

	South Dublin County Council Local Government (Planning & Development) Acts 1963 to 1993 Planning Register (Part 1)	Plan Register No. S98A/0769	
1. Location	Forest Lodge, Kingswood Heights, Ballymount Road, Tallaght, Dublin 24.		
2. Development	6 no. one bedroom apartments and 12 no. two bedroom apartments. The development incorporates duplex units with dormer roofs over separate ground floor apartments together with car parking and ancillary works.		
3. Date of Application	13/11/98	Date Further Particulars (a) Requested (b) Received	
3a. Type of Application	Permission	1. 2.	1. 2.
4. Submitted by	Name: John Langton & Associates, Address: Emmet Bridge House, 38 Upper Clanbrassil Street,		
5. Applicant	Name: G. Haugh, Address: Forest Lodge, Kingswood Heights, Ballymount Road, Tallaght, Dublin 24.		
6. Decision	O.C.M. No. 0039 Date 11/01/1999	Effect AP GRANT PERMISSION	
7. Grant	O.C.M. No. Date	Effect AP GRANT PERMISSION	
8. Appeal Lodged	08/02/1999	Written Representations	
9. Appeal Decision	04/06/1999	Refuse Permission	
10. Material Contravention			
11. Enforcement		Compensation	Purchase Notice
12. Revocation or Amendment			
13. E.I.S. Requested		E.I.S. Received	E.I.S. Appeal
14. Registrar		Date	Receipt No.

AN BORD PLEANÁLA

LOCAL GOVERNMENT (PLANNING AND DEVELOPMENT) ACTS, 1963 TO 1998

County South Dublin

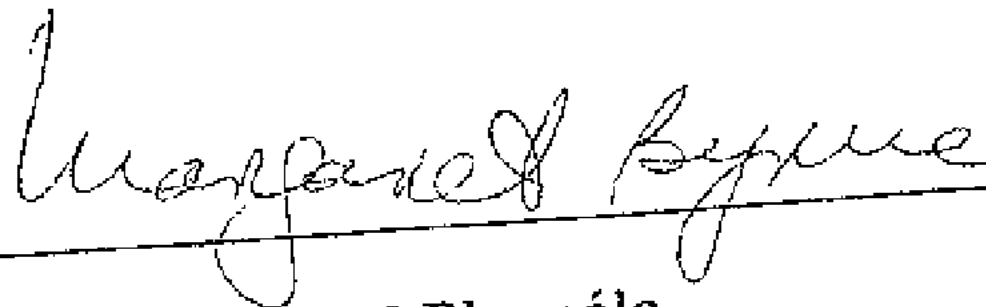
Planning Register Reference Number: S98A/0769

APPEAL by the Residents of Kingswood Castle care of O. O' Malley of 76 Kingswood Castle, Ballymount Great, County Dublin and by others against the decision made on the 11th day of January, 1999 by the Council of the County of South Dublin to grant subject to conditions a permission to G. Haugh care of John Langton and Associates of Emmet Bridge House, 38 Upper Clanbrassil Street, Dublin for development comprising 6 one bedroom apartments and 12 two bedroom apartments. The development incorporates duplex units with dormer roofs over separate ground floor apartments, together with car parking and ancillary works at Forest Lodge, Kingswood Heights, Ballymount Road, Tallaght, County Dublin:

DECISION: Pursuant to the Local Government (Planning and Development) Acts, 1963 to 1998, permission is hereby refused for the said development for the reasons set out in the Schedule hereto.

SCHEDULE

1. The site is located in an area zoned F in the South Dublin County Development Plan 1998 for which the objective is "to preserve and provide for open space and recreational amenities". This objective is considered to be reasonable. While residential development is open for consideration in this zoning, it is considered that the proposed development, by reason of density, floor area, height and form, would contravene materially the development objective set out in the Development Plan and would, therefore, be contrary to the proper planning and development of the area.
2. Having regard to the height, scale and form of the proposed development, it is considered that the development would seriously injure the amenities of adjoining property by reason of overlooking and overshadowing and would, therefore, be contrary to the proper planning and development of the area.
3. The proposal to remove the existing trees adjacent to Ballymount Road would seriously injure the visual and residential amenities of property in the area and would, therefore, be contrary to the proper planning and development of the area.



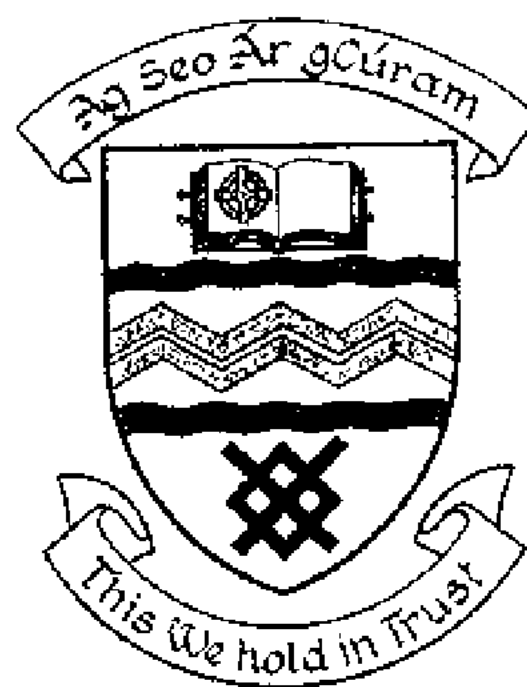
Member of An Bord Pleanála
duly authorised to authenticate
the seal of the Board.

Dated this 4th day of June 1999.

SOUTH DUBLIN COUNTY COUNCIL
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NOTIFICATION OF DECISION TO GRANT PERMISSION
LOCAL GOVERNMENT (PLANNING AND DEVELOPMENT) ACTS, 1963 TO 1993

Decision Order Number 0039	Date of Decision 11/01/99
Register Reference S98A/0769	Date 13th November 1998

Applicant G. Haugh,

Development 6 no. one bedroom apartments and 12 no. two bedroom apartments. The development incorporates duplex units with dormer roofs over separate ground floor apartments together with car parking and ancillary works.

Location Forest Lodge, Kingswood Heights, Ballymount Road, Tallaght, Dublin 24.

Floor Area Sq Metres

Time extension(s) up to and including

Additional Information Requested/Received /

In pursuance of its functions under the above mentioned Acts, the South 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 (18) on the attached Numbered Pages.
Signed on behalf of the South Dublin County Council.

LA.
..... 11/01/99
for SENIOR ADMINISTRATIVE OFFICER

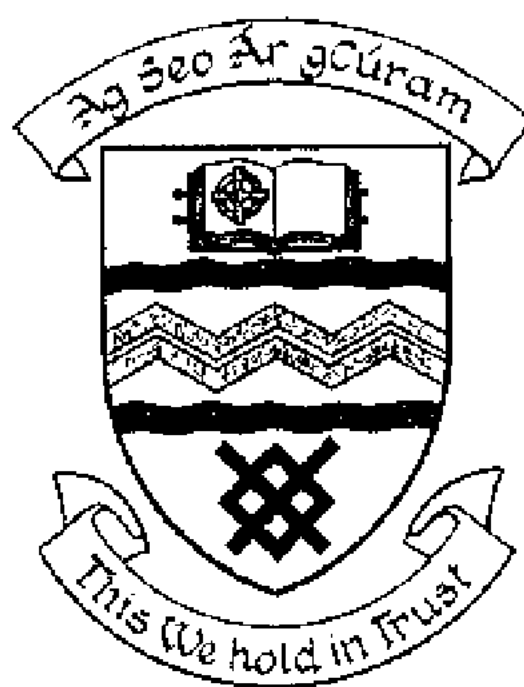
John Langton & Associates,
Emmet Bridge House,
38 Upper Clanbrassil Street,
Dublin 8.

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Conditions and Reasons

- 1 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.
- 2 That all necessary measures be taken by the contractor to prevent the spillage or deposit of clay, rubble or other debris on adjoining roads during the course of the works.
REASON:
To protect the amenities of the area.
- 3 That all public services to the proposed development, including electrical, telephone cables and equipment be located underground throughout the entire site.
REASON:
In the interest of amenity.
- 4 That public lighting be provided as each street is occupied in accordance with a scheme to be approved by the County Council so as to provide street lighting to the standard required by South Dublin County Council.
REASON:
In the interest of amenity and public safety.
- 5 That no apartment be occupied until all the services have been connected thereto and are operational.
REASON:

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

- 6 That the area shown as open space be levelled, soiled and seeded and landscaped to the satisfaction of the County Council and to be available for use by residents on completion of their dwellings.

REASON:

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

- 7 That all watermain tapplings, branch connections, swabbing and chlorination be carried out by the County Council's, Environmental Services Department and that the cost thereof be paid to South Dublin County Council before any development commences.

REASON:

To comply with public health requirements and to ensure adequate standards of workmanship. As the provision of these services by the County Council will facilitate the proposed development it is considered reasonable that the Council should recoup the cost.

- 8 That an acceptable apartment naming and house numbering scheme be submitted to and approved by the County Council before any constructional work takes place on the proposed development.

REASON:

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

- 9 Heating to be provided by the use of either oil, gas, electricity or by smokeless fuels in fireplaces or appliances suitable only for burning solid smokeless fuels.

REASON:

In the interest of reducing air pollution.

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- 10 That as part of the proposed development the developer shall construct a public footpath along the northern side of Ballymount Road from the entrance to the adjoining public open space to the junction at the entrance to Dunmore and Kingswood Castle housing estates at his own expense.

Alternatively the developer shall, in lieu of constructing the required footpath, pay a financial contribution in the sum of money equivalent to the value of £6,500 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 to the South Dublin County Council towards the cost of constructing the required footpath.

REASON:

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

- 11 That a financial contribution in the sum of £10,200 (ten thousand two hundred pounds) be paid by the proposer to South 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.

- 12 That details of the Management Agreement for the maintenance and control of the site be submitted and agreed with the Planning Authority prior to the commencement of development.

REASON:

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

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- 13 That prior to development commencing full details of proposed materials and finishes shall be submitted for the written agreement of the Planning Authority.

REASON:

In the interest of amenity.

- 14 That prior to development commencing full details of the proposed boundary treatment to the adjoining public open space shall be submitted for the written agreement of the Planning Authority.

REASON:

In the interest of amenity.

- 15 That the water supply and drainage arrangements, including the disposal of surface water, be in accordance with the requirements of the County Council. In this regard:-

- (a) Applicant to submit full details of proposed drainage, including pipe sizes, gradients, cover and invert levels, up to and including connection to public sewer;
- (b) Applicant to ensure full and complete separation of foul and surface water systems;
- (c) All pipes shall be laid with a minimum cover of 1.2m in roads, footpaths and driveways, and 0.9m in open space. Where it is not possible to achieve these minimum covers, pipes shall be bedded and surrounded in C20 concrete 150mm thick.
- (d) Applicant to submit a watermain layout drawing indicating the pipe diameters, materials, hydrant locations and proposed point of connection to public watermain
 - (i) All watermains greater than 150mm to be of ductile iron;
 - (ii) No building within 5 metres of watermain less than 225mm diameter and 8 metres of watermains greater than 225mm diameter.

REASON:

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

- 16 That a financial contribution in the sum of money equivalent to the value of £12,600 (twelve thousand six hundred pounds) 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 proposer to South Dublin County Council towards the cost of roads improvements and traffic management 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:

It is considered reasonable that the developer should contribute towards the expenditure that was incurred and/or that is proposed to be incurred by the Council on road improvement works and traffic management schemes facilitating the proposed development.

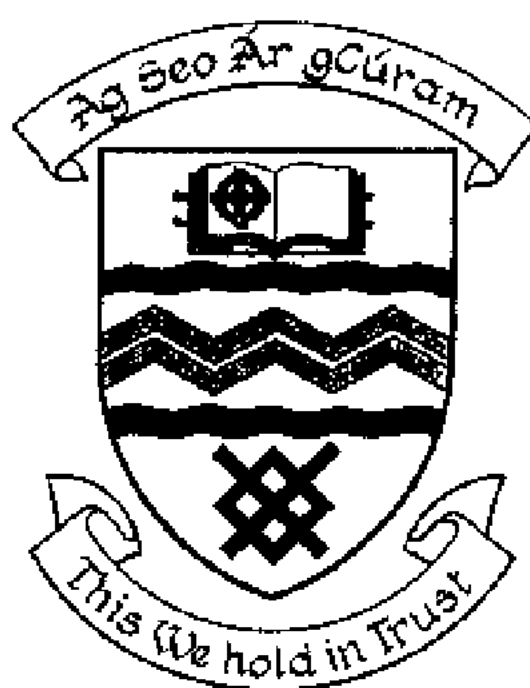
- 17 That a financial contribution in the sum of £15,000 (fifteen thousand pounds) be paid by the proposer to South Dublin County Council towards the cost of the provision and development of Class 1 public open space in Tymon Park and which will facilitate the development; this contribution to be paid before the commencement of development on site.

REASON:

It is considered reasonable that the developer should contribute towards the expenditure that was incurred and/or that is proposed to be incurred by the Council on the provision and development of amenity lands in the area which will facilitate the proposed development.

- 18 Before the development is commenced, the developer shall lodge with South Dublin County Council an approved Insurance Company Bond or cash in the sum of £10,000 (ten thousand

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pounds) to secure the provision and satisfactory completion of services, kerbs, grass margins and footpaths fronting the site.

REASON:

To ensure that a ready sanction may be available to induce the provision of services and prevent disamenity in the development.