

	South Dublin County Council Local Government (Planning & Development) Acts 1963 to 1993 Planning Register (Part 1)	Plan Register No. S97A/0476
1. Location	Former Holy Ghost Fathers lands at Kimmage Manor, with entrance off Whitehall Road, Dublin 12.	
2. Development	Alterations to approved site layout and dwelling types (South Dublin County Council Reg. Ref. No. S95A/0359 and An Bord Pleanala Ref. PL 06S.098608), to incorporate 1 two storey detached dwelling of Type A, 40 two-storey semi-detached dwellings of Type B, 14 two-storey semi-detached dwellings of Type C, and 2 three-storey blocks comprising 16 two-storey units above 16 garden level apartments, in lieu of, 3 two storey detached dwellings of Type A and 72 two storey semi-detached dwellings of Type B.	
3. Date of Application	18/07/97	Date Further Particulars (a) Requested (b) Received
3a. Type of Application	Permission	1. 2.
4. Submitted by	Name: O'Muire Smyth Architects, Address: Columbia Mills, 14-15 Sir John Rogersons Quay,	
5. Applicant	Name: Flynn & O'Flaherty Properties Ltd., Address: 21 Pembroke Road, Ballsbridge, Dublin 2.	
6. Decision	O.C.M. No. 1972 Date 29/09/97	Effect AP GRANT PERMISSION
7. Grant	O.C.M. No. Date	Effect

8. Appeal Notified	30/10/97	Written Representations	
9. Appeal Decision	23/04/98	Grant 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/0476

APPEAL by Recorders Residents' Association care of Laurence Foster of 39 Whitehall Road, Terenure, County Dublin against the decision made on the 29th day of September, 1997 by the Council of the County of South Dublin to grant subject to conditions a permission to Flynn and O' Flaherty Properties Limited care of O' Muire Smyth Architects of Columbia Mills, 14 to 15 Sir John Rogerson's Quay, Dublin for development described in the public notice as alterations to approved site layout and dwelling types (South Dublin County Council register reference number S95A/0359 and An Bord Pleanála reference PL 06S.098608), to incorporate one two-storey detached dwelling of Type A, 40 two-storey semidetached dwellings of Type B, 14 two-storey semidetached dwellings of Type C, and two three-storey blocks, comprising 16 two-storey units above 16 garden level apartments, in lieu of three two-storey detached dwellings of Type A, and 72 two-storey semidetached dwellings of Type B, on part of former Holy Ghost Fathers lands at Kimmage Manor, with entrance off Whitehall Road, 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 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 development is hereby granted subject to the said conditions.

FIRST SCHEDULE

Having regard to the planning history of the site and to the location and design of the proposed duplex blocks, 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.

lc

8. The water supply and drainage arrangements, including the disposal of surface water, shall be in accordance with the requirements of the planning authority for such works and services. In this regard, full details of the watermain layout and foul and surface water drainage proposals shall be submitted to and agreed in writing with the planning authority prior to the commencement of development on the site.

Reason: In the interest of public health and to ensure a proper standard of development.

9. The site shall be landscaped in accordance with a comprehensive scheme of landscaping, full details of which shall be submitted to and agreed with the planning authority before development commences. The scheme shall include a timescale for its implementation.

Reason: In the interest of visual amenity.

10. (1) At least two off-street car parking spaces shall be provided within the curtilages of houses numbers 1 to 21 inclusive which are to be developed along the Whitehall Road frontage of the site.
- (2) Details of the layout of the Whitehall Road frontage of the site in respect of the houses referred to at 10(1) above, including the design and construction of the grass verge and the footpath, tree planting on the verge and the exact location of the front boundary walls, shall be submitted to and agreed in writing with the planning authority prior to the commencement of development.

Reason: In the interest of orderly development and public safety.

11. The areas shown and conditioned as open space shall 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.

12. A management scheme for the adequate future maintenance of private open spaces, roads and communal areas shall be submitted to and agreed with the planning authority prior to the commencement of development.

Reason: To ensure the adequate future maintenance of this private development in the interest of residential amenity.

LC

17. The internal road network serving the proposed development, including roads, turning bays, junctions, traffic calming facilities, footpaths and kerbs, shall be in accordance with the detailed requirements of the planning authority.

Reason: In the interest of amenity and traffic safety and convenience.

18. A cycleway shall be reserved through the proposed development site. Details of the exact route and design of the cycleway shall be submitted to and agreed in writing with the planning authority.

Reason: In the interest of amenity and traffic convenience.

19. The side boundaries of the house plots to the rear of the front building line of the proposed houses, and the rear boundaries of the said plots, shall be demarcated by capped 1.8 metres high concrete block walls, except as may otherwise be required by condition number 7 above or by the details of proposed and existing walls along the southwestern boundary of the site which are given in drawing number 9509-54A lodged with the planning authority on the 19th day of September, 1997.

Reason: In the interest of residential amenity.

20. The front and side boundaries of the areas to the front of each house plot as shown on drawing number 9409-54A lodged with the planning authority on the 19th day of September, 1997 shall be defined by a wall except as may otherwise be required by condition number 7 above or by the details of the boundary treatment that appear on the said drawing. In addition the front garden area between each pair of semidetached houses shall be subdivided along the party boundary by a wall. Details of the walls, including the design, height, materials and external finishes, shall be submitted to and agreed in writing with the planning authority prior to the commencement of development.

Reason: In the interest of residential and visual amenity.

21. The minimum length of the screened private patio type areas, to be provided to the rear of the ground floor apartments within the proposed duplex blocks, shall be not less than 3 metres.

Reason: In the interest of residential amenity.

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25. 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 and traffic management measures 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.

26. Prior to the commencement of development, the developer shall lodge with the planning authority a cash deposit, a bond of an insurance company, or other security to secure the provision and satisfactory completion and maintenance until taken in charge by the planning authority of roads, footpaths, watermains, drains, public open space and other services required in connection with the development, coupled with an agreement empowering the planning authority to apply such security or part thereof to the satisfactory completion or maintenance of any part of the development. The form and amount of the security shall be as agreed between the planning authority and the developer or, in default of agreement, shall be 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.

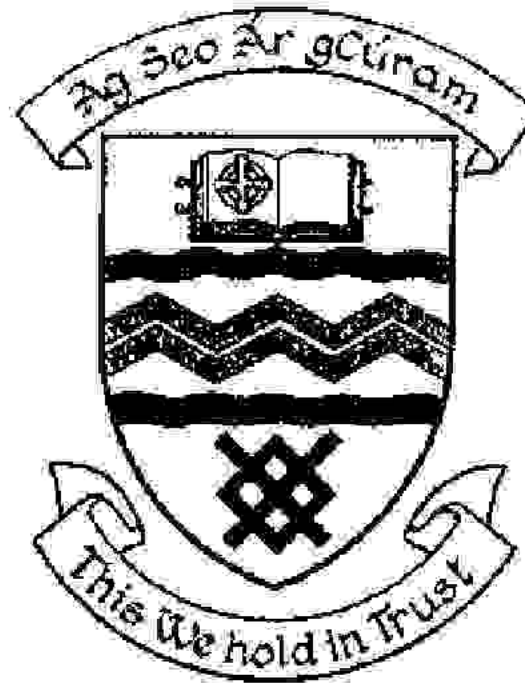
Dated this 23rd day of April 1998.



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

Decision Order Number 1972	Date of Decision 29/09/97
Register Reference S97A/0476	Date 18th July 1997

Applicant Flynn & O'Flaherty Properties Ltd.,

Development Alterations to approved site layout and dwelling types (South Dublin County Council Reg. Ref. No. S95A/0359 and An Bord Pleanála Ref. PL 06S.098608), to incorporate 1 two storey detached dwelling of Type A, 40 two-storey semi-detached dwellings of Type B, 14 two-storey semi-detached dwellings of Type C, and 2 three-storey blocks comprising 16 two-storey units above 16 garden level apartments, in lieu of, 3 two storey detached dwellings of Type A and 72 two storey semi-detached dwellings of Type B.

Location Former Holy Ghost Fathers lands at Kimmage Manor, with entrance off Whitehall Road, Dublin 12.

Floor Area Sq Metres

Time extension(s) up to and including 01/10/97

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

.....
for SENIOR ADMINISTRATIVE OFFICER

29/09/97

O'Muire Smyth Architects,
Columbia Mills,
14-15 Sir John Rogersons Quay,
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 and as amended by unsolicited additional information received on 19th September 1997 and shall otherwise be in accordance with conditions attached to the previous grant of permission (register reference S96A/0359, PL.06S.098608) specifically condition No's 9, 10, 11, 18, 19, 20 and 21 shall apply 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 total number of dwellings shall not exceed 360 in the site as outlined in blue in the submitted plans.
REASON:
In the interest of the proper planning and development of the area.
- 3 That all public services to the proposed development, including electrical, telephone cables and equipment be located underground throughout the entire site.
REASON:
In the interest of amenity.

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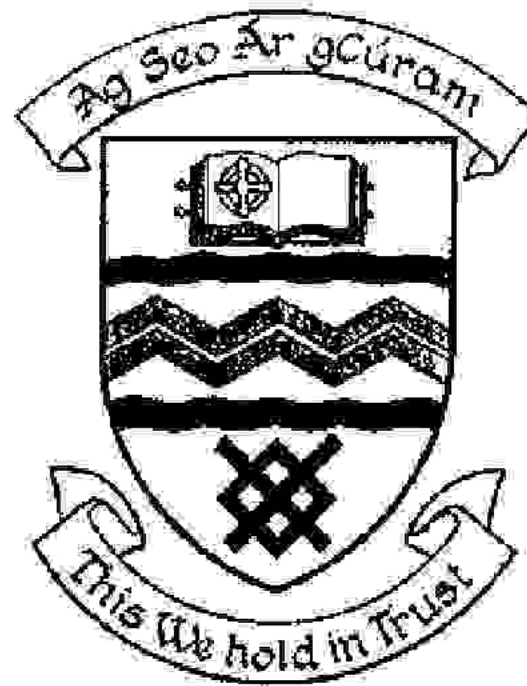
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- 4 All first floor windows in the gable walls of houses of the development shall be of obscure glass.
REASON:
In the interest of residential amenity.
- 5 That material colours and textures of all external finishes to the proposed house and duplex units shall be harmonious with previously approved development as granted under planning permission Reg. Ref. S95A/0359.
REASON:
In the interest of visual amenity.
- 6 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.
- 7 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.
- 8 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 fully discussed and agreed with the County Council before construction. Timber fencing is not acceptable.
REASON:
In the interest of visual amenity.

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- 9 That the water supply and drainage arrangements, including the disposal of surface water, be in accordance with the requirements of the County Council and in this regard applicant to submit full details of watermain layout and details of foul and surface water drainage proposals for written agreement with the Planning Authority prior to commencement of development on site.

REASON:

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

- 10 In respect of landscaping the following shall apply:
- . A low stone wall to be provided along the boundary of the open space where it adjoins with the proposed car parking area for the duplex dwellings. Exact details to be submitted for written agreement with the Planning Authority prior to commencement of development on site.
 - . Prior to commencement of works on site the developer shall submit to the Planning Authority for written agreement, a detailed landscape plan with full works specifications including timescale for implementation maintenance programme for a period of at least eighteen months and bill of quantities for the development of open space. This plan to include grading, topsoiling seeding paths drainage boundary treatment and tree and shrub planting as necessary.
 - . The trees to be retained on site are to be protected by post and rail fencing to enclose at least the area covered by the crown spread and should be erected before commencement of works.

REASON:

In the interest of residential and visual amenity.

- 11 In respect of houses fronting Whitehall Road, the design and construction of the grass margin and footpath and exact location of the front boundary walls shall be to the requirements of the Planning Authority (Roads Section) and

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details shall be submitted for written agreement of the
Planning Authority prior to the commencement of development.

REASON:

In the interest of orderly development and public safety.

- 12 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.

- 13 That in respect of water supply and drainage arrangements including the disposal of surface water all requirements of the Environmental Services Department shall be ascertained and all details shall be agreed in writing with the Planning Authority prior to the commencement of development. All requirements to be strictly adhered to in the development.

REASON:

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

- 14 No building to be within 5m of sewers with the potential to be taken in charge.

REASON:

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

- 15 All sewers with the potential to be taken in charge should be in Roads or private open space unless otherwise agreed in writing with the Planning Authority prior to commencement of development.

REASON:

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

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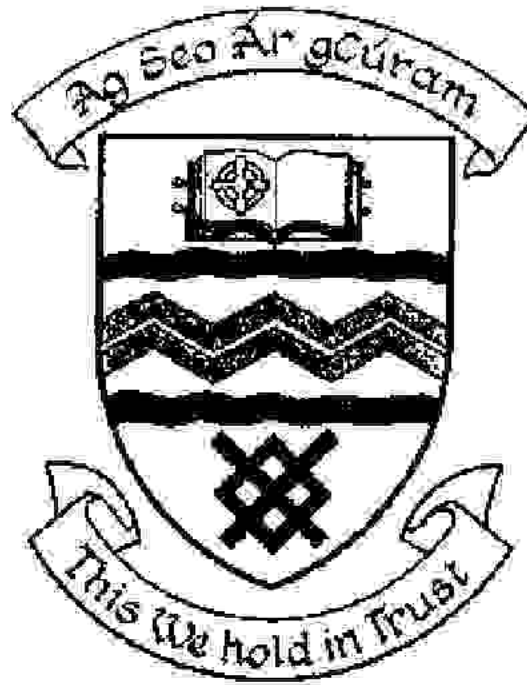


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- 16 In respect of the proposed duplex dwellings that details of the Management Agreement for the maintenance and control of the site be submitted and agreed with the Planning Authority prior to the commencement of development.
REASON:
In the interest of the proper planning and development of the area.
- 17 The duplexes shall be provided with a refuse storage area and bicycle parking area and details shall be subject to a grant of approval by the Planning Authority or An Bord Pleanála on appeal.
REASON:
In the interest of public health and residential amenity.
- 18 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.
- 19 That the arrangements made with regard to the payment of the financial contribution in the sum of £214,200 (two hundred and fourteen thousand two hundred pounds), in respect of the overall development, as required by Condition No. 19 of planning permission granted under Reg. Ref. S95A/0359 (An Bord Pleanála's Decision to grant permission Reference PL.06S.098608) be strictly adhered to in respect of this development.
REASON:
The provision of such services in the area by the Council will facilitate the proposed development. It is considered

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reasonable that the development should contribute towards the cost of providing the services.

- 20 That the arrangements made with regard to the payment of the financial contribution in the sum of £450 (four hundred and fifty pounds) PER UNIT as on 1/1/1991 (updated in accordance with the Wholesale Price Index-Building and Construction (Capital Goods) as published by the Central Statistics Office) in respect of the overall development, as required by Condition No. 21 of planning permission granted under Reg. Ref. S95A/0359 be strictly adhered to in respect of this development.

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.

- 21 That the arrangements made with regard to the payment of the financial contribution in the sum of £255,500 (two hundred and fifty five thousand five hundred pounds), in respect of the overall development, as required by Condition No. 20 of planning permission granted under Reg. Ref. S95A/0359; (An Bord Pleanála's Decision to grant permission Reference PL.06S.098608); 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.

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- 22 That the arrangements made with regard to the lodgement of security assessed at a Bond or Letter of Guarantee from an approved company in the sum of £576,000 (five hundred and seventy six thousand pounds) or a Cash Lodgement in the sum of £360,000 (three hundred and sixty thousand pounds) as required by Condition No. 18 of planning permission granted under Reg. Ref. S95A/0359 be strictly adhered to in respect of this proposal.

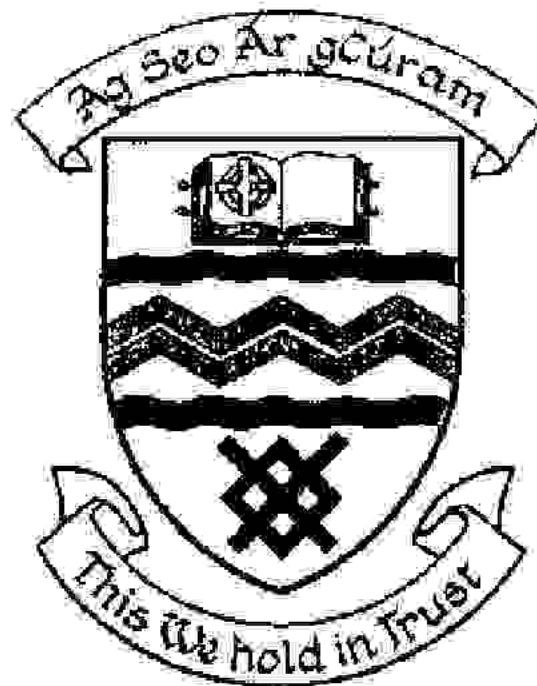
REASON:

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

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

Decision Order Number 1854	Date of Decision 16/09/97
Register Reference S97A/0476	Date 18th July 1997

Applicant Flynn & O'Flaherty Properties Ltd.,
App. Type Permission
Development Alterations to approved site layout and dwelling types (South Dublin County Council Reg. Ref. No. S95A/0359 and An Bord Pleanála Ref. PL 06S.098608), to incorporate 1 two storey detached dwelling of Type A, 40 two-storey semi-detached dwellings of Type B, 14 two-storey semi-detached dwellings of Type C, and 2 three-storey blocks comprising 16 two-storey units above 16 garden level apartments, in lieu of, 3 two storey detached dwellings of Type A and 72 two storey semi-detached dwellings of Type B.

Location Former Holy Ghost Fathers lands at Kimmage Manor, with entrance off Whitehall Road, Dublin 12.

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 applicant has furnished his consent in writing to the extension by the Council of the period for considering this application within the meaning of Sub-section 4 (a) of section 26 , up to and including 01/10/97

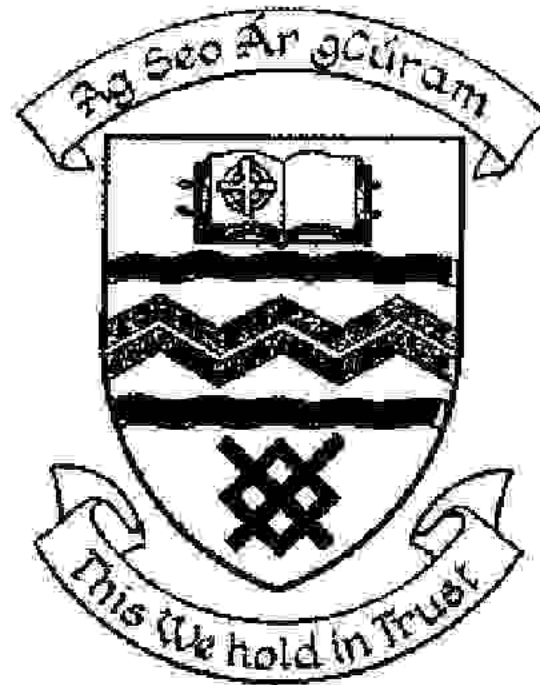
Yours faithfully

.....
for SENIOR ADMINISTRATIVE OFFICER

16/09/97

O'Muire Smyth Architects,
Columbia Mills,

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