

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/0581

Date : 30th July 1991

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

Dear Sir/Madam,

DEVELOPMENT : Change of use of residential accommodation to offices,  
with extension at first floor level and increased shop  
area

LOCATION : 1 Ballyroan Road, Dublin 16.

APPLICANT : M. O'Grady

APP. TYPE : Additional Information

With reference to the above, I acknowledge receipt of your application  
received on 29th July 1991.

Yours faithfully,

.....  
for PRINCIPAL OFFICER

Patrick Joyce Associates,  
4 Boden Wood,  
Rathfarnham,  
Dublin 14.

# DUBLIN COUNTY COUNCIL

Tel. 724755 (ext. 262/264)

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

## NOTIFICATION OF A DECISION TO REFUSE:

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

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

To Patrick Joyce Associates, ..... Register Reference No. 91A/0581  
4 Boden Wood, ..... Planning Control No. ....  
Rathfarnham, ..... Application Received 05.04.1991  
Dublin 14. .... Additional Information Received 29.07.1991  
Applicant M. O'Grady. ....

In pursuance of its functions under the above-mentioned Acts, the Dublin County Council, being the Planning Authority for the County Health District of Dublin, did by order, P/ ..... 4534/91 ..... dated ..... 26.09.1991 decided to refuse:

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

For Permission for change of use of residential accommodation to offices, with extension at first floor level, and increased shop area at 1 Ballyroan Road for M. O'Grady. ....  
for the following reasons:

1. The proposed development makes inadequate provision for safe on site parking accommodation.
2. The proposed development would be likely to give rise to further kerbside parking on Ballyroan Road and Butterfield Avenue, in close proximity to a heavily trafficked junction thus endangering public safety by reason of traffic hazard.
3. The proposed development does not provide adequate separation of pedestrian and vehicular traffic, thus endangering public safety by reason of a traffic hazard.

Signed on behalf of the Dublin County Council .....

  
for PRINCIPAL OFFICER

Date ..... 26th. September, 1991 ....

### IMPORTANT:

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

FORM G — FUTURE PRINT LTD.

91A/0581  
1.4.0  
A.1

Registry please file.

**PATRICK JOYCE ASSOCIATES**

Consulting Engineers

Reg Ref No : 91A/0581

4 Boden Wood  
Rathfarnham  
Dublin 14

Telephone: (01) 946745

ADDITIONAL INFORMATION

PATRICK C. JOYCE BE, MBA, C. Eng, MIEI, MIWEM

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



26th July 1991

Re: Planning Application - 1, Ballyroan Road, Dublin 16  
Proposed Offices and Alterations to Existing Shop

Dear Sirs,

I refer to your letter of the 11th June requesting additional information in respect of the above application. I have been instructed by the applicant to reply as follows to the queries raised:

- (1) It is proposed to retain the existing low level wall along the road frontage of the site and to close up the existing gateway as shown on the attached drawing. The applicant is not in a position to provide a similar wall along the road frontage to the existing car park. While the Rowan Tree Shop has a long established right to use the car park, the ground is owned by the Blue Haven. The applicant has no objection to such wall been provided.
- (2) The applicant is prepared to modify the proposed car parking layout to provide for a 2 metre wide landscaped strip of land between the car parking spaces and the eastern boundary of the site. The proposed arrangement is shown on Drawing D/9105/01A attached.
- (3) Details of the proposed boundary wall arrangement are shown on the attached drawing.

Yours faithfully,

*Patrick C. Joyce*  
Patrick C. Joyce



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

Decision Order Number : P/ 2582 /91 Date of Decision : 11th June 1991

Register Reference : 91A/0581 Date Received : 15th April 1991

Applicant : M. O'Grady

Development : Change of use of residential accommodation to offices,  
with extension at first floor level and increased shop  
area

Location : 1 Ballyroan Road, Dublin 16.

Dear Sir/Madam,

With reference to your planning application, received here on 15.04.91 in connection with the above, I wish to inform you, that before the application can be considered under the Local Government (Planning and Development) Acts 1963 - 1990, the following additional information must be submitted in quadruplicate:-

- 01 The applicant is requested to indicate if he is able to and willing to provide for the construction of a low level wall along the road frontage of the site and the adjoining site attached to the 'Blue Haven' public house, as far as the existing entrance to the car park. If this is the case the applicant is requested to submit (i) evidence showing that he can construct this wall and (ii) drawings showing how he proposes to do this. The applicant should note that the provision of a wall is necessary in order to define the car parking area properly.
- 02 The applicant is requested to indicate if he is prepared to modify the proposed car parking layout so that a 2 metre wide heavily landscaped strip of land is provided between the car parking spaces and the eastern boundary of the site and if he is so prepared to submit revised drawings indicating this.
- 03 The applicant is requested to submit details of proposed boundary treatment along the eastern boundary of the site, where the proposed car parking area adjoins the adjoining residential property. The applicant should note that this should consist of a 2 metre high screen wall for the most part and should not interfere with visibility at the adjoining

Patrick Joyce Associates,  
4 Boden Wood,  
Rathfarnham,  
Dublin 14.



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

Reg. Ref. 91A/0581

Decision Order No. P/ 2582 /91

Page No: 0002

vehicular entrance.

Please mark your reply "ADDITIONAL INFORMATION" and quote the Reg. Ref.  
No. given above.

Yours faithfully,

A handwritten signature in cursive script, appearing to read "Rosemary...".

PRINCIPAL OFFICER

Date : 12/6/91

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/0581

Date : 16th April 1991

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

Dear Sir/Madam,

DEVELOPMENT : Change of use of residential accommodation to offices,  
with extension at first floor level and increased shop  
area

LOCATION : 1 Ballyroan Road, Dublin 16.

APPLICANT : M. O'Grady

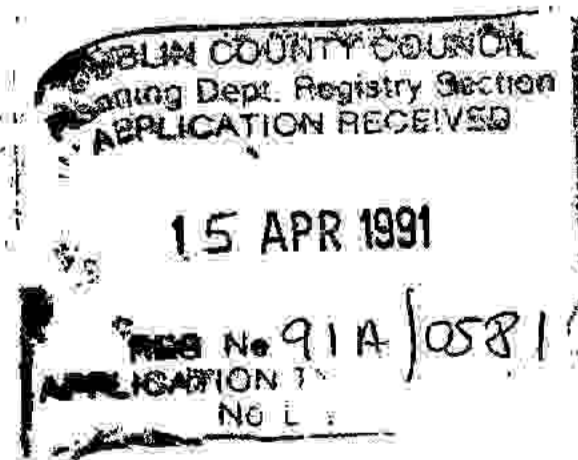
APP. TYPE : PERMISSION

With reference to above, I acknowledge receipt of your application received  
on 15th April 1991.

Yours faithfully,

.....  
PRINCIPAL OFFICER

Patrick Joyce Associates,  
4 Boden Wood,  
Rathfarnham,  
Dublin 14.





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 1, BALLYROAN ROAD, DUBLIN 16  
(If none, give description sufficient to identify)

3. Name of applicant (Principal not Agent) MR. & MRS MICHAEL O'GRADY  
Address 1, BALLYROAN ROAD, DUBLIN 16 Tel. No. 943451

4. Name and address of person or firm responsible for preparation of drawings PATRICK JOYCE ASSOCIATES,  
1, BODEN WOOD, RATHFARNHAM, D. 14 Tel. No. 946745

5. Name and address to which notifications should be sent PATRICK JOYCE ASSOCIATES,  
1, BODEN WOOD, RATHFARNHAM, DUBLIN 14

6. Brief description of proposed development Change of use of Residential Accommodation to offices and  
INCREASED SHOP AREA

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

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 Ground Floor - Shop (Rowan Tree) First Floor - Residential  
(b) Proposed use of each floor Ground Floor - Shop First Floor - Neighbourhood offices

10 Does the proposal involve demolition, partial demolition or change of use of any habitable house or part thereof? Change of use of Residential accommodation on first floor

11.(a) Area of Site ..... Sq. m.  
(b) Floor area of proposed development 15 APR 91 ..... 106 Sq. m.  
(c) Floor area of buildings proposed to be retained within site ..... 185.50 Sq. m.

Irish  
Press  
10/4/91

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

13.Are you now applying also for an approval under the Building Bye Laws?  
Yes  No  Place  in appropriate box. N35226

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 application DRAWINGS - Nos D/9105/01, D/9105/02 & D/9105/03  
DUBLIN 16 permission sought for change of use of residential accommodation to offices, with extension at first floor level and increased shop area at 1 Ballyroan Road for M. O'Grady.

16.Gross floor space of proposed development (See back) ..... 106 Sq. m.

No of dwellings proposed (if any) ..... Class(es) of Development 4  
Fee Payable £ 185-50 Basis of Calculation 106 sq-m x £1.75 = £185-50  
If a reduced fee is tendered details of previous relevant payment should be given

Signature of Applicant (or his Agent) Patrick C. Joyce Date 10/4/91

Application Type P FOR OFFICE USE ONLY  
Register Reference 91A/0581  
Amount Received £ .....  
Receipt No 22-60  
Date .....

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

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

BUILDING BYE-LAW APPLICATIONS

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

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.



RECEIPT CODE

# CO HAIRLE CHONTAE ÁTHA CLIATH

DUBLIN COUNTY COUNCIL

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

PAID BY

CASH

CHEQUE

M.O.

B.L.

I.T.

N 35226

£ 185.50

15th

day of

April

19

Received this

from M. M. O'Grady

1 Ballyroan Rd.  
D.16

the sum of one hundred and eighty five Pounds

Pence, being

fifty planning application at Ballyroan Rd

Michael Deane

Cashier

S. CAREY  
Principal Officer

# PATRICK JOYCE ASSOCIATES

Consulting Engineers

4 Boden Wood  
Rathfarnham  
Dublin 14

Telephone: (01) 946745

PATRICK C. JOYCE BE, MBA, C. Eng, MIEI, MIWEM

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

10th April 1991

15 APR 91

Re: Planning Application - 1, Ballyroan Road, Dublin 15  
Proposed Offices and Alterations to Existing Shop

Dear Sirs,

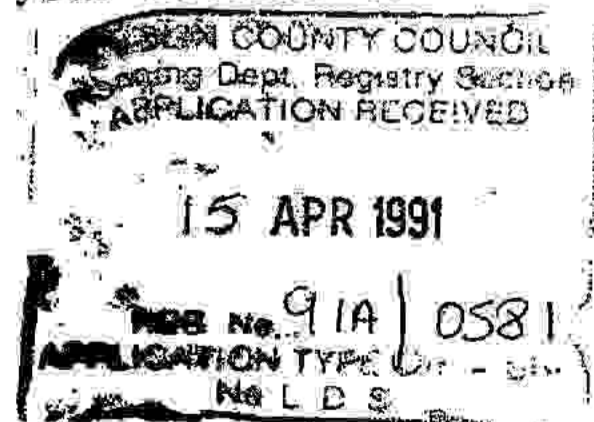
Please find enclosed Planning Application Form and relevant documentation in respect of above. The application is for change of use of existing residential accommodation over the Rowan Tree Shop to offices, with a small extension at first floor level, together with a small increase in the shop floor area. The applicant considers that the first floor of the premises is no longer suitable as residential accommodation due to the close proximity to the public house.

Car park spaces will be provided in the existing garden to the side of the premises. I estimate the car parking requirements for the proposal at four spaces. Eight car park spaces will be provided within the existing garden. Access to the premises shall be as shown on Drawing No. D/9105/01. The proposed arrangement should also benefit the overall parking situation in the area as these car park spaces will be available to customers of the public house after normal office closing hours.

If there are any queries regarding the application, please contact the undersigned. Thanking you for your attention.

Yours sincerely,

*Patrick C. Joyce*  
Patrick C. Joyce



FILE DISCUSSED AT COUNCIL/COMMITTEE MEETING

FILE REF:

91A/581

MEETING	COMMENTS	NOTED IN DEV. CONTROL	NOTED BY
Belgard 24/9/91	Cllr M Muldoon opposed to increase in development - pressure & parking in area  Cllr A O'Rourke NOTED this application.		

FILE DISCUSSED AT COUNCIL/COMMITTEE MEETING

FILE REF: 91A 581

MEETING	COMMENTS	NOTED IN DEV. CONTROL	NOTED BY
<p>BELGARD H+P <del>20/1/91</del> 28 5 91</p>	<p>CLS Muldoon Noted this applic</p>	<p>(</p>	
	<p>CLS Beney Rec Perm to be Granted</p>		
	<p>Bad Place for a Residence</p>		
	<p>Beney says applic. will make car parking spaces available for pub patrons</p>		
	<p>Muldoon - more parking spaces needed than are physically possible to provide</p>		



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

ASSESSMENT OF FINANCIAL CONTRIBUTION

REG. REF.: *91A/581*

CONT. REG.:

SERVICES INVOLVED: WATER/FOUL SEWER/SURFACE WATER

AREA OF SITE:

FLOOR AREA OF PRESENT PROPOSAL: *1141 FT<sup>2</sup>*

MEASURED BY:

*J.Y.  
18/4/91.*

CHECKED BY:

METHOD OF ASSESSMENT:

TOTAL ASSESSMENT

MANAGER'S ORDERED NO: *F/* /  
DATED

ENTERED IN CONTRIBUTIONS REGISTER:

DEVELOPMENT CONTROL ASSISTANT GRADE

SOUTH DUBLIN COUNTY COUNCIL  
COMHAIRLE CHONTAE ÁTHA CLIATH THEAS

Bosca 4122,  
Lár an Bhaile, Tamhlacht,  
Baile Átha Cliath 24.

Telefon: 01-462 0000  
Facs: 01-462 0104



PLANNING  
DEPARTMENT  
P.O. Box 4122,  
Town Centre, Tallaght,  
Dublin 24.

Telephone: 01-462 0000  
Fax: 01-462 0104

An Bord Pleanola,  
Floor 3, Block 6,  
Irish Life Centre,  
Lower Abbey Street,  
Dublin 1.

Dear Sir/Madam,

I refer to your letters requesting further documentation. Please find relevant details attached:

Location	Reg. Ref.	ABP Ref:	Items Reg.	Date Req.
1 Ballyroan Road Co. Dublin	S96A/0241	PL 068.099527	91A/0581	12/8/96

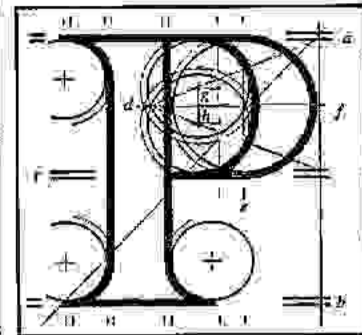
Yours faithfully,

for SENIOR EXECUTIVE OFFICER

Our Ref: PL 06S.099527  
P.A.Reg.Ref: S96A/0241

MJ.

An Bord Pleanála



The Secretary,  
Planning Section,  
South Dublin County Council,  
Town Centre,  
Tallaght,  
Dublin 24.

12th August 1996

**Appeal Re:** TAKE-AWAY FOOD USE, INCLUDING  
NEW SHOP FRONT SHUTTER, ASSOC.  
SIGNAGE, ROWAN TREE, 1 BALLYROAN  
ROAD, CO. DUBLIN.

Dear Sir/Madam,

An Bord Pleanála has asked me to refer to the documents already received from you in relation to the above-mentioned appeal.

To enable consideration of the appeal to proceed, the following further documentation relevant to the application and to your decision is required:-

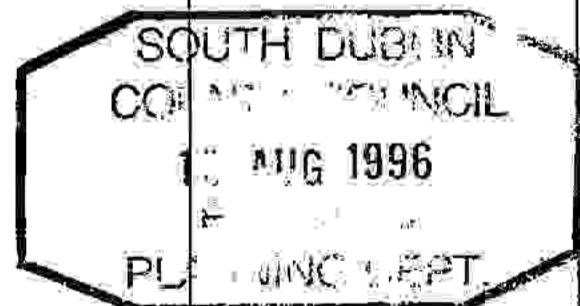
Full details of your reference 91A/0581.

Would you be good enough to have these documents forwarded by return of post please.

Yours faithfully,

  
Miriam Baxter.

NA 10



Floor 3, Block 6  
Irish Life Centre  
Lower Abbey Street  
Dublin 1

Tel: (01) 872 8011  
Fax: (01) 872 2684

Úrlar 3, Bloc 6  
Lárionad Irish Life  
Sráid na Mainistreach Íochtarach  
Baile Átha Cliath 1

MK 14/8/96



## COMHAIRLE CHONTAE ÁTHA CLIATH

### Record of Executive Business and Manager's Orders

Permission for change of use of residential accommodation to offices, with extension at first floor level, and increased shop area at 1 Ballyroan Road for M. O'Grady.

Patrick Joyce Associates,  
4 Boden Wood,  
Rathfarnham,  
Dublin 14.

Reg. Ref. 91A/0581  
App. Recd: 05.04.1991  
Floor Area: 106 sq. m.  
Site Area:  
Zoning: 'A'

*A.V. Rec*

*29/7/91*

Report of the Dublin Planning Officer, dated 24 September 1991

This is an application for PERMISSION. The proposed development consists of the change of use of residential accommodation to offices, with extension at first floor level and increased shop area at 1, Ballyroan Road, Dublin 16.

Under Reg. Ref. 88A-1221, permission was granted on appeal <sup>By</sup> to An Bord Pleanála for the proposed change of use of dining room to form part of shop and for new store at the rear of the Rowan Tree, 1, Ballyroan Road, by order no. PL 6/5/77882, dated 18th September, 1989. Development has taken place on foot of this permission.

Other applications which are relevant in considering the current application include the following:-

Reg. Ref. 88A-1132: Permission refused on appeal for proposed conservatory and for change of use at first floor level of licensed premises from storage to restaurant at 1A, Ballyroan Road (Ref. PL 6/5/79123 dated 18th September, 1989).

The reason for refusal was:

"Inadequate provision is made for on-site parking accommodation and the proposed would, therefore, give rise to additional kerbside parking on Ballyroan Road in close proximity to a heavily trafficked junction which would endanger public safety by reason of traffic hazard."

Reg. Ref. 89A-2157: Permission refused by Dublin County Council for proposed change of upper floor from storage to offices at 1A, Ballyroan Road, Templeogue (Decision Order P/424/90, dated 2nd February, 1990).

The reasons given were that (1) the proposed development would materially contravene the zoning objective of the area and (2) the proposed development would result in on street parking and would endanger public safety by reason of a traffic hazard.

Contd.../

## COMHAIRLE CHONTAE ÁTHA CLIATH

### Record of Executive Business and Manager's Orders

Permission for change of use of residential accommodation to offices, with extension at first floor level, and increased shop area at 1 Ballyroan Road for M. O'Grady.

The site is zoned 'A' in the County Development Plan where it is the objective of the Local Authority "to protect and/or improve residential amenity". The Blue Haven public house adjoins the site to the south. The site presently accommodates a shop known as "The Rowan Tree" and a residential flat. Vehicular access to the residential unit is onto Butterfield Avenue. The residential unit has a side garden which is grassed and which contains a number of trees. A dwarf wall (c. 3' high) forms the boundary to the east separating the site from the adjoining house. A small amount of off-street car parking is available in front of the public house and this premises.

In this application it is proposed to (i) extend the existing shop area and construct a new store and lobby (including a staircase) on the ground floor, (ii) convert the first floor to office use, (iii) extend the first floor to the rear.

Office use is a non-permissible use in an 'A' zone.

The floor area of the proposed offices and new shop area (including store) is stated to be 87 sq. m. and 19 sq. m. respectively.

The proposed development would generate a demand for five off-street car parking spaces applying Development Plan Standards.

The applicant has provided for 8 no. car parking spaces, in the existing side garden of No. 1 Ballyroan Road. It is proposed to remove the existing low wall which defines the western boundary of the site so that the propose car parking area will in effect <sup>be</sup> an extension to the existing car park at the front of the Blue Haven and the Rowan Tree.

The Roads report dated 29th May, 1991, states that the Roads Department still objects to increased development in this area, but that if serious consideration it being given to this application the applicant should be asked to construct a low level wall from the garden to the existing entrance to the car park so as to properly define the car parking area. It also stated that the applicant should provide for comprehensive screening wall arrangement in the immediate vicinity of the site. Finally, it recommends that the applicant be conditioned to provide a financial contribution of £1,600 towards traffic management in the area. The Roads Department note that the proposal to provide eight car parking spaces will help alleviate present parking problems here.

Contd.... /

# COMHAIRLE CHONTAE ÁTHA CLIATH

## Record of Executive Business and Manager's Orders

Permission for change of use of residential accommodation to offices, with extension at first floor level, and increased shop area at 1 Ballyroan Road for M. O'Grady.

A request for additional information was made on 11th June, 1991, with regard to the following:-

1. The applicant is requested to indicate if he is able to and willing to provide for the construction of a low level wall along the road frontage of the site and the adjoining site attached to the "Blue Haven" public house, as far as the existing entrance to the car park. If this is the case the applicant is requested to submit (i) evidence showing that he can construct this wall and (ii) drawings showing how he proposed to do this. The applicant should note that the provision of a wall is necessary in order to define the car parking area properly.
2. The applicant is requested to indicate if he is prepared to modify the proposed car parking layout so that a 2 metre wide heavily landscaped strip of land is provided between the car parking spaces and the eastern boundary of the site and if he is so prepared to submit revised drawings indicating this.
3. The applicant is requested to submit details of proposed boundary treatment along the eastern boundary of the site, where the proposed car parking area adjoins the adjoining residential property. The applicant should note that this should consist of a 2 metre high screen wall for the most part and should not interfere with visibility at the adjoining vehicular entrance.

The applicant responded on 29th July, 1991.

The applicant was requested to continue the existing low level garden wall from the garden to the existing entrance on Ballyroan Road, in order to properly define the car park and to eliminate the danger of cars mounting the footpath to gain access to the parking area. The applicant has stated that he is not in position to provide this wall.

*At the Belgard (Planning + Housing) District Committee held on 24-7-91 concern was expressed by some Councillors at the proposal to increase commercial activity at this road junction.*

In the absence of an undertaking to construct the low level wall along the Butterfly Avenue and Ballyroan Road frontage, permission should not be granted, for reasons relating to public safety. B.C.

I recommend that a decision to REFUSE PERMISSION be made under the Local Government (Planning and Development) Acts, 1963-1990 for the following ( 3 ) Reasons:-

1. ~~The proposed development would materially contravene the zoning objective of the area.~~
1. ~~The proposed development makes inadequate provision for safe on site parking accommodation.~~

Contd..../

# COMHAIRLE CHONTAE ÁTHA CLIATH

## Record of Executive Business and Manager's Orders

Permission for change of use of residential accommodation to offices, with extension at first floor level, and increased shop area at 1 Ballyroan Road for M. O'Grady.

R.C.  
23.

would be likely to

The proposed development will give rise to further kerbside parking on Ballyroan Road and Butterfield Avenue, in close proximity to a heavily trafficked junction thus endangering public safety by reason of traffic hazard.


3D.

The proposed development does not provide adequate separation of pedestrian and vehicular traffic, thus ~~creating a public safety hazard~~ <sup>by reason of a traffic hazard</sup> ~~endangering~~

(HL/BB)  
Endorsed:-   
for Principal Officer

  
For Dublin Planning Officer  
25.9.91

Order:- Pursuant to Section 26(1) to the Local Government (Planning and Development) Acts, 1963-1990 a decision to REFUSE PERMISSION for the above proposal is hereby made by the Council for the (3) reasons set out above and PERMISSION is REFUSED accordingly.

Dated: 24 September, 1991.  
  
ASSISTANT CITY & COUNTY MANAGER

to whom the appropriate powers have been delegated by Order of the Dublin City and County Manager, dated 4th September, 1991.

**M.O'S.**

DUBLIN COUNTY COUNCIL

REG. REF: 218-0581<sup>2</sup>

DEVELOPMENT: Change of use of residential accommodation to offices, with extension at first floor level and increased shop area.

LOCATION: 1 Ballyrcan Road, Dublin 16.

APPLICANT: M. O'Grady

DATE LODGED: 29th July, 1991.

This submission is additional information. We refer to previous Roads report dated 29.5.91.

The applicant states that he is unable to provide a wall along the frontage to the existing car park as the ground is owned by the Blue Haven. However, the site outlined in blue on application Reg. Ref. 88A/1132 for the Blue Haven includes both sites. This matter could be dealt with by clarification of additional information. The other items of the submission are satisfactory.

If permission is being granted it should be subject to:-

1. All the parking spaces to be marked out on site to the satisfaction of the Roads Department.
2. A financial contribution, in the sum of money equivalent to the value of £1,600 as on 1st January, 1991, updated in accordance with the Wholesale Price Index-Building and Construction (Capital Goods) as published by the Central Statistics Office to the value pertaining at the time of payment shall be paid by the developer to Dublin County Council towards the cost of road improvements and Traffic Management proposals in the area serving this site.

**PLANNING DEPT.  
DEVELOPMENT CONTROL SECT**

Date ..... 27-08-91 .....

Time ..... 4.45 .....

SIGNED: *Kenneth Carr*

DATE: 27/8/91

ENDORSED: *John Haney*

DATE: 27/8/91

DUBLIN COUNTY COUNCIL

REG. REF: 91A-0581'  
DEVELOPMENT: Change of use of residential accommodation to offices, with extension at first floor level and increased shop area.  
LOCATION: 1 Ballyroan Road, Dublin 16.  
APPLICANT: M. O'Grady  
DATE LODGED: 29th July, 1991.

This submission is additional information. We refer to previous Roads report dated 29.5.91.

The applicant states that he is unable to provide a wall along the frontage to the existing car park as the ground is owned by the Blue Haven. However, the site outlined in blue on application Reg. Ref. 88A/1132 for the Blue Haven includes both sites. This matter could be dealt with by clarification of additional information. The other items of the submission are satisfactory.

If permission is being granted it should be subject to:-

1. All the parking spaces to be marked out on site to the satisfaction of the Roads Department.
2. A financial contribution, in the sum of money equivalent to the value of £1,600 as on 1st January, 1991, updated in accordance with the Wholesale Price Index-Building and Construction (Capital Goods) as published by the Central Statistics Office to the value pertaining at the time of payment shall be paid by the developer to Dublin County Council towards the cost of road improvements and Traffic Management proposals in the area serving this site.

GC/MM  
27.8.91



SIGNED: Ganett Curran  
DATE: 27/8/91

ENDORSED: [Signature]  
DATE: 27/8/91

*Majonics* 10/10/91

DUBLIN COUNTY COUNCIL

REG. REF: 91/A/581

LOCATION: 1 Ballyroan Road, Dublin 16.

APPLICANT: M. O'Grady.

PROPOSAL: Change of use of residential accommodation to offices with extension at first floor level and increased shop area.

DATE LODGED: 15th April, 1991.

This application is for full permission for change of use at 1 Ballyroan Road, Dublin 16.

The applicant has been granted a "change of use of dining room to form part of shop and new store" (Reg. Ref. 88/A/1221) by both the Local Authority and An Bord Pleanála despite an adverse Roads Report. The site is located on the junction of Ballyroan Road with the Firhouse/Butterfield Avenue roadway. Roads have been and presently are concerned that intensification of use of the site could lead to on-street parking at the junction which would have serious repercussions on both safety and capacity of the junction.

In the previous application mentioned Roads requested Additional Information relating to the possibility of parking in garden area. However, this was not proposed and permission was granted despite Roads objection on the grounds of a traffic hazard.

The current proposal comprises of approx. 13sq.m. of additional retail area and approx. 87sq.m. of office area requiring a total of 4 car spaces. The applicant proposes 8 additional car spaces which will help to alleviate present parking problems. While Roads still object to increased development in this area, if further consideration is given it should be subject to a low level wall to be continued from the garden to the existing entrance in order to properly define the parking area from the footpath. Roads require in the event of permission being contemplated that applicant be conditioned to agree a comprehensive screening wall arrangement in the immediate vicinity of the site. This will include details of pedestrian provision etc. Applicant should also be conditioned to contribute a sum of 8 x £200 i.e. £1,600 towards traffic management in the area.

NA/100 29/5/91.

PLANNING DEPT.  
 DEVELOPMENT CONTROL SECT  
 Date 29.05.91  
 Time 2.30

SIGNED: \_\_\_\_\_

ENDORSED: E. McAdams

DATE: \_\_\_\_\_

DATE: 29th May 91

# COMHAIRLE CHONTAE ÁTHA CLIATH

## Record of Executive Business and Manager's Orders

Register Reference : 91A/0581

Date Received : 15th April 1991

Correspondence : Patrick Joyce Associates,  
Name and : 4 Boden Wood,  
Address : Rathfarnham,  
Dublin 14.

Development : Change of use of residential accommodation to offices,  
with extension at first floor level and increased shop  
area

Location : 1 Ballyroan Road, Dublin 16.

Applicant : M. O'Grady

App. Type : Permission

Zoning : A

(MOS/DK)

Report of the Dublin Planning Officer dated 4th June, 1991.

This application is for PERMISSION. The proposed development consists of the change of use of residential accommodation to offices, with extension at first floor level and increased shop area at 1, Ballyroan Road, Dublin 16.

Under Reg. Ref. 88A-1221, permission was granted on appeal to An Bord Pleanála for the proposed change of use of dining room to form part of shop and for new store at the rear of the Rowan Tree, 1, Ballyroan Road, by order no. PL 6/5/77882, dated 18th September, 1989. Development has taken place on foot of this permission.

Other applications which are relevant in considering the current application include the following:

Reg. Ref. 88A-1132: Permission refused on appeal for proposed conservatory and for change of use at first floor level of licensed premises from storage to restaurant at 1A, Ballyroan Road (Ref. PL 6/5/79123 dated 18th September, 1989).

The reason for refusal was:

"Inadequate provision is made for on-site parking accommodation and the proposal would, therefore, give rise to additional kerbside parking on Ballyroan Road in close proximity to a heavily trafficked junction which would endanger public safety by reason of traffic hazard."

Reg. Ref. 89A-2157: Permission refused by Dublin County Council for



# COMHAIRLE CHONTAE ÁTHA CLIATH

## Record of Executive Business and Manager's Orders

proposed change of upper floor from storage to offices at 1A, Ballyroan Road, Templeogue (Decision Order P/424/90, dated 2nd February, 1990).

The reasons given were that (1) the proposed development would materially contravene the zoning objective of the area and (2) the proposed development would result in on street parking and would endanger public safety by reason of a traffic hazard.

The site is zoned 'A' in the County Development Plan where it is the objective of the Local Authority "to protect and/or improve residential amenity". The Blue Haven public house adjoins the site to the south. The site presently accommodates a shop known as "The Rowan Tree" and a residential flat. Vehicular access to the residential unit is onto Butterfield Avenue. The residential unit has a side garden which is grassed and which contains a number of trees. A dwarf wall (c. 3' high) forms the boundary to the east separating the site from the adjoining house. A small amount of off-street car parking is available in front of the public house and this premises.

In this application it is proposed to (i) extend the existing shop area and construct a new store and lobby (including a staircase) on the ground floor, (ii) convert the first floor to office use, (iii) extend the first floor to the rear.

Office use is a non-permissible use in an 'A' zone.

The floor area of the proposed offices and new shop area (including store) is stated to be 87 sq. m. and 19 sq. m. respectively.

The proposed development would generate a demand for five off-street car parking spaces applying Development Plan Standards.

The applicant has provided for 8 no. car parking spaces, in the existing side garden of No. 1, Ballyroan Road. It is proposed to remove the existing dwarf wall which defines the western boundary of the site so that the proposed car parking area will in effect be an extension to the existing car park at the front of the Blue Haven and the Rowan Tree.

The Roads report dated 29th May, 1991, states that the Roads Department still objects to increased development in this area, but that if serious consideration is being given to this application the applicant should be asked to construct a low level wall from the garden to the existing entrance to the car park so as to properly define the car parking area. It also states that the applicant should provide for comprehensive screening wall arrangement in the immediate vicinity of the site. Finally, it recommends that the applicant be conditioned to provide a financial contribution of £1,600 towards traffic management in the area. The Roads Department note that the proposal to provide eight car parking spaces will help alleviate present parking problems here.

There is no sanitary services report available at the time of writing.

# COMHAIRLE CHONTAE ÁTHA CLIATH

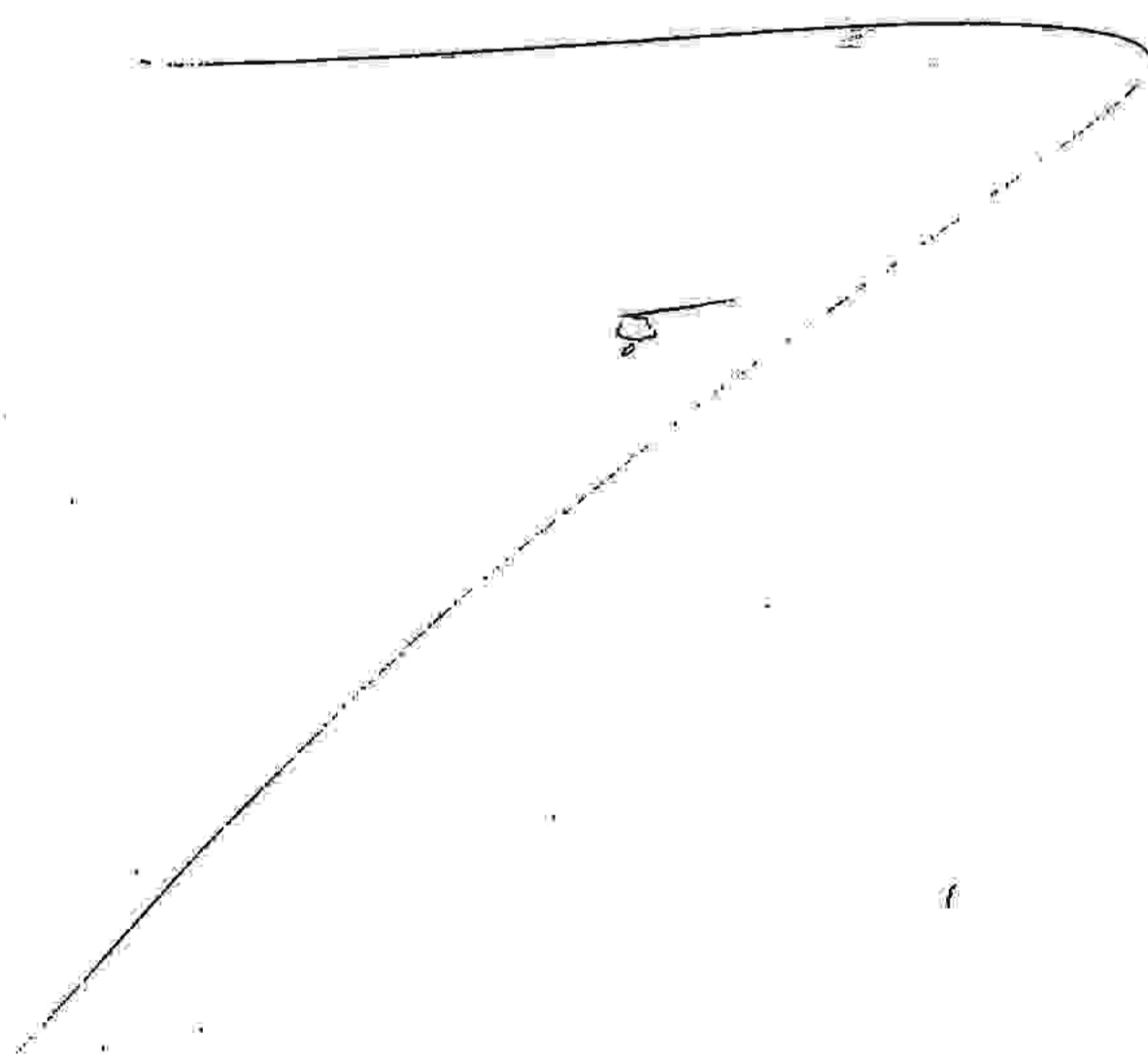
## Record of Executive Business and Manager's Orders

Before a decision is made on the application,

I recommend that ADDITIONAL INFORMATION be requested from the applicant with regard to the following:-

- 01 The applicant is requested to indicate if he is able to and willing to provide for the construction of a low level wall along the road frontage of the site and the adjoining site attached to the 'Blue Haven' public house, as far as the existing entrance to the car park. If this is the case the applicant is requested to submit (i) evidence showing that he can construct this wall and (ii) drawings showing how he proposes to do this. The applicant should note that the provision of a wall is necessary in order to define the car parking <sup>AREA</sup> property.
- 02 The applicant is requested to indicate if he is prepared to modify the proposed car parking layout so that a 2 metre wide heavily landscaped strip of land is provided, <sup>between the car parking spaces & the EASTERN boundary of the site</sup> and if he is so prepared to submit revised drawings indicating this.
- 03 The applicant is requested to submit details of proposed boundary treatment along the eastern boundary of the site, where the proposed car parking area adjoins the adjoining residential property. The applicant should note that this should consist of a 2 metre high screen wall for the most part and should not interfere with visibility at the adjoining vehicular entrance.

MCS



# COMHAIRLE CHONTAE ÁTHA CLIATH

## Record of Executive Business and Manager's Orders

  
Richard Cremmins SEP.  
for Dublin Planning officer 7.6.91

  
Endorsed: .....  
for Principal Officer

Order: I direct that ADDITIONAL INFORMATION be requested from the applicant for Permission as set out in the above report and that notice thereof be served on the applicant.

Dated : ..... 11 June 1991 .....   
ASSISTANT CITY AND COUNTY MANAGER

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

*M. O'Grady*

DUBLIN COUNTY COUNCIL

REG. REF: 91/A/581

LOCATION: 1 Ballyroan Road, Dublin 16.

APPLICANT: M. O'Grady.

PROPOSAL: Change of use of residential accommodation to offices with extension at first floor level and increased shop area.

DATE LODGED: 15th April, 1991.

This application is for full permission for change of use at 1 Ballyroan Road, Dublin 16.

The applicant has been granted a "change of use of dining room to form part of shop and new store" (Reg. Ref. 88/A/1221) by both the Local Authority and An Bord Pleanala despite an adverse Roads Report. The site is located on the junction of Ballyroan Road with the Firhouse/Butterfield Avenue roadway. Roads have been and presently are concerned that intensification of use of the site could lead to on-street parking at the junction which would have serious repercussions on both safety and capacity of the junction.

In the previous application mentioned Roads requested Additional Information relating to the possibility of parking in garden area. However, this was not proposed and permission was granted despite Roads objection on the grounds of a traffic hazard.

The current proposal comprises of approx. 13sq.m. of additional retail area and approx. 87sq.m. of office area requiring a total of 4 car spaces. The applicant proposes 8 additional car spaces which will help to alleviate present parking problems. While Roads still object to increased development in this area, if further consideration is given it should be subject to a low level wall to be continued from the garden to the existing entrance in order to properly define the parking area from the footpath. Roads require in the event of permission being contemplated that applicant be conditioned to agree a comprehensive screening wall arrangement in the immediate vicinity of the site. This will include details of pedestrian provision etc. Applicant should also be conditioned to contribute a sum of 8 x £200 i.e. £1,600 towards traffic management in the area.

MA/MM 29/5/91.

PLAYING DEPT.  
 DEVELOPMENT CONTROL SECT  
 29.05.91  
 2.30

SIGNED: \_\_\_\_\_

ENDORSED: E. Madden

DATE: \_\_\_\_\_

DATE: 29<sup>th</sup> May '91

BUTTERFIELD  
AVENUE

Existing wall to b

Footpath

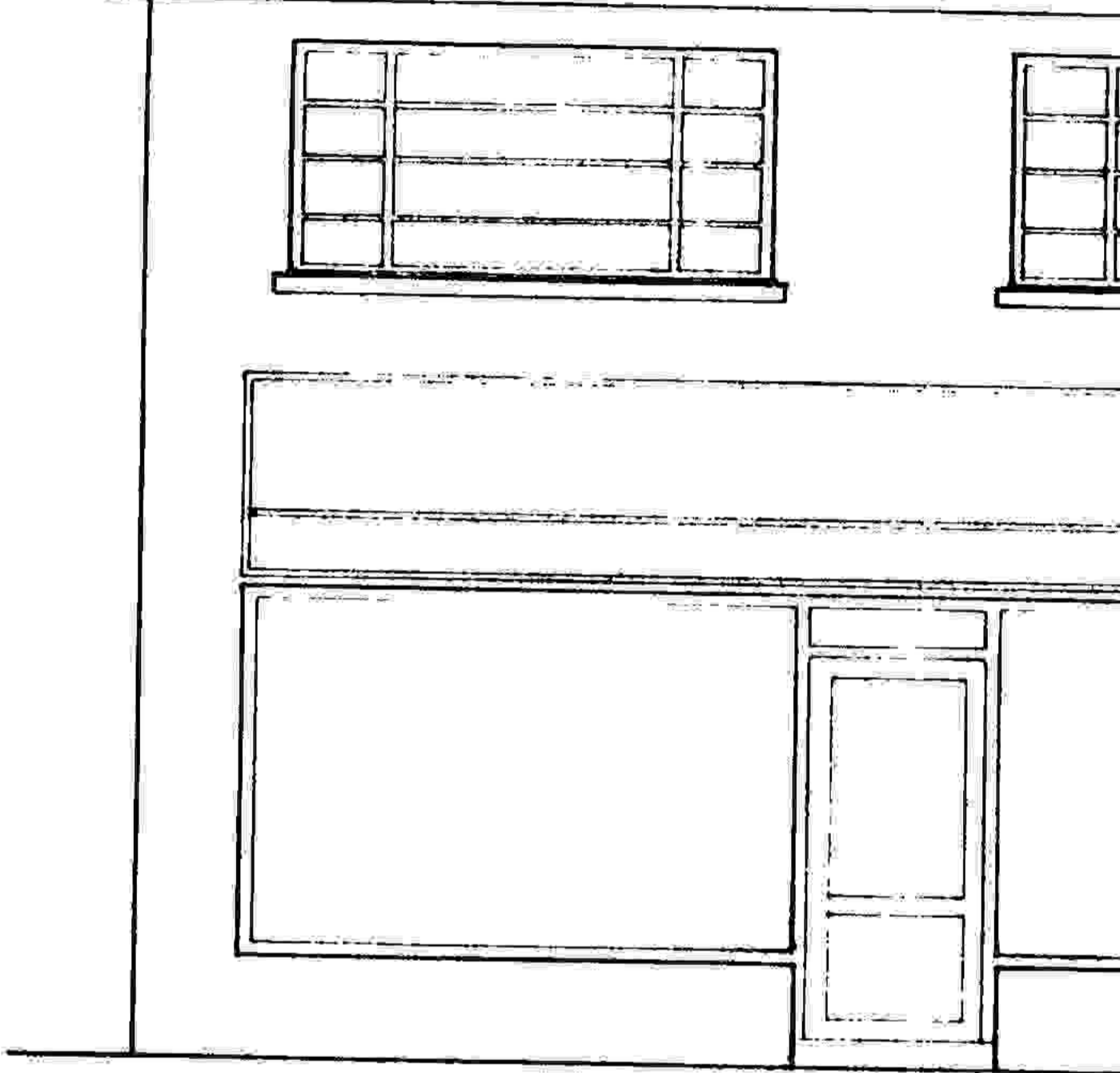
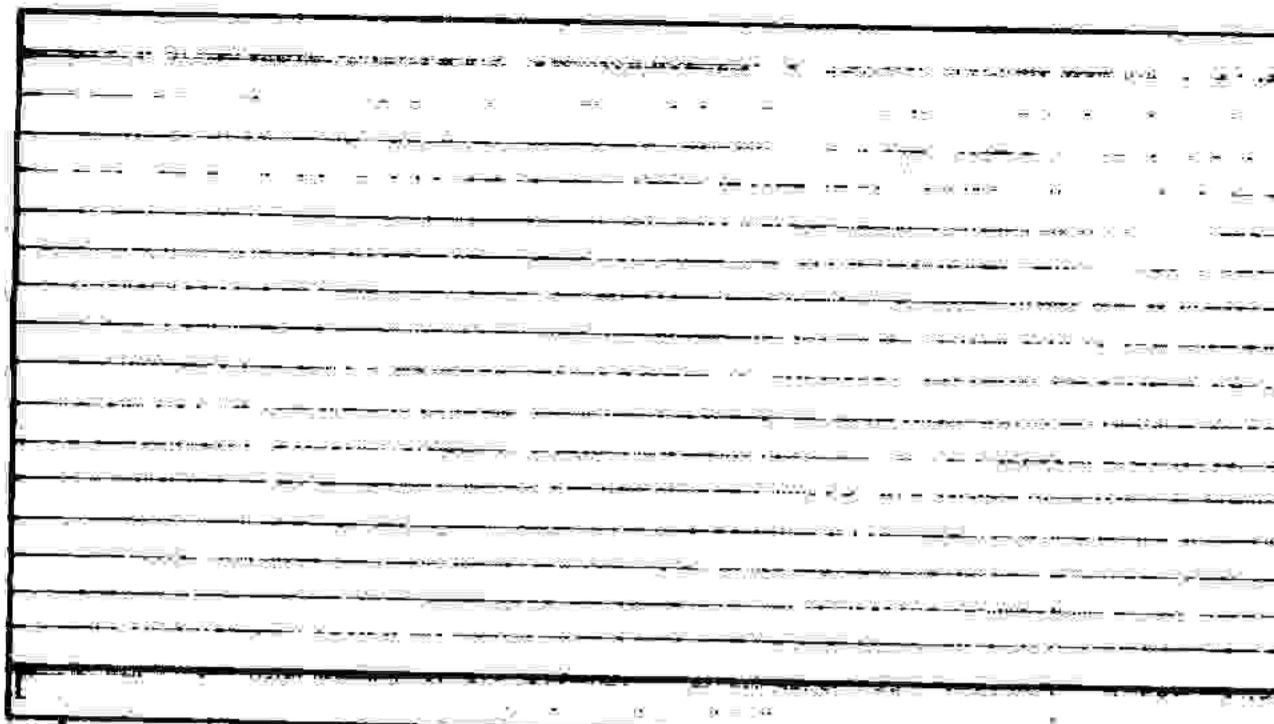
↖  
Roadway

BUTTERFIELD  
AVENUE

Existing well

Footpath

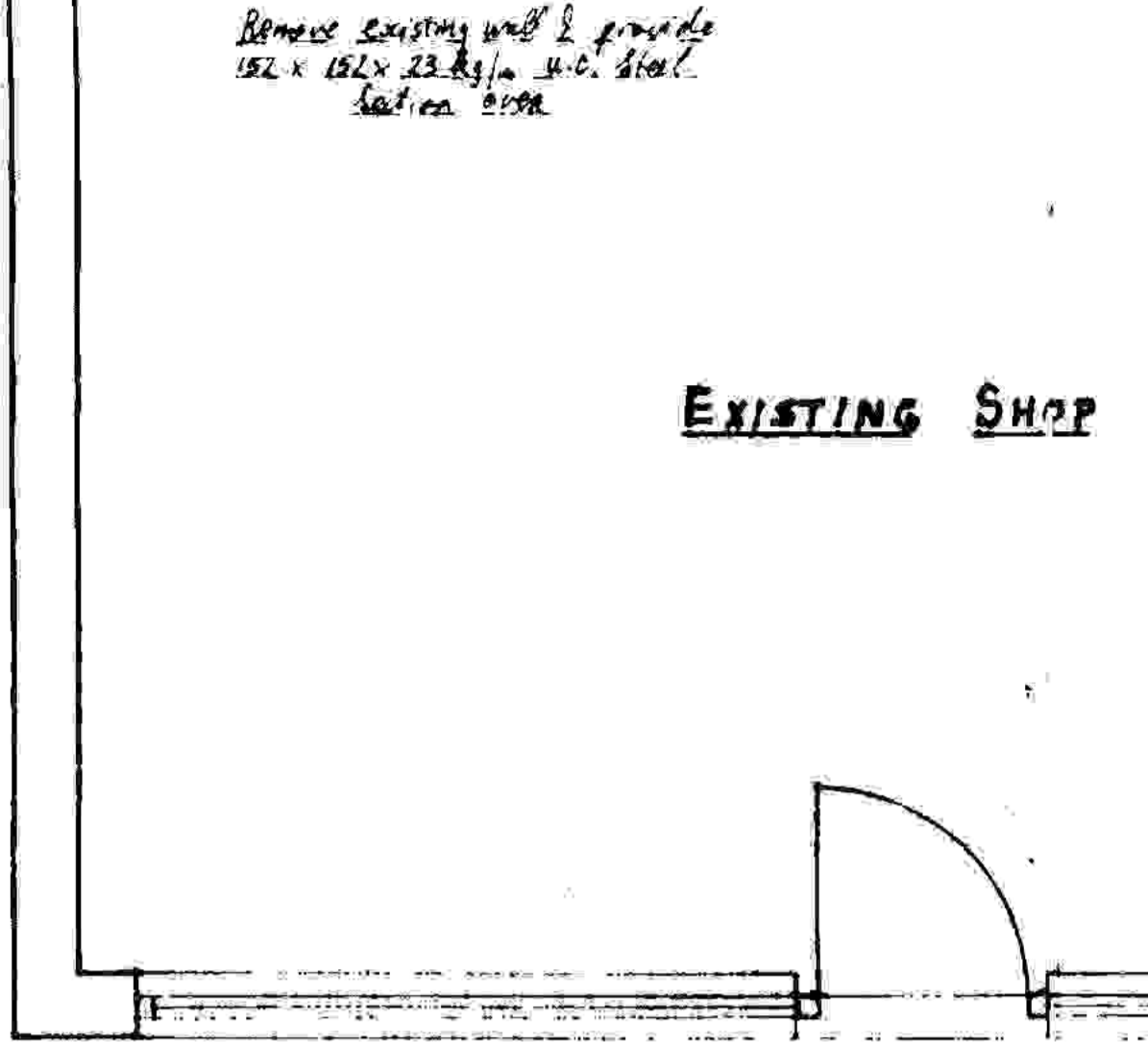
↖  
Roadway



FRONT ELEVATION

Remove existing wall & provide  
152 x 152 x 23 kg/m u.c. steel  
section over

EXISTING SHOP



↑  
EX. ENTRANCE  
TO SHOP

GROUND FLOOR PL