

	South Dublin County Council Local Government (Planning & Development) Acts 1963 to 1993 Planning Register (Part 1)	Plan Register No.  S97A/0061
1. Location	Ballycullen Farm, Knocklyon, Dublin 16.	
2. Development	Neighbourhood centre comprising 1,790 sq.m. of commercial/retail space with optional medical centre, creche and fast food outlet facilities in a two storey building in compliance with Condition No. 20 of previously approved housing development (Planning Ref. No. S95A/0436).	
3. Date of Application	10/02/97	Date Further Particulars (a) Requested (b) Received
3a. Type of Application	Permission	1. 08/04/97      1. 28/04/97 2.                      2.
4. Submitted by	Name: Anthony Reddy & Associates, Address: North Block, Malthouse, Grand Canal Quay,	
5. Applicant	Name: Ballycullen Farms Ltd., Address: Grand Canal Quay, Dublin 2.	
6. Decision	O.C.M. No. 1263  Date 26/06/97	Effect AP GRANT PERMISSION
7. Grant	O.C.M. No.  Date	Effect AP GRANT PERMISSION
8. Appeal Lodged	23/07/97	Written Representations
9. Appeal Decision	21/01/98	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 1993

County South Dublin

Planning Register Reference Number: S97A/0061

**APPEAL** by The Duffy Group Limited care of P. M. Ging Architect of Laureston, Monastery Road, Clondalkin, County Dublin and by John Regan care of Gerald Cantan of Unit 2, Edel House, 51 to 52 Bolton Street, Dublin against the decision made on the 26th day of June, 1997 by the Council of the County of South Dublin to grant subject to conditions a permission to Ballycullen Farms Limited care of Anthony Reddy and Associates of North Block, Malthouse, Grand Canal Street, Dublin for development described in the public notice as a neighbourhood centre comprising 1,790 square metres of commercial/retail space with optional medical centre, creche and fast food outlet facilities in a two-storey building in compliance with condition number 20 of previously approved housing development (planning reference number 595A/0436) at Ballycullen Farm, Knocklyon, 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 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:

- (a) condition number 20 attached to An Bord Pleanála grant of permission number PL 06S.098299 (planning register reference number S95A/0436) dated the 26th day of August, 1996 which requires the reservation of lands in this area for use as a future 'neighbourhood centre',
- (b) the limited extent of the proposed scale of provision of retail facilities within the centre, and
- (c) the access/egress arrangements for vehicular and pedestrian traffic to the centre,

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 the area, would be acceptable in terms of traffic safety and convenience and would otherwise be in accordance with the proper planning and development of the area.

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- (2) Details of the signage, including its location, to be erected on the building in association with the use of any of the units on the first floor, shall be submitted to and agreed in writing with the planning authority prior to the occupation of the relevant unit.
- (3) No other advertising signs, structures or devices, save those agreed under the terms of 3(1) or 3(2) above, shall be erected on the building nor shall any advertising signs, structures, or devices be erected within the curtilage of the site, other than a single communal signage structure, which shall, if it is to be erected, be the subject of a separate planning application.

**Reason:** In the interest of visual amenity.

- 4. Water supply and drainage arrangements, including the disposal of surface water, shall comply with the requirements of the planning authority for such works and services.

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

- 5. (1) The area to the front and sides of the building shall not be used for the display or storage of goods or for the storage of waste. It shall be reserved for car parking/circulation/landscaping as shown on the revised site plan represented on drawing number 95-153-SP01 revision B lodged with the planning authority on the 28th day of April, 1997.
- (2) Details of the measures to be undertaken for the storage within the curtilage of the site of waste arising from activities in the proposed local centre shall be submitted to and agreed in writing with the planning authority prior to the commencement of development. The details shall include the location, nature of storage facilities, appropriate screening arrangements and access arrangements for the removal of the said waste.

**Reason:** In the interest of visual amenity.

- 6. 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.

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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.

12. 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 in the area 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.

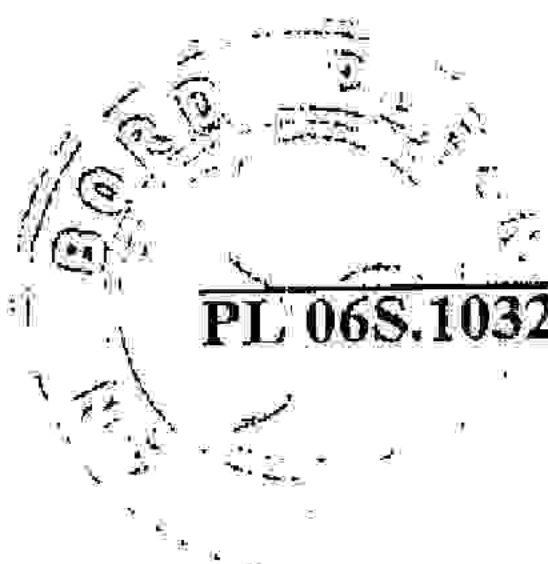
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**Reason:** It is considered reasonable that the developer should contribute towards the expenditure that was and/or that is proposed to be incurred by the planning authority in respect of works facilitating the proposed development.



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

Dated this 21st day of January 1998.





## The crest of the University of Cambridge is a shield-shaped emblem. At the top, a banner reads "Ag Seo Ár gCúram". The shield itself is divided into three horizontal sections. The top section contains an open book with a cross on its cover. The middle section features a wavy, zigzag pattern. The bottom section contains a cross. Below the shield, a banner reads "This We hold in Trust".

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

Decision Order Number 1263	Date of Decision 26/06/97
Register Reference S97A/0061	Date 10th February 1997

Applicant	Ballycullen Farms Ltd.,		
Development	Neighbourhood centre comprising 1,790 sq.m. of commercial/retail space with optional medical centre, creche and fast food outlet facilities in a two storey building in compliance with Condition No. 20 of previously approved housing development (Planning Ref. No. S95A/0436).		
Location	Ballycullen Farm, Knocklyon, Dublin 16.		
Floor Area	Sq Metres		
Time extension(s) up to and including			
Additional Information Requested/Received	08/04/97	/28/04/97	

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.

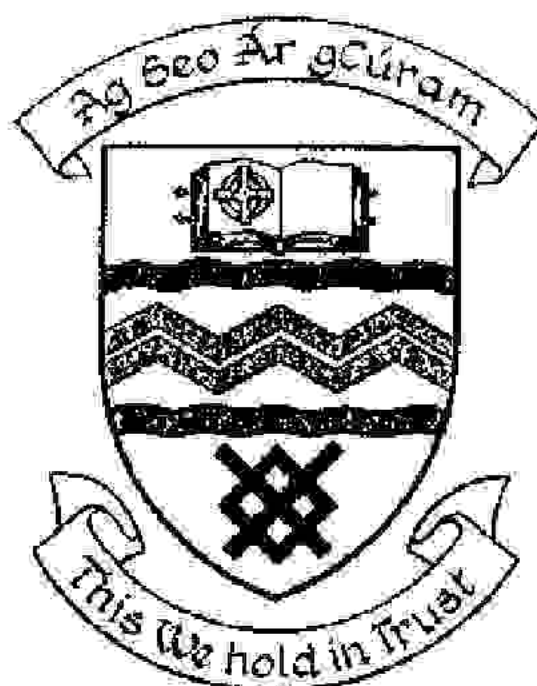
Subject to the conditions ( 13 ) on the attached Numbered Pages.  
Signed on behalf of the South Dublin County Council.

for SENIOR ADMINISTRATIVE OFFICER

26/06/97

Anthony Reddy & Associates,  
North Block,  
Malthouse,  
Grand Canal Quay,  
Dublin 2.

SOUTH DUBLIN COUNTY COUNCIL  
COMHAIRLE CHONTAE ÁTHA CLIATH THEAS



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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 as amended by unsolicited additional information received by the Planning Authority on 28/2/97 and additional information received by the Planning Authority on 28/4/1997, 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 The proposed development shall be for retail development at ground floor level and retail/office/creche/medical centre use at first floor level. Any proposal for change of use shall be the subject of a separate planning application. Proposals for use of one of the units as a fast food outlet shall be the subject of a separate unit specific planning application. The Planning Authority is not opposed in principle to the use of one of the units as a fast food outlet subject to certain controls and standards.

**REASON:**

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

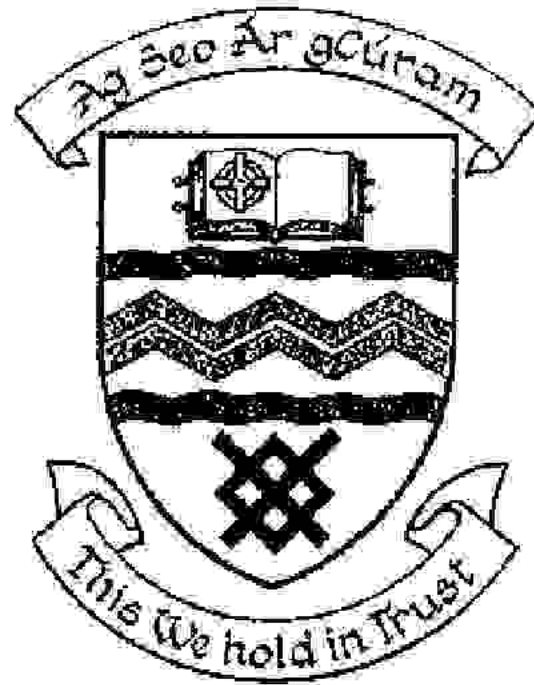
- 3 That the water supply and drainage arrangements, including the disposal of surface water, be in accordance with the requirements of the South Dublin County Council.

**REASON:**

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



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- 4 The detailed layout of the public open space area in front of the development shall be agreed on site with the Parks Department of South Dublin County Council and may or may not include a fenced-off play area.

REASON:

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

- 5 The area to the front or sides of the building shall not be used for the display or storage of goods but shall be reserved for car-parking and landscaping as shown on drawings submitted with this application.

REASON:

In the interest of visual amenity.

- 6 Any proposal for communal signage for this development shall be the subject of a separate planning application. Signage for individual units shall be individual lettering mounted on a fascia and either back lit or strip lit from above or below if required. All shop front signage shall be confined to the area beneath the canopy to the front of the building. No other advertising signs, structures or devices shall be erected on the building or within the curtilage of the site other than a single communal signage structure, if required, or signs which are exempted development.

REASON:

In the interest of visual amenity.

- 7 The uses of first floor units shall be confined to uses which serve the immediate locality.

REASON:

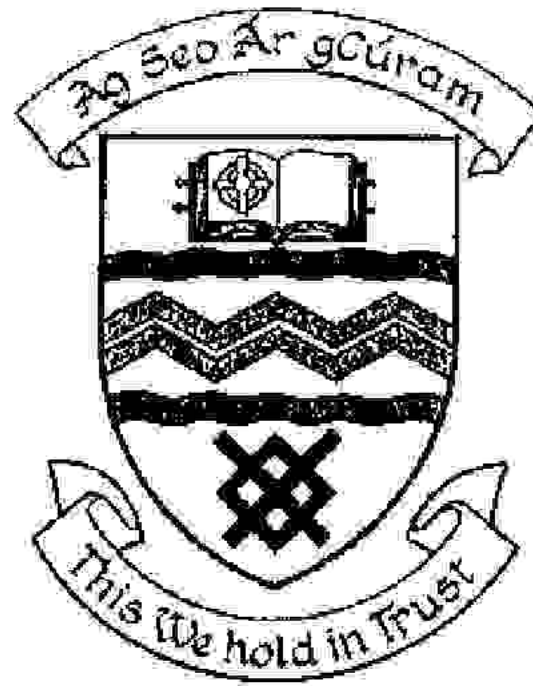
In the interest of the proper planning and development of the area.

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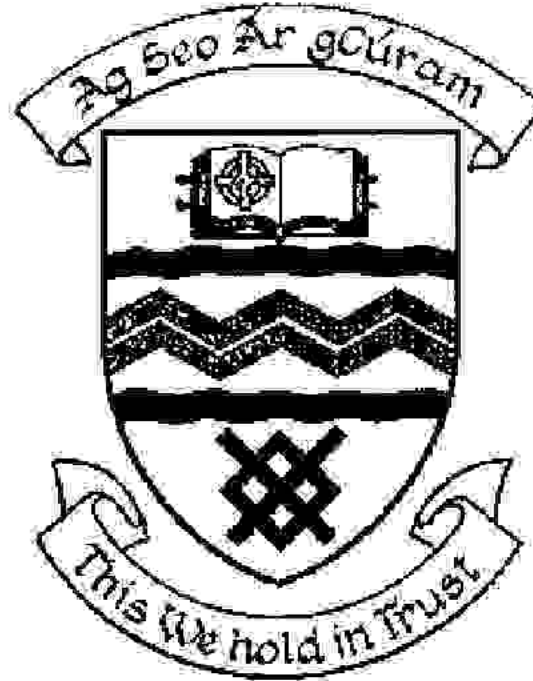
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- 8 That all public services to the proposed development, including electrical, telephone cables and equipment be located underground throughout the entire site.  
REASON:  
In the interest of amenity.
- 9 That no unit be occupied until all the services have been connected thereto and are operational.  
REASON:  
In the interest of the proper planning and development of the area.
- 10 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.
- 11 That a financial contribution in the sum of £6,300 (six thousand three 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.
- 12 That a financial contribution in the sum of money equivalent to the value of £13,600 (thirteen thousand six 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



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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.

NOTE: The applicant is advised that adequate provision is to be made to facilitate access to and the use of buildings, facilities and services by disabled persons. The level of provision for disabled persons described in Part M of the Building Regulations, 1991 Technical Guidance Document is the minimum which should be provided.

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

<b>Decision Order Number 0647</b>	<b>Date of Decision 08/04/97</b>
<b>Register Reference S97A/0061</b>	<b>Date 10th February 1997</b>

**Applicant**                      Ballycullen Farms Ltd.,  
**Development**                Neighbourhood centre comprising 1,790 sq.m. of commercial/  
retail space with optional medical centre, creche and fast  
food outlet facilities in a two storey building in  
compliance with Condition No. 20 of previously approved  
housing development (Planning Ref. No. S95A/0436).

**Location**                      Ballycullen Farm, Knocklyon, Dublin 16.

**App. Type**                      Permission

Dear Sir/Madam,

With reference to your planning application, received on 10/02/97 in connection with the above, I wish to inform you that before the application can be considered under the Local Government (Planning & Development) Acts 1963-1993, the following **ADDITIONAL INFORMATION** must be submitted in quadruplicate:

- 1      The applicant is requested to submit a detailed foul and surface water drainage layout to include pipe sizes, gradients, invert and cover levels up to and including connection points to existing mains.
- 2      The applicant is requested to submit a detailed watermain layout and hydrant layout for the site to include pipe sizes up to and including connection point to public mains.
- 3      The applicant is requested to submit colour brochures or samples of bricks and roof tiles for the proposed building.

Anthony Reddy & Associates,  
North Block,  
Malthouse,  
Grand Canal Quay,  
Dublin 2.



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- 4 The applicant is requested to submit revised boundary proposals for the northern boundary of the site. The latest drawings received by the planning authority on 12/3/97 drawing no. 95-153-SP01 A shows a plinth wall and railings on this boundary. This is not acceptable. Revised proposals should be for a wall to screen the two adjacent houses and gardens. In connection with this the applicant is requested to indicate proposals for screening of service areas to the rear of the building from public view.
- 5 The applicant is requested to submit any proposal for communal signage of the premises, if available at present.
- 6 The applicant is requested to indicate specific uses for each unit, if such uses have been agreed. Uses like take-away and creche have specific requirements over and above retail/commercial use. Detailed internal layouts of such premises would be required prior to any planning recommendation. If no specific uses outside retail/office have been agreed then any proposal for use such as take-away or creche would have to be subject to a further application for planning permission for change of use.
- 7 The applicant is requested to submit a landscaping proposal for the site.
- 8 The applicant is requested to submit a revised car-parking layout for the two service areas such that parking spaces 54 and 69 be moved northwards so as to give a distance of 7.0m from the back of the footpath. This will increase the

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turning area into the service areas. The adjacent car-  
parking spaces should be realigned accordingly.

- 9 The site is indicated in the Ballycullen/Ballycragh Action  
Area Plan as a local centre. The proposed development  
appears to be excessive having regard to the above  
designation. The applicant is requested to clarify the need  
for a centre of the scale proposed. In this regard  
consideration should be given to providing appropriate  
residential units as part of the development, such as first  
floor apartments within a revised layout.

NOTE: The applicant is advised to consult with the  
Planning Authority (Area Planner) prior to  
submitting the requested information.

Signed on behalf of South Dublin County Council

.....  
for Senior Administrative Officer

08/04/97



# AN BORD PLEANÁLA

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

County South Dublin

Planning Register Reference Number: S97A/0061

**APPEAL** by The Duffy Group Limited care of P. M. Ging Architect of Laureston, Monastery Road, Clondalkin, County Dublin and by John Regan care of Gerald Cantan of Unit 2, Edel House, 51 to 52 Bolton Street, Dublin against the decision made on the 26th day of June, 1997 by the Council of the County of South Dublin to grant subject to conditions a permission to Ballycullen Farms Limited care of Anthony Reddy and Associates of North Block, Malthouse, Grand Canal Street, Dublin for development described in the public notice as a neighbourhood centre comprising 1,790 square metres of commercial/retail space with optional medical centre, creche and fast food outlet facilities in a two-storey building in compliance with condition number 20 of previously approved housing development (planning reference number S95A/0436) at Ballycullen Farm, Knocklyon, 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 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:

- (a) condition number 20 attached to An Bord Pleanála grant of permission number PL 06S.098299 (planning register reference number S95A/0436) dated the 26th day of August, 1996 which requires the reservation of lands in this area for use as a future 'neighbourhood centre',
- (b) the limited extent of the proposed scale of provision of retail facilities within the centre, and
- (c) the access/egress arrangements for vehicular and pedestrian traffic to the centre,

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 the area, would be acceptable in terms of traffic safety and convenience and would otherwise be in accordance with the proper planning and development of the area.

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(2) Details of the signage, including its location, to be erected on the building in association with the use of any of the units on the first floor, shall be submitted to and agreed in writing with the planning authority prior to the occupation of the relevant unit.

(3) No other advertising signs, structures or devices, save those agreed under the terms of 3(1) or 3(2) above, shall be erected on the building nor shall any advertising signs, structures, or devices be erected within the curtilage of the site, other than a single communal signage structure, which shall, if it is to be erected, be the subject of a separate planning application.

**Reason:** In the interest of visual amenity.

4. Water supply and drainage arrangements, including the disposal of surface water, shall comply with the requirements of the planning authority for such works and services.

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

5. (1) The area to the front and sides of the building shall not be used for the display or storage of goods or for the storage of waste. It shall be reserved for car parking/circulation/landscaping as shown on the revised site plan represented on drawing number 95-153-SP01 revision B lodged with the planning authority on the 28th day of April, 1997.

(2) Details of the measures to be undertaken for the storage within the curtilage of the site of waste arising from activities in the proposed local centre shall be submitted to and agreed in writing with the planning authority prior to the commencement of development. The details shall include the location, nature of storage facilities, appropriate screening arrangements and access arrangements for the removal of the said waste.

**Reason:** In the interest of visual amenity.

6. 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.

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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.

12. 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 in the area 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.



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

Dated this 21st day of January 1998.

