

	South Dublin County Council Local Government (Planning & Development) Acts 1963 to 1993 Planning Register (Part 1)	Plan Register No.  S97A/0729	
1. Location	Rathfarnham Gate, Rathfarnham, Dublin 14.		
2. Development	Change of use from proposed apartments and pub, to office use on the ground floor, an increase in floor to ceiling height of 375mm on ground floor only and revised elevational treatment of the South Block, as granted under S96A/0338, and associated site works.		
3. Date of Application	13/11/97	Date Further Particulars (a) Requested (b) Received	
3a. Type of Application	Permission	1. 2.	1. 2.
4. Submitted by	Name: Fewer McGinley Associates, Address: Wyse House, Adelphi Quay,		
5. Applicant	Name: McInerney Construction Ltd., Address: 9 Townsend Street, Dublin 2.		
6. Decision	O.C.M. No. 0034  Date 09/01/98	Effect AP GRANT PERMISSION	
7. Grant	O.C.M. No. 0373  Date 27/02/98	Effect AP GRANT PERMISSION	
8. Appeal Lodged			
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.	

# SOUTH DUBLIN COUNTY COUNCIL

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Fewer McGinley Associates,  
Wyse House,  
Adelphi Quay,  
Waterford.

### NOTIFICATION OF GRANT OF Permission

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

Final Grant Order Number 0373	Date of Final Grant 27/02/98
Decision Order Number 0034	Date of Decision 09/01/98
Register Reference S97A/0729	Date 13th November 1997

**Applicant** McInerney Construction Ltd.,

**Development** Change of use from proposed apartments and pub, to office use on the ground floor, an increase in floor to ceiling height of 375mm on ground floor only and revised elevational treatment of the South Block, as granted under S96A/0338, and associated site works.

**Location** Rathfarnham Gate, Rathfarnham, Dublin 14.

**Floor Area** 448.000 Sq Metres

**Time extension(s) up to and including**

**Additional Information Requested/Received** /

A Permission has been granted for the development described above,  
subject to the following (15) Conditions.



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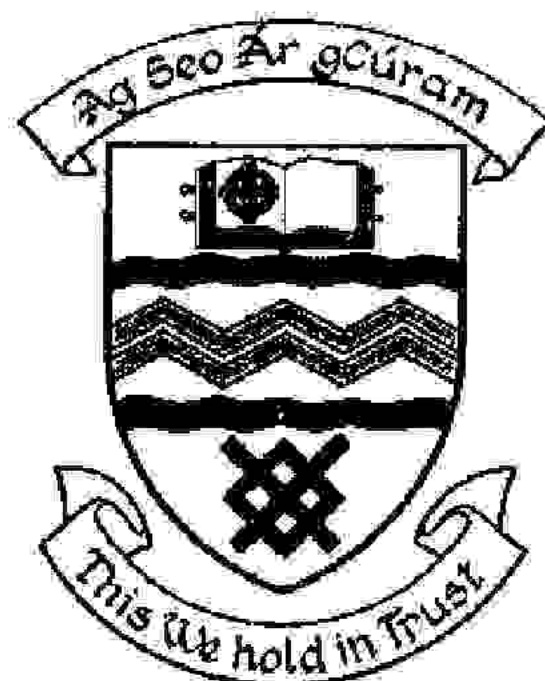
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## Conditions and Reasons

- 1 The development to be carried out in its entirety in accordance with the plans, particulars and specifications lodged with the application and as amended by unsolicited additional information received on 2nd December 1997 and shall be otherwise be in accordance with conditions attached to permission granted under reg. ref. S96A/0338, 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 prior to commencement of development the requirements of the Principal Environmental Health Officer be ascertained and strictly adhered to in the development.  
REASON:  
In the interest of health.
- 3 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.
- 4 That no advertising sign or structure be erected except those which are exempted development, without prior approval of Planning Authority or An Bord Pleanála on appeal.  
REASON:  
In the interest of the proper planning and development of the area.
- 5 That the materials and finishes of the proposed development including railings and gates and landscaping harmonise with approved development as granted under register reference S96A/0338 and S97A/0267.  
REASON:  
In the interest of the proper planning and development of the area.
- 6 Prior construction of gates and railings the applicant shall submit for written agreement with the Planning Authority proposals of operation and opening times of the gates which

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shall provide for the gates being open to provide adequate access to the open space in south end of the site and during business hours. In this regard the applicant shall also include revised details for the management company for the development providing for arrangements for maintenance and control of the gates.

**REASON:**

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

- 7 That a financial contribution in the sum of £3,617 (three thousand six hundred and seventeen 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.

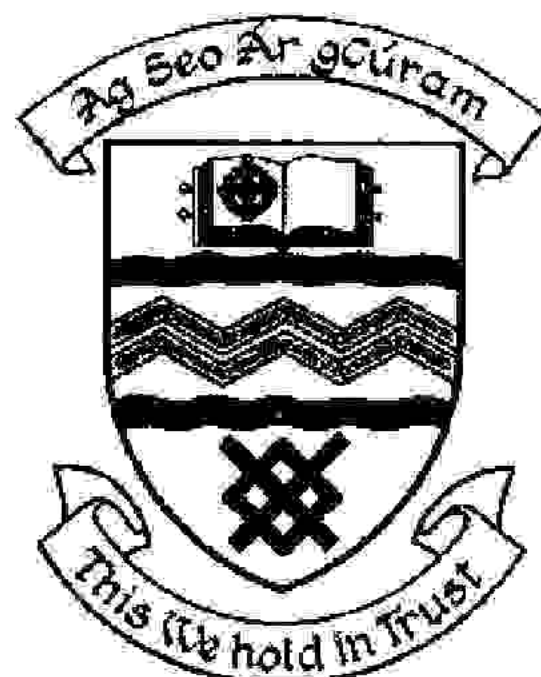
- 8 That a financial contribution in the sum of money equivalent to the value of £3,858 (three thousand eight hundred and fifty eight pounds) as on 1st January, 1991, updated in accordance with the Wholesale Price Index - Building and Construction (Capital Goods) as published by the Central Statistics 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.



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- 9 That the arrangements made with regard to the payment of the financial contribution in the sum of £14,400 (fourteen thousand four hundred pounds) in respect of the overall development, as required by Condition No. 20 of planning permission granted by An Bord Pleanála under Reg. Ref. S95A/0014 be strictly adhered to in respect of this proposal.

**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 providing the services.

- 10 That the arrangements made with regard to the payment of the financial contribution in the sum of £800 (eight hundred pounds) PER UNIT in respect of the overall development, as required by Condition No. 1 of planning permission granted under Reg. Ref. S96A/0338 be strictly adhered to in respect of this proposal.

**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.

- 11 That the arrangements made with regard to the payment of the financial contribution in the sum of £250 (two hundred and fifty pounds) PER APARTMENT in respect of the overall development, as required by Condition No. 21 of planning permission granted by An Bord Pleanála under Reg. Ref. S95A/0014 be strictly adhered to in respect of this proposal.

**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.

- 12 That no development under any permission granted pursuant to this decision be commenced until security for the provision

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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 £150,000 (one hundred and fifty 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 £100,000 (one hundred 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.

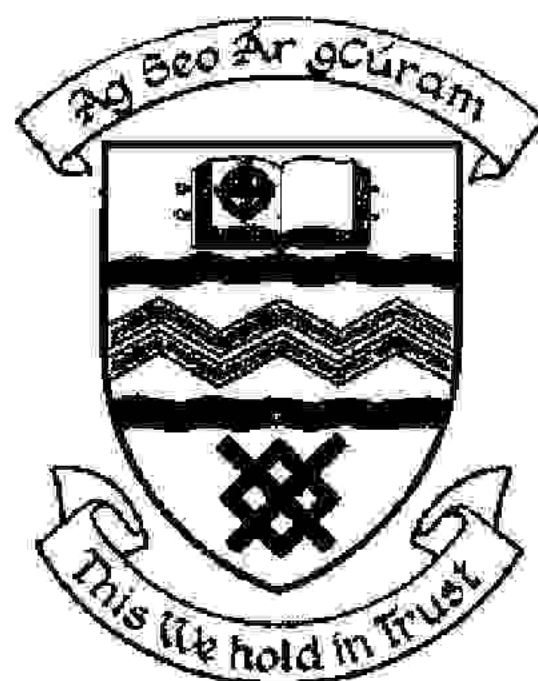
- 13 That the arrangements made with regard to the payment of the financial contribution in the sum of £200 (two hundred pounds) PER APARTMENT, in respect of the overall development, as required by Condition No. 22 of planning permission granted by An Bord Pleanála under Reg. Ref. S95A/0014 be strictly adhered to in respect of this proposal.

**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.



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- 14 That the arrangements made with regard to the payment of the financial contribution in the sum of £500 (five hundred pounds) PER UNIT, in respect of the overall development, as required by Condition No. 23 of planning permission granted under Reg. Ref. S96A/0338 be strictly adhered to in respect of this proposal.

**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.

- 15 That a financial contribution to a value to be agreed between the developer and the Planning Authority shall be paid by the proposer to South Dublin County Council towards the full cost of the provision and development of car parking required to serve the development approved in permission (Reg. Ref. S97A/0267) in the area of the proposed development and which facilitates this developments; arrangements to be agreed in writing with the Planning Authority and the contribution to be paid before the commencement of development on the site.

**REASON:**

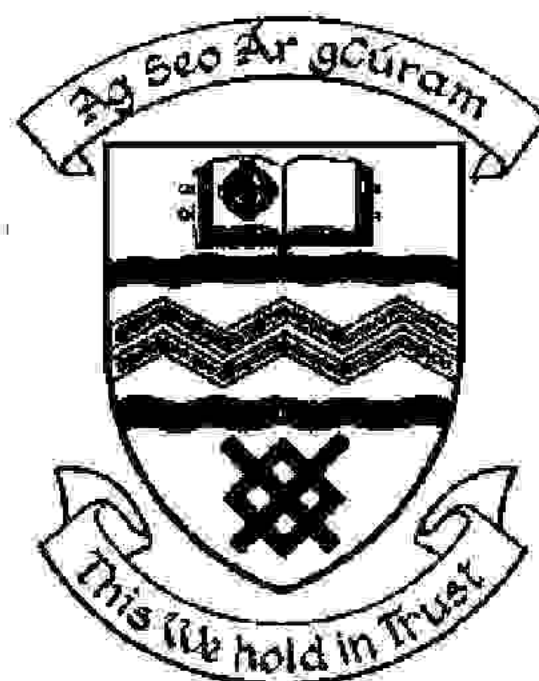
It is considered reasonable that the developer should contribute towards the expenditure that was incurred and/or that is proposed to be incurred by the Council in the provision and development of car parking facilitating the proposed development.

- (1) All buildings must be designed and constructed in accordance with the Building Regulations 1991 amended 1994.
- (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

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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.

 ..... 27 February 1998  
for SENIOR ADMINISTRATIVE OFFICER



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**NOTIFICATION OF DECISION TO GRANT PERMISSION**  
**LOCAL GOVERNMENT (PLANNING AND DEVELOPMENT) ACTS, 1963 TO 1993**

Decision Order Number 0034	Date of Decision 09/01/98
Register Reference S97A/0729	Date 13th November 1997

**Applicant**                      McInerney Construction Ltd.,

**Development**                Change of use from proposed apartments and pub, to office use on the ground floor, an increase in floor to ceiling height of 375mm on ground floor only and revised elevational treatment of the South Block, as granted under S96A/0338, and associated site works.

**Location**                      Rathfarnham Gate, Rathfarnham, Dublin 14.

**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 ( 15 ) on the attached Numbered Pages.  
Signed on behalf of the South Dublin County Council.

.....  
for SENIOR ADMINISTRATIVE OFFICER

09/01/98

Fewer McGinley Associates,  
Wyse House,  
Adelphi Quay,  
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**Conditions and Reasons**

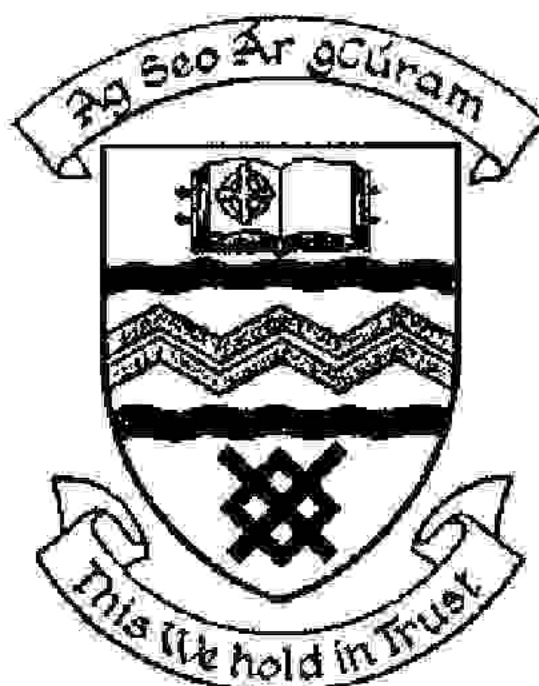
- 1 The development to be carried out in its entirety in accordance with the plans, particulars and specifications lodged with the application and as amended by unsolicited additional information received on 2nd December 1997 and shall be otherwise be in accordance with conditions attached to permission granted under reg. ref. S96A/0338, 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 prior to commencement of development the requirements of the Principal Environmental Health Officer be ascertained and strictly adhered to in the development.  
**REASON:**  
In the interest of health.
- 3 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.
- 4 That no advertising sign or structure be erected except those which are exempted development, without prior approval of Planning Authority or An Bord Pleanala on appeal.  
**REASON:**  
In the interest of the proper planning and development of the area.
- 5 That the materials and finishes of the proposed development including railings and gates and landscaping harmonise with



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approved development as granted under register reference  
S96A/0338 and S97A/0267.

REASON:

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

- 6 Prior construction of gates and railings the applicant shall  
submit for written agreement with the Planning Authority  
proposals of operation and opening times of the gates which  
shall provide for the gates being open to provide adequate  
access to the open space in south end of the site and during  
business hours. In this regard the applicant shall also  
include revised details for the management company for the  
development providing for arrangements for maintenance and  
control of the gates.

REASON:

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

- 7 That a financial contribution in the sum of £3,617 (three  
thousand six hundred and seventeen 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:

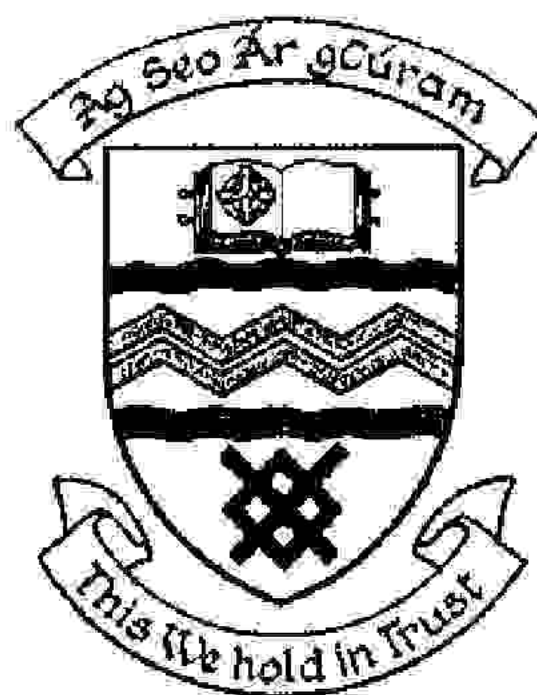
The provision of such services in the area by the Council  
will facilitate the proposed development. It is considered  
reasonable that the developer should contribute towards the  
cost of providing the services.

- 8 That a financial contribution in the sum of money equivalent  
to the value of £3,858 (three thousand eight hundred and  
fifty eight pounds) as on 1st January, 1991, updated in  
accordance with the Wholesale Price Index - Building and

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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.

- 9 That the arrangements made with regard to the payment of the financial contribution in the sum of £14,400 (fourteen thousand four hundred pounds) in respect of the overall development, as required by Condition No. 20 of planning permission granted by An Bord Pleanála under Reg. Ref. S95A/0014 be strictly adhered to in respect of this proposal.

**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 providing the services.

- 10 That the arrangements made with regard to the payment of the financial contribution in the sum of £800 (eight hundred pounds) PER UNIT in respect of the overall development, as required by Condition No. 1 of planning permission granted under Reg. Ref. S96A/0338 be strictly adhered to in respect of this proposal.

**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.

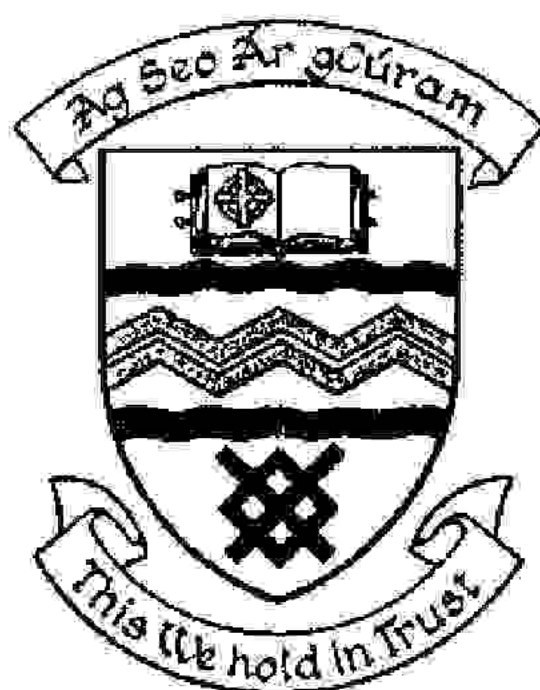


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- 11 That the arrangements made with regard to the payment of the financial contribution in the sum of £250 (two hundred and fifty pounds) PER APARTMENT in respect of the overall development, as required by Condition No. 21 of planning permission granted by An Bord Pleanála under Reg. Ref. S95A/0014 be strictly adhered to in respect of this proposal.

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.

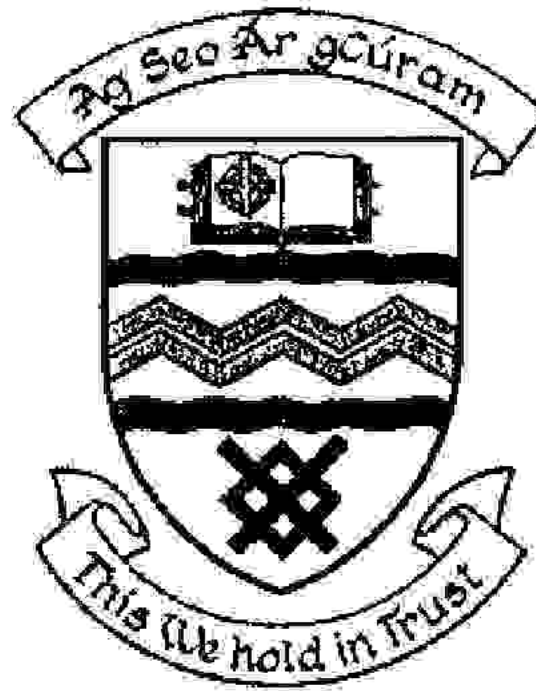
- 12 That no development under any permission granted pursuant to this decision be commenced until security for the provision and satisfactory completion of services, including maintenance, until taken in charge by the Local Authority for Roads, Open Spaces, Car Parks, Sewers, Watermains and Drains,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

- a. Lodgement with the Council of an approved Insurance Company Bond in the sum of £150,000 (one hundred and fifty 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  
£100,000 (one hundred 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

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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.

- 13 That the arrangements made with regard to the payment of the financial contribution in the sum of £200 (two hundred pounds) PER APARTMENT, in respect of the overall development, as required by Condition No. 22 of planning permission granted by An Bord Pleanála under Reg. Ref. S95A/0014 be strictly adhered to in respect of this proposal.

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.

- 14 That the arrangements made with regard to the payment of the financial contribution in the sum of £500 (five hundred pounds) PER UNIT, in respect of the overall development, as required by Condition No. 23 of planning permission granted under Reg. Ref. S96A/0338 be strictly adhered to in respect of this proposal.

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.



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- 15 That a financial contribution to a value to be agreed between the developer and the Planning Authority shall be paid by the proposer to South Dublin County Council towards the full cost of the provision and development of car parking required to serve the development approved in permission (Reg. Ref. S97A/0267) in the area of the proposed development and which facilitates this developments; arrangements to be agreed in writing with the Planning Authority and the 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 in the provision and development of car parking facilitating the proposed development.