of the proximity to same will have a deleterious effect to our clients' premises and also on our clients.

We would be grateful if you would take these matters into consideration in when a decision on the Planning is arrived at and if any further information is required our clients will be pleased to furnish same to you.

Yours faithfully,

Handwritten signature
HUGH J. O'HAGAN WARD & CO.



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

Hugh J. O'Hagan Ward & Co.,
94 Ir. Baggot Street,
Dublin 2.

Our Ref. RF/LD

Your Ref.

Date 16th August 1991

REG. REF. 91A/0915

RE: Development at Orlagh Grove, Scholarstown Road

Dear Sir,

I refer to your letter received in this Department on 13th August 1991 regarding the above and wish to inform you that a Decision to GRANT Permission was made on this application on 25th July 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 Pleanala, 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



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/0915

Date : 7th June 1991

Dear Sir/Madam,

Development : Change of use of first floor area from 4 residential units to Dentist's Surgery, Doctor's Surgery, Optician and office unit and subsequent minor alterations in previously approved neighbourhood shopping development.

LOCATION : Orlagh Estate, Scholarstown Road, Dublin 16.

Applicant : Gannon Homes Ltd.,

App. Type : PERMISSION

Date Recd : 4th June 1991

Your application in relation to the above was submitted with a fee of 98.75 .

On examination of the plans submitted it would appear that the appropriate amount should be 393.75 .

I should be obliged if you would submit the balance of 295.00 as soon as possible as a decision cannot be made on this application until the correct fee is received.

Yours faithfully,

A handwritten signature in dark ink, appearing to be 'M. J. Kelly', written over a dotted line.

PRINCIPAL OFFICER

Conroy Crowe Kelly,
26 Kingram Place,
Dublin 2.

9/14/91

CERTIFICATE NO: 25522

PROPOSAL:
LOCATION:
APPLICANT:

Chap use of First Floor for to Omsis P Office
Delagh Estate, Chelmsford Road D16
Gerran James Ltd

1	2	3	4	5	6	7
DWELLINGS/AREA LENGTH/STRUCT	RATE	AMT OF FEE REQ	AMOUNT LOGGED	BALANCE DUE	BALANCE DUE	DATE/ RECEIPT
Dwellings	2252					
	2216					
	2202 per M ² to EXCEED OF 300M ² Net 220					
net area 225.0	221.75 per M ² of 225	293.75	298.75	295.00		
x .1 feet	2233 per M ² 2201 2230					
x .1 feet	2216 per M ² 2201 2210					
x .1 feet	2202 per M ² 2201 2200					
x net area	2210 per M ² 2201 2200					
x net area	2200 per M ² 2201 2200					

[295 14/6/91
N4240

J. Young D/CI

7/6/91

Number 1 Certified Signed: _____ Grade: _____
 Number 1 Endorsed Signed: _____ Grade: _____
 Numbers 2, 3, 4, 5, 6 & 7 Certified Signed: _____ Grade: _____
 Numbers 2, 3, 4, 5, 6 & 7 Endorsed Signed: _____ Grade: _____

Full

S.O. 07/6/91

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

ASSESSMENT OF FINANCIAL CONTRIBUTION

REG. REF.: 91A/915

CONT. REG.:

SERVICES INVOLVED: WATER/FOUL SEWER/SURFACE WATER

AREA OF SITE:

FLOOR AREA OF PRESENT PROPOSAL: 2422 FT²

MEASURED BY: J.Y. 7/6/91

CHECKED BY:

METHOD OF ASSESSMENT:

TOTAL ASSESSMENT

MANAGER'S ORDERED NO: F/ /
DATED :

ENTERED IN CONTRIBUTIONS REGISTER:

Pauland

T
Road
and

front w

fill
22/7/91
S

DEVELOPMENT CONTROL ASSISTANT GRADE

CN656211

FINANCIAL CONTRIBUTION :-	
AMOUNT €	Contributor
F	NOT Contributed

AN BORD PLEANÁLALOCAL GOVERNMENT (PLANNING AND DEVELOPMENT) ACTS, 1963 TO 1990County DublinPlanning Register Reference Number: 91A/915

APPEAL by Orlagh Grove Residents' Association of 5 Orlagh Green, Scholarstown Road, Dublin and by James and Helen Isaacs of "Minglewood", 5 Orlagh Grove, Scholarstown Road, Dublin against the decision made on the 24th day of July, 1991, by the Council of the County of Dublin to grant subject to conditions a permission to Gannon Homes Limited care of Conroy Crowe Kelly of 26 Kingram Place, Fitzwilliam Square, Dublin for development comprising the change of use of first floor area from four residential units to dentist's surgery, doctor's surgery, optician and office unit and subsequent minor alterations to previously approved neighbourhood shopping development at Orlagh Estate, Scholarstown Road, 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, it is hereby decided, for the reason set out in the First Schedule hereto, to grant permission for the said development in accordance with the said plans and particulars, subject to the conditions specified in the Second Schedule hereto, the reasons for the imposition of the said conditions being as set out in the said Second Schedule and the said permission is hereby granted subject to the said conditions.

FIRST SCHEDULE

It is considered that the proposed development, as an addition to a permitted neighbourhood facility, would not give rise to hazardous on-street car parking or loss of amenity to adjoining residential properties and, subject to compliance with the conditions set out in the Second Schedule hereto, it would be in accordance with the proper planning and development of the area.

SECOND SCHEDULE

1. The use of the proposed office area on the first floor shall be restricted to a neighbourhood office as defined in the 1983 Dublin County Development Plan.

Reason: To define the nature of the development permitted.

2. The number of surgeries at first floor level shall be restricted to two and no car parking shall be provided at the rear of buildings.

Reason: To relate the provision of off-street car parking facilities to the extent of development permitted in relation to Development Plan standards.

PL 6/5/86497

SECOND SCHEDULE (CONTD.)

3. Vehicular access between the two car parking areas indicated on plans submitted shall be provided internally on the site and a one-way system with access at the north end and exit at the rear end shall be provided.

Reason: To maximise the utility of car parking provision.

4. A landscaping scheme for the site shall be submitted to and agreed with the planning authority prior to the occupation of any units.

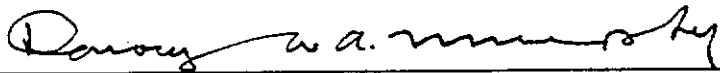
Reason: In the interest of the amenities of the area.

5. A two metre high boundary wall, suitably capped and rendered to match existing walls, shall be constructed from the front building line of the house at 5 Orlagh Grove to the eastern rear boundary of the site, before the occupation of any units on site.

Reason: In the interest of residential amenity.

6. The existing wall on the south side of the balcony closest to 5 Orlagh Grove shall be raised to 1.8 metres in height and properly capped and rendered to match existing walls.

Reason: To protect the privacy of adjoining properties in the interest of visual amenity.



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

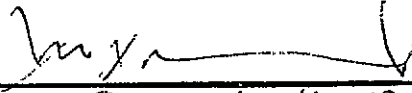
Dated this 17th day of January. 1992.

AN BORD PLEANÁLA

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

County Dublin

Planning Register Reference Number: 91A/915

Order Noted: <u>C.D.</u>	
Date ^{of note} FEB. 92 <u>MARCH.</u>	
to whom the appropriate powers have been delegated by order of the Dublin City and County Manager.	
Dated <u>10th</u> day of <u>FEBRUARY</u> 19 <u>92</u>	

DECISIONS

APPEALS CHECK LIST

REG. REF. NO.

91A-915

217

1	ENTERED IN OBJECTORS REGISTER	✓
2	ENTERED IN BLUE FOLDER	✓
3	ENTERED IN APPEALS REGISTER	✓
4	ENTERED IN PLANAPS: I.E.:	
	Appeal Decision:	✓
	Appeal Date:	✓
5	COPY OF DECISION FOR WEEKLY LIST (LAURA/MARY)	✓
6	DECISION CIRCULATED TO LISTED PERSONS	✓
6	TO BONDS & CONTRIBUTIONS FOR FINANCIAL ASSESSMENT <i>No financial cards,</i>	
7	TO L. DOYLE FOR NOTING	

CHANGE STATUS IN PLANAPS:

REFUSAL:.....55
 GRANT:.....62
 WITHDRAWN:.....54
 CONDITIONS:.....53

Note - Board's Decision
 is a 2 sided
 page

COMHAIRLE CHONTAE ATHA CLIATH

REG. REF. 91A/0915

TO: M. O'Shee,
Executive Planner

RE: Proposed change of use of first floor area from 4 residential units to Dentist's Surgery, Doctor's surgery, optician and office unit and subsequent minor alterations in previously approved neighbourhood shopping development at Orlagh Estate, Scholarstown Road, Dublin 16 for Gannon Homes Ltd.

I attach for your observations memo/letter dated 11th October, 1991 from An Bord Pleanala.

Please reply before: 21st January, 1992

Sine Millan
for Principal Officer

DATED: 7 January 1992

OBSERVATIONS:

Decision Made

Signature of person making observations: _____

Countersigned: _____ (S.E.D.C.)

DATE: _____

DATE: _____

COMHAIRLE CHONTAE ATHA CLIATH

TO: M. O'Shee,
Executive Planner.

REG. REF. 91A/0915

RE: Proposed change of use of first floor area from 4 residential units to Dentist's Surgery, Doctor's surgery, optician and office unit and subsequent minor alterations in previously approved neighbourhood shopping development at Orlagh Estate, Scholarstown Road, Dublin 16 for Gannon Homes Ltd.

I attach for your observations memo/letter dated 11th October, 1991 from An Bord Pleanala.

Please reply before: 7th November, 1991

S. O'Sullivan
for Principal Officer

DATED: 24 October 1991.

OBSERVATIONS:

Further letter of 22/10 ABP

no further comments to make

N.B. There is a current planning application
by ref: 91A-1748 for use of the four units as a
keep fit centre.

Decision made

Signature of person making observations: M O'Shee

Countersigned: P. Corrinus
(S.E.D.C.) SEP

DATE: 8/10/91

DATE: 12/12/91



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 St.,
Dublin 1.

Our Ref: 91A/0915

Your Ref.: PL6/5/86497

3 December 1991

Re: Proposed change of use of first floor area from 4 residential units to Dentist's Surgery, Doctor's surgery, optician and office unit and subsequent minor alterations in previously approved neighbourhood shopping development at Orlagh Estate, Scholarstown Road, Dublin 16 for Gannon Homes Ltd.

Dear Sir/Madam,

I refer to your letter dated 11th October, 1991 & 22nd October, 1991, enclosing correspondence with regard to 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 24th July, 1991.

There is a current planning application, Reg. Ref. 91A/1748, for use of the four units as a keep-fit centre.

Yours faithfully,

for Principal Officer.

Decision made

COMHAIRLE CHONTAE ATHA CLIATH

TO: M. O'Shee,
Executive Planner

REG. REF. 91A/0915

RE: Proposed change of use of first floor area from 4 residential units to Dentist's Surgery, Doctor's surgery, optician and office unit and subsequent minor alterations in previously approved neighbourhood shopping development at Orlagh Estate, Scholarstown Road, Dublin 16 for Gannon Homes Ltd.

I attach for your observations memo/letter dated 14th August, 1991 from An Bord Pleanála.

Please reply before: 6th September

S
for Principal Officer

DATED: 22 August 1991

OBSERVATIONS:

no further comments to
make to D.P.O. report dated

17/7/91.

Further letter of 19/8/91 ABP.

It should be noted by A.B.P.

that condition no 10 of Dec. Order P/3373/91
dated 24/7/91, is also a
condition of the earlier per.

granted under Reg. Ref 9/A 616 (1 note
specifically to condition 7.)

This condition was attached so as to
protect the adjoining residential amenities
of the adjoining property.

Signature of person
making observations: MOShee

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

DATE: 22/8/91

DATE: 22.8.91

COMHAIRLE CHONTAE ÁTHA CLIATH

Record of Executive Business and Manager's Orders

Register Reference : 91A/0915

Date Received : 4th June 1991

Correspondence : Conroy Crowe Kelly,
Name and : 26 Kingram Place,
Address : Dublin 2.

Development : Change of use of first floor area from 4 residential units to Dentist's Surgery, Doctor's Surgery, Optician and office unit and subsequent minor alterations in previously approved neighbourhood shopping development. *C06562 II*

Location : Orlagh Estate, Scholarstown Road, Dublin 16.

Applicant : Gannon Homes Ltd.,

App. Type : Permission

Zoning :

CONTRIBUTION:	
Standard:	<i>nil</i>
Roads:	<i>nil in full</i>
S. Servs:	<i>nil in full</i>
Open Space:	
Other:	
SECURITY:	
Bond / C.I.F.:	
Cash:	

(MOS/AC)

Report of the Dublin Planning officer dated 17 July 1991.

This is an application for PERMISSION for the change of use of first-floor area from 4 residential units to dentist's surgery, doctor's surgery, optician and office use and subsequent minor alterations in previously approved neighbourhood shopping development.

PLANNING HISTORY

Reg. Ref. 89A/0236: permission granted by An Bord Pleanala for 4 no. shops and 4 no. flats overhead. (Order dated 09.01.91).

Reg. Ref. 91/0283: Application made for proposed change of use from residential use to office use at first-floor and subsequent alterations to previously approved two-storey shops and flat development, was subsequently withdrawn and therefore never determined.

Reg. Ref. 91A/0616: Permission was granted by Dublin County Council for a single-storey store/toilets extension to the rear of the newsagent/grocery in the already approved shopping centre (Decision Order 91A/2515, dated 12.06.91).

Condition No. 6 of that decision stated:

"That 3 no. additional off-street car parking spaces be provided at the front of the proposed development so that a total of 20 no. off-street car parking spaces are provided in connection with the proposed development".

COMHAIRLE CHONTAE ÁTHA CLIATH

Record of Executive Business and Manager's Orders

Reg.Ref: 91A/0915

Page No: 0002

Location: Orlagh Estate, Scholarstown Road, Dublin 16.

The proposed development of 3 surgeries and an office (c. 75 sq.m.) would generate a demand for 9 no. car parking spaces applying Development Plan Standards, which is 4 additional spaces when compared to the car parking demand of 4 no. flats (i.e. 4 x 1.25 spaces), which were approved under Reg. Ref. 89A/0236. Altogether the proposed development, together with the development approved under Reg. Refs. 89A/0236 and 91A/0616 would result in a car parking demand for 24 spaces.

The applicant shows provision of 24 no. spaces on the site plan submitted. Two of these spaces are located to the rear of the development block and would interfere with the servicing arrangements for the shops.

The content of the Roads Department report dated 10.07.91 has been noted.

The uses (i.e. surgeries and offices) proposed in this application are uses which could provide useful services in a residential area such as this. The proposed development is considered acceptable subject to the number of surgeries being reduced to two and subject to the office use being restricted to a neighbourhood function (i.e. an office providing a business and residential service function to the surrounding population). The reduction in the number of surgeries from 3 as proposed is considered reasonable in view of parking restrictions on the site.

I recommend that a decision to GRANT PERMISSION be made under the Local Government (Planning and Development) Acts 1963-1990, subject to the following (1~) conditions:-

C O N D I T I O N S / R E A S O N S

01 The development to be carried out in its entirety in accordance with the plans, particulars and specifications lodged with the application save as may be required by the other conditions attached hereto.

REASON: To ensure that the development shall be in accordance with the permission and that effective control be maintained.

02 That before development commences, approval under the Building Bye-Laws be obtained and all conditions of that approval be observed in the development.

REASON: In order to comply with the Sanitary Services Acts, 1878-1964.

COMHAIRLE CHONTAE ÁTHA CLIATH

Record of Executive Business and Manager's Orders

Reg.Ref: 91A/0915

Page No: 0003

Location: Orlagh Estate, Scholarstown Road, Dublin 16.

Quil
~~03 That a financial contribution in the sum of £ _____ be paid by the proposer to the Dublin County Council towards the cost of provision of public services in the area of the proposed development and which facilitate this development; this contribution to be paid before the commencement of development on the site.~~

~~REASON: The provision of such services in the area by the Council will facilitate the proposed development. It is considered reasonable that the developer should contribute towards the cost of providing the services.~~

3 04 That the requirements of the Chief Fire Officer be ascertained and strictly adhered to in the development.

REASON: In the interest of safety and the avoidance of fire hazard.

4 05 That the requirements of the Supervising Environmental Health Officer be ascertained and strictly adhered to in the development.

REASON: In the interest of health.

5 06 That the requirements of the Sanitary Services Department be ascertained and complied with in the development.

REASON: In order to comply with the Sanitary Services Acts, 1878-1964.

6 07 That the use of the proposed office area on the first-floor be restricted to a "neighbourhood office" as defined in the 1983 County Development Plan (i.e. an office providing a business and residential service function to the surrounding population).

7 07 REASON: In the interest of the proper planning and development of the area.

7 08 That the number of surgeries at first-floor level be restricted to two. Revised floor plans showing this alteration are to be submitted for the written agreement of the Planning Authority prior to commencement of development on site.

REASON: Insufficient off-street car parking facilities are available on site to serve the development as proposed.

8 09 That a total of 22 car parking spaces be provided to the front and side of the proposed development. The car parking area is to have a tarmacadam surface and to be properly marked out. *The dimensions of each car parking space are to be 2.44 metres X 4.88 metres.*

09 REASON: In the interest of the proper planning and development of the area.

9 10 A landscaping scheme for the site is to be submitted to and agreed in

COMHAIRLE CHONTAE ÁTHA CLIATH

Record of Executive Business and Manager's Orders

Reg.Ref: 91A/0915

Page No: 0004

Location: Orlagh Estate, Scholarstown Road, Dublin 16.

writing with the Planning Authority prior to commencement of development on site. The applicant is advised to consult with the Parks Department prior to making this submission.

~~9~~ 10 REASON: In the interest of the proper planning and development of the area.

~~10~~ 11 The existing boundary wall (c. 3 feet in height) which forms part of the existing southern boundary of the site is to be increased in height to 2 metres and for approx. 5 metres and then gradually reduced from 2 metres to the height of the existing front boundary wall, as it approaches the front boundary wall. This wall is to match the existing 2 metre high wall which forms part of this boundary and is to be suitably capped and rendered. Details are to be agreed with the Planning Authority prior to the commencement of development on site.

~~10~~ 11 REASON: In the interest of the proper planning and development of the area.

11 ~~12~~ No advertising signs are to be erected on the front elevation at first-floor level.
REASON: To prevent unauthorised development.

NOTE: Compliance with one or more of the conditions of this permission may result in material alterations to the development as initially proposed and, accordingly, may require the submission of a further planning application.

12 15. That the new retail area of the Butcher Shop on the ground floor be as approved under a per. granted under Reg. Ref. 89A 0236, & not be increased in size, (in view of ^{the} _{the} ^{Prop. Plan. Develop. of area})

COMHAIRLE CHONTAE ÁTHA CLIATH

Record of Executive Business and Manager's Orders

Reg.Ref: 91A/0915

Page No: 0005

Location: Orlagh Estate, Scholarstown Road, Dublin 16.

Endorsed: *S. Hayden*
.....
for Principal Officer

[Signature]
.....
for Dublin Planning Officer

Order: A decision pursuant to Section 26(1) of the Local Government (Planning and Development) Acts, 1963-1990 to GRANT PERMISSION for the above proposal subject to the (11) conditions set out above is hereby made.

Dated : *24/7/91* *[Signature]*
ASSISTANT CITY AND COUNTY MANAGER *official office*
to whom the appropriate powers have been delegated by order of the Dublin City and County Manager dated 8 July 1991.
LT

MOS



DUBLIN COUNTY COUNCIL

REG. REF: 91A/0915.

DEVELOPMENT: Change of use of first floor area from 4 residential units to Dentist's Surgery, Doctor's Surgery, Optician previously approved.

LOCATION: Orlagh Estate, Scholarstown Road.

APPLICANT: Gannon Homes Ltd.

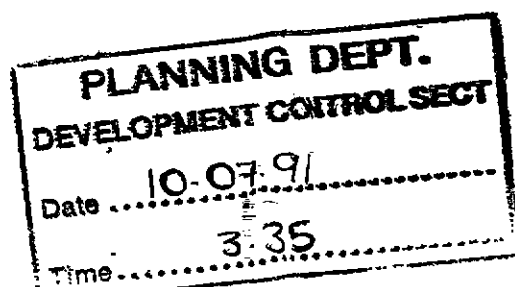
DATE LODGED: 4.6.91.

This application is for full permission for change of use of first floor area from 4 residential units to Dentist's Surgery, Doctor's Surgery, Optician and office unit and subsequent minor alterations in previously approved neighbourhood shopping development at Orlagh Estate, Scholarstown Road.

Permission for 3 shops and a hot food take-away with flats was granted by Dublin County Council on 10.4.90 (Reg. Ref: 89A/236). The applicant was later granted permission for single storey store/toilets ext to the rear of the Newsagent 1 Grocery on 13.6.91 (Reg. Ref: 91A/616). Condition (6) of the permission required a total of 20 no. off street car parking spaces for the entire development.

The current submission for a change of use of first floor requires a total of 8 car spaces (2 for each surgery room and 2 for the office space). Therefore, a total of 28 car spaces for the entire development is required. The applicant, however, has indicated only 24 spaces. Roads require additional information as to how the applicant proposes to provide the additional 4 spaces or details of a reduction in the proposed area for change of use.

MA/BMcC
8.7.91.



SIGNED: Michael Atkinson

DATE: 9-7-91

ENDORSED: P. J. O'Brien

DATE: 10th July '91

DUBLIN COUNTY COUNCIL

REG. REF: 91A/0915.

DEVELOPMENT: Change of use of first floor area from 4 residential units to Dentist's Surgery, Doctor's Surgery, Optician previously approved.

LOCATION: Orlagh Estate, Scholarstown Road.

APPLICANT: Gannon Homes Ltd.

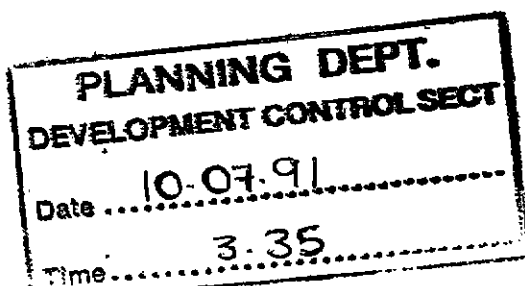
DATE LODGED: 4.6.91.

This application is for full permission for change of use of first floor area from 4 residential units to Dentist's Surgery, Doctor's Surgery, Optician and office unit and subsequent minor alterations in previously approved neighbourhood shopping development at Orlagh Estate, Scholarstown Road.

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The current submission for a change of use of first floor requires a total of 8 car spaces (2 for each surgery room and 2 for the office space). Therefore, a total of 28 car spaces for the entire development is required. The applicant, however, has indicated only 24 spaces. Roads require additional information as to how the applicant proposes to provide the additional 4 spaces or details of a reduction in the proposed area for change of use.

MA/BMcC
8.7.91.



SIGNED: Michael Pothers

ENDORSED: P. J. O'Connell

DATE: 9-7-91

DATE: 10th July '91

Our Ref: PL 6/5/86497
Your Ref: 91A/915

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

Date: 17 JAN 1992

21 JAN 92

Appeal re: Change of use of first floor area from four residential units to dentist's surgery, doctor's surgery, optician and office unit and subsequent minor alterations to previously approved neighbourhood shopping development at Orlagh Estate, Scholarstown, 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 and a copy of the notification to the applicant are enclosed.

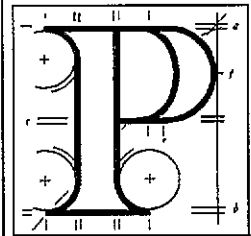
Yours faithfully,


Miriam Baxter.

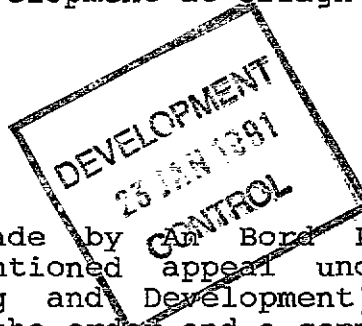
Encl.

BP 352


An Bord Pleanála



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



Our Ref: PL 6/5/86497
P.A. Reg. Ref: 91A/915

Gannon Homes Limited,
c/o Conroy Crowe Kelly,
Architects,
26 Kingram Place,
Fitzwilliam Square,
Dublin 2.

Date

Appeal re: Change of use of first floor area from four residential units to dentist's surgery, doctor's surgery, optician and office unit and subsequent minor alterations to previously approved neighbourhood shopping development at Orlagh Estate, Scholarstown, Dublin 16.

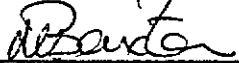
Dear Sir/Madam,

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.

It should be clearly understood that the granting of permission under the Planning Acts does not relieve a developer of the responsibility of complying with any necessary fire safety measures which may be stipulated by the fire authority. Failure to comply with any such requirements may result in the service of a Fire Safety Notice under section 20 of the Fire Services Act, 1981. The developer should, therefore, consult with the appropriate fire authority in relation to this matter.

The developer should also consult with the appropriate public health authority as the granting of permission under the Planning Acts does not relieve a developer of the responsibility of complying with whatever requirements they may have in connection with the proposed development.

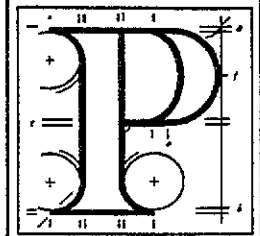
Yours faithfully,


Miriam Baxter.

Encl.

BP 354A

An Bord Pleanála



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

AN BORD PLEANÁLA

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

County Dublin

Planning Register Reference Number: 91A/915

APPEAL by Orlagh Grove Residents' Association of 5 Orlagh Green, Scholarstown Road, Dublin and by James and Helen Isaacs of "Minglewood", 5 Orlagh Grove, Scholarstown Road, Dublin against the decision made on the 24th day of July, 1991, by the Council of the County of Dublin to grant subject to conditions a permission to Gannon Homes Limited care of Conroy Crowe Kelly of 26 Kingram Place, Fitzwilliam Square, Dublin for development comprising the change of use of first floor area from four residential units to dentist's surgery, doctor's surgery, optician and office unit and subsequent minor alterations to previously approved neighbourhood shopping development at Orlagh Estate, Scholarstown Road, 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, it is hereby decided, for the reason set out in the First Schedule hereto, to grant permission for the said development in accordance with the said plans and particulars, subject to the conditions specified in the Second Schedule hereto, the reasons for the imposition of the said conditions being as set out in the said Second Schedule and the said permission is hereby granted subject to the said conditions.

FIRST SCHEDULE

It is considered that the proposed development, as an addition to a permitted neighbourhood facility, would not give rise to hazardous on-street car parking or loss of amenity to adjoining residential properties and, subject to compliance with the conditions set out in the Second Schedule hereto, it would be in accordance with the proper planning and development of the area.

SECOND SCHEDULE

1. The use of the proposed office area on the first floor shall be restricted to a neighbourhood office as defined in the 1983 Dublin County Development Plan.

Reason: To define the nature of the development permitted.

2. The number of surgeries at first floor level shall be restricted to two and no car parking shall be provided at the rear of buildings.

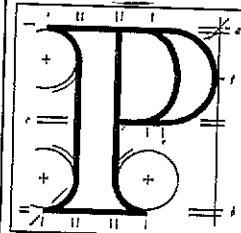
Reason: To relate the provision of off-street car parking facilities to the extent of development permitted in relation to Development Plan standards.

Our Ref: PL 6/5/86497
P.A. Reg. Ref: 91A/915

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

Recd 17/12
13. DEC 91

An Bord Pleanála



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

Date: 10th December 1991.

Appeal re: Proposed change of use from residential units to doctor's surgery, dentists, opticians and office unit from previously approved shopping centre at Orlagh Grove, Dublin 16.

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

obs

DEVELOPMENT
17 DEC 1991
CONTROL

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: 9002 DK/AK.
Your Ref: PL 5/5/86497.
P.A. Reg Ref: 91A/915.

DATE: 2/12/91
BY: J. J. KELLY
FOR: J. J. KELLY

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

2nd December, 1991.

APPEAL RE: PROPOSED CHANGE OF USE OF RESIDENTIAL UNITS TO DOCTORS'
SURGERY, DENTIST, OPTICIAN AND OFFICE UNIT FROM
PREVIOUSLY APPROVED SHOPPING DEVELOPMENT AT ORLAGH
GROVE, DUBLIN 16.

Dear Sirs,

We refer to your letters dated 30th October, 1991 and 22nd October, 1991 enclosing correspondence from Orlagh Grove Residents Association and Helen and Jim Isaacs. We also refer to our letter to yourselves dated 28th September, 1991.

We would like to comment as follows:

LETTER NO. 1 FROM ORLAGH GROVE RESIDENTS ASSOCIATION 1 OCTOBER 1991.

1. On site carparking has been provided to Development Plan standards and in consultation with the Planning Department.
2. Fire Officer was consulted on 23rd April 1991 and his requirements are on our file.

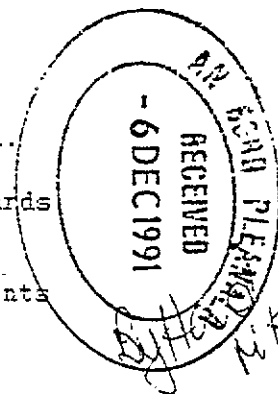
Consultation with the Health Office will be carried out by individual owners as fit out takes place.

Sanitary Services Department obviously have been consulted through the Planning and Bye Law Process in that the drainage layouts have been approved by them.

With regard to access for Fire Brigade vehicles. The proposed Building Regulations requires a width of 6.5 meters. The access road to this estate is 7 meters. Dublin County Council Fire Prevention Department have confirmed to us the width of this road is adequate for their requirements.

- 2b. Don't understand this point.

Cont'd/.....



2c. South boundary wall:

Drawings have been submitted to Dublin County Council as required by Condition No. 7 as attached to permission ref: 91A/0616. We are currently awaiting Dublin County Council approval to this drawing.

The builder has never insisted that Mr. Isaacs provides space on his site for this wall.

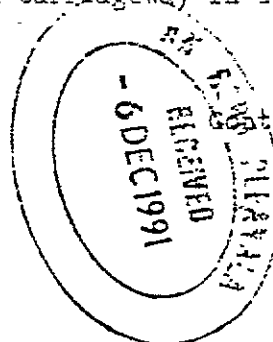
The first floor area of this building has not been fitted out. We are obviously awaiting Planning Permission before we carry out any work on the first floor area. The building has been constructed in line with the original Planning Permission as amended by additional information lodged on the 12th of February, 1990 with Dublin County Council. The first floor has been constructed as a shell ie. the external walls and windows are in place. Internally it is not fitted out.

With regard to the final comment that none of the neighbourhood requirements will be carried out we would like to confirm that a landscape contractor has been appointed and is currently agreeing a landscaping layout with Dublin County Council Parks Department and the landscaping will on agreement be immediately implemented.

We presume that the reference to the fascia is to the shop front joinery items. These have all been installed.

LETTER NO. 2 FROM ORLAGH GROVE RESIDENTS ASSOCIATION DATED 17 OCTOBER 1991

1. It is the prerogative of any building owner to apply for Planning Permission for a change of use for any reason whether Planning Commercial or other.
Obviously there has been no attempt made to fit out the flats while we are in the process of applying for permission for change of use of this area of the building.
2. Consultations took place with Dublin County Council Planning Department to find suitable community based activities for this development. It was our opinion and that of the County Council that surgeries would fit this category. It should be noted that the Notification of Decision to Grant Permission has eliminated one of the surgeries and in fact all the new development would contain would be one medical surgery, one dental suite and one small office.
- 3a. Point 3a has been discussed elsewhere.
- 3b. We feel that this point has been adequately dealt with elsewhere.
4. It is totally untrue to state that the road reservation width should be 22 meters. This would imply a carriageway in excess of 15 meters.



d/.....

3.

5. The proposed development now only includes one doctors surgery and one Dentists surgery. This development would also service the Temple Properties site which is currently being constructed at the rear of Orlagh Estate. The Planning Permission for this site provided 143 houses so if Orlagh Grove has 120 houses this would be a direct passing trade of approximately 260 houses.
6. Overlooking of gardens. It is argued viewing over adjoining gardens would be more acceptable in apartments than in commercial units. It should be noted that in the apartment proposal this flat roof area was designated as private amenity space and as such would be actively used by the residents. If the office and surgery proposal was carried out then the use of the flat roof would generally be restricted to maintenance. Indeed it is much more expensive to provide a flat roof suitable for recreational purposes and it would not be our intention to have this area paved. It should be noted that the view from the balcony is oblique and not directly overlooking the gardens as in a back to back situation.

If this is still considered a problem by the Bord then we would be quite happy to provide screening along the south edge of the balcony.

7. Security:
Please refer to our letter of the 25th September, 1991.
8. South boundary wall:
It is proposed to build this wall in accordance with condition 7 of Planning Permission Register Ref: 91A/0616. Drawings are with the County Council at the moment for approval. As soon as they are approved we propose to carry out the works as per the drawings. (Copy included with this submission).

LETTER FROM JAMES AND HELEN ISAACS DATED 18 OCTOBER 1991.

It was intended originally to build the flats as per the original Permission. However, due to the general downturn in the residential market and with the benefit of professional opinion it became obvious that these flats would be very difficult to sell because of their location over the shops. It was considered more appropriate that the total block be maintained in commercial use.

We are not stating as suggested in Mr. Isaac's letter that the total estate is a non-desirable area to live in.

The provision of small scale community based service activities would obviously be of benefit to the surrounding area. We feel that it would be a mistake not to provide for some mixed use activities within a large residential development

Parking facilities:

We feel that we have dealt with this point adequately elsewhere however we would like to point out that Mr. Isaac's assertion that the road reservation should be 22 meters wide is inaccurate.

Cont'd/.....



4.

Please note our comments elsewhere with regard to fire brigade access where Dublin County Council Fire Prevention Department have indicated that the road width is adequate for their purposes.

Existing medical facilities:
Refer to our comments elsewhere.

Overlooking of gardens:
Refer to our comments elsewhere.

Please note that the residential use of the first floor would result in the flat roof being used much more extensively than the proposed commercial use. The public will not have access to the flat roof. The only use of the balcony would be for maintenance purposes.

Security risk:
We do not accept that this development will in any way increase the security risk or the risk of burglaries in the adjoining houses.

South boundary wall:
Refer to our comments elsewhere.

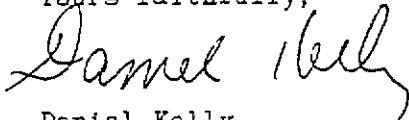
With regard to traffic flow within the site we would like to point out that the present arrangement is the result of discussions with Dublin County Council Planning Department.

With regard to Mr. Issacs request to have the planting band along the south boundary wall widened, this is not possible as it would seriously impair the onsite carparking.
It should be noted that the planter is considerably wider than 1 meter along a lot of the section adjacent to this front garden wall.

In any case the planter area has already been constructed. We enclose for your attention. Two copies of our drawings numbered 9002 D 117 and indicating the proposed arrangement to the south boundary wall.

We trust the above comments are useful to you in arriving at your decision.

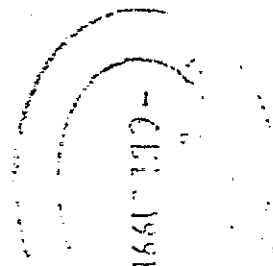
Yours faithfully,



Daniel Kelly.

CONROY CROWE KELLY ARCHITECTS.

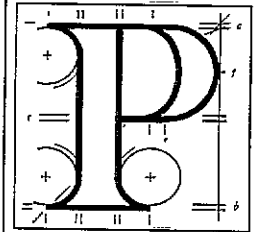
Enc.



Our Ref: PL 6/5/86497
P.A. Reg. Ref: 91A/915

MOI

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.

Date: 30th October 1991.

Appeal re: Change of use from residential units to doctor's surgery, dentists, opticians and office unit from previously approved shopping centre at Orlagh Grove, Dublin 16.

Dear Sir/Madam,

Enclosed for your information is a copy of correspondence received in relation to the above-mentioned appeal. While it is not necessary for you to furnish any comments on the correspondence, you may do so if you wish. Any such comments should be forwarded within fourteen days from the date of this letter to ensure that they will be taken into consideration in the determination of the appeal.

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

Yours sincerely,

Suzanne Lacey
Suzanne Lacey

BP 553A



Orlagh Grove Residents Association

Mr. Brian Gleasain,
Floor 2, Blocks 1 & 7,
Irish Life Centre,
Lower Abbey Street,
Dublin 1.

Appeal - 1st Floor, 1st Floor

Dear Mr. Lacey,

I have received your letter, dated 11th October '91 when, you as Laura O'Brien is no longer residing at 7, Orlagh Crescent. Please send any further correspondence to me at 5, Orlagh Grove.

I would like to make the following observations regarding Council, Mr. Kelly's letter:

1. Their opinion that flats are not now viable is not a valid planning reason for change. From the layout of the building, it is very questionable where there was any attempt made to build flats as per present permission.
2. They say that discussions took place between themselves and Dublin County Council Planning Department and it was felt that medical surgeries would be suitable. That is not a valid planning reason for change, but a commercial one. In any event, it is our belief from the feedback of our residents, most of whom lived in the immediate area prior to moving into Orlagh Grove, that there are already too many medical surgeries in the parish. We, as residents know better what the situation in the area is.
3. With regard to parking facilities, I would like to point out the following:
 - A. If offices are allowed, most of the 22 parking spaces will be occupied by the staff and also the shop's staff.
 - B. The road is only 20ft wide at this point which means that if a car or truck is parked on one side of the road, 2 cars going in opposite directions will have difficulty in passing. If there is a car parked on both sides of the road, it will block traffic. The traffic on this road is likely to get very slow when the Southern Cross Motorway is in operation as the shops are less than 100 yards from the proposed roundabout.

AN 6242
25 OCT 1991
By hand
EMCC

Also, when the vehicles will have to either queue in or out and the inevitable congestion. Fire Brigades and Ambulances would have great difficulty in gaining access in the event of an emergency. In short, this is a most unsuitable place to have allowed shops in the first place and it is our concern to minimize the inconvenience as much as possible caused to residents.

6. With regard to Orleigh Grove entrance road. This road is most definitely not built to Dublin County Council standards - the total width of the carriageway (path, verge, road, verge, path) is 13.34 metres - it should be a minimum of 22 metres. Please comment.

It will not leave any room for passing traffic when at peak hours. It is likely to have a full car park and cars parked on both sides of the road. This is a most undesirable situation on the only entrance road into our estate.

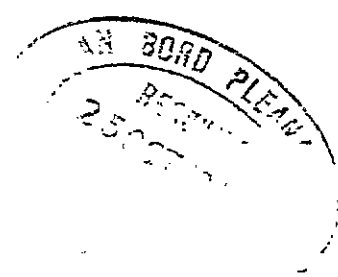
5. Existing medical facilities: A major section of house building for the area (Maplewood, Prospect House) has been refused permission by yourselves, as the population is not going to expand as fast as Cronroy, Crowe, Kelly think it is. What they believe may happen in the future is not a planning reason to justify development now.

The fact that the development is so close to the new roundabout is a positive danger to traffic (because of the too narrow entrance road) and not an advantage as maintained.

Orleigh Grove has only approx 120 houses at present, so a surgery is more than sufficient.

6. Overlooking of gardens: We complained about the development overlooking our own gardens at the adjoining houses on Orleigh Grove and not the houses in the cul-de-sac across the road. Although the view from that is unpleasant and would have been much better had 4 houses been built in accordance with the original planning permission. If you stand on the balcony, you can see directly into the kitchen below and main bedroom window of 3, Orleigh Grove. Surely, this must be against planning guidelines.

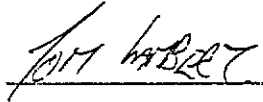
7. Security: To say that doctors or dentists only normally keep small amounts of drugs on the premises is to totally disregard the fact that if there were a fire, there would be no danger of this kind. Also, this is not a planning reason to justify proposed change. This is a residential area and the foremost primary consideration must be to the residents.



Contd. ...

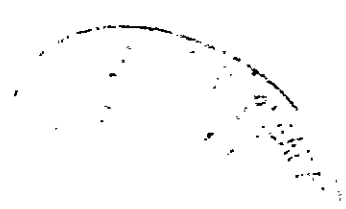
Notes. It seems likely that things in the above mentioned matter is still
September: that they are willing to carry out the agreement made in the
10th September & letter was sent to the Council on the 10th September.
this copy enclosed. Please comment.

Yours sincerely,



TOM LAMBERT

5, Orleigh Green, Scholierstown Road, Dublin 10.



CONROY CROWE KELLY
ARCHITECTS

2 KINGRAM PLACE, FITZWILLIAM SQUARE, DUBLIN 2. 013999 013999. FAX 765715

QUALITY CONTROL
WE TAKE THESE STANDARDS
SERIOUSLY

Our Ref : 9002 DK/LK

Mr James Isaacs,
'Minglewood',
5 Orlagh Grove,
Scholarstown Road,
Templeogue,
Dublin 16.

26th September 1991

RE: SOUTH BOUNDARY WALL

Dear Sir,

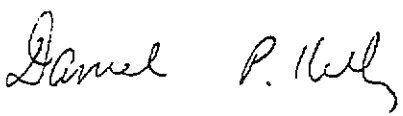
We refer to our meeting of the 23rd of September on site and your letter to Gannon Homes Ltd. of same date.

We wish to comment as follows:

We are not satisfied with your suggestion that we carry out all the works prior to you withdrawing your Appeal. We would suggest that Gannon Homes give a legal undertaking to have the work carried out to an agreed specification and that you formally withdraw your Appeal before the work is carried out.

We will comment further on the detailed requirements in your letter when we have carried out a full survey of the wall.

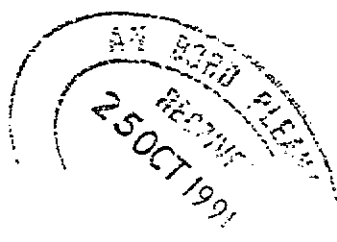
Yours faithfully,



Daniel P. Kelly.

CONROY CROWE KELLY ARCHITECTS.

unw/ldg jk



934879 - PP.
1410234 -

Our Ref: PL 6/5/86497
P.A. Reg. Ref: 91A/915

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

Date: 30th October 1991.

Appeal re: Proposed change of use from residential units to doctor's surgery, dentists, opticians and office unit from previously approved shopping centre at Orlagh Grove, Dublin 16.

Dear Sir/Madam,

Enclosed for your information is a copy of correspondence received in relation to the above-mentioned appeal. While it is not necessary for you to furnish any comments on the correspondence, you may do so if you wish. Any such comments should be forwarded within fourteen days from the date of this letter to ensure that they will be taken into consideration in the determination of the appeal.

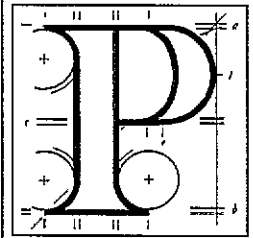
Please quote the above appeal reference number in any further correspondence.

Yours sincerely,

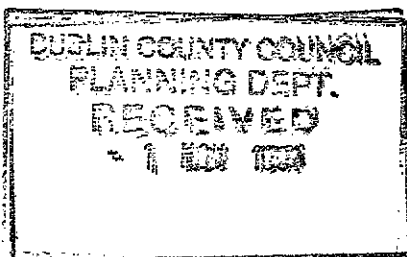
Suzanne Lacey
Suzanne Lacey

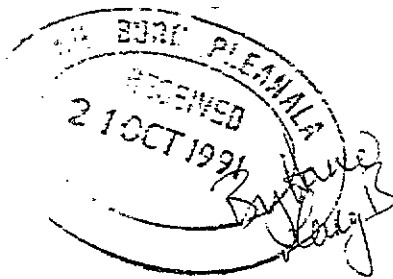
BP 553A

An Bord Pleanála



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





"Minglewood"
5 Orlagh Grove
Scholarstown Road
Templeogue
Dublin 16

18th October 1991

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

P.A. Ref: 91A/915
Your Ref: PL 6/5/86497

Re: Proposed change of use of first floor from
residential to clinics and office.

Dear Sirs,

We refer to a letter you received from Mr. D. Kelly of Conroy Crowe Kelly Architects, dated 25th September 1991, and wish to comment on some points raised:

General Background:

In Mr. Kelly's letter regarding provision for four flats on the first floor, he states "Commercially this is not now viable it would be regarded as an undesirable location to live in". With regard to this statement, there firstly seems to have been a lack of adequate time to market these flats, especially since the change of use decision was implemented initially in April 1991 long before any completion of a show flat. This strongly suggests that the developer never intended the planning consideration of first floor flats as a viable product.

/...

Secondly the comment of undesirability is hardly a planning reason for change of use from residential flats to shop units in light of the fact that the flats would be a planning gain in a luxury residential amenity scheme. If this were an undesirable area for residential dwellings, why then has Gannon Homes developed and marketed the surrounding estate as a desirable place to reside.

Also stated was "It was felt that medical surgeries and a small office unit would be suitable". Suitable for whom? Surgeries may have been argued to be more suitable and community orientated, however the greatest planning gain for the Orlagh Grove Community would obviously be from residential units. The presence of an additional commercial venture in this area defeats the original purpose of residential amenity within the estate. Therefore, the most suitable purpose for the area above the shops on a planning scale would be to keep them as near to the original scheme as possible, i.e. residential flats.

Parking Facilities:

Mr. Kelly states "..... if parking on the road occurs then the situation would be no different from any other part of the estate where street parking takes place", and that the "..... access road (Orlagh Grove entrance road) is designed and built to Dublin County Council standards".

These statements are untrue. The carriageway is 13 metres in width, the minimum width should be 22 metres.

This road is the sole access into and out of the estate. Being only 13 metres in width, it was never developed to carry the vehicular movement of customers and suppliers the shops and offices would attract and require. The proposed twenty two parking spaces within the shopping area will mostly be taken up by the employees of the shops and offices and so roadside parking is inevitable, so this definitely will be different from other roadside parking within the estate.

In addition, overflow parking combined with vehicular movements as mentioned above will cause such a traffic flow "bottle neck" within the estate that access in and out of all homes within close proximity to the shops, will be totally inconvenienced. Also this "bottle neck" problem will create a life and death hazard to the access and egress of emergency vehicles, i.e. Fire Brigade and Ambulance.

Existing Medical Facilities:

Mr. Kelly states "..... we believe that all lands to the north of the Southern Cross will be developed as residential areas will result in an increased demand for all types of service facilities particularly medical facilities".

At this stage, that statement is merely supposition and is not a planning reason for the development to include office space for clinics.



The letter states "There is only one other surgery in Orlagh Estate". How many surgeries would be necessary to service a mere 120 houses, which is all that are in Orlagh Grove? Furthermore, as has previously been mentioned, the neighbouring estates to Orlagh Grove are also very well serviced by doctors surgeries.

Overlooking of gardens:

In consideration of the point about overlooked gardens, the problem from our viewpoint is missed completely in the letter and should be addressed towards the back gardens that are definitely overlooked on Orlagh Grove from the expansive balcony at the rear of the first floor units.

Due to the angle of the building and that of our own house, anyone standing on the balcony looking into the Orlagh Grove gardens can see directly into our own kitchen window, our main bedroom window as well as our main bathroom window and first floor landing window.

As the appeal states, this might be acceptable in the case of residential units but not in the case of commercial units with public access.

Obviously from a planning standpoint, there seems to be a breach in the standard distance between one building overlooking another - this should be investigated.

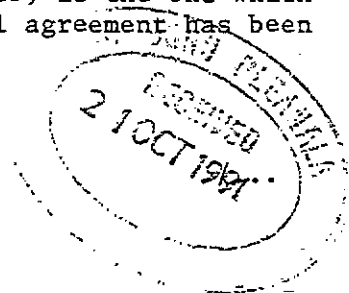
Security risk:

Mr. Kelly states "Doctors or Dentists normally only keep very small amounts of drugs on the premises and these drugs are of a type that would not be in demand by drug addicts". This is clearly a weak argument. No-one is saying there will be a line of drug addicts queueing up to break into these offices. Any drugs on the premises would be a temptation to thieves, drug addicts or not, as would be the temptation to steal dental and medical equipment, syringes and needles.

What we are concerned about is, from a planning aspect the presence of additional medical surgeries in Orlagh Grove as opposed to residential dwellings, creates a higher potential risk factor of break-ins to these surgeries which would then grossly increase the risk of break-ins among the residential population.

The commercial shops would cause a high enough risk of burglary and break-ins due to their nature. Logic would suggest not to compound this risk but to lessen it by planning for residential dwellings above the shops and not another commercial venture.

The last point, and the one with most relevance to ourselves, is the one which states "Discussions have with Mr. Isaacs and we feel agreement has been reached we are willing to carry out agreed works".



This statement seems to be in question. In discussions with Mr. Gannon on site on 23rd September 1991, we came to a verbal agreement and stated clearly, that once work on the wall, to all specified agreed points, was completed, we would then withdraw our appeal. Mr. Gannon verbally agreed to this point.

We then submitted a letter of all notes of this meeting to Mr. Gannon and Mr. Kelly and again it clearly stated all points mentioned above reiterating that we would withdraw our appeal once the work had been completed. (See enclosed letter marked No. 1).

We subsequently received a letter from Mr. Kelly dated 26th September 1991, (See enclosed letter marked No. 2), and in a complete turnaround of our previous agreement, he stated that before work commenced on the wall, we should withdraw our appeal and enter into a legal undertaking with Gannon Homes.

In relation to this, we would like to have the Bord consider a couple of points:

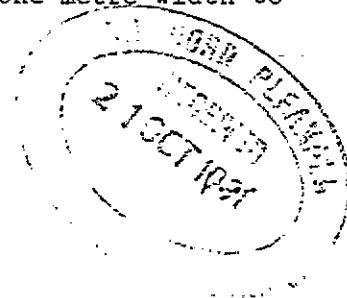
1. The request that we withdraw the appeal is of no consequence since the wall must be constructed to some specification as laid out in condition No. 10 91A/915 and condition No. 7 91A/616.
2. We take issue and draw your attention to the fact that on 25th September 1991, Mr. Kelly wrote to the Bord, stating that Gannon Homes and ourselves have reached agreement on construction of the wall and that they are willing to carry out agreed work. The following day 26th September 1991, Mr. Kelly then responded to our letter, stating Gannon Homes is not in agreement with us and is not satisfied to carry out the work on the wall. This clearly is a contradiction and goes against the planning conditions that he must fulfill as stated above for heightening of south boundary wall.

In his letter to the Bord, Mr. Kelly has made no reference for a withdrawal of our appeal, and this fact is conspicuous by its absence. We firmly believe that any withdrawal of appeal, whether under a legally bound undertaking or not, will yield an unsatisfactory outcome for ourselves.

One further point we would like to add:

The planning has proposed two entrance/exit access points. It is our considered opinion that a one way traffic flow system should be implemented. Vehicle congestion will be lessened if the nearest access point to the Orlagh Grove estate entrance is used as the entrance and the access point closest to our house is used as the exit.

In addition we still strongly maintain that in order to provide adequate security and visual screening from the entrance/exit access spot closest to ourselves, that the planter border width be increased from one metre width to at least two.

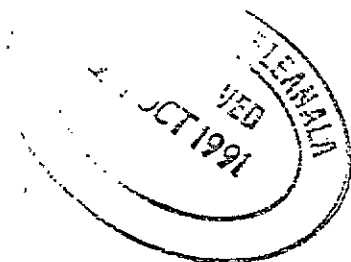


Finally, we hope that the new points we have brought up along with the clarification and reiteration of others shall be taken into careful consideration in dealing with the appeal at hand.

We remain,

Faithfully yours,

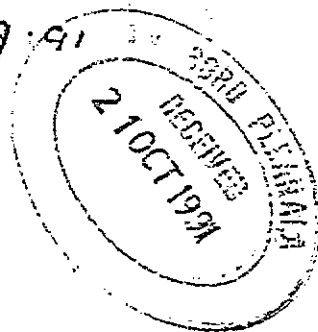
Helen Isaacs & Jim Isaacs
Helen & Jim Isaacs.



1
Minglewood,
5 Orlagh Grove,
Scholarstown Road,
Templeogue,
Dublin 16.

Gannon Homes
68 Armean St.,
Dublin 1

23. 8. 91



Mr J. Gannon.

In reference to our meeting today at Orlagh Grove concerning my Southern Boundary Wall, between my house and your shops, I am sending a list of points to which we both agreed verbally in the presence of D. Kelly of Crave Kelly Architects and Mr P. Rosenberg, convenor of Knocklyon Community Council.

1 That the front portion of our side wall be raised to at least 2 metres as laid out in condition NO. 10 of the Dublin County Council's applications 91A/915 + 91A/616 - Condition No. 7. This wall to be properly damp-proofed, capped and weatherproofed with DPC under the capping and fully rendered plastered and boarded on both sides.

- 2 -
Minglewood,
5 Oriagh Grove,
Scholarstown Road,
Templeogue,
Dublin 16.

RECEIVED
13 OCT 1991

- 2) Any thickening of this wall due to structural strengthening will not impinge on our property, and will be carried out on the shop's side of the wall. To keep this in line with the rear section of the wall, the pillar at the eastern corner, to be pulled out further towards the shops and the wall rebuilt from that point. Any finishing of the wall to match those opposite the shops.
- 3) That the rear section of our Southern Boundary wall be raised at least 1 Block (10-14 ins approx) high (and suitably capped with DPC weather proofing) to meet the same height of the shop's rear western boundary wall.
- 4) That the stepping down of the front section of our side wall be similar to the sketch from Crowe Kelly, with suitable piers for support and design. That these piers also be built in along the front and rear sections of the side wall at appropriate distances.
- 5) That an extended front eastern border wall be extended constructed along the front of the planter border and measure between 20-30 ins. in height, in order to restrict pedestrian access through and across the planter border.

Minglewood,
5 Orlagh Grove,
Scholarstown Road,
Templeogue,
Dublin 16.

6/ That the ground level on the shop's side of our southern boundary wall be at a level to inhibit easy access or climbing of same wall - at least 2 metres below the top edge of wall capping.

7/ That a gate is to be installed of suitable height across the rear loading bay area of the shop, and security lighting be installed including motion detector lighting. This to inhibit trespassing during night-time hours.

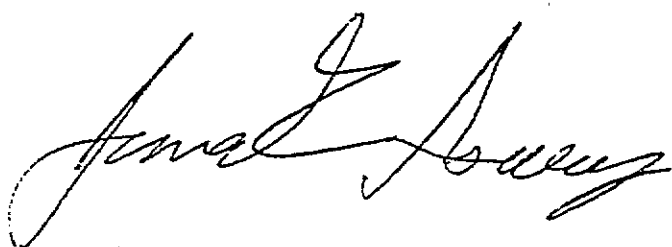
8/ That the shop's side of our side wall be lined with trellises and to include planting of creepers all along the length of the boundary wall, to adequately landscape the wall in conjunction with the planted borders. That the planted borders next to our side wall contain a great number of high & dense foliage, including ornamental trees, to provide an adequate amount of visual screening.

Finally an accurate and formal architectural plan of all said above, be laid out, with copies furnished to me.

- 4 -
Minglewood,
5 Orlagh Grove,
Scholarstown Road,
Templeogue,
Dublin 16.

As I said this afternoon, once all of
the above is fully completed to satis-
faction, I will withdraw my appeal
against Planning application 91A/0915
from Bord Pleanála.

Awaiting your reply,



JAMES E. ISAACS.

cc.: D. KELLY OF CROWE KELLY ARCHITECTS



Our Ref : 9002 BK/LK

Mr James Isaacs,
'Minglewood',
5 Orleigh Grove,
Scholarstown Road,
Templeogue,
Dublin 16.

26th September 1991

RE: SOUTH BOUNDARY WALL

Dear Sir,

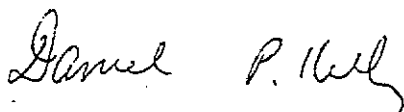
We refer to our meeting of the 23rd of September on site and your letter to Gannon Homes Ltd. of same date.

We wish to comment as follows:

We are not satisfied with your suggestion that we carry out all the works prior to you withdrawing your Appeal. We would suggest that Gannon Homes give a legal undertaking to have the work carried out to an agreed specification and that you formally withdraw your Appeal before the work is carried out.

We will comment further on the detailed requirements in your letter when we have carried out a full survey of the wall.

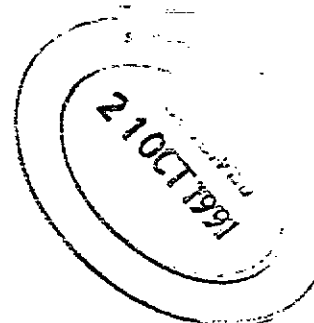
Yours faithfully,



Daniel P. Kelly.

COMROY CROWE KELLY ARCHITECTS.

www.tokg.jp



936579 -PR.

11/10/91

Our Ref: PL 6/5/86497
P.A. Reg. Ref: 91A/915

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

Date: 22nd October 1991.

Appeal re: Proposed change of use from residential units to doctor's surgery, dentists, opticians and office unit from previously approved shopping centre at Orlagh Grove, Dublin 16.

Dear Sir/Madam,

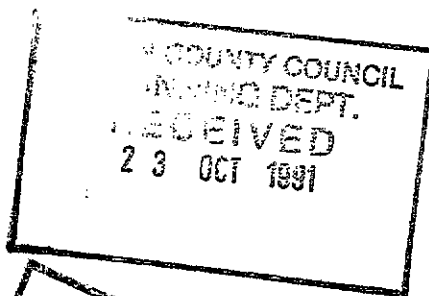
Enclosed for your information is a copy of correspondence received in relation to the above-mentioned appeal. While it is not necessary for you to furnish any comments on the correspondence, you may do so if you wish. Any such comments should be forwarded within fourteen days from the date of this letter to ensure that they will be taken into consideration in the determination of the appeal.

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

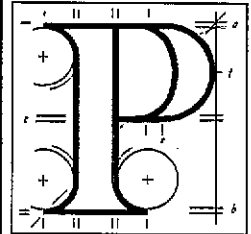
Yours sincerely,

Suzanne Lacey
Suzanne Lacey

BP 553A



M. Slattery
Ref. 75/10
An Bord Pleanála



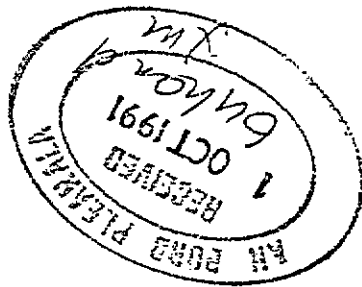
Floor 3 Blocks 6 & 7
Irish Life Centre
Lower Abbey Street
Dublin 1
tel (01) 728011

065

Orlagh Grove Residents Association

1st October 1991

Ms. Suzanne Lacey,
An Bord Pleanála,
Floor 3, Blocks 6 & 7,
Irish Life Centre,
Dublin 1.



5 ORLAGH GROVE
SCHOLARS TOWN RD.
DUBLIN 16

Ref: PL 6/5/86497
P.A. Ref: 91A/915

Dear Ms. Lacey,

The papers in this case became available for inspection on the 13th September 1991.

We note the Planning Authority's statement that "the grounds of appeal do not raise any new matter which would justify a change of attitude to the proposed development". How the Planning Authority can defend this attitude is difficult to understand.

1. The staffing requirements of the development will mean at least 16 cars permanently using the spaces provided. The remainder spaces not being adequate to meet the usage needs of the centre will result in parking on the side of the road which is only an access/egress road to a cul de sac housing development.

2. Of the 12 conditions set out in the approval, please note:

(a) We are not aware that any of the following Authorities have been satisfied that their requirements have been met:

- (i) Fire Officer
- (ii) Health Officer
- (iii) Sanitary Services

Certainly, the congestion created by parked cars will inhibit any access of fire brigade vehicles in the unfortunate incidence of a fire and the fire officer's requirements in this regard cannot be met.

(b) The surgeries provided for in the building as it has been built number 3 and not 2 as set out at Condition 7.

(c) The Southern Boundary wall has not been developed at all. The builder is insisting that Mr. Isaacs, whose adjoining boundary it is must provide space for building this wall. The condition (No. 10) requires that the wall be constructed prior to commencement of development. The development is now almost completed and no work of any nature has been done on the boundary wall.

Contd./...

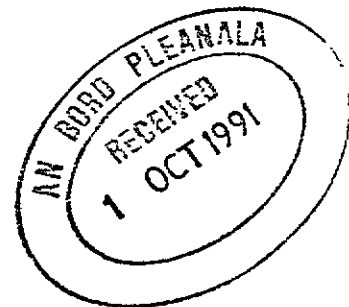
This development, since it commenced has been purpose built to suit shops and offices - there was never any intent to build flats. Development, contrary to permission, has taken place and is taking place. We, as an Association are of the opinion that none of the "neighbourhood" requirements i.e. shrubbery, facia, walls etc. will be carried out.

Our appeal remains in place.

Yours faithfully,



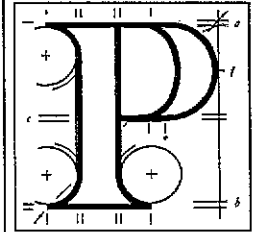
TOM LAMBERT
Chairman



Our Ref: PL 6/5/86497
P.A. Reg. Ref: 91A/915

pk
Recd 15/10

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.

Date: 14 October 1991.

Appeal re: Proposed change of use from residential units to doctor's surgery, dentists, opticians and office unit from previously approved shopping centre at Orlagh Grove, Dublin 16.



Dear Sir/Madam,

Enclosed for your information is a copy of correspondence received in relation to the above-mentioned appeal. While it is not necessary for you to furnish any comments on the correspondence, you may do so if you wish. Any such comments should be forwarded within fourteen days from the date of this letter to ensure that they will be taken into consideration in the determination of the appeal.

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

Yours sincerely,

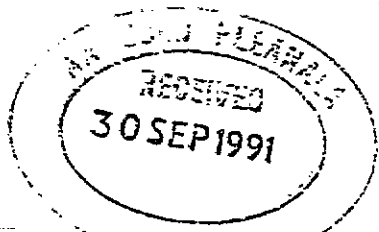
Suzanne Lacey
Suzanne Lacey

11 OCT 91

BP 553A

obs

PLANNING DEPARTMENT
DUBLIN COUNTY COUNCIL
DUBLIN 1



Our Ref : DK/LK

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

P.A. Ref : 91A/0915

Your Ref : PL6/5/86497

25th September 1991.

RE: PROPOSED CHANGE OF USE OF 1ST FLOOR FROM RESIDENTIAL
TO CLINICS AND OFFICE.

Dear Sirs,

We refer to appeals against Dublin County Councils decision to grant permission for the above development from Orlagh Grove Residents Association and Helen Isaacs of 5 Orlagh Grove and we wish to respond as follows:

1. General Background

The existing Planning Permission for the first floor area provies for 4 flats. Commercially this is now not viable as it would be almost impossible to sell these flats, as it would be regarded as an undesirable location to live in. It seemed reasonable to change the first floor to a commercial use in line with the use of the remainder of the building.

Discussion took place with Dublin County Council Planning Department and it was agreed that a commercial use which was Community orientated would be appropriate. It was felt that medical surgeries and a small office unit would be suitable. This would provide a local service to an expanding community. Dublin County Council concurred with this proposal and duly issued their notification of Decision to grant Permission.



ORLAGH GROVE RESIDENT ASSOCIATION APPEAL.

1. Parking Facilities.

Condition 07 of this Notification of Decision to Grant Planning Permission deletes one of the proposed surgeries. There are 22 proposed car parking spaces and this is in line with Development Plan Standards. If parking on the road occurs then the situation would be no different from any other part of the estate where on street parking takes place. In fact the situation would be better as there is only development on one side of the road at this point.

2. Orlagh Grove Entrance Road

This access road is designed and built to Dublin County Council standards to allow for intermittent on-street parking on either side of the road and still leave sufficient space for passing traffic. We do not believe that there will be traffic congestion due to parking associated with this development, in particular because the road is loaded only on one side.

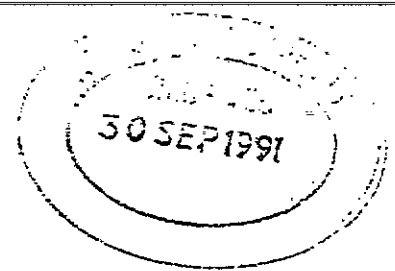
3. Existing Medical Facilities

This is an expanding community with many new houses either being constructed or planned for the area. With the construction on the Southern Cross Motorway and its associated feeder road network this area will become very desirable due to its easy access to a good road network. Thus we believe that all lands to the North of the Southern Cross will be developed as residential areas with subsequent large increase in population and in particular an increase in the number of children. This will result in an increased demand for all types of service facilities particularly medical facilities. We feel that this development is very appropriate by virtue of its location set at the entrance to an estate and located just off the proposed new Roundabout serving the Southern Cross.

The other surgeries referred to by the appellant are located in and serving adjacent estates. There is only one other surgery in Orlagh Estate.

4. Overlooking of Gardens across the road

We do not accept that there is any overlooking problem with regard to the gardens across the road. The development is largely looking out on the end of a Cul de Sac, front gardens and gables and only has an oblique view of the rear gardens which are about 25-30 M away and bounded by 2M high solid walls. Development plan standards require a distance of 10.7M between 1st floor windows and opposing garden boundaries.



5. Security Risk

Every effort will be made to ensure adequate security at the centre. All shop units are enclosed by heavy masonry walls and concrete floors and will be shuttered and alarmed at night or when closed. Doctors or dentists normally only keep very small amounts of drugs on the premises and these drugs are of a type that would not be in demand by drug addicts.

We feel in any case that if the centre was broken into by thieves that due to its location this would not be a problem for local residents but only for the owners of the shops themselves. All property is at risk to burglars and as such we feel that this is not a Planning issue but a problem for the individual property owner.

APPEAL OF HELEN ISAACS OF 5 ORLAGH GROVE, SCHOLARSTOWN ROAD, DUBLIN 16

Points NO. 1, 2, 3, 4, 5 and 6.

These points refer to the existing south boundary wall between the Appealants property and the shops. Discussions have taken place with Mr. Isaacs and we feel that agreement has been reached on these points and that we are willing to carry out agreed works.

It should be noted that this issue has already been addressed in the Decision to Grant Planning Permission Condition No. 10.

APPEAL AGAINST CHANGE OF THE USE OF THE 1ST FLOOR

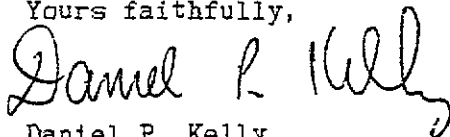
Points No. 1 to 3.

We feel that these points are largely similar to those raised by the Orlagh Grove Residents Association and have been answered above.

Finally, we note from Dublin County Council's letter to yourselves dated 13th September 1991, that they consider that any issues raised in the Appeals have been dealt with in the Permission.

We trust that the above clarifies the situation.

Yours faithfully,



Daniel P. Kelly.

CONROY CROWE KELLY ARCHITECTS.

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

Our Ref: 91A/0915

Your Ref.: PL6/5/86497

13TH SEP. 1991

Re: Proposed change of use of first floor area from 4 residential units to Dentist's Surgery, Doctor's surgery, optician and office unit and subsequent minor alterations in previously approved neighbourhood shopping development at Orlagh Estate, Scholarstown Road, Dublin 16 for Gannon Homes Ltd.

Dear Sir/Madam,

I refer to your letter dated 14th August, 1991 and 19th August, 1991, enclosing correspondence with regard to 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 24th July, 1991.

It should be noted by An Bord Pleanala that Condition No. 10 of Decision Order P/3373/91, dated 24th August, 1991, is also a condition of the earlier permission granted under Reg. Ref. 91A/616 (I refer specifically to Condition No. 7). This condition was attached so as to protect the residential amenities of the adjoining property.

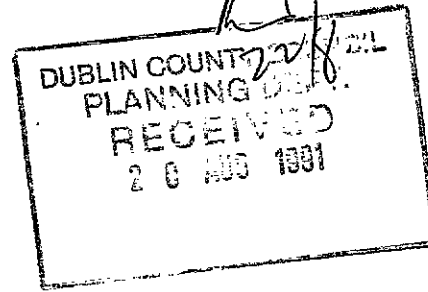
Yours faithfully,



for Principal Officer.

L.D

Our Ref: PL 6/5/86497
P.A. Reg. Ref: 91A/915



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

Date: 19th August 1991.

Planning authority decision re: proposed Proposed change of use from residential units to doctor's surgery, dentists, opticians and office unit from previously approved shopping centre at Orlagh Grove, Dublin 16.

Dear Sir/Madam,

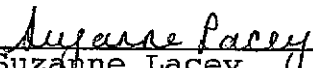
Enclosed is a copy of an appeal under the Local Government (Planning and Development) Acts, 1963 to 1990, in relation to the above-mentioned decision.

Any observations which you wish to make on the appeal should be conveyed, in writing, to the Board without delay.

As you are aware, the planning authority's decision in the matter is already the subject of an appeal to the Board.

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

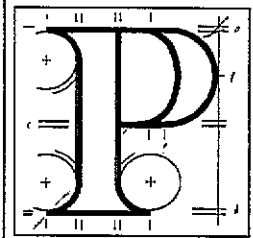
Yours faithfully,


Suzanne Lacey

Encl.

BP 004

An Bord Pleanála



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

abj

Minglewood,
5 Orlagh Grove,
Scholarstown Road,
Templeogue,
Dublin 16.

Boed Pleanála
Irish Life Centre
Block 677
Lr. Abbey St
Dublin 1

By the way

APPEAL NO. 91A/0915
13.8.91
£50 cash
B. 2/1/05

RE: Appeal to Dublin Co. Council planning decision
REF. NO: 91A/0915 DECISION DATE: 24.7.91
FINAL APPEAL DATE: 13.8.91

Applicant: GANNON HOMES LTD

DEVELOPMENT DECISION: CHANGE OF USE OF FIRST FLOOR
FROM 4 RESIDENTIAL UNITS
TO OPTICIAN, DENTIST + DOCTOR'S
SURGERIES + OFFICE UNIT

DECISION: GRANTED

LOCATION: ORLAGH GROVE ESTATE,
ORLAGH GROVE,
SCHOLARSTOWN RD.,
DUBLIN 16.

Sirs,

We wish to file an appeal
on behalf of ourselves, James & Helen
Dunn of above address.

This appeal is in consideration
of condition number 10 set forth in

- 2 -

Minglewood,
5 Orlagh Grove,
Scholarstown Road,
Templeogue,
Dublin 16.

the granted application 91A/0915.
Our grounds for appeal are based on the ambiguous interpretation of Gannon Homes, and their Agents Oscar Kelly Architects, during our recent conversations with aforementioned concerning the construction details set forth in specification no. 10 of 91A/0915.

Therefore we wish to lay out the following specific conditions required in addition to condition 1:

1. That our existing boundary wall in the front garden area will not only be increased in height to at least 2 metres from our footpath level, but also any thickening of this wall in order to make it structurally suitable, will be executed on the side of the planning applicant and not encroach our land.
2. That the increase in height will not only include the front garden wall, but will also include an additional height increase of approximately 1:2 blocks (9-18 inches) along the rear line of the southern boundary wall for a length of approximately 15 metres. This is in order to secure an appropriate degree of privacy from an overhanging balcony on the first floor of the next development, and to provide an adequate degree of security protection.

Minglewood,
5 Orlagh Grove,
Scholarstown Road,
Templeogue,
Dublin 16.

- 3, Any supportive features or piers that the increase of height ~~that~~ ^{which} the new wall may need, be constructed, or re-constructed if necessary. Also, any thickening required on the part of the wall, to take place on the applicant's border side.
- 4, That the complete boundary wall be suitably damp proofed below the coping and properly capped and rendered, and that the wall be bonded and finished on both sides in accordance with other boundary walls in the area.
- 5, That the shrubby plants between the applicant's parking space ~~to~~ and the southern boundary wall be increased to 2 metres in width, thus moving the second entrance / exit further from our property, giving our residence additional privacy and security protection.
- 6, That all shrubbery within the plants be of a suitable height and depth in order to provide visual screening in consideration of the above.

We furthermore wish to file an appeal against 91A/0915 on behalf of the Orlagh Grove Residents Ass. and its Agent, the Orlagh Grove Residents Committee.

Minglewood,
5 Orlagh Grove,
Scholarstown Road,
Templeogue,
Dublin 16.

The grounds of appeal ^{are based} on the change of use application being unacceptable in principle due to the following points:

- 1/ The surrounding areas of Orlagh Grove and Scholarstown Rd. are already over-serviced and saturated with medical surgeries, including a surgery in Orlagh Grove, Bessely Court, Templeogue and a full medical service outlet in Knocklyon Shopping Centre 3/10 of a mile from the proposed Orlagh Grove Shopping Centre.
- 2/ The addition of these businesses and medical outlets will attract a higher traffic flow, obstructing the quiet residential nature of this area, add to the mounting security and privacy risks for all residents in the area and in spite of the projected 22 car parking spaces, will necessitate an overflow of car parking along the already narrow residential streets of this estate.
- 3/ The change of use to business purposes of the first floor area is a misrepresentation by the developer of the original intention to keep the ~~shopping~~ area above the shops as quiet, non-commercial and residential dwellings.

Any further points of appeal, details, documentation or additions will be supplied by the Orlagh Grove P.T.O.

Residents Committee and/or by ourselves

We would appreciate
your consideration of all points made
and attention to these matters

Sincerely,

Helen Isaacs R.G.N.

of

5 ORLAGH GROVE.

Please find enclosed Appeal Fee
of £50.

COMHAIRLE CHONTAE ATHA CLIATH

Tel.: 724755
Ext. 268/269

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

Your Ref.: PL6/51 ~~86497~~ ~~22 08 '91~~
Our Ref.: ~~91A-915~~

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: ~~c.o.c. from residential units to doctors surgery~~
~~dentists, opticians & office unit at previously approved~~
~~shopping centre, Cragh Estate, Scholastown Road.~~
Applicant: ~~Gannon Homes Ltd.~~

Dear Sir,

With reference to your letter dated 14 08 '91 I enclose
herewith:-

- (1) & (2) A copy of the application which indicated the applicant's
interest in the land or structure.
- (3) ^{in c1} A copy of the public notice given, i.e

~~IRISH PRESS 22 05 '91~~
(4) The plan(s) received from the applicant on 04.06.91.

(6) & (7) A certified copy of Manager's Order P/3343/91.

DATED, 24 04 '91, together with technical reports in
connection with the application.

- (8) ~~history file included; 91A-616~~
For 89A-236 see 6/5/82396

Yours faithfully,

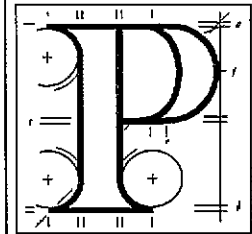
~~for Principal Officer~~
Encls.

Our Ref: PL 6/5/86497
Your Ref: 91A/915

217

fk

An Bord Pleanála



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

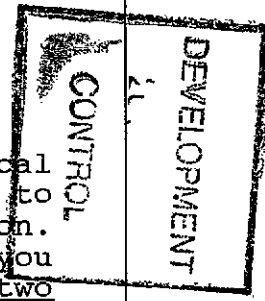
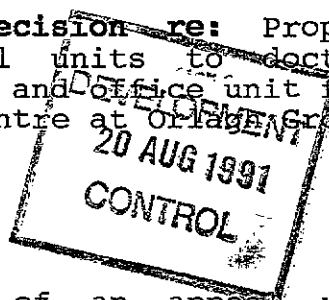
The Secretary,
Dublin County Council,
Planning Department,
Block 2,
Irish Life Centre.

RS
25/8

16 AUG 91

Date: 14th August 1991.

Planning authority decision re: Proposed change of use from residential units to doctor's surgery, dentists, opticians and office unit from previously approved shopping centre at Orlagh Grove, Dublin 16.



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:

Obs

- (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.

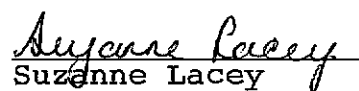
Please note that the other party/parties to the appeal are being notified that copies of the planning authority documents relevant to the decision which gave rise to the above-mentioned appeal will be available for inspection at your offices after the expiration of a period of fourteen days from the 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.

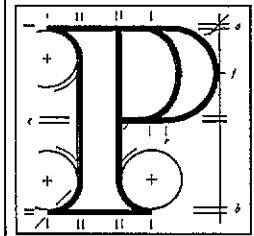
Yours faithfully,


Suzanne Lacey

Encl.

BP 005

An Bord Pleanála



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

Orlagh Grove Residents Association

c/o 7 Orlagh Avenue,
Orlagh Grove,
Dublin 16

An Bord Pleanála,
Floor 3,
Blocks 6 and 7,
Irish Life Centre,
Rr. Abbey St.,
Dublin 1

13/8/91
£50.00
B 24388

9-8-'91

Re. Reg. ref. no. 91A/915
Proposed change of use from
residential units to doctors surgery,
dentists surgery, opticians and
office unit, at first floor level
of development at Orlagh Grove.

Dear Sir,
I am required by the above association to
appeal against the decision to grant approval for the
above application, 24/7/91. The grounds of our
appeal are as follows:

1. The parking facilities provided are inadequate for the
total number of commercial units proposed. It
is not unreasonable to anticipate at least one
staff car for each unit and taking account of
patients attending all these medical units as well
as deliveries and customers at the shops, an
overspill onto Orlagh Grove seems inevitable.
2. Orlagh Grove is too narrow to accommodate the
parked cars and additional traffic which
the shopping centre will unavoidably generate.
It is the only entrance road to the existing

Orlagh Grove Residents Association

Orlagh Grove Phase I and the proposed Orlagh Grove Phase II and the addition of four more commercial units will place an intolerable burden of traffic on what is soon to be a busy thoroughfare.

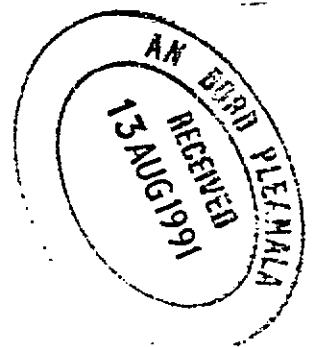
3. Medical facilities are currently available in Orlagh Grove. Furthermore there are clinics in the Superquinn shopping centre in Knocklyon, Beverly Court Knocklyon Rd., Templeroan and many other estates in the parish.
4. The first floor windows in the proposed units will permit a view of the adjoining gardens on Orlagh Grove. This might be acceptable in the case of apartments, but not in the case of commercial units where access will be available to unknown members of the public.
5. The provision of doctors and dentists surgeries in this centre will increase the security risk already generated by the provision of a chemists shop on the ground floor. The chemists shop in the nearby Knocklyon Shopping Centre has 24 hour security, making the unoccupied premises at Orlagh Grove a more attractive target for thieves.

Representatives of this association will be happy to attend an oral hearing of this appeal should this be considered appropriate. In the meantime I urge you to consider the concerns of the residents for

Orlagh Grove Residents Association

whom the shopping centre at Orlagh Grove is already an undesirable imposition and to reverse the decision to grant approval for further commercial units..

Yours faithfully
Lana O'Brien
Planning Convenor.





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

NOTIFICATION OF DECISION TO GRANT PERMISSION
LOCAL GOVERNMENT (PLANNING AND DEVELOPMENT)ACTS 1963-1990.

Decision Order Number : P/ 3373 /91 Date of Decision : 24th July 1991

Register Reference : 91A/0915 Date Received : 4th June 1991

Applicant : Gannon Homes Ltd.,

Development : Change of use of first floor area from 4 residential
units to Dentist's Surgery, Doctor's Surgery, Optician
and office unit and subsequent minor alterations in
previously approved neighbourhood shopping development.

Location : Orlagh Estate, Scholarstown Road, Dublin 16.

Time Extension(s) up to and including :

Additional Information Requested/Received : //

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 dated as above make a decision to
GRANT PERMISSION in respect of the above proposal.

Subject to the conditions on the attached Numbered Pages.

NUMBER OF CONDITIONS:- *12*.....ATTACHED.

Signed on behalf of the Dublin County Council.....
for Principal Officer

Date: *25/7/91*.....

Conroy Crowe Kelly,
26 Kingram Place,
Dublin 2.

NOTES

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. ANY OTHER PERSON may appeal within twenty one days beginning on the date of this decision.

2. An appeal shall be in writing and shall state the subject matter and grounds of appeal. It should be addressed to:-

An Bord Pleanala,
Blocks 6 and 7
Irish Life Centre,
Lower Abbey Street,
Dublin 1.

3. An appeal lodged by an applicant or his agent with An Bord Pleanala will be invalid unless accompanied by the prescribed fee.

(a) An appeal against a decision relating to commercial development by the person by whom the application was made must be accompanied by a fee of £100 (one hundred Pounds).

"Commercial Development" means development for the purposes of any professional, commercial or industrial undertaking, development in connection with the provision for reward of services to persons or undertakings, or development consisting of the provision of two or more dwellings, but does not include development for the purposes of agriculture.

(b) An appeal other than an appeal mentioned at (a) above, including third party appeal must be accompanied by a fee of £50 (fifty pounds)

(c) A party to an appeal making a request to An Bord Pleanala for an Oral Hearing of an appeal must, in addition to the prescribed fee, pay to An Bord Pleanala a fee of £50 (fifty pounds).

(d) A person who is not a party to an appeal must pay a fee of £15 (fifteen pounds) to An Bord Pleanala when making submissions or observations to An Bord Pleanala in relation to an appeal.

4. If the Council makes a decision to grant permission/approval and there is no appeal to An Bord Pleanala against this decision, PERMISSION/APPROVAL will be granted by the Council as soon as may be after the expiration of the period for the taking of such an appeal. If every appeal made in accordance with the Acts has been withdrawn, the Council will grant the PERMISSION/APPROVAL after the withdrawal.

5. Approval of the Council under the Building Bye-Laws must be obtained and the terms of the approval must be complied with in the carrying out of the work before any development which may be permitted is commenced.

Reg.Ref. 91A/0915
Decision Order No. P/ 3373 /91
Page No: 0002



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

C O N D I T I O N S / R E A S O N S

- 01 The development to be carried out in its entirety in accordance with the plans, particulars and specifications lodged with the application save as may be required by the other conditions attached hereto.
REASON: To ensure that the development shall be in accordance with the permission and that effective control be maintained.
- 02 That before development commences, approval under the Building Bye- Laws be obtained and all conditions of that approval be observed in the development.
REASON: In order to comply with the Sanitary Services Acts, 1878-1964.
- 03 That the requirements of the Chief Fire Officer be ascertained and strictly adhered to in the development.
REASON: In the interest of safety and the avoidance of fire hazard.
- 04 That the requirements of the Supervising Environmental Health Officer be ascertained and strictly adhered to in the development.
REASON: In the interest of health.
- 05 That the requirements of the Sanitary Services Department be ascertained and complied with in the development.
REASON: In order to comply with the Sanitary Services Acts, 1878-1964.
- 06 That the use of the proposed office area on the first-floor be restricted to a "neighbourhood office" as defined in the 1983 County Development Plan (i.e. an office providing a business and residential service function to the surrounding population).
- 06 REASON: In the interest of the proper planning and development of the area.
- 07 That the number of surgeries at first-floor level be restricted to two. Revised floor plans showing this alteration are to be submitted for the written agreement of the Planning Authority prior to commencement of development on site.
REASON: Insufficient off-street car parking facilities are available on site to serve the development as proposed.
- 08 That a total of 22 car parking spaces be provided to the front and side of the proposed development. The car parking area is to have a tarmacadam surface and to be properly marked out. The dimensions of each car parking space are to be 2.44 metres x 4.88 metres.
- 08 REASON: In the interest of the proper planning and development of the area.
- 09 A landscaping scheme for the site is to be submitted to and agreed in

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5. Approval of the Council under the Building Bye-Laws must be obtained and the terms of the approval must be complied with in the carrying out of the work before any development which may be permitted is commenced.



Bloc 2, Ionad Bheatha na hEireann,
Block 2, Irish Life Centre,
Sraid na Mainistreach Iacht,
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Telephone. (01)724755
Fax. (01)724896

Reg.Ref. 91A/0915
Decision Order No. P/ 3373 /91
Page No: 0003

writing with the Planning Authority prior to commencement of development on site. The applicant is advised to consult with the Parks Department prior to making this submission.

09 REASON: In the interest of the proper planning and development of the area.

10 The existing boundary wall (c. 3 feet in height) which forms part of the existing southern boundary of the site is to be increased in height to 2 metres and for approx. 5 metres and then gradually reduced from 2 metres to the height of the existing front boundary wall, as it approaches the front boundary wall. This wall is to match the existing 2 metre high wall which forms part of this boundary and is to be suitably capped and rendered. Details are to be agreed with the Planning Authority in writing prior to the commencement of development on site.

10 REASON: In the interest of the proper planning and development of the area.

11 No advertising signs are to be erected on the front elevation at first-floor level.

REASON: To prevent unauthorised development.

12 that the nett retail area of the butcher shop on the ground floor be as approved in permission granted under Reg. Ref. 89A/0236, and not be increased in size.

REASON: In the interest of the proper planning and development of the area.

NOTE: Compliance with one or more of the conditions of this permission may result in material alterations to the development as initially proposed and, accordingly, may require the submission of a further planning application.

NOTES

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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: 9002 DK/AK.

Dublin County Council,
Building Control Section,
Block 2,
Irish Life Centre,
Lower Abbey Street,
Dublin 1.

91A/283 & 91A/915
1.6.0
A.I. for BB2

ATTENTION: MR. EUGENE MC DONAGH

16th July, 1991.

RE: SHOPS AT ORLAGH ESTATE, SCHOLARSTOWN ROAD:
CHANGE OF USE OF FIRST FLOOR; BUILDING BYE LAW APPLICATION.

ADDITIONAL INFORMATION 91A/283 AND 91A/0915.

Dear Sirs,

We refer to your letter of the 19th of June, 1991 requesting additional information and time extension at the above.

Planning Register Reference: 91A/283 which relates to the change of use as described above has been withdrawn and a revised Planning Application has been made. The new Register Reference is 91A/0915. This revised application changes the proposed first floor layout from four offices as indicated in the previous application to one office and a group surgery practice. The group practice will comprise three surgery units with communal reception, toilets, waiting etc. The total surgery area will be divided from the office area by a 215mm solid block wall which will be carried up to the underside of the roof covering and firestopped in the normal way.

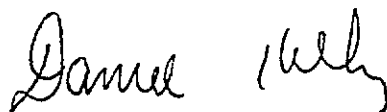
We feel that this arrangement will overcome the problems referred to in your letter with regard to the separation of units in different ownership.

We enclose for your attention copies of the following drawings which indicate the revised layouts:

9002 D 110 (D)
9002 D 112
9002 D 105 (D)

We trust the above proposed amendments will be to your approval.

Yours faithfully,



Daniel Kelly.

CONROY CROWE KELLY ARCHITECTS

Encs.

COMHAIRLE CHONTAE ÁTHA CLIATH

PAID BY — DUBLIN COUNTY COUNCIL

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

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

Issue of this receipt is not an
 substituted to the original application
 N 41240

£295.00

Received this 14th day of June 1991

from Cannon Homes Ltd
68 Amiens Street, D.1

the sum of two hundred and ninety five Pounds

of be on 919/0915

Pence, being 66 Pence

Michael [Signature] Cashier

S. CAREY
Principal Officer
Rabre
Class 4

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

DARIN CONROY Dip. Arch
MICHAEL CROWE BArch
DANIEL KELLY BArch

Our Ref: 9002 DK/AK.

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

12th June, 1991.

RE: CHANGE OF USE OF FIRST FLOOR AREA FROM 4 RESIDENTIAL UNITS TO
OFFICE UNITS AND SUBSEQUENT MINOR ALTERATIONS IN PREVIOUSLY
APPROVED NEIGHBOURHOOD SHOPPING DEVELOPMENT.

REGISTER REF: 91A/0915.

Dear Sirs,

Further to your letter dated 7th June 1991 requesting the balance on the
application fee with regard to the above in the sum of £295, we now
enclose same.

Yours faithfully,

Daniel Kelly
Daniel Kelly.

CONROY CROWE KELLY ARCHITECTS.

Enc.

14 JUN 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/0915

Date : 5th June 1991

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

Dear Sir/Madam,

DEVELOPMENT : Change of use of first floor area from 4 residential units to Dentist's Surgery, Doctor's Surgery, Optician and office unit and subsequent minor alterations in previously approved neighbourhood shopping development.

LOCATION : Orlagh Estate, Scholarstown Road, Dublin 16.

APPLICANT : Gannon Homes Ltd.,

APP. TYPE : PERMISSION

With reference to above, I acknowledge receipt of your application received on 4th June 1991.

Yours faithfully,

.....
PRINCIPAL OFFICER

Conroy Crowe Kelly,
26 Kingram Place,
Dublin 2.



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

- 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.
- Postal address of site or building ORLACH ESTATE, SCHOLARSTOWN ROAD
(If none, give description sufficient to identify) DUBLIN 16
- Name of applicant (Principal not Agent) GANNON HOMES LTD.
Address 68 AMIENS STREET, DUBLIN 1 Tel. No.
- Name and address of CONROY CROWE KELLY 26 KINCORNA PLACE
person or firm responsible for preparation of drawings DUBLIN 2 Tel. No. 612990
- Name and address to which notifications should be sent AS NO 4 BYE LAW APPLICATION
REC NO N 16

- Brief description of proposed development CHANGE OF USE OF 1ST FLOOR TO CLINICS AND OFFICE
- Method of drainage PUBLIC MAIN 8. Source of Water Supply PUBLIC MAIN
- 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. SHOPS - GROUND. / RESIDENTIAL - 1ST
(b) Proposed use of each floor AS NO 6

- Does the proposal involve demolition, partial demolition or change of use of any habitable house or part thereof? No
- (a) Area of Site 1620 Sq. m.
(b) Floor area of proposed development 225 Sq. m.
(c) Floor area of buildings proposed to be retained within site Sq. m.
- State applicant's legal interest or estate in site (i.e. freehold, leasehold, etc.) FREE HOLD

DUBLIN 16 Planning permission sought for change of use of first floor area, from 4 residential units to Dentist's Surgery, Doctor's Surgery, Optician and office unit and subsequent minor alterations in previously approved neighbourhood shopping development at Orlach Estate, Scholarstown Road, Dublin 16. Signed Gannon Homes Ltd.

- Are you now applying also for an approval under the Building Bye Laws?
Yes No Place in appropriate box. £98.75 4/6
- Please state the extent to which the Draft Building Regulations have been taken in account in your proposal:
AS FAR AS PRACTICABLE N 4081

- List of documents enclosed with application. SEE ACCOMPANYING LETTER

RECEIVED
04 JUN 1991
REG. SEC.

- Gross floor space of proposed development (See back) 225.7 Sq. m.
No of dwellings proposed (if any) 4 Class(es) of Development 4
Fee Payable £ 98.75 Basis of Calculation 225.7 x 21.75 x 0.25
If a reduced fee is tendered details of previous relevant payment should be given
£395 already paid on application Ref: 91A/0283 - WHICH WAS WITHDRAWN
- Signature of Applicant (or his Agent) Daniel P. Kelly Date 28th May 1991

- Application Type P FOR OFFICE USE ONLY 4/6
Register Reference 91A/0915
Amount Received £ 3,280
Receipt No
Date 22-10

Shil
Gross
24/5/91

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

RECEIPT CODE

PAID BY DUBLIN COUNTY COUNCIL

Issue of this receipt is not an

CASH
CHEQUE
M.O.
B.L.
I.T.

46/49 UPPER O'CONNELL STREET, DUBLIN 1.
tendered is the prescribed application fee. N 41081

£ 98.75

Received this 14th day of June 1991

from Gannon Homes Ltd,
68 Aniens Street,
D.I.

the sum of ninety eight Pounds

seventy five Pence, being for to
planning application at Dilagh Estate

Modlan O'Leary Cashier

S. CAREY Class 4
Principal Officer

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

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

BARRY CONROY Dip. Arch.
MICHAEL CROWE BArch
DANIEL KELLY BArch

Our Ref: 9002 DK/AK.

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

4th May, 1991.

RE: CHANGE OF USE OF FIRST FLOOR FROM FOUR FLATS TO CLINICS AND
OFFICE IN PREVIOUSLY APPROVED NEIGHBOURHOOD SHOPPING DEVELOPMENT
AT ORLAGH ESTATE, SCHOLARSTOWN ROAD, DUBLIN 16.
REGISTER REF: 89A/236.

Dear Sirs,

On behalf of our clients Gannon Homes Ltd., we wish to apply for full
Planning Permission for a change of use of first floor to clinics and
office at the above.

We enclose for your attention the following information:

1. Architects drawings in quadruplicate:

9002 D 100 C, 9002 D 105 C, 9002 D 110 C, 9002 D 111 B, 9002 D 112,
9002 D 113 A.

2. Engineer's drawing in quadruplicate:

E 223/06 Rev D.

3. Newspaper advertisement dated 22nd May 1991.

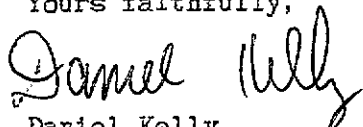
4. Cheque in the sum of £98.75

5. Completed Application form.

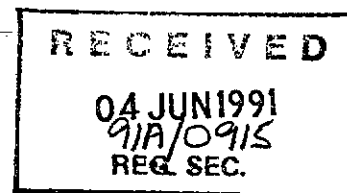
6. Architects Report.

Should you require any further clarification or information please
contact the undersigned.

Yours faithfully,



Daniel Kelly.
CONROY CROWE KELLY ARCHITECTS.



Encs.

cc Gannon Homes Ltd.

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

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

OUR REF: 9002 DK/AK

28TH MAY 1991.

BARRY CONROY Dip Arch
MICHAEL CROWE BArch
DANIEL KELLY BArch

ARCHITECTS REPORT

PROPOSED CHANGE OF USE OF FIRST FLOOR OF PREVIOUSLY APPROVED DEVELOPMENT
AT ORLAGH ESTATE SCHOLARSTOWN ROAD, DUBLIN 16.

CHANGE OF USE FROM RESIDENTIAL TO CLINICS AND OFFICE.

BACKGROUND:

Dublin County Council Register Reference No. 89A/236
An Bord Pleanála Reference No. PL/5/82396

Planning Permission was granted for a development comprising four shops and four flats in a two storey block by An Bord Pleanála on the 31st of January, 1991.

PROPOSAL:

This application is for a change of use for the first floor area of this proposed development from four residential units to doctors surgery, dental surgery, optician and office unit.

REASON FOR CHANGE OF USE:

It is now felt that flats located over shops in this type of development will be inappropriate. Professional advice has indicated that these units would be very difficult to sell.
A community based service activity is now regarded as being more suitable use for this area.

CARPARKING:

The existing permission provided 17 car spaces for four shops and four flats and this number was agreed to be sufficient with the Planning Department.
We now propose to increase the number of carparking spaces by 7 to a total of 24.
The revised first floor layout would require 10 spaces. 6 spaces would have been allocated to the old first floor layout. Therefore 4 additional spaces are required. 3 additional spaces as well are provided for the ground floor extension to the grocery unit (separate application). The new provision is therefore 24.

SERVICES:

Service connections to foul surface and water mains are as per enclosed engineers drawing.

May 1991.

CONROY CROWE KELLY ARCHITECTS.

