

	South Dublin County Council Local Government (Planning & Development) Acts 1963 to 1993 Planning Register (Part 1)	Plan Register No. S98A/0103	
1. Location	Ballyowen, Irishtown, Ballydowd and Yellow Walls, Lucan, Co. Dublin.		
2. Development	A Distributor Road connecting the existing roundabout at Ballywoen Lane opposite Ballyowen Park with existing roundabout on Fonthill Road opposite Quarryvale Park through St. Lomans Hospital lands and Maplewood Homes Ltd lands, and approval sought for a residential development consisting of 146 no 2 storey 2,3 and 4 bed detached, semi detached and terraced houses including all site development works and Class 1 open space being Phase 1 of proposed overall phased development on site circa 90 acres.		
3. Date of Application	02/06/98	Date Further Particulars (a) Requested (b) Received	
3a. Type of Application	Approval	1. 01/05/98 2.	1. 02/06/98 2.
4. Submitted by	Name: Fenton Simons Address: Planning and Development Consultants 29 Fitzwilliam Place, Dublin 2.		
5. Applicant	Name: Maplewood Homes Ltd Address: 222-224 Harolds Cross Road, Dublin 6W.		
6. Decision	O.C.M. No. 1540 Date 06/08/98	Effect AA GRANT APPROVAL	
7. Grant	O.C.M. No. 1928 Date 24/09/98	Effect	

8. Appeal Notified		
9. Appeal Decision		
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.

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Fenton Simons
Planning and Development Consultants
29 Fitzwilliam Place,
Dublin 2.

NOTIFICATION OF GRANT OF Approval

LOCAL GOVERNMENT (PLANNING AND DEVELOPMENT) ACTS, 1963 TO 1993

Final Grant Order Number 1928	Date of Final Grant 24/09/98
Decision Order Number 1540	Date of Decision 06/08/98
Register Reference S98A/0103	Date 2nd June 1998

Applicant Maplewood Homes Ltd

Development A Distributor Road connecting the existing roundabout at Ballywoen Lane opposite Ballyowen Park with existing roundabout on Fonthill Road opposite Quarryvale Park through St. Lomans Hospital lands and Maplewood Homes Ltd lands, and approval sought for a residential development consisting of 146 no 2 storey 2,3 and 4 bed detached, semi detached and terraced houses including all site development works and Class 1 open space being Phase 1 of proposed overall phased development on site circa 90 acres.

Location Ballyowen, Irishtown, Ballydowd and Yellow Walls, Lucan, Co. Dublin.

Floor Area 0.000 Sq Metres

Time extension(s) up to and including 07/08/98

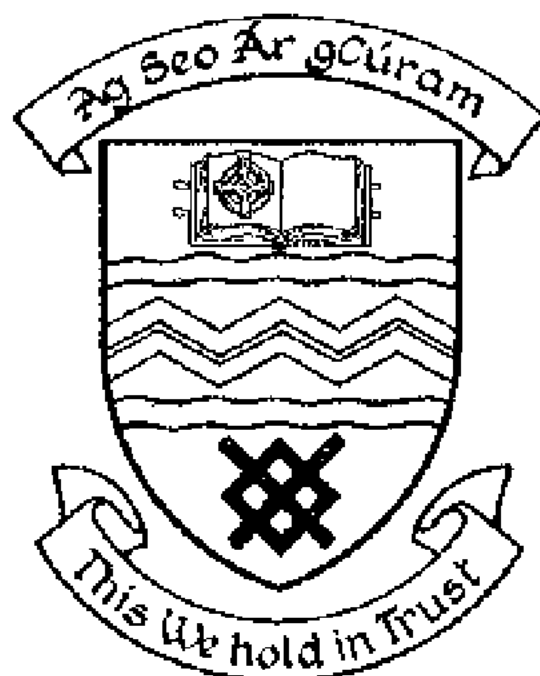
Additional Information Requested/Received 01/05/98 /02/06/98

A Approval has been granted for the development described above,
subject to the following (34) Conditions.

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Conditions and Reasons

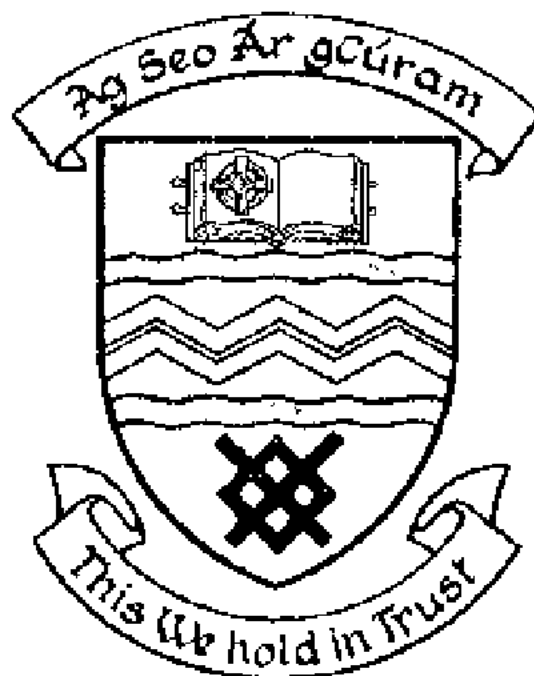
- 1 The development to be carried out in its entirety in accordance with the plans, particulars and specifications lodged with the application, as amended by additional information received on 02.06.1998, save as may be required by the other conditions attached hereto.
REASON:
To ensure that the development shall be in accordance with the permission and that effective control be maintained.

- 2 Prior to commencement of development a detailed landscaping and planting scheme for the site shall be submitted to and be to the satisfaction of the Planning Authority. The landscaping scheme shall include a full works specification, a timetable for implementation, a maintenance programme (for a period of at least 18 months programme), and a bill of quantities for the development of the open space within the development as well as details for grading, top soiling, seeding, pathways, drainage, tree, bulb and shrub planting. Details for the storage of top soil related to the development shall also be provided. The plan should include for the development of Class 1 public open space and Class 2 public open space.
REASON
In the interest of the proper planning and development of the area.

- 3 Prior to the first occupation of each dwelling front, side and rear garden areas shall be levelled, graded and seeded and provided with sufficient top soil to allow grass and other vegetation to grow. Details for tree planting in the front gardens of dwellings, including specifications, shall be submitted to and be to the satisfaction of the Planning Authority prior to the commencement of development.
REASON
In the interest of the proper planning and development of the area.

- 4 The areas shown as Class 2 open space shall be provided as open space areas for the development and shall be retained as such in perpetuity. These open space areas shall be fenced off during the construction period and shall not be

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used for the purposes of site compounds or for the storage of plant, machinery, materials or spoil.

REASON

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

- 5 Prior to the commencement of development full details for proposed boundary treatment to the dwellings and the site shall be submitted to and be to the satisfaction of the Planning Authority.

REASON

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

- 6 That screen walls in block or similar durable materials not less than 2 metres high, suitably capped and rendered, be provided at the necessary locations so as to screen rear gardens from public view. The specific locations and extent of walling must be submitted to and agreed with the County Council before construction. Timber fencing is not acceptable.

REASON:

In the interest of visual amenity.

- 7 other than where "extended kitchen areas" adjoin each other, a 1.8m high privacy wall, plastered on both sides and capped, shall be erected for a distance of 2 metres from the rear party wall of each attached dwelling.

REASON

In the interest of residential amenity.

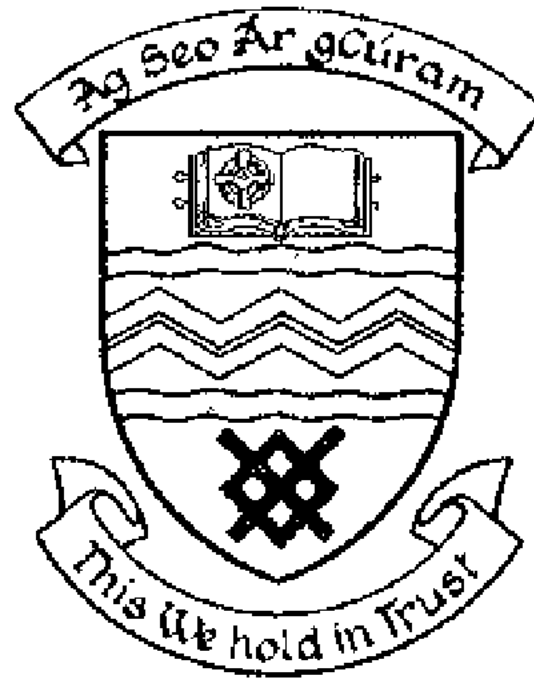
- 8 That all bathroom, utility room and landing windows shall be fitted with obscure glass and where openings are provided they shall be of the high level type only.

REASON

In the interests of residential amenity.

- 9 A minimum distance of 2.3 metres shall be provided between the gable ends of each pair of dwellings and each dwelling shall have a minimum rear garden depth of 11 metres.

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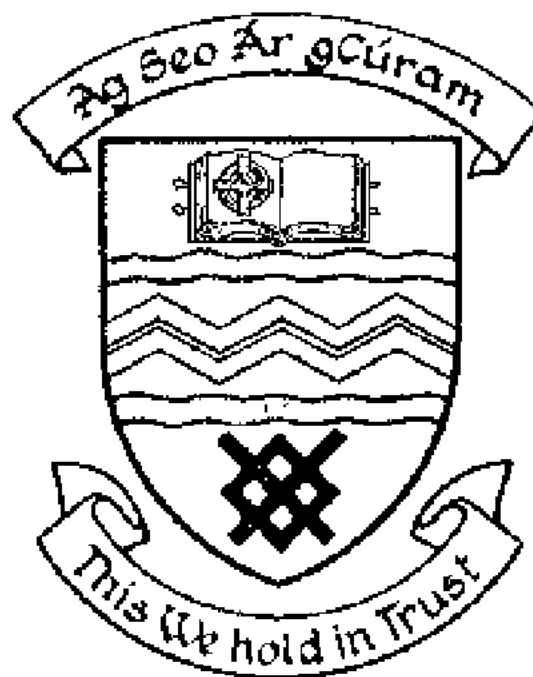
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REASON

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

- 10 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.
- 11 That each proposed house be used as a single dwelling unit.
REASON:
To prevent unauthorised development.
- 12 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.
- 13 That all services to the proposed development, including electrical, telephone cables and television shall be placed underground throughout the site and any overhead cables crossing the site shall be placed underground throughout the site.
REASON:
In the interest of residential and visual amenity.
- 14 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.
- 15 That no dwellinghouse be occupied until all the services have been connected thereto and are operational.
REASON:
In the interest of the proper planning and development of the area.

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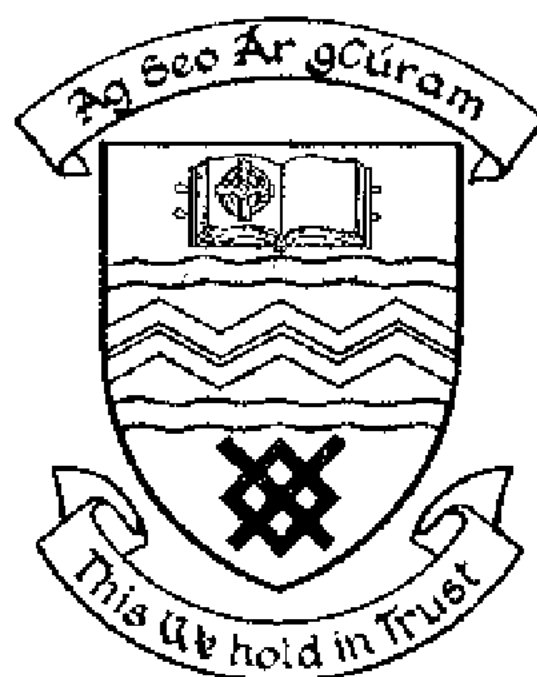
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- 16 That the water supply and drainage arrangements, including the disposal of surface water, be in accordance with the requirements of the South Dublin County Council.
REASON:
In order to comply with the Sanitary Services Acts, 1878 - 1964.
- 17 That an acceptable street naming and house numbering scheme be submitted to and approved by the County Council before any constructional work takes place on the proposed houses.
REASON:
In the interest of the proper planning and development of the area.
- 18 That the developer shall construct and maintain to the Council's standard for taking in charge all the roads, including footpaths, verges, public lighting, open space, sewers, watermains or drains, forming part of the development, until taken in charge by the Council.
REASON:
In the interest of the proper planning and development of the area.
- 19 On street and off street parking provision shall be in accordance with the requirements as set down in the Dublin County Development Plan 1993. In this regard two off-street car parking spaces to be provided for each dwelling.
REASON:
In the interest of the proper planning and development of the area.
- 20 Terraced housing to have a 9 metre front building line.
REASON:
To provide satisfactory off-street car parking.
- 21 That prior to commencement of development the applicant shall submit:
 - (a) The design details of the upgrading of the Ballyowen Lane to include the cross sections, public lighting and drainage, and
 - (b) details and design to include all vision splays on all approaches to the roundabout for the written agreement of the Planning Authority.

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REASON

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

- 22 That a financial contribution in the sum of £161,700 (one hundred and sixty one thousand seven 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.

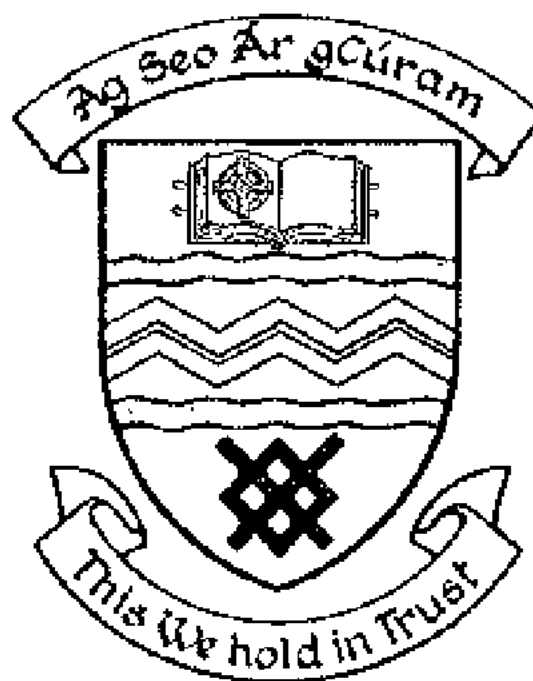
- 23 That prior to the commencement of the development the applicant shall pay a special levy of £250,000.00 (two hundred and fifty thousand pounds) towards the difference in cost of constructing a new larger roundabout on the Fonthill Road to facilitate this distributor road vis a vis the cost of the originally agreed roundabout.

REASON

the development shall be facilitated by these works and it is considered reasonable that the applicant should contribute towards the cost of its construction.

- 24 That the following requirements of the Parks Department shall be provided for and adhered to in the development:
- (a) That the hedgerow along the boundary with the Eastern Health Board site to the north shall be retained. Plan and elevation drawings of the proposed boundary treatment along this boundary shall be submitted for agreement with the Planning Authority prior to the commencement of the development.
 - (b) Plan and elevation details of the proposed plinth walling and railing to be erected along the boundary of the Class 1 Public Open space and road one to the west shown on drawing no. SW03 rev A shall be

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submitted and agreed with the Planning Authority
prior to the commencement of the development.

- (c) Plan and specification details to include timescale
for implementation of street tree planting.

REASON

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

- 25 That the following requirements of the Environmental
Services Department concerning the proposed foul and surface
drainage arrangements shall be provided for and adhered to
in the development:

- (a) The applicant shall submit written evidence of
consent to connect into the foul and surface water
sewers prior to the commencement of the development.
- (b) No surface water shall be discharged to the foul
system. There shall be full and complete separation
of the foul and surface water systems.
- (c) No building shall be erected within a five metre
distance of the public sewers or any sewer with
potential to be taken in charge. (Pipelines F16-
F15; F14-F13 and F9-F7 should be reviewed in this
regard)
- (d) All redundant ditches or streams shall be piped with
spigot and socket pipes laid open jointed with
granular bed and surround and connected into the
proposed drainage system.

REASON

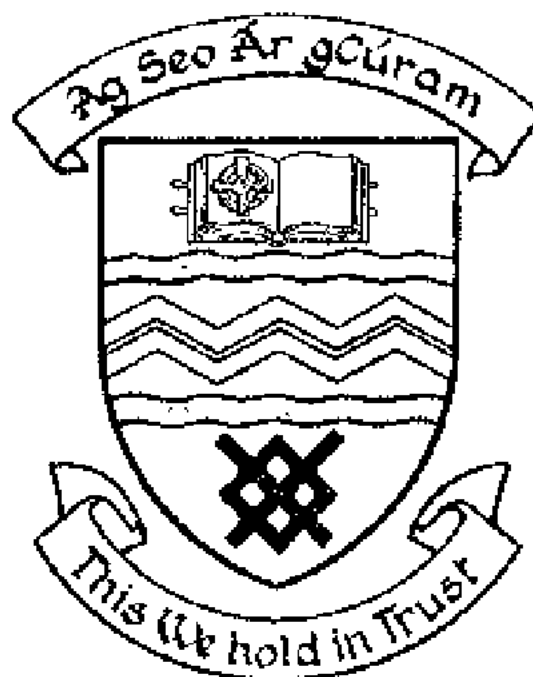
In the interest of the proper planning and development of
the area.

- 26 That the applicant shall pay a special levy of £1,250.00
(one thousand two hundred and fifty pounds) per hectare
towards the cost of the Griffeen River Improvement Scheme
prior to the commencement of the development.

REASON

These works will facilitate the development and it is
considered reasonable that the applicant should contribute
to the cost.

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- 27 That the applicant pay a special levy of £2,500.00 (two thousand five hundred pounds) per hectare towards the cost of the upgrading works to ESKER Pumping Station prior to the commencement of the development.

REASON

These works will facilitate the development and it is considered reasonable that the applicant shall contribute towards the cost.

- 28 That no development under any permission granted pursuant to this decision be commenced until security for the provision and satisfactory completion of services, including maintenance, until taken in charge by the Local Authority for Roads, Open Spaces, Car Parks, Sewers, Watermains and Drains, has been given by:-

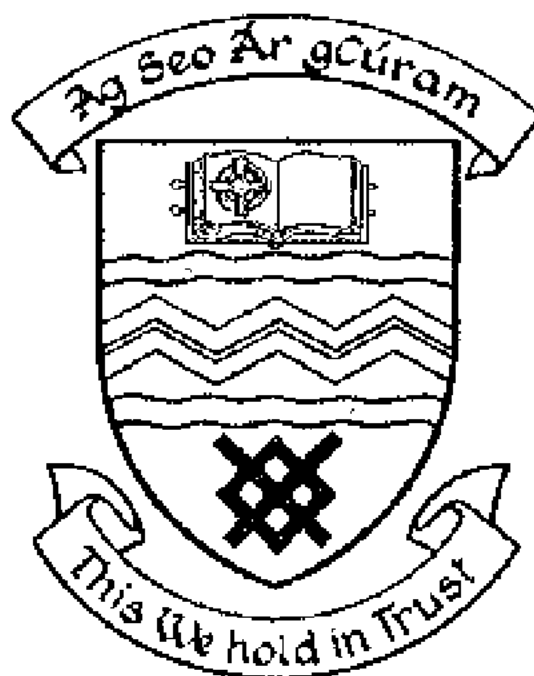
- a. Lodgement with the Council of an approved Insurance Company Bond in the sum of £230,000.00 (two hundred and thirty thousand pounds) until such time as the Roads, Open Spaces, Car Parks, Sewers, Watermains and Drains are taken in charge by the Council.
Or./...
- b. Lodgement with the Council of a Cash Sum of £146,000.00 (one hundred and forty six thousand pounds) to be applied by the Council at its absolute discretion if such services are not duly provided to its satisfaction on the provision and completion of such services to standard specifications.
Or./...
- c. Lodgement with the Planning Authority of a letter of guarantee issued by the Construction Industry Federation in respect of the proposed development, in accordance with the guarantee scheme agreed with Planning Authority.

REASON:

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

- 29 That a financial contribution in the sum of £400 (four hundred pounds) per house be paid by the proposer to South

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Dublin County Council towards the cost of the Lucan/
Palmerstown Water Supply Improvement Scheme which serves
this development; this contribution to be paid before the
commencement of development on site.

REASON:

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

- 30 That prior to the commencement of the development the
applicant shall submit fully detailed drawings and details
of the proposed watermains layout for the development to
include watermain sizes, valve meter and hydrant layout and
points of connection to the existing watermains. The
watermains layout shall be in accordance with Part B of the
Building Regulations 1991. The following shall be provided
for in the development.
- (a) all watermains greater than 150mm diameter
and shall be constructed of ductile iron;
 - (b) no part of the perimeter of the buildings shall be
greater than 60 metres from the hydrant;
 - (c) watermains shall be laid in public open space to
ensure accessibility for maintenance and repair.
 - (d) no building shall lie within 5 metres of
watermains less than 225 mm diameter within 8 metres
of watermains greater than 225 mm diameter.

REASON

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

- 31 That a two metre high wall fully capped and rendered shall
be erected along the rear and side boundary and an 0.5 metre
wall along the front and side boundary of house on site 1
(Road 3).

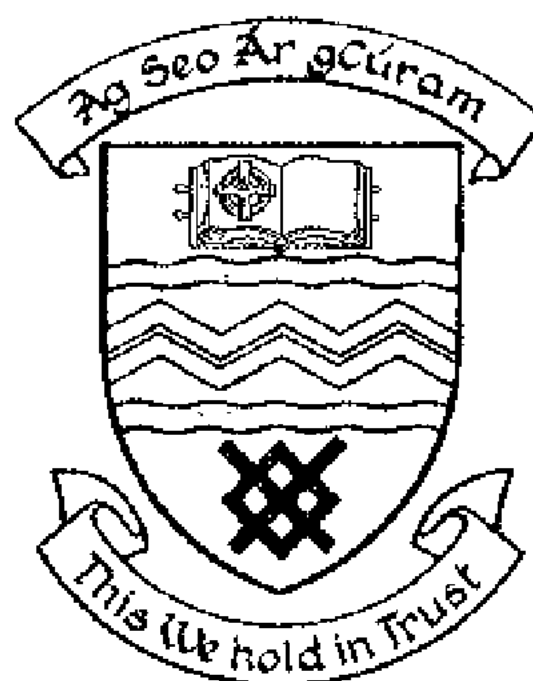
REASON

To protect the amenity of the adjoining public open space.

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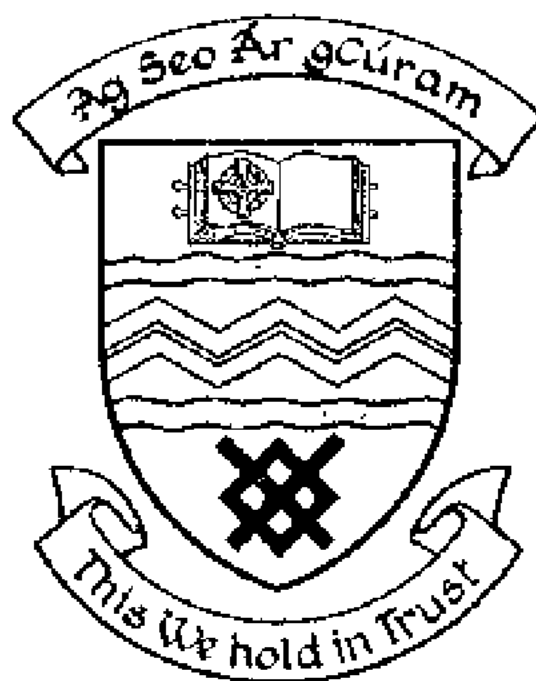
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- 32 The hammerhead at the northern end of Road 3, the western end of road 2 and eastern and western ends of Road 4 shall be reversed. Details shall be submitted to the Planning authority for agreement prior to the commencement of the development.
REASON
To eliminate the projection of the hammerhead onto the open space.
 - 33 That a financial contribution in the sum of money equivalent to the value of £1,420.00 (one thousand four hundred and twenty pounds) per house 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.
 - 34 That no house be occupied within this development until such time as the local Distributor Road has been constructed from Ballyowen Lane to the Newlands Fonthill Road and is available to the public.
REASON:
In the interest of the proper planning and development of the area.
- (1) All buildings must be designed and constructed in accordance with the Building Regulations 1991 amended 1994.

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- (2) Building Control Regulations require a Commencement Notice. A copy of the Commencement Notice is attached.
- (3) A Fire Safety Certificate must be obtained from the Building Control Authority, where applicable.
- (4) Free Standing Walls must be designed and constructed in accordance with IS 325: Code of Practice for use of Masonry Part 1 : Structural use of unreinforced Masonry. The Owner must also ensure that the construction of all walls is supervised by a competent person.

Signed on behalf of South Dublin County Council.

..... 21 September 1998
for SENIOR ADMINISTRATIVE OFFICER