

FILE DISCUSSED AT COUNCIL/COMMITTEE MEETING

FILE REF: 91A 859

MEETING	COMMENTS	NOTED IN DEV. CONTROL	NOTED BY
<p>BELGARD H+P <u>20/6/91</u></p>	<p>Refusal recommended by Cllr Shatter.</p> <p>Already refused for similar type of applic. Only difference is 'Dis-Mantled crane'</p> <p>Site invaded by travellers.</p> <p>Is this an unhappy coincidence?</p>		

## File Memo

Councillor Ann O'Rourke and

stated she would not be able to  
attend the meeting on 20/6/91.

She wishes it to be noted  
that she objects to this application

Pho →

91A/0859

Storage on site of Buldy Stone + Crave

Site of Rathconlam By-Pass, Rathconlam Village

P. H. Doyle (Contractor)

1	2	3	4	5	6	7
Dwellings/Area Length/Struct	RATE	AMT. OF FEE REQ.	AMOUNT LODGED	BALANCE DUE	BALANCE DUE	DATE/ RECEIPT NO.
Dwellings	2532					
	2516					
	2520 2521 2522					
	2523 2524 2525					
	2526 2527 2528					
	2529 2530 2531					

0.061HA.

£40 £40

*[Signature]* D/T

30/5/91

*[Signature]*

S.O

30/5/91

Items 2, 3, 4, 5, 6 & 7 Certified Signed

Grade: \_\_\_\_\_ Date: \_\_\_\_\_

Items 2, 3, 4, 5, 6 & 7 Endorsed Signed

Grade: \_\_\_\_\_ Date: \_\_\_\_\_

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

ASSESSMENT OF FINANCIAL CONTRIBUTION

REG. REF.: 91A/859

CONVL. REG.:

SERVICES INVOLVED: WATER/FOUL SEWER/SURFACE WATER

AREA OF SITE: 0.15 Acres.

FLOOR AREA OF PRESENT PROPOSAL:

MEASURED BY:

CHECKED BY:

METHOD OF ASSESSMENT:

TOTAL ASSESSMENT

MANAGER'S ORDER NO: P/ /  
DATED:

ENTERED IN CONTRIBUTIONS REGISTER:

J. Y.  
30/5/91.

DEVELOPMENT CONTROL ASSISTANT GRADE



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

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

Our Ref. P.P. 318  
Your Ref.  
Date 03.07.1991

RE: Retention of Granite Building Stone, Crane, etc., at Rathfarnham By-Pass.  
Reg. Ref. 91A/0859.

A previous application for the retention of building stone and a crane opposite Rathfarnham Castle was refused on appeal both by Dublin County Council and An Bord Pleanala.

11 JUL 91

PLANNING DEPT.  
DEVELOPMENT CONTROL SECT  
Date ..... 14.07.91  
Time ..... 9.30

PLANNING DEPARTMENT  
14 JUL 1991  
A.M.D.L.

*Handwritten signature*

SENIOR PARKS SUPERINTENDENT



P/3007/91

# COMHAIRLE CHONTAE ÁTHA CLIATH

## Record of Executive Business and Manager's Orders

Register Reference : 91A/0859

Date Received : 27th May 1991

Correspondence : The Ambrose Kelly Group,  
Name and : Fleming Court,  
Address : Flemings Place,  
Dublin 4.

Development : Storage of 400 tons approx. of granite building stone  
and 1 no. 60' builders dismantled crane

Location : site of 0.4 hectares off Rathfarnham By-Pass behind  
Rathfarnham Village

Applicant : P.V. Doyle Construction

App. Type : Permission

Zoning :

(MOS/DK)

Report of the Dublin Planning Officer dated 25th June, 1991.

This application is for PERMISSION. The proposed development consists of the storage of 400 tons approx. of granite building stone and 1 no. 60' builders dismantled crane at site of 0.4 hectares off Rathfarnham By-Pass behind Rathfarnham Village.

A similar application for the proposed storage of 400 tons approx. of granite building stone and 1 no. 60' builders crane on this site was refused by Dublin County Council under Reg. Ref. 90A-1267 (Decision order P/4142/90 dated 10th September, 1990). The reasons for refusal were:

1. The proposed development is located on a visually sensitive site off the Rathfarnham By-Pass and opposite Rathfarnham Castle, which is a National Monument. The proposed development would be visually obtrusive and contrary to the proper planning and development of the area.
2. The applicant has not demonstrated that safe vehicular access arrangements can be provided to serve the proposed development. The proposed development would, therefore, endanger public safety by reason of a traffic hazard.

This decision was upheld on appeal to an Bord Pleanála (Ref. PL 6/5/84132 dated 28th April, 1991).

Reg. Ref. 90A-2321 refers to a recent application on this site. By decision order 1700/91 dated 19th April, 1991, a decision to refuse permission was made by Dublin County Council for (1) 42 duplex houses in 7 no. terraces of 6, each consisting of ground floor 1 bedroom flat with 2 bed dwelling house

# COMHAIRLE CHONTAE ÁTHA CLIATH

## Record of Executive Business and Manager's Orders

Reg.Ref: 91A/0859

Page No: 0002

Location: Site of 0.4 hectares off Rathfarnham By-Pass behind Rathfarnham Village

on first, second and third floor over, and car parking for 94 no. cars to be accessed from Rathfarnham By-pass.

(2) Four storey office building consisting of 713 sq. m. with on site car parking for 30 cars to be accessed onto Butterfield Avenue.

*This decision is currently on appeal to Mr. Brian Phearala.*  
There is a history of enforcement on this site (Enf. 5855) with regard to *(i) the unauthorised storage of soil gutters, concrete blocks, soil + stones*  
*(ii) the storage of lorries, motor vehicles & scrap cars*  
It is noted that travellers have occupied this site over the last few weeks.

The proposed development is unacceptable.

I recommend that a decision to REFUSE PERMISSION be made under the Local Government (Planning and Development) Acts, 1963-1990 for the following (2) reasons:

### REASONS FOR REFUSAL

- 01 The proposed development is located on a visually sensitive site off the Rathfarnham By-pass, directly opposite Rathfarnham Castle, in an area where there are views of the Dublin Mountains. The proposed development would represent a serious visual intrusion in this area and would ~~thereby~~ seriously injure the visual amenities of the area.
- 02 The applicant has not demonstrated that safe vehicular access arrangements can be provided to serve the proposed development. The proposed development would therefore endanger public safety by reason of a traffic hazard.

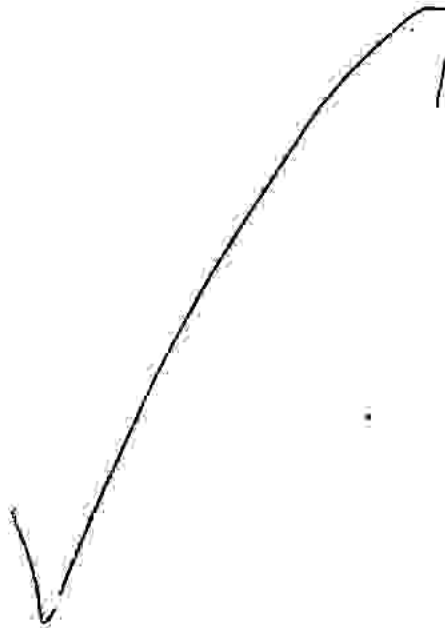
# COMHAIRLE CHONTAE ÁTHA CLIATH

## Record of Executive Business and Manager's Orders

Reg.Ref: 91A/0859

Page No: 0003

Location: site of 0.4 hectares off Rathfarnham By-Pass behind Rathfarnham Village



ms

Richard Cremins SEP  
for Dublin Planning Officer 276.91

Endorsed:   
for Principal Officer

Order: A decision pursuant to Section 26(1) of the Local Government (Planning and Development) Acts, 1963-1990 to REFUSE PERMISSION for the above proposal for the (2) reasons set out above is hereby made.

Dated : 28 June 1991  
APPROVED OFFICER 

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





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 REFUSE PERMISSION  
LOCAL GOVERNMENT (PLANNING AND DEVELOPMENT) ACTS 1963-1990.

Decision Order Number : P/ 3007 /91      Date of Decision : 28th June 1991

Register Reference : 91A/0859                      Date Received : 27th May 1991

Applicant : P.V. Doyle Construction

Development : Storage of 400 tons approx. of granite building stone  
and 1 no. 60' builders dismantled crane

Location : Site of 0.4 hectares off Rathfarnham By-Pass behind  
Rathfarnham Village

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 REFUSE PERMISSION in respect of the above proposal.

For the Reasons set out on the attached Numbered Pages.

NUMBER OF REASONS:- <sup>2</sup>.....ATTACHED.

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

Date: 21/6/91.....

The Ambrose Kelly Group,  
Fleming Court,  
Flemings Place,  
Dublin 4.

## 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/0859  
Decision Order No. P/ 3007 /91  
Page No: 0002



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

REASONS FOR REFUSAL

---

- 01 The proposed development is located on a visually sensitive site off the Rathfarnham By-pass, directly opposite Rathfarnham Castle, in an area where there are views of the Dublin Mountains. The proposed development would represent a serious visual intrusion in this area and would seriously injure the visual amenities of the area.
  
- 02 The applicant has not demonstrated that safe vehicular access arrangements can be provided to serve the proposed development. The proposed development would therefore endanger public safety by reason of a traffic hazard.

## 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.

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/0859

Date : 28th May 1991

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

Dear Sir/Madam,

DEVELOPMENT : Storage of 400 tons approx. of granite building stone  
and 1 no. 60' builders dismantled crane

LOCATION : Site of 0.4 hectares off Rathfarnham By-Pass behind  
Rathfarnham Village

APPLICANT : P.V. Doyle Construction

APP. TYPE : PERMISSION

With reference to above, I acknowledge receipt of your application received  
on 27th May 1991.

Yours faithfully,

.....  
PRINCIPAL OFFICER

The Ambrose Kelly Group,  
Fleming Court,  
Flemings Place,  
Dublin 4.





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

1. Application for Permission  Outline Permission  Approval  Place  in appropriate box.  
Approval should be sought only where an outline permission was previously granted. Outline permission may not be sought for the retention of structures or continuances of uses.
2. Postal address of site or building Site of Rathfarnham By Pass, Rathfarnham Village, Dublin 14  
(If none, give description sufficient to identify)
3. Name of applicant (Principal not Agent) P.V. Doyle Construction Limited, St. Bridgets, Clonskeagh Road, Dublin 14.  
Address ..... Tel. No. ....
4. Name and address of The Ambrose Kelly Group, Fleming Court, Flemings Place  
person or firm responsible for preparation of drawings ..... Dublin 4 ..... Tel. No. 607511
5. Name and address to which The Ambrose Kelly Group, Fleming Court, Flemings Place, Dublin 4.  
notifications should be sent
6. Brief description of Proposed storage on site of 400 tons of granite building stone  
proposed development and 1 no. 60' dismantled builders crane.
7. Method of drainage ..... 8. Source of Water Supply .....
9. In the case of any building or buildings to be retained on site, please state:-  
(a) Present use of each floor .....  
or use when last used, .....  
(b) Proposed use of each floor .....
10. Does the proposal involve demolition, partial demolition or change of use of any habitable house or part thereof? YES
11. (a) Area of Site 0.40 ..... Sq. m.  
(b) Floor area of proposed development ..... Sq. m.  
(c) Floor area of buildings proposed to be retained within site ..... Sq. m.
12. State applicant's legal interest or estate in site Freehold  
(i.e. freehold, leasehold, etc.)
13. Are you now applying also for an approval under the Building Bye Laws?  
Yes  No  Place  in appropriate box.
14. Please state the extent to which the Draft Building Regulations have been taken in account in your proposal:

15. List of documents enclosed with 4 copies of A052 sk 05 1 copy of newspaper and cheque for £40

Just  
has  
23/5/91

RECEIVED  
N 39556  
27 MAY 1991

application  
DUBLIN 14 permission sought  
from Dublin County Council  
for storage of 400 tons  
approx. of granite building  
stone and 1 no. 60' builders  
dismantled crane on site of  
0.4 hectares off Rathfarnham  
By Pass, behind Rathfarnham  
Village for P.V. Doyle  
Construction, St. Bridgets,  
Clonskeagh.

16. Gross floor area of proposed development (See back) 0.40 ..... Sq. m.

No of dwellings proposed (if any) ..... Class(es) of Development No. 11  
Fee Payable £ 40.00 ..... Basis of Calculation Min £40.00 £5.00 x 0.1 x 4  
If a reduced fee is tendered details of previous relevant payment should be given

Signature of Applicant (or his Agent) The Ambrose Kelly Group ..... Date 24/5/91

Application Type P  
Register Reference 91A/0859  
Amount Received £ .....  
Receipt No 22-6/7  
Date .....

FOR OFFICE USE ONLY  
RECEIVED  
27 MAY 1991  
1.4.0

COMHAIRLE CHONTAE ÁTHA CLIATH

PAID BY — DUBLIN COUNTY COUNCIL  
46/49 UPPER O'CONNELL STREET  
DUBLIN 1.

Issue of this receipt is not an  
acknowledgement that the fee  
tendered is the prescribed application  
fee. N 39756

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

£40.00

Received this 27th day of May 1991

from P.V. Deane Court LD

St. Bridget's  
Monkeagh Rd.

the sum of thirty Pounds

Pence, being 00 for

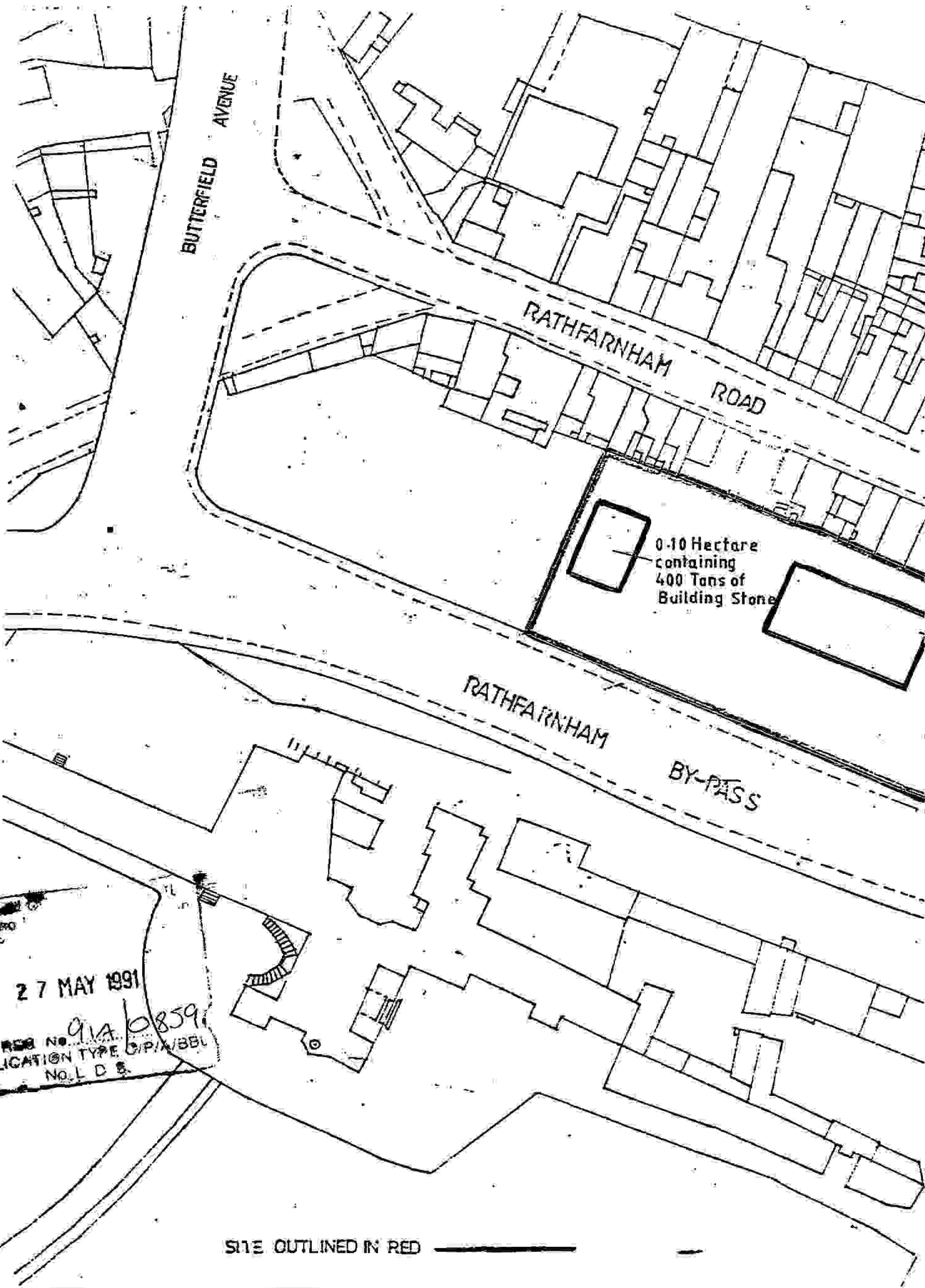
planning application at Rathfarnham

By Pass

Moeller Deane Cashier

S. CAREY  
Principal Officer

1/11/91



BUTTERFIELD AVENUE

RATHFARNHAM ROAD

0.10 Hectare  
containing  
400 Tons of  
Building Stone

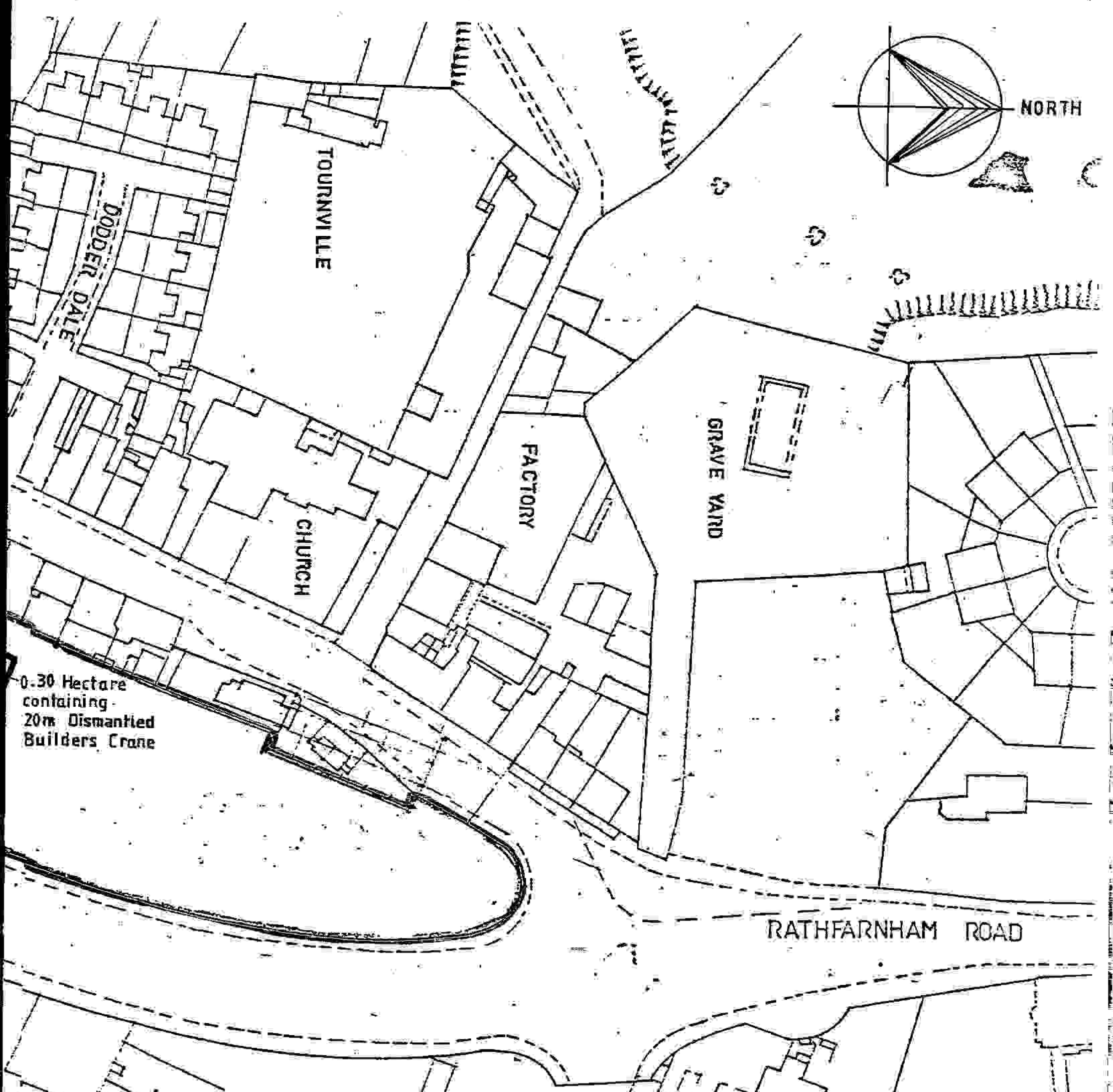
RATHFARNHAM BY-PASS

27 MAY 1991

REG NO. 91A/0859  
APPLICATION TYPE C/P/A/BBU  
No. L D S.

SITE OUTLINED IN RED





Date.	JULY 90	Drawing Number - A0-52SK05	Copyright Reserved. © 19
Drawn.	M.J.L.	PROPOSED STORAGE ON SITE OF 400 TON OF BUILDING STONE & 20M BUILDERS CRANE	
Scale.	1:1000		

**The Ambrose Kelly Partnership**  
**Architects**

Fleming's Court, Fleming's Place, Dublin 4.

Telephone 607511 Fax: 607620