

COMHAIRLE CHONTAE ÁTHA CLIATH

S

P. C. Reference	LOCAL GOVERNMENT (PLANNING AND DEVELOPMENT) ACT 1963 & 1976 PLANNING REGISTER	REGISTER REFERENCE YA.777
1. LOCATION	Land to West of "Proposed Western Parkway Road at Irishtown Road, Coldcut, Co. Dublin	
2. PROPOSAL	Industrial development	
3. TYPE & DATE OF APPLICATION	TYPE	Date Received
	P.	4.3.83
		Date Further Particulars
		(a) Requested
		(b) Received
		1. Time ext. up to & incl., 16/6/83
		2.
4. SUBMITTED BY	Name	Chandler Lavin Assoc.,
	Address	13 Lad Lane, Dublin 2
5. APPLICANT	Name	Wagarville Co.,
	Address	35 South Frederick Street, Dublin 2
6. DECISION	O.C.M. No.	PA/733/83
	Date	15th July, 1983
		Notified 15th July, 1983
		Effect To grant permission
7. GRANT	O.C.M. No.	Notified
	Date	Effect
8. APPEAL	Notified	25th Aug., 1983
	Type	1st Party
		Decision Permission granted by An Bord Pleanala
		Effect 16th April, 1985
9. APPLICATION SECTION 26 (3)	Date of application	Decision
		Effect
10. COMPENSATION	Ref. in Compensation Register	
11. ENFORCEMENT	Ref. in Enforcement Register	
12. PURCHASE NOTICE		
13. REVOCATION or AMENDMENT		
14.		
15.		

Prepared by	Copy issued by	Registrar.
Checked by	Date	
	Co. Accts. Receipt No	

P.O. Box 174,
2/3 Parnell Square,
Dublin 1.

Telephone (01) 727777

LOCAL GOVERNMENT (ROADS AND MOTORWAYS) ACT, 1974
NOTICE OF MODIFICATION OF PLANNING PERMISSION UNDER SECTION 8 OF THE ACT

To: John Edward Spencer P. Maxwell,
Moore Hill,
Tullow,
Co. Waterford.

PLANNING PERMISSION ORDER NO. ... PL6/5/64742 ... DATED .16/4/1985.....

REGISTRY REFERENCE NO. YA 777.....

1. The County Council of the County of Dublin have made a Scheme pursuant to Section 4 of the Local Government (Roads and Motorways) Act, 1974 which is about to be submitted to the Minister for the Environment for approval. A copy of the Scheme and the relevant map may be seen at 2/3 Parnell Square, Dublin 1 between the hours of 9.30 am. to 12.30 pm. and 2.00 pm. to 4.30 pm. on the normal working days of the road authority.

2. As the lands which are the subject of the above mentioned grant of planning permission are affected by the Scheme, i.e. Plot Nos. 62.a, 62.b as indicated on drawing Nos. SLA. 95/85, SLA. 163/85. And as the permitted development has not commenced/is not completed you are hereby notified that the grant of planning permission is hereby modified to the following extent:-

By the revision of Conditions 1a, 1b, 1c and 1d to read:-

- 1a. The sole means of access to this site should be to the Irishtown-Blackditch Road at the location shown on the lodged plans until such time as an access is available through the lands to the west. This access will have to be re-graded for approximately 50-75 metres to take account of the realigned Irishtown-Blackditch Road being approximately 1 metre above the existing road when the Irishtown-Blackditch Road is re-constructed.
REASON: To facilitate the construction of the proposed motorway.
- 1b. The land required for the reservation for the improvement of the Irishtown-Blackditch Road shall be kept free from development as shown on Dublin County Council Drawing No. SLA.4/85.
REASON: To make provision for necessary road works.
- 1c. No industrial units to be built within 9 metres of the road reservation line for the Irishtown-Blackditch Road or within 8 metres of the 300mm County Council watermain.
REASON: To provide for an adequate setback.
- 1d. No industrial units to be built within a minimum of 15 metres of the motorway reservation and a landscaped strip to be provided to the agreement of the Local Authority.
REASON: To provide for an adequate set back and in the interests of visual amenity.

Contd/.....

3. The Minister may not approve the Scheme until he has caused a public local enquiry to be held into all matters relating to it and has considered the report of the enquiry and any objections made to the Scheme which have not been withdrawn.
4. Written objections to the Scheme may be lodged with the Minister for the Environment and should be addressed to the Minister for the Environment at the Custom House, Dublin 1, so as to reach him before the ^{6th} day of ~~September~~ ^{July} 1985.

DATED THIS

25th

DAY OF

July

1985

A. Sean Coarthy
SENIOR ADMINISTRATIVE OFFICER.

LOCAL GOVERNMENT (ROADS AND MOTORWAYS) ACT, 1974
NOTICE OF MODIFICATION OF PLANNING PERMISSION UNDER SECTION 8 OF THE ACT

To: Wagerville Company,
C/o Chandler Lavin &
Associates,
13 Ladd Lane, Dublin 2.

PLANNING PERMISSION ORDER NO. ...PL6/5/64742... DATED .16/4/1985.....

REGISTRY REFERENCE NO.YA.777.....

1. The County Council of the County of Dublin have made a Scheme pursuant to Section 4 of the Local Government (Roads and Motorways) Act, 1974 which is about to be submitted to the Minister for the Environment for approval. A copy of the Scheme and the relevant map may be seen at 2/3 Parnell Square, Dublin 1 between the hours of 9.30 am. to 12.30 pm. and 2.00 pm. to 4.30 pm. on the normal working days of the road authority.

2. As the lands which are the subject of the above mentioned grant of planning permission are affected by the Scheme, i.e. Plot Nos. 62.a, 62.b as indicated on Drawing Nos. SLA.96/85 and SLA. 164/85.

And as the permitted development has not commenced/is not completed you are hereby notified that the grant of planning permission is hereby modified to the following extent:-

By the revision of Conditions 1a, 1b, 1c and 1d to read:-

- 1a. The sole means of access to this site should be to the Irishtown-Blackditch Road at the location shown on the lodged plans until such time as an access is available through the lands to the west. This access will have to be re-graded for approximately 50-75 metres to take account of the realigned Irishtown-Blackditch Road being approximately 1 metre above the existing road when the Irishtown-Blackditch Road is re-constructed.
REASON: To facilitate the construction of the proposed motorway.
- 1b. The land required for the reservation for the improvement of the Irishtown-Blackditch Road shall be kept free from development as shown on Dublin County Council Drawing No. SLA.4/85.
REASON: To make provision for necessary road works.
- 1c. No industrial units to be built within 9 metres of the road reservation line for the Irishtown-Blackditch Road or within 8 metres of the 300mm County Council watermain.
REASON: To provide for an adequate setback.
- 1d. No industrial units to be built within a minimum of 15 metres of the motorway reservation and a landscaped strip to be provided to the agreement of the Local Authority.
REASON: To provide for an adequate set back and in the interests of visual amenity.

Contd/.....

3. The Minister may not approve the Scheme until he has caused a public local enquiry to be held into all matters relating to it and has considered the report of the enquiry and any objections made to the Scheme which have not been withdrawn.
4. Written objections to the Scheme may be lodged with the Minister for the Environment and should be addressed to the Minister for the Environment at the Custom House, Dublin 1, so as to reach him before the 6th day of September 1985.

DATED THIS

25th.

DAY OF

July

1985

A. J. Carthy

SENIOR ADMINISTRATIVE OFFICER

AN BORD PLEANALALOCAL GOVERNMENT (PLANNING AND DEVELOPMENT) ACTS, 1963 TO 1983County DublinPlanning Register Reference Number: Y.A. 777

APPEAL by Wagarville Company, of 35, South Frederick Street, Dublin, against the decision made on the 15th day of July, 1983, by the Council of the County of Dublin, to grant subject to conditions a permission for industrial development on a site to the west of the proposed Western Parkway Road at Irishtown Road, Colcut, County Dublin, in accordance with plans and particulars lodged with the said Council:

DECISION: Pursuant to the Local Government (Planning and Development) Acts, 1963 to 1983, it is hereby decided, for the reasons set out in the First Schedule hereto, to grant permission for the said industrial development in accordance with the said plans and particulars, subject to the conditions specified in the Second Schedule hereto, the reasons for the imposition of the said conditions being as set out in the said Second Schedule and the said permission is hereby granted subject to the said conditions.

FIRST SCHEDULE

The Board sees no objection on planning grounds to the proposed development, provided the revised detailed plans and particulars to be lodged for approval in compliance with the terms of condition number 1 set out in the Second Schedule hereto are satisfactory, and provided the other conditions set out in the said Second Schedule are complied with.

SECOND SCHEDULE

1. No development on foot of this permission shall be commenced unless and until revised detailed plans and particulars of the proposed development complying fully with the relevant provisions of the Local Government (Planning and Development) Regulations, 1977, have been submitted to the planning authority for approval and have been approved by that authority, or by An Bord Pleanála on appeal. The said revised plans and particulars shall, inter alia, provide for the following: -

- (a) The sole means of access to the site to be via the adjoining lands to the west;

Reason: Access on to the proposed realigned Irishtown-Blackditch Road is unacceptable. With the proposed realignment, the road is to be moved just north of the existing road and is to be elevated along the site's frontage, bridging the Western Parkway Motorway, with the result that direct access onto the Irishtown-Blackditch Road, which is to be improved in the near future, is now precluded.

- (b) The reservation for the improvement of the Irishtown-Blackditch Road, this land to be kept free from development;

SECOND SCHEDULE

Reason: To make provision for necessary roadworks.

(c) No industrial units to be built within 15 metres of the road reservation line for the Irishtown-Blackditch Road or within 8 metres of the 300 mm County Council watermain.

Reason To provide for an adequate set-back.

(d) No industrial units to be built within 30 metres of the motorway reservation and a 16 metres wide landscaped strip to be provided alongside the motorway reservation,

Reason To provide for an adequate set-back and to allow, in the interests of visual amenity, for continuity in the provision of open space, since land to the north and south of the site is zoned open space.

(e) Adequate off-street carparking and loading and unloading facilities to be provided in accordance with the requirements of the planning authority;

Reason To ensure a satisfactory standard of development.

(f) Detailed plans for the treatment of the site's four boundaries in accordance with the requirements of the planning authority.

Reason To ensure a satisfactory standard of development.

(g) A detailed landscape plan for the site.

Reason To ensure a satisfactory standard of development.

(h) Details of the colour of the cladding and brick on the proposed industrial units;

Reason: In the interests of visual amenity.

2. Water supply and drainage arrangements shall be in accordance with the requirements of the planning authority.

Reason: In the interests of the proper planning and development of the area and in the interests of public health.

3. Individual user permission shall be obtained prior to the occupation of each industrial unit.

Reason: To provide for compatible industrial development.

4. The developers shall pay a sum of money to the Dublin County Council as a contribution towards any expenditure incurred by the Council in respect of road improvement works in the immediate area of the site. The amount to be paid and the time and method of payment shall be agreed between the developers and the said Council before the development is commenced or, failing agreement, shall be as determined

SECOND SCHEDULE

by An Bord Pleanála.

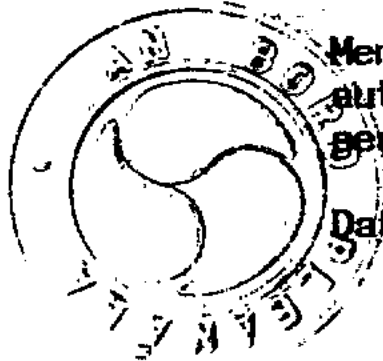
Reason It is considered reasonable that the developers should contribute towards the cost of road improvement works which will facilitate the proposed development.

5. The developers shall pay the sum of £95,040 (ninety-five thousand and forty pounds) to the Dublin County Council as a contribution towards the provision of a public water supply and piped sewerage facilities in the area. Arrangements for payment shall be as agreed between the developers and the said Council before development commences or, failing agreement, shall be as determined by An Bord Pleanála.

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

6. Before the development is commenced, the developers shall lodge with the Dublin County Council a cash deposit of £27,960 (twenty-seven thousand nine hundred and sixty pounds) or a bond of an insurance company in the sum of £45,920 (forty-five thousand nine hundred and twenty pounds) or other security to secure the provision and satisfactory completion, and maintenance until taken in charge by the said Council of roads, footpaths, sewers, watermains, drains, and other services which the Council may agree to take in charge, coupled with an agreement empowering the said Council to apply such security or part thereof for the satisfactory completion or maintenance, as aforesaid, of any part of the development. The form of the security shall be agreed between the planning authority and the developers or, failing such agreement, shall be as determined by An Bord Pleanála.

Reason: To ensure the satisfactory completion of the development.



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

Dated this 16th day of April 1985.

DUBLIN COUNTY COUNCIL

Tel. 724755 (Ext. 262/264)

PLANNING DEPARTMENT
DUBLIN COUNTY COUNCIL
IRISH LIFE CENTRE
LOWER ABBEY STREET
DUBLIN 1

Notification of Decision to Grant Permission/Approval
Local Government (Planning and Development) Acts, 1963 & 1978

To: **Chandler Levin Associates,**
.....
13 Led Lane,
.....
Dublin 2.
.....

Decision Order **PA/1733/83** **15/7/83**
Number and Date
Register Reference No. **EA 777**
.....
Planning Control No. **16740**
.....

Applicant **Wagarville Co.**
.....

Application Received on **4/3/83**
.....
18/5/83
Mat. Contr. Not. dated **17/5/83**

In pursuance of its functions under the above-mentioned Acts, the Dublin County Council, being the Planning Authority for the County Health District of Dublin, did by Order dated as above make a decision to grant Permission/Approval for:-
Proposed industrial development on land comprising approx. 3.5 hectares to west of proposed western parkway a road at Irishtown Road, Colinst.

SUBJECT TO THE FOLLOWING CONDITIONS:

CONDITIONS	REASONS FOR CONDITIONS
<p>1. That the development to be carried out is 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.</p>	<p>1. To ensure that the development shall be in accordance with the permission and that effective control be maintained.</p>
<p>2. That before development commences approval under the Building Bye-Laws to be obtained and all conditions of that approval to be observed in the development.</p>	<p>2. In order to comply with the Sanitary Services Acts, 1878 - 1964. To prevent unauthorised development.</p>
<p>3. That the proposed house be used as a single dwelling unit. That a financial contribution in the sum of £76,000. be paid by the proposer to the Dublin County Council towards the cost of provision of public services in the area of the proposed development, and which facilitate this development; this contribution to be paid before the commencement of development on the site.</p>	<p>3. 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.</p>
<p>4. That the requirements of the Chief Medical Officer be ascertained and strictly adhered to in the development.</p>	<p>4. In the interest of health.</p>
<p>5. That the requirements of the Chief Fire Officer be ascertained and strictly adhered to in the development.</p>	<p>5. In the interest of safety and the avoidance of fire hazard.</p>
<p>6. That no industrial effluent be permitted without prior approval of Planning Authority.</p>	<p>6. To prevent air pollution.</p>
<p>7. That off street car parking and loading and unloading facilities be provided in accordance with the requirements of the Development Plan.</p>	<p>7. In the interest of the proper planning and development management of the area.</p>

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

for Principal Officer
15th July, 1983.
Date:

IMPORTANT: Turn overleaf for further information.

CONDITIONS

REASONS FOR CONDITIONS

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 of roads, open space, carparks, sewers, watermains or drains has been given by:

(a) Lodgment with the Council of an approved Insurance Company Bond in the sum of ~~£70,000~~ **£100,000** *PL.*

which shall be renewed by the developer from time to time as required during the course of the development and kept in force by him until such time as the roads, open space, carparks, sewers, watermains and drains are taken-in-charge by the Council.

(b) Lodgment with the Council of ~~a cash sum of £70,000~~ **£100,000** *PL.* 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 specification.

Or/

(c) Lodgment with the Planning Authority of a letter of guarantee issued by any body approved by the Planning Authority for the purpose in respect of the proposed development in accordance with the guarantee scheme agreed with the Planning Authority.

and such lodgment in either case has been acknowledged in writing by the Council.

Note: When development has been completed, the Council may pursue the Bond to secure completion of the works required to bring the estate up to the standard for taking-in-charge.

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

9. That the areas between the building and the roads shall not be used for truck parking or other storage or display purposes, but must be reserved for parking and landscaping as indicated on the submitted plans.

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

10. That no advertising signs or structures be erected except those which are exempt development without the approval of the Planning Authority.

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

JK

Cont....

NOTE:
If 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 appeal. If every appeal made in accordance with the Acts has been withdrawn, the Council will grant the PERMISSION/APPROVAL after the withdrawal.

An appeal against the decision may be made to 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 the decision.

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

An Bord Pleanala, ~~High Cross House, High Cross, Dublin 1.~~ **Irish Life Centre, Lr. Abbey St., Dublin 1.**

An appeal by the applicant for PERMISSION/APPROVAL should be accompanied by this form ~~and a deposit of £10~~

Approval of the Council under 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.

DUBLIN COUNTY COUNCIL

tel. 724755 (ext. 262/264)

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

Notification of Decision to Grant Permission/Approval
Local Government (Planning and Development) Acts, 1963-1982

To **Chandler Levin Associates,**
13 Lad Lane,
Dublin 2.

Decision Order **PA/1733/83: 15/7/83.**
Number and Date

Register Reference No. **EA 777**

Planning Control No.

Applicant **Wagerville Co.**

Application Received on **4/3/83**
Time ext. up to: 16/6/83
Mat. Contra. Not. dated: 17/5/83

In pursuance of its functions under the above-mentioned Acts, the Dublin County Council, being the Planning Authority for the County Health District of Dublin, did by Order dated as above make a decision to grant Permission/Approval for:-

Proposed industrial development on land comprising approx. 3.5 hectares to west of proposed western parkway road at Irishtown Road, Colcut.

SUBJECT TO THE FOLLOWING CONDITIONS

CONDITIONS

REASONS FOR CONDITIONS

11. That individual user permission be obtained prior to the occupation of each industrial unit.
12. That the water supply and drainage arrangements be in accordance with the requirements of the Sanitary Authority. In relation to foul and surface water drainage the applicant must consult with Sanitary Services prior to submitting acceptable proposals for the foul and surface water drainage systems. In relation to surface water drainage a wayleave will be required as the applicant does not own the land in which the Glensulin sewer is located. Additionally a watermain layout must be submitted to and agreed with Sanitary Services Department before development commences.
13. That details of boundary treatment of the site be agreed with the Planning Authority.
14. That a detailed landscape plan including extensive planting of trees, shrubs and ground cover, along with a specification and details relating to maintenance proposals be submitted to and agreed with the Planning Authority prior to commencement of development. All landscape works to be completed at the time of the occupation of the industrial units.
15. That the applicants make available the land in their ownership required for the Western Parkway to the County Council at the price already agreed. **(€150,000)**

11. In the interest of the proper planning and development of the area.
12. In order to comply with the Sanitary Services Acts, 1878-1964.
13. In the interest of visual amenity.
14. In the interest of visual amenity.
15. In the interest of the proper planning and development of the area.

Signed on behalf of the Dublin County Council

Cont.....

For Principal Officer

Date **15th July, 1983**

IMPORTANT: Turn overleaf for further information

CONDITIONS

REASONS FOR CONDITIONS

16. Direct access onto the Irishtown Road to be discontinued when longterm access becomes available through adjoining lands to the west as shown on the application drawings.

17. That details of the use of the access referred to in condition 15, be agreed with the Roads Department.

PK 18. That a financial contribution of £32,000 be paid to the Dublin County Council as a contribution towards the cost of the improvement of the substandard Irishtown/Blackditch Road which will facilitate this development and which it is anticipated will be commenced within 7 years. This contribution be paid prior to commencement of development on the site.

19. That the reservation for the improvement of the Irishtown Road be set out on site by the applicant and checked by the Roads Engineer prior to the commencement of development. This land to be kept free from development.

20. That the two most southerly blocks (D1 and D2) indicated on the submitted plan be omitted from the development, in order to facilitate the improvement of the Irishtown Road and provide an adequate building line from it.

21. That the colour of the cladding and brick on the buildings be agreed with the Planning Authority prior to the commencement of development on the site.

22. That proposals for the treatment of the boundary of the site with the reservation for the Irishtown Road, and the area of land immediately to the north of it be agreed with the Planning Authority prior to the commencement of development.

23. The location of the 300mm County Council watermain to be identified and a satisfactory setback of building to be provided from the watermain. Details to be agreed with Sanitary Services Department.

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

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

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

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

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

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

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

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

PK

NOTE:

If 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 appeal. If every appeal made in accordance with the Acts has been withdrawn, the Council will grant the PERMISSION/APPROVAL after the withdrawal.

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 the decision.

An appeal shall be in writing and shall state the subject matter and grounds of the appeal. It should be addressed to:—
An Bord Pleanala, Blocks 6 and 7, Irish Life Centre, Lower Abbey Street, Dublin 1.

(1) An appeal lodged by an applicant or his agent with An Bord Pleanala will be invalid unless accompanied by a fee of £30 (Thirty Pounds). (2) A party to an appeal making a request to An Bord Pleanala for an Oral Hearing of an appeal must, in addition to (1) above, pay to An Bord Pleanala a fee of £30 (Thirty Pounds). (3) A person who is not a party to an appeal must pay a fee of £10 (Ten Pounds) to An Bord Pleanala when making submissions or observations to An Bord Pleanala in relation to an appeal.

Approval of the Council under 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.

YA.777

26th April, 1983.

Chandler Lavin Assocs.,
13, Lad Lane,
Dublin 2.

Re: Proposed industrial development on land comprising approximately 3.5 hectares to west of proposed Western Parkway Road at Irishtown Road, Coldcut for Wagarville Company.

Dear Sirs,

With reference to your planning application received here on 4/3/'83 (letter for extension period received 22/4/'83), in connection with the above, I wish to inform you that:-

In accordance with Section 26(4A) of the Local Government (Planning and Development) Acts, 1963, as amended by Section 39(F) of the Local Government (Planning and Development) Act, 1976, the period for considering this application within the meaning of subsection (4A) of Section 26 has been extended up to and including the 16/6/'83.

Tours faithfully,



for Principal Officer