



# AN BORD PLEANÁLA

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

County South Dublin

Planning Register Reference Number: S97A/0683

**APPEAL** by David O'Toole care of Michael T. Hyland of 14 Cherry Avenue, Carpenterstown, Dublin against the decision made on the 10th day of December, 1997 by the Council of the County of South Dublin to grant subject to conditions a permission to Mark Kilkenny care of Paul O'Connor Architects of 3 Saint Joseph's Court, Prussia Street, Dublin for development comprising the construction of a two-storey four bedroom house to the rear of 7 Ballyboden Crescent with vehicular access from, and alteration to boundary wall, at Glendoher Close, Ballyboden, Dublin in accordance with plans and particulars lodged with the said Council:

**DECISION:** Pursuant to the Local Government (Planning and Development) Acts, 1963 to 1998, it is hereby decided, for the reason set out in the First Schedule hereto, to grant permission for the said 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

Having regard to the pattern of development in the vicinity, it is considered that, subject to compliance with the conditions set out in the Second Schedule, the proposed development would not seriously injure the amenities of property in the vicinity and would be in accordance with the proper planning and development of the area.

## SECOND SCHEDULE

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

**Reason:** In the interest of orderly development and the visual amenities of the area.

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5. The developer shall pay a sum of money to the planning authority as a contribution towards expenditure that was and/or that is proposed to be incurred by the planning authority in respect of road improvement works facilitating the proposed development. The amount of the contribution and the arrangements for payment shall be as agreed between the developer and the planning authority or, in default of agreement, shall be determined by An Bord Pleanála.

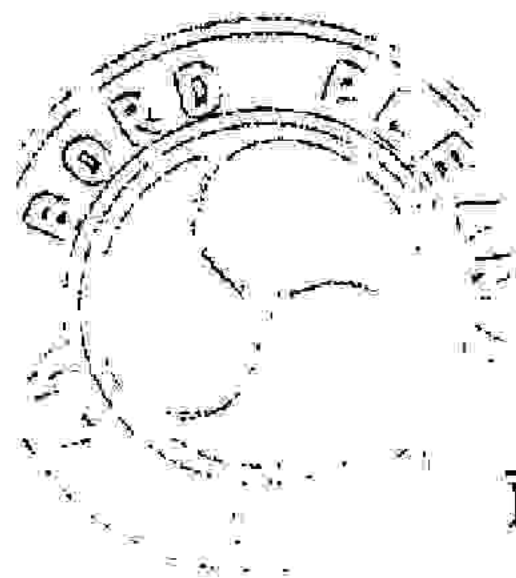
In the case of expenditure that is proposed to be incurred, the requirement to pay this contribution is subject to the provisions of section 26(2)(h) of the Local Government (Planning and Development) Act, 1963 generally, and in particular, the specified period for the purposes of paragraph (h) shall be the period of seven years from the date of this order.

**Reason:** It is considered reasonable that the developer should contribute towards the expenditure that was and/or that is proposed to be incurred by the planning authority in respect of works facilitating the proposed development.

*Louis O'Leary*

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

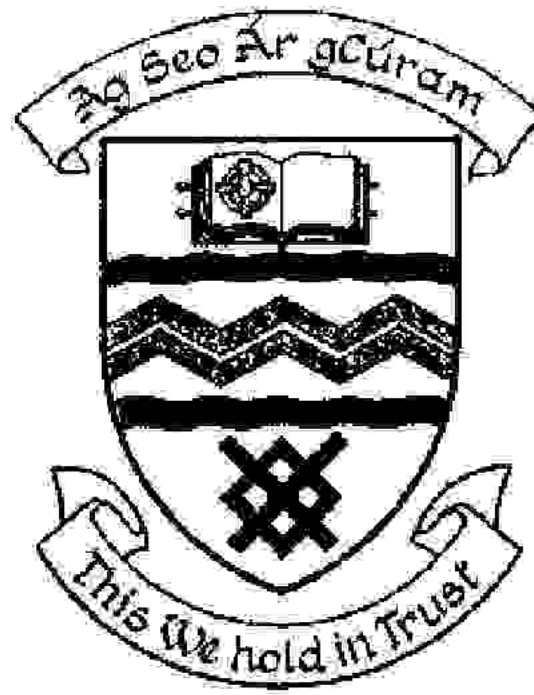
Dated this *7<sup>th</sup>* day of *July* 1998.



SOUTH DUBLIN COUNTY COUNCIL  
COMHAIRLE CHONTAE ÁTHA CLIATH THEAS

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

Decision Order Number 4234	Date of Decision 10/12/97
Register Reference S97A/0683	Date 20th October 1997

Applicant Mark Kilkenny

Development Two storey 4 bed dwelling to rear of 7 Ballyboden Cres.,  
and new vehicular access from, and alterations to,  
boundary wall to Glendoher Close.

Location Rear of 7 Ballyboden Crescent, Ballyboden, Dublin 16.

Floor Area Sq Metres

Time extension(s) up to and including

Additional Information Requested/Received /

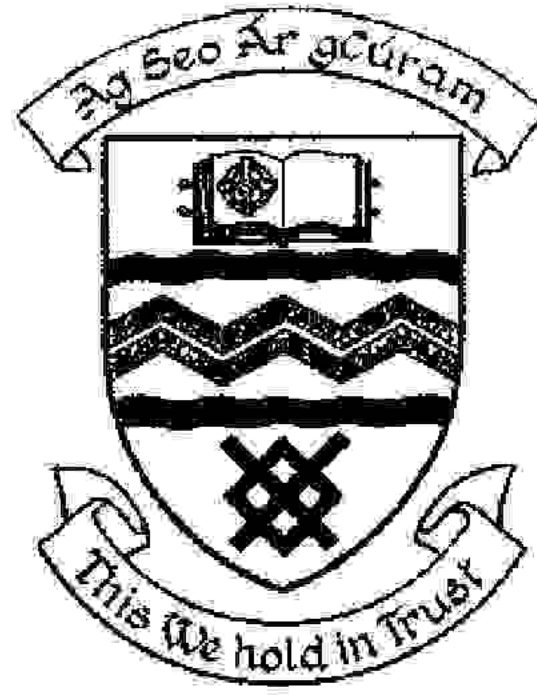
In pursuance of its functions under the above mentioned Acts, the South Dublin County Council, being the Planning Authority for the County Health District of Dublin, did by Order dated as above make a DECISION TO GRANT PERMISSION in respect of the above proposal.

subject to the conditions ( 10 ) on the attached Numbered Pages.  
Signed on behalf of the South Dublin County Council.

..... 10/12/97  
for SENIOR ADMINISTRATIVE OFFICER

Paul O'Connor Architects  
3 St. Josephs Court,  
Prussia St.,  
Dublin 7.

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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 the entire premises be used as a single dwelling unit.

REASON:

To prevent unauthorised development.

- 3 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.

- 4 That the water supply and drainage arrangements, including the disposal of surface water, be in accordance with the requirements of the County Council and specifically :

- a. Prior to commencement of development applicant to submit full details of foul and surface water sewer proposed including invert levels, pipe sewers, and gradients up to and including connection to public sewer.

Full details of the above to be subject to the written agreement of South Dublin County Council prior to the commencement of development.

REASON:

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

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- 5 Footpath and kerb to be dished to the requirements of the Area Engineer Road Maintenance at the applicants own expense.  
REASON:  
In the interest of the proper planning and development of the area.
- 6 Full details of the roof cladding and materials to include colour and texture of same, to be submitted to and agreed with the Planning Authority prior to the commencement of development.  
REASON:  
In the interest of the proper planning and development of the area.
- 7 That a financial contribution in the sum of £750 (seven hundred and fifty 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 £1,000 (one thousand pounds) be paid by the proposer to South Dublin County Council towards the cost of the further development of Class 1 Public Open Space in the Ballyboden area which will facilitate this development; this contribution to be paid before the commencement of development on the site.  
REASON:  
In the interest of the proper planning and development of the area and as the provision/development of the open space facilitates the development it is considered reasonable that the applicant should contribute towards the cost.

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- 9 That a financial contribution in the sum of money equivalent to the value of £800 (eight hundred pounds) as on 1st January, 1991, updated in accordance with the Wholesale Price Index - Building and Construction (Capital Goods) as published by the Central Statistics Office to the value pertaining at the time of payment shall be paid by the proposer to South Dublin County Council towards the cost of roads improvements and traffic management in the area of the proposed development and which facilitate this development; this contribution to be paid before the commencement of development on the site.

REASON:

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

- 10 Details of front boundary wall height and finish to be the subject of agreement with the Planning Authority.

REASON:

In the interest of visual amenity.