

	South Dublin County Council Local Government (Planning & Development) Acts 1963 to 1993 Planning Register (Part 1)	Plan Register No. S97A/0718	
1. Location	Ellensborough, Kiltipper, Tallaght, Dublin 24, with access off Kiltipper Road.		
2. Development	100 no.2 storey 3 and 4 bed detached and semi detached houses, open spaces and associated site works, with access off Kiltipper Road on site circa 11.5 acres being proposed Phase 3 of existing phased development Reg. Refs. S96A/0190 and S97A/0550.		
3. Date of Application	06/11/97	Date Further Particulars (a) Requested (b) Received	
3a. Type of Application	Permission	1. 2.	1. 2.
4. Submitted by	Name: Fenton-Simons, Address: Planning and Development Consultants, 29 Fitzwilliam Place,		
5. Applicant	Name: Durkan New Homes Ltd., Address: Sandford House, Sandford Road, Ranelagh, Dublin 6W.		
6. Decision	O.C.M. No. 0371 Date 27/02/98	Effect AP GRANT PERMISSION	
7. Grant	O.C.M. No. Date	Effect AP GRANT PERMISSION	
8. Appeal Lodged	16/03/98	Written Representations	
9. Appeal Decision	15/10/98	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

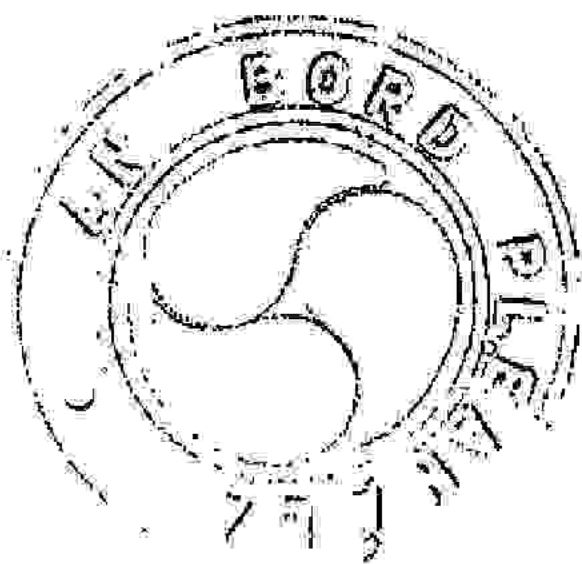
Planning Register Reference Number: S97A/0718

APPEAL by Tallaght Community Council care of Patricia Bryan of 3 Greenacre Court, Firhouse Road, Dublin and by Kiltipper and Kiltalown Residents' Association care of Mabel Norton of "Kilshean", Kiltipper Road, Tallaght, Dublin against the decision made on the 27th day of February, 1998 by the Council of the County of South Dublin to grant subject to conditions a permission to Durkan New Homes Limited care of Fenton-Simons of 29 Fitzwilliam Place, Dublin for development comprising the erection of 100 number two-storey three and four bedroom detached and semi-detached houses, open spaces and associated site works, with access off Kiltipper Road on site circa 11.5 acres, being proposed Phase 3 of existing phased development granted under planning register reference numbers S96A/0190 and S97A/0550 at Ellensborough, Kiltipper, 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 reason set out in the Schedule hereto.

SCHEDULE

Having regard to the scale of the proposed development, the volume of traffic which it would be likely to generate, the traffic generated by the existing development at Ellensborough and other traffic on Kiltipper Road, the limited width of sections of the road, the existing deficiency in the road network and the absence of any improvements on Old Bawn Road or the Kiltipper Road/Old Bawn Road junction, it is considered that, pending progress in the development of the overall road network of the area, the proposed development would tend to create serious traffic congestion and would endanger public safety by reason of traffic hazard.



Margaret Byrne

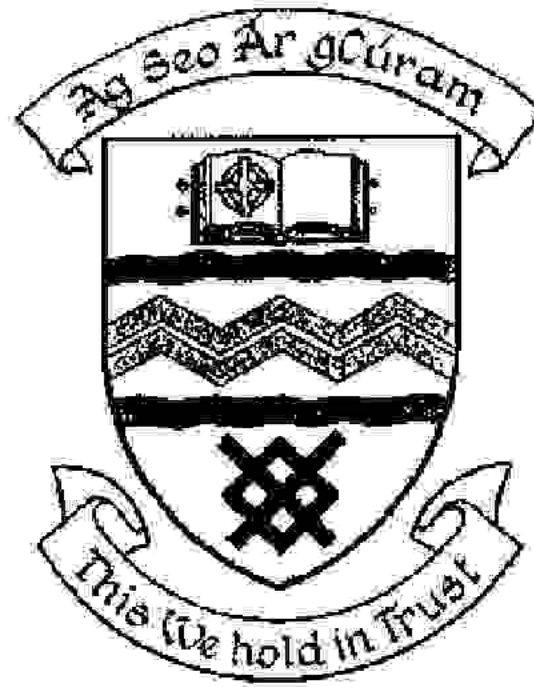
Member of An Bord Pleanála
duly authorised to authenticate
the seal of the Board.

Dated this ¹⁵ day of *October* 1998.

**SOUTH DUBLIN COUNTY COUNCIL
COMHAIRLE CHONTAE ÁTHA CLIATH THEAS**

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

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

Decision Order Number 0371	Date of Decision 27/02/98
Register Reference S97A/0718	Date 6th November 1997

Applicant Durkan New Homes Ltd.,

Development 100 no.2 storey 3 and 4 bed detached and semi detached houses, open spaces and associated site works, with access off Kiltipper Road on site circa 11.5 acres being proposed Phase 3 of existing phased development Reg. Refs. S96A/0190 and S97A/0550.

Location Ellensborough, Kiltipper, Tallaght, Dublin 24, with access off Kiltipper Road.

Floor Area Sq Metres

Time extension(s) up to and including 27/02/98

Additional Information Requested/Received /

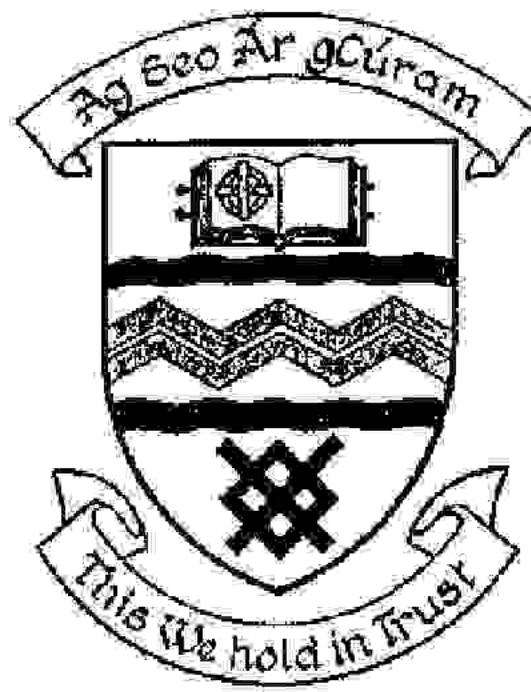
In pursuance of its functions under the above mentioned Acts, the South Dublin County Council, being the Planning Authority for the County Health District of Dublin, did by order dated as above make a **DECISION TO GRANT PERMISSION** in respect of the above proposal.

subject to the conditions (30) on the attached Numbered Pages.
Signed on behalf of the South Dublin County Council.

..... 27/02/98
for SENIOR ADMINISTRATIVE OFFICER

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

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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 a financial contribution in the sum of £68,400 (sixty eight thousand four 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.

- 3 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 £160,000 (one hundred and sixty thousand pounds) until such time as the Roads, Open Spaces, Car Parks, Sewers, Watermains and Drains are taken in charge by the Council.
Or./...

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- 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.

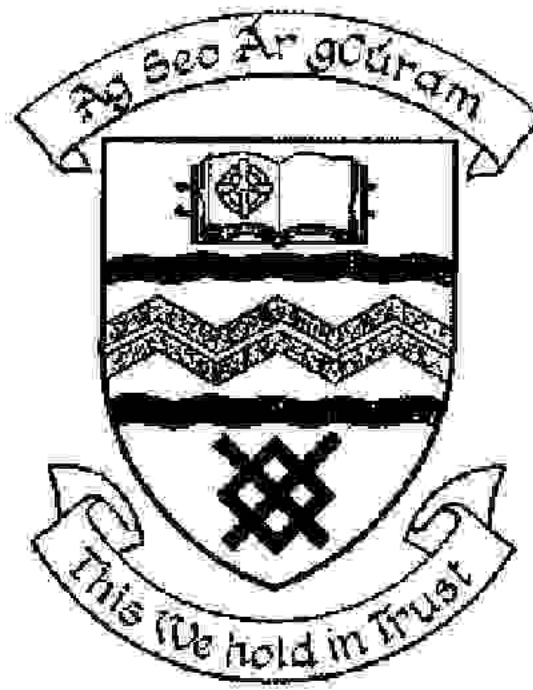
REASON:

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

- 4 Prior to the commencement of development - the developer shall pay the sum of money equivalent to the value of £1,600 (one thousand six hundred pounds) per house as on 1st January 1991 (Updated at the time of payment in accordance with changes in the Wholesale Price Index - Building and Construction (Capital Goods) published by the Central Statistics Office) to South Dublin County Council as a contribution towards the expenditure that is proposed to be incurred by the Council in respect of works comprising improvement works on Old Bawn Road and Kiltipper Road/Old Bawn Road junction facilitating the proposed development. To the extent that any of these works is carried out by the developer in agreement with the planning authority the certified cost of such work can be offset against the contribution which shall be paid to the Council under this condition. Payment of this contribution is subject to the provisions of Section 26(2) (h) of the Local Government (Planning and Development) Act, 1963 generally, and in particular the specified period for the purposes of paragraph (h) shall be the period of ten years from the date of this order.

REASON:

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Having regard to the deficiencies in the road network serving the area it is considered reasonable that the developer should contribute towards the expenditure that is proposed to be incurred in respect of works facilitating the proposed development.

- 5 That a financial contribution of £500 (five hundred pounds) PER HOUSE shall be paid by the developer to the Council towards the cost of providing class 1 public open space in the area and which facilitates the proposed development. This contribution to be paid prior to commencement of development on the site.

REASON:

In the interest of the proper planning and development of the area and as the provision of such facilities 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 such facilities.

- 6 That the areas shown and conditioned as open space be fenced off during construction work and shall not be used for the purpose of site compounds or for the storage of plant, materials or spoil.

REASON:

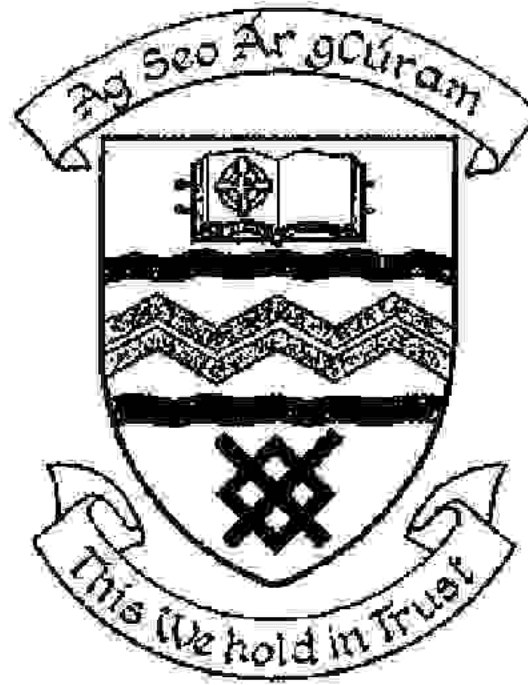
To protect the amenities of the area.

- 7 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.

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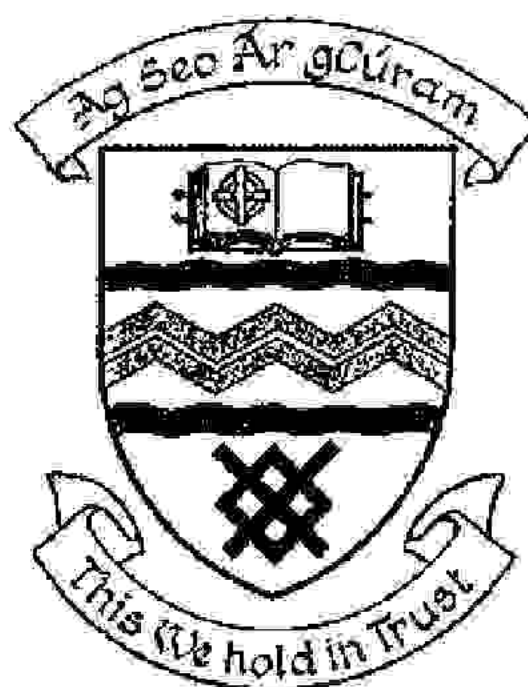
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- 8 A scheme of street tree planting to include a specification and plan shall be submitted to and agreed in writing with the Planning Authority prior to the commencement of development for each phase of housing and access roads for implementation by the developer.
REASON:
In the interest of visual amenity.
- 9 That the hammerheads on the cul-de-sac of Road No's. 17, 19 and 20 be inverted towards the proposed housing in order to maximise the open space.
REASON:
In the interest of the proper planning and development of the area.
- 10 The applicant shall provide a belt of trees of mixed species 5m deep along the entire south and west boundaries in lands within the ownership of the applicant adjoining the site boundary. Details of No's. and species to be used shall be agreed in writing with the Planning Authority.
REASON:
In the interests of visual amenity.
- 11 The screen walls in block or similar durable materials not less than 2 metres high, suitably capped and rendered, shall be provided at the necessary locations so as to screen rear gardens from public view. The specific locations and extent of walling must be fully discussed and agreed with the County Council before construction.
REASON:
In the interests of residential amenity and proper planning and development of the area.

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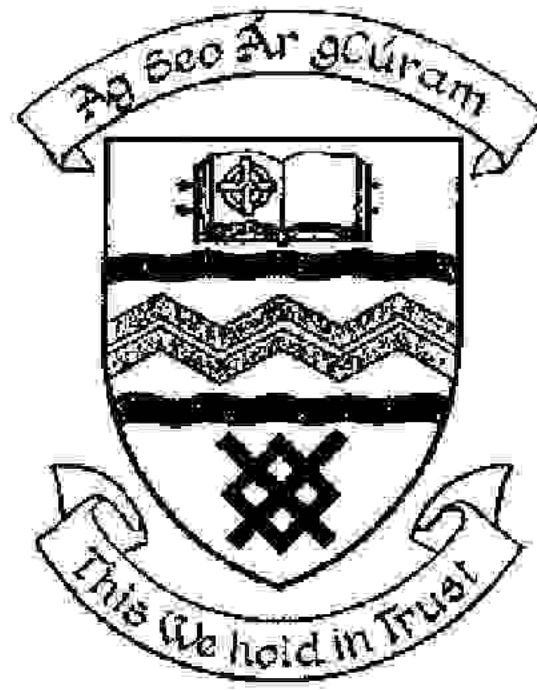
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- 12 The roof finishes to houses shall be black, blue/black, slate grey or turf brown tiles or slates.
REASON:
In the interests of visual amenity.
- 13 That the developer shall construct and maintain to the Council's standard for taking in charge all the roads, including footpaths, verges, public lighting, open space, sewers, watermain 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.
- 14 The houses when completed, shall be used as single dwelling units.
REASON:
To regulate the land use, including the intensity thereof, in order to protect the amenities of the area.
- 15 No house shall 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.
- 16 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.

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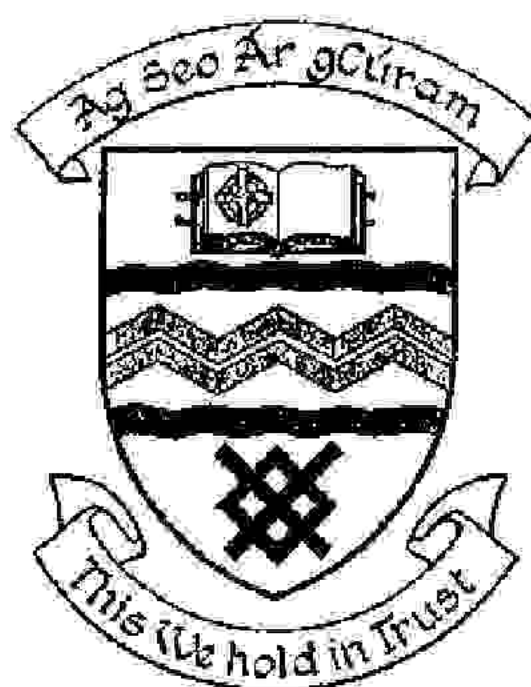
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- 17 That all necessary measures be taken by the contractor to prevent the spillage or deposit of clay, rubble or other debris on adjoining roads during the course of the works.
REASON:
To protect the amenities of the area.
- 18 That no advertising 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.
- 19 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.
- 20 A landscape plan with full works specification and bill of quantities etc., shall be submitted to and agreed with the Planning Authority before the commencement of development. Such plan shall include regrading, drainage, topsoiling, seeding, tree and shrub planting, pedestrian paths and details of maintenance.
REASON:
In the interest of the proper planning and development of the area.
- 21 All redundant streams and ditches shall be piped in unjointed spigot and socket pipes surrounded in media and tapped into the piped surface water drainage system.

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REASON:

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

- 22 Prior to the commencement of any development on site the applicant shall in relation to the foul sewerage submit the following for the written agreement of the Planning Authority:-

- (a) details of the proposed foul sewer crossings of the gas main, 300mm, 600mm and 1000mm watermain at Old Bawn Road and details of liaison with relevant statutory undertakers;
- (b) details of the internal foul sewerage layout showing pipe sizes, invert levels and proposed and existing ground levels;
- (c) proposals for the rerouting of the 150mm leachate line from Friarstown. Rerouting to be carried out by the council at applicants expense;
- (d) detailed proposals for the laying of the foul sewer through public open space lands.

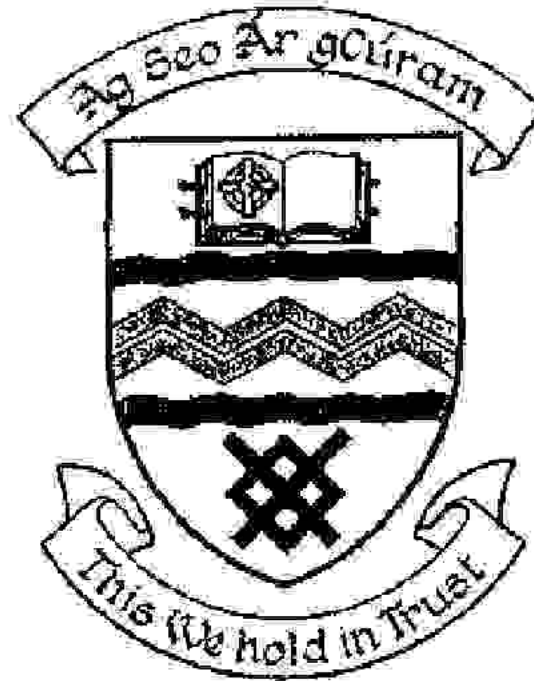
REASON:

In the interests of public health.

- 23 Prior to the commencement of any development on site the applicant shall in relation to the surface water drainage submit the following for the written agreement of the Planning Authority:-

- (a) details of the surface water outfall sewer showing pipe sizes and invert levels as far as the river Dodder to include details of the outfall structure;
- (b) calculations indicating the proposed surface water design flow for the entire site. The proposed pipe

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length s.16 to s.1 to be upsized to cater for full
design flow from the housing area;

REASON:

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

- 24 That public lighting be provided as each street is occupied
in accordance with a scheme which shall be submitted to and
agreed with the Planning Authority prior to commencement of
development

REASON:

In the interest of amenity and public safety, and to provide
street lighting in accordance with the standards required by
the planning authority.

- 25 That an acceptable street naming and house numbering scheme
be submitted to and approved by the Planning Authority
before any constructional work takes place on the proposed
houses.

REASON:

In the interest of amenity and traffic safety and
convenience.

- 26 All service cables associated with the proposed development
(such as electrical, communal television, telephone and
street lighting cables) shall be run underground within the
site.

REASON:

In the interest of orderly development and the visual
amenities of the area.

- 27 That all details of surface water and foul water drainage
services be submitted to and agreed with the Council's
Environmental Services Department before any works are
commenced on site.

REASON:

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

- 28 That all details of water supply be submitted and agreed with the Council's Environmental Services Department before works are commenced on site.

REASON:

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

- 29 That the arrangements made with regard to the payment of the financial contribution in the sum of £80,000 (eighty thousand pounds) as required by Condition No. 28 of An Bord Pleanála decision Order No. PL.06S.099738 under Reg. Ref. S96A/0190 be strictly adhered to in respect of this proposal.

REASON:

It is considered reasonable that the developer should contribute towards the expenditure proposed to be incurred by the Council in respect of works facilitating the proposed development.

- 30 That the arrangements made with regard to the payment of the financial contribution in the sum of £77,600 (seventy seven thousand six hundred pounds) in respect of maintenance costs on pump house, reservoir and telemetry system as required by Condition No. 27 of An Bord Pleanála decision Order No. PL.06S.099738 under Reg. Ref. S96A/0190 be strictly adhered to in respect of this proposal.

REASON:

It is considered reasonable that the developer should contribute towards the expenditure proposed to be incurred by the Council in respect of works facilitating the proposed development.

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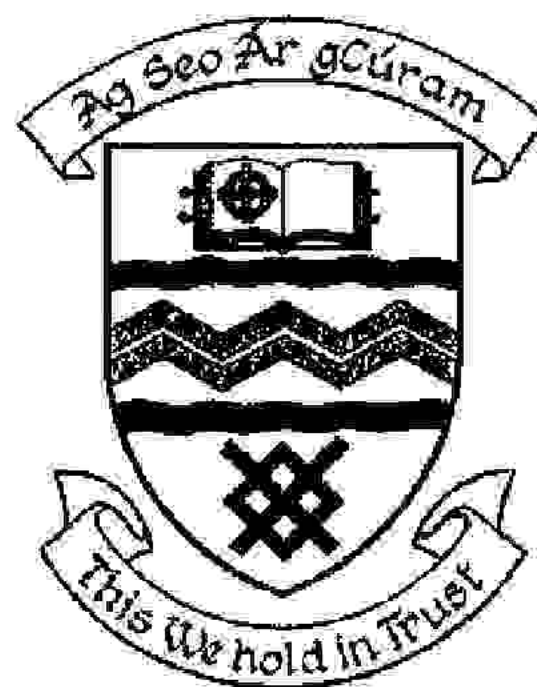
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LOCAL GOVERNMENT (PLANNING AND DEVELOPMENT) ACTS, 1963 TO 1993

Decision Order Number 0257	Date of Decision 12/02/98
Register Reference S97A/0718	Date 6th November 1997

Applicant Durkan New Homes Ltd.,
App. Type Permission
Development 100 no.2 storey 3 and 4 bed detached and semi detached houses, open spaces and associated site works, with access off Kiltipper Road on site circa 11.5 acres being proposed Phase 3 of existing phased development Reg. Refs. S96A/0190 and S97A/0550.

Location Ellensborough, Kiltipper, Tallaght, Dublin 24, with access off Kiltipper Road.

Dear Sir / Madam,

In accordance with Section 26 (4A) of the Local Government (Planning and Development) Act 1963 as amended by Section 39 (f) of the Local Government (Planning and Development) Act 1976 the period for considering this application has been extended, up to and including 27/02/98

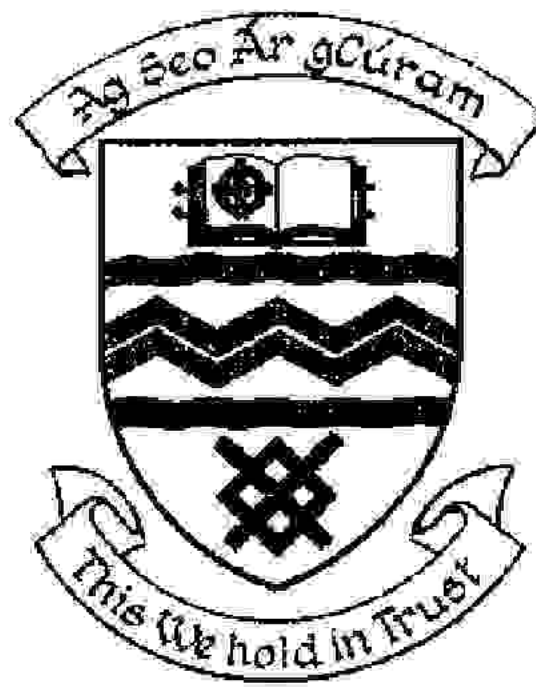
Yours faithfully

.....
for SENIOR ADMINISTRATIVE OFFICER

12/02/98

Fenton-Simons,
Planning and Development Consultants,
29 Fitzwilliam Place,
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LOCAL GOVERNMENT (PLANNING AND DEVELOPMENT) ACTS, 1963 TO 1993

Decision Order Number 0186	Date of Decision 29/01/98
Register Reference S97A/0718	Date 6th November 1997

Applicant Durkan New Homes Ltd.,
App. Type Permission
Development 100 no.2 storey 3 and 4 bed detached and semi detached houses, open spaces and associated site works, with access off Kiltipper Road on site circa 11.5 acres being proposed Phase 3 of existing phased development Reg. Refs. S96A/0190 and S97A/0550.

Location Ellensborough, Kiltipper, Tallaght, Dublin 24, with access off Kiltipper Road.

Dear Sir / Madam,

In accordance with Section 26 (4A) of the Local Government (Planning and Development) Act 1963 as amended by Section 39 (f) of the Local Government (Planning and Development) Act 1976 the period for considering this application has been extended, up to and including 13/02/98

Yours faithfully

.....
for SENIOR ADMINISTRATIVE OFFICER

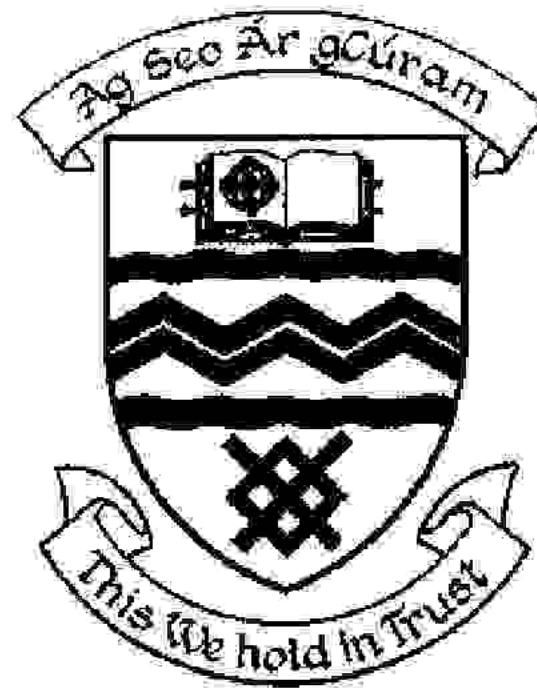
29/01/98

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

Decision Order Number 4336	Date of Decision - 18/12/97
Register Reference S97A/0718	Date 6th November 1997

Applicant Durkan New Homes Ltd.,
App. Type / Permission
Development 100 no.2 storey 3 and 4 bed detached and semi detached houses, open spaces and associated site works, with access off Kiltipper Road on site circa 11.5 acres being proposed Phase 3 of existing phased development Reg. Refs. S96A/0190 and S97A/0550.

Location Ellensborough, Kiltipper, Tallaght, Dublin 24, with access off Kiltipper Road.

Dear Sir / Madam,

In accordance with Section 26 (4A) of the Local Government (Planning and Development) Act 1963 as amended by Section 39 (f) of the Local Government (Planning and Development) Act 1976 the period for considering this application has been extended, up to and including 31/01/98

Yours faithfully

.....
for **SENIOR ADMINISTRATIVE OFFICER** 18/12/97

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