

	South Dublin County Council Local Government (Planning & Development) Acts 1963 to 1993 Planning Register (Part 1)	Plan Register No.  S97A/0468
1. Location	On Lands at 'The Eden', Grange Road, Rathfarnham, Dublin 16.	
2. Development	14 no duplex apartments in 1 no. three-storey block (7x2 bed., and 7x3 bed.) and associated development works with access from Eden Court.	
3. Date of Application	16/07/97	Date Further Particulars (a) Requested (b) Received
3a. Type of Application	Permission	1.                      1. 2.                      2.
4. Submitted by	Name: Frank Elmes and Co. Architects Address: 2 Waldermar Terrace Main St.	
5. Applicant	Name: Puissance Ltd Address: Eden Lodge, Grange Road, Rathfarnham, Dublin 16	
6. Decision	O.C.M. No. 1890  Date 22/09/97	Effect AP GRANT PERMISSION
7. Grant	O.C.M. No.  Date	Effect AP GRANT PERMISSION
8. Appeal Lodged	16/10/97	Written Representations
9. Appeal Decision	13/02/98	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. 0

# AN BORD PLEANÁLA

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

County South Dublin

Planning Register Reference Number: S97A/0468

**APPEAL** by Puissance Limited care of Frank Elmes and Company of Number 2 Waldemar Terrace, Main Street, Dundrum, Dublin and by Mary Donohue and others of 60 Grange Court, Grange Road, Rathfarnham, Dublin and by others against the decision made on the 22nd day of September, 1997 by the Council of the County of South Dublin to grant subject to conditions a permission to the said Puissance Limited for development comprising 14 number duplex apartments in one number three-storey block, (seven number two bedroom and seven number three bedroom) and associated development works with access from Eden Court on lands at 'The Eden', Grange Road, Rathfarnham, Dublin in accordance with plans and particulars lodged with the said Council:

**DECISION:** Pursuant to the Local Government (Planning and Development) Acts, 1963 to 1993, 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 development plan zoning of the site and to the planning history of development on the site, 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 area and would be in accordance with the proper planning and development of the area.

## SECOND SCHEDULE

1. The development shall be carried out in accordance with the plans, particulars and specifications lodged with the planning application on the 16th day of July, 1997, except as may otherwise be required in order to comply with the following conditions.

**Reason:** To clarify the nature and extent of the permission granted.

6. The apartments shall not be occupied until all services have been connected thereto and are operational.

**Reason:** In the interest of the proper planning and development of the area.

7. The area shown as open space shall be levelled, soiled and seeded and landscaped to the satisfaction of the planning authority and shall be available for use by residents on completion of the apartments.

**Reason:** In the interest of the proper planning and development of the area.

8. The water supply and drainage arrangements, including the disposal of surface water and a scheme for public lighting shall be in accordance with the requirements of the planning authority.

**Reason:** In the interest of public health and safety.

9. Prior to the commencement of development, proposals for an apartment naming / numbering scheme and associated signage shall be submitted to the planning authority for agreement.

**Reason:** In the interest of orderly development.

10. A detailed management agreement for the maintenance and control of the site including the public open space in the car parking areas shall 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.

11. 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.

*DAM*

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COMHAIRLE CHONTAE ÁTHA CLIATH THEAS



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

Decision Order Number 1890	Date of Decision 22/09/97
Register Reference S97A/0468	Date 16th July 1997

**Applicant** Puissance Ltd

**Development** 14 no duplex apartments in 1 no. three-storey block  
(7X2 bed., and 7X3 bed.) and associated development works  
with access from Eden Court.

**Location** On Lands at 'The Eden', Grange Road, Rathfarnham, Dublin 16.

**Floor Area** Sq Metres

**Time extension(s) up to and including** 23/09/97

**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 ( 20 ) on the attached Numbered Pages.  
signed on behalf of the South Dublin County Council.

.....  
for SENIOR ADMINISTRATIVE OFFICER 22/09/97

Frank Elmes and Co. Architects  
2 Waldermar Terrace  
Main St.  
Dundrum  
Dublin 14

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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 this permission is for:
  - the site layout as proposed on drawing no. P/97/07 (submitted on 16th July) and
  - for 14 no. dwellings either as proposed in drawings Nos. P/97/08/09/10 (received on 16th July 1997) or
  - as proposed in drawings Nos. P/97/16/17/18 (received on 8th September 1997.)REASON:  
To clarify the scope of permission.
  
- 3 That in respect of services all development be carried out in accordance with the conditions attached to permission granted under register reference 90A/1879 and as amended by permission granted under register reference S95A/0563.  
REASON:  
In the interest of the proper planning and development of the area.
  
- 4 That in the event of apartments being carried out in accordance with drawings as received on 16th July 1997, the roof design shall be revised so that the gable fronted part of the roof as shown in the centre of the front elevation is

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reduced to match the other gable fronted sections of the roof.

REASON:

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

5 That the applicant shall submit a detailed landscape proposal including details of boundary treatment for the written agreement with the Planning Authority. Details to include:-

- . a detailed programme of works.
- . tree survey of eastern boundary and proposals for additional planting along this boundary so as to screen the existing rear gardens.
- . details of a suitably designed 2m high boundary wall (as measured from adjacent rear garden level) along the eastern boundary which shall be bridged at appropriate locations so as to maintain the maximum number of trees and shrubs. In the event that the wall exceed 2.2m in height applicant shall submit evidence of certification by a chartered engineer.
- . Details of a boundary wall along the southern boundary. Wall to be constructed of or externally faced with stone to reflect character of existing wall along Grange Road.

REASON:

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

6 That the area shown as a reservation area for road improvements shall be marked out on site and agreed in writing with the Planning Authority (Roads Department)

REASON:

To accord with the objectives for road improvements as specified in the Development Plan.

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- 7 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.
- 8 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.
- 9 That no dwelling be occupied until all services have been connected thereto and are operational.  
REASON:  
In the interest of the proper planning and development of the area.
- 10 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.
- 11 That the water supply and drainage arrangements, including the disposal of surface water, be in accordance with the requirements of the County Council.  
REASON:  
In order to comply with the Sanitary Services Acts, 1878-1964.
- 12 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

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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.

- 13 That an acceptable apartment naming and 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.

- 14 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.

- 15 That details of storage of rubbish for collection to be submitted for written agreement with the Planning Authority prior to commencement of development on site.

REASON:

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

- 16 That no development take place on the land required for the widening of Grange Road.

REASON:

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

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17 That no development under any permission granted pursuant to this decision be commenced until security for the provision and satisfactory completion of services including roads, open space, car parks, sewers, watermains or drains has been given by:-

A. Lodgement with the Council of an approved bond or letter of guarantee in the sum of £10,000 (ten thousand pounds)

OR...../

B. Lodgement with the Council of a Cash sum of £10,000 (ten thousand pounds) to be applied by the Council at its absolute discretion if such services are not provided to its satisfaction.

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.

18 That a financial contribution in the sum of £6,180 (six thousand one hundred and eighty 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.

19 That a financial contribution in the sum of money equivalent to the value of £23,700 (twenty three thousand seven 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

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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.

- 20 That a financial contribution in the sum of £1,000 (one thousand pounds) per apartment be paid by the proposer to South Dublin County Council towards the cost of the provision and development of Class 1 recreational facilities at Rathfarnham Castle Park; this contribution to be paid before the commencement of development on 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 the provision and development of amenity lands in the area which will facilitate the proposed development.

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

Decision Order Number 1833	Date of Decision 12/09/97
Register Reference S97A/0468	Date 16th July 1997

**Applicant** Puissance Ltd  
**App. Type** Permission  
**Development** 14 no duplex apartments in 1 no. three-storey block  
(7X2 bed., and 7X3 bed.) and associated development works  
with access from Eden Court.  
**Location** On Lands at 'The Eden', Grange Road, Rathfarnham, Dublin 16.

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 23/09/97

Yours faithfully

.....  
for SENIOR ADMINISTRATIVE OFFICER 12/09/97

Frank Elmes and Co. Architects  
2 Waldermar Terrace  
Main St.  
Dundrum  
Dublin 14

**FRANK ELMES & Co.**  
ARCHITECTS  
PLANNING CONSULTANTS



No. 2 WALDEMAR TERRACE,  
MAIN STREET, DUNDRAH,  
DUBLIN 14.  
TELEPHONE: 2951514 / 5  
FAX No.: 2951703

**FACSIMILE TRANSMISSION**

DATE: 12-9-1997                      TIME: 10.35 a.m.                      FAX NO.: 2951703  
TO: SUZANNE NOLAN                      OF: SOUTH DUBLIN CO. CO., PLANNING.  
ADDRESSEE'S FAX NO.:                      4620 104  
FROM: FRANK ELMES                      OPERATOR: GEMMA  
RE: APARTMENTS AT "THE EDEN", GRANGE ROAD

THIS MESSAGE COMPRISES    two    PAGE(S) INCLUDING THIS PAGE

If you do not receive the correct number of pages, or any parts of the transmission are illegible, please contact the above OPERATOR at 2951515/4 immediately.

MESSAGE (if any):  
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Dear Suzanne,

Enclosed please find copy of letter regarding a Time Extension for the above project. The original letter will follow in the post.

Yours sincerely,

FRANK ELMES

**FRANK ELMES & Co.**

ARCHITECTS

PLANNING CONSULTANTS



No. 2 WALDEMAR TERRACE,  
MAIN STREET, DUNDUM,  
DUBLIN 14.  
TELEPHONE: 2951514/5  
FAX No.: 2951703

our ref:

PT/gem

your ref:

date:

12-9-1997

Ms. Suzanne Nolan,  
South Dublin County Co.,  
Planning Dept.,  
Town Centre,  
Tallaght,  
Dublin. 24.

RE: 14 No. duplex apartments in 1 no. 3-storey block (7 x 2bed & 7 x 3bed)  
and associated development works with access from Eden Court - on  
lands at "The Eden" Grange Road, Rathfarnham, Dublin.16. for Puissance Ltd.  
Reg. Ref. S.97A/0468

Dear Ms. Nolan,

Further to our recent telephone conversation, on behalf of our Clients, Puissance Ltd., we request a Time Extension on the above application in accordance with Section 26 (4a) of the Local Government (Planning & Development) Act 1963, as inserted by Section 39 (f) of the above Local and Government (Planning and Development) Act 1967, up to and including 23rd September 1997.

Yours faithfully,

Frank Elmes  
FRANK ELMES & CO.