

	South Dublin County Council Local Government (Planning & Development) Acts 1963 to 1993 Planning Register (Part 1)	Plan Register No. S97A/0035	
1. Location	Castlefield Avenue, off Old Ballycullen Road, Knocklyon, Dublin 16.		
2. Development	2 detached single storey and 3 detached dormer dwellings.		
3. Date of Application	30/01/97	Date Further Particulars (a) Requested (b) Received	
3a. Type of Application	Permission	1. 2.	1. 2.
4. Submitted by	Name: McCauley & Associates, Address: 29 Kenilworth Square, Dublin 6.		
5. Applicant	Name: D. & A. McGrane, Address: Prospect Bungalow, Castlefield Avenue, Knocklyon, D. 16.		
6. Decision	O.C.M. No. 0586 Date 26/03/97	Effect AP GRANT PERMISSION	
7. Grant	O.C.M. No. Date	Effect AP GRANT PERMISSION	
8. Appeal Lodged	25/04/97	Written Representations	
9. Appeal Decision	22/08/97	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.			

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Comhairle Chontae Atha Cliath Theas

Record of Executive Business and Manager's Orders

AN BORD PLEANÁLA

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

County South Dublin

Planning Register Reference Number: S97A/0035

APPEAL by Castlefield Manor Residents' Association care of Louise Byrne of 51 Castlefield Park, Knocklyon, Dublin against the decision made on the 26th day of March, 1997 by the Council of the County of South Dublin to grant subject to conditions a permission to D. and A. McGrane care of McCauley and Associates of 29 Kenilworth Square, Dublin for development comprising the erection of two detached single-storey houses and three detached dormer houses at Castlefield Avenue, off Old Ballycullen Road, Knocklyon, 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 residential zoning of the site, the width and alignment of the road serving the proposed sites, the provision for off-street parking, and the height of the proposed houses and existence of natural screening, it is considered that, subject to compliance with the conditions set out in the Second Schedule, the proposed development would be acceptable in terms of traffic safety and convenience and would not seriously injure the amenities of property in the area, or interfere with the setting of Knocklyon Castle and would be in accordance with the proper planning and development of the area.

SECOND SCHEDULE

1. The proposed development shall be carried out in accordance with the details received by the planning authority on the 30th day of January, 1997, as amended by the details received on the 10th day of March, 1997 and the details received by An Bord Pleanála on the 12th and 27th days of May, 1997, except as may otherwise be required by the following conditions.

Reason: In the interest of clarity.

2. The house located on site number 5 shall be omitted and this area shall be developed as a landscaped open space. Revised drawings showing these alterations to the proposed development shall be submitted to and agreed with the planning authority prior to the commencement of development.

Reason: In the interest of the amenity of the area, with particular reference to the setting of Knocklyon Castle.

3. 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.

4. Prior to the commencement of development, proposals for an estate/street name, house numbering scheme and associated signage shall be submitted to the planning authority for agreement.

Reason: In the interest of orderly development.

5. The roadside kerb and footpath shall be dished at the location of each entrance to the specification of the planning authority at the developer's expense prior to the occupancy of each dwelling.

Reason: In the interest of pedestrian and traffic safety.

6. The roadside boundary wall and dividing walls shall be reduced in height to 1.8 metres. Gates to all houses shall be see-through railings type and a section of railings three metres in length (one metre above ground level) shall be inserted in the front boundary wall of each front garden.

Reason: To ensure adequate overlooking and supervision of the footpath and road in front of the development in the interest of pedestrian and traffic safety and visual amenity.

7. Existing trees and hedging on the site shall be retained and the southern boundary of the site shall consist of tree and hedgerow planting and if required, a post and rail fence of wooden or wire fence only.

Reason: To protect the southern boundary of the site in the interest of visual amenity.

8. No further extensions, including garages, sheds, outhouses, greenhouses, boiler houses or other such building shall be carried out to the rear of house type C without a prior grant of planning permission.

Reason: In the interest of the proper planning and development of the area and to protect existing trees.

9. The developer shall facilitate the planning authority in preserving, recording or otherwise protecting archaeological materials or features that may exist within the site. In this regard, the developer shall -

- (a) notify the planning authority in writing at least four weeks in advance of the commencement of any site operation (including hydrological and geotechnical investigations) relating to the proposed development,
- (b) employ a suitably qualified archaeologist who shall monitor all site investigations and other excavation works, and
- (c) provide satisfactory arrangements for the recording and removal of any archaeological material which may be considered appropriate to remove.

Reason: In order to conserve the archaeological heritage of the site and to secure the preservation of any remains which may exist within it.

10. All trees, shrubs and groups of trees specified for retention shall be enclosed within a stout fence, details of which shall be agreed with the planning authority. The fence(s) shall enclose at least the area covered by the spread of the branches, shall be erected before any site works begin and shall be maintained during the construction period.

Reason: To ensure the survival of such trees and shrubs during the construction period. in the interest of visual amenity.

11. No development shall take place until a landscaping scheme has been submitted to and agreed with the planning authority. This scheme shall include details of all existing trees and hedgerows on the site, specifying those proposed for retention, together with measures for their protection during the development period. The site shall be landscaped in accordance with the agreed scheme, which shall also include a timescale for implementation.

Reason: In the interest of visual amenity.

12. Prior to the commencement of development, the developer shall lodge with South Dublin County Council 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 Council of roads, footpaths, watermains, drains, public open space and other services required in connection with the development, coupled with an agreement empowering the Council 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 Council and the developer or, in default of agreement, shall be determined by An Bord Pleanála.

Reason: To ensure the satisfactory completion of the development.

13. The developer shall pay a sum of money to South Dublin County Council as a contribution towards expenditure that was and/or that is proposed to be incurred by the Council in respect of the provision of public water supplies and sewerage facilities facilitating the proposed development. The amount of the contribution and the arrangements for payment shall be as agreed between the developer and the Council 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 Council in respect of the provision of public water supplies and sewerage facilities facilitating the proposed development.

14. The developer shall pay a sum of money to South Dublin County Council as a contribution towards expenditure that was and/or that is proposed to be incurred by the Council in respect of road improvement works and traffic management facilitating the proposed development. The amount of the contribution and the arrangements for payment shall be as agreed between the developer and the Council 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 Council in respect of road improvement works and traffic management facilitating the proposed development.



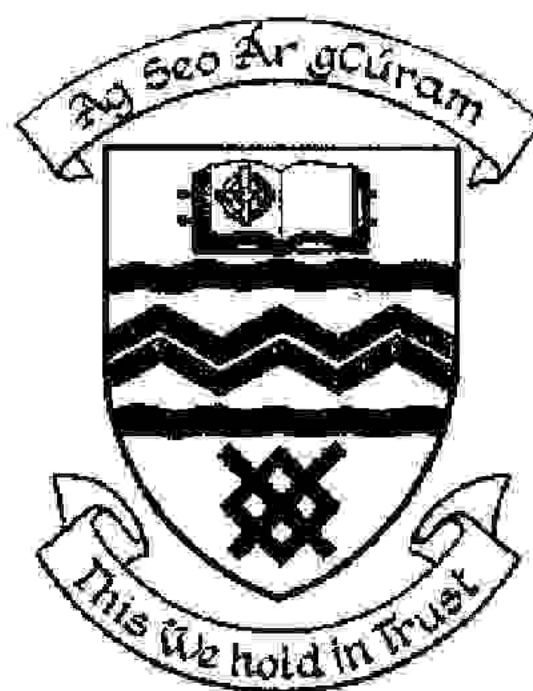
Member of An Bord Pleanála
duly authorised to authenticate
the seal of the Board.

Dated this 22nd day of August 1997.

**SOUTH DUBLIN COUNTY COUNCIL
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 0586	Date of Decision 26/03/97
Register Reference S97A/0035	Date 30th January 1997

Applicant D. & A. McGrane,
Development 2 detached single storey and 3 detached dormer dwellings.
Location Castlefield Avenue, off Old Ballycullen Road, Knocklyon,
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 (21) on the attached Numbered Pages.
Signed on behalf of the South Dublin County Council.

..... 26/03/97
for SENIOR ADMINISTRATIVE OFFICER

McCauley & Associates,
29 Kenilworth Square,
Dublin 6.

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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 10.03.1997, 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 That each proposed house 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 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.
- 5 That no dwellinghouse 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.

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- 6 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.

- 7 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.

- 8 That an acceptable house numbering scheme be submitted to and approved by the South Dublin 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.

- 9 The roadside kerb at each proposed entrance shall be dished to the requirements of the Area Engineer, Roads Maintenance Division, South Dublin County Council at the applicants expense.

REASON:

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

- 10 The roadside boundary wall and dividing walls shall be reduced in height to 1.8m. Gates to all houses shall be see-through railings type and a section of railings 3.0m in length (1.0m above ground level) shall be inserted in the front boundary wall of each front garden.

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REASON:

To ensure adequate over-looking and supervision of the footpath and road in front of the development in the interest of safety and visual amenity.

- 11 All trees to be retained on site shall be protected by suitable fencing to enclose at least the area covered by the spread of the branches. The fence shall be erected before the commencement of any development on site.

REASON:

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

- 12 Any proposals to route sewers through public open space shall be the subject of a wayleave application to the Parks and Landscape Services Department of South Dublin County Council.

REASON:

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

- 13 A specification and plan for street tree planting shall be agreed with the Parks and Landscape Services Department, of South Dublin County Council prior to the commencement of development on site.

REASON:

In the interest of visual amenity.

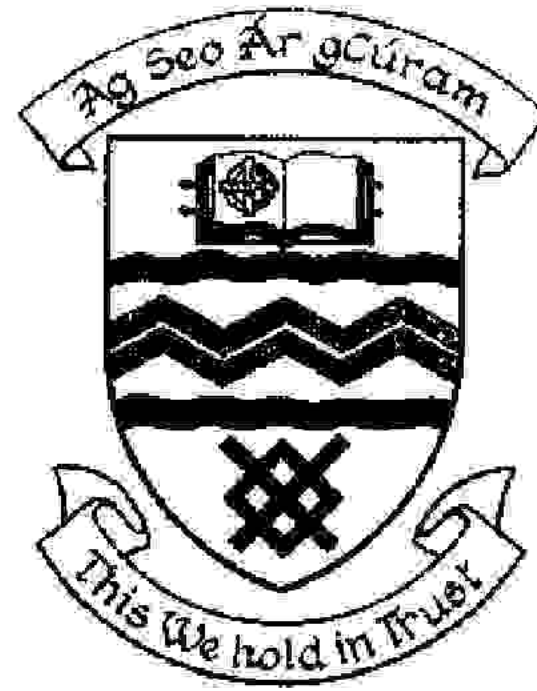
- 14 The southern boundary of the site shall consist of tree and hedgerow planting and, if required a post and rail wooden fence or post and wire fence only.

REASON:

To protect the southern boundary of the site in the interest of visual amenity.

- 15 Notwithstanding the Exempted Development provisions of the Local Government (Planning & Development) Regulations, 1994 no further extensions including garages, sheds, outhouses, greenhouses, boiler houses or other such building shall be carried out to the rear of House Types B & C save with a prior grant of planning permission from the Planning Authority or An Bord Pleanála on appeal.

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REASON:

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

- 16 The applicants shall notify the National Monuments Service, Office of Public Works of their intention to carry out site preparation works at the proposed development site at least six weeks in advance of the commencement of works. This will enable the National Monuments Service to provide information and advice regarding the employment of an archaeologist to carry-out the required archaeological work.

The applicants shall employ a qualified archaeologist to carry-out Archaeological Monitoring of all sub-surface works carried-out within the proposed development site. This will include the archaeological monitoring of the removal of topsoil, the excavation of trenches for foundations, services and drainage associated with the proposed structures.

Should archaeological material be discovered during the course of Archaeological Monitoring, the applicants shall facilitate the archaeologist in fully recording this material. The applicants shall also be prepared to be advised by the National Monuments Service, Office of Public Works, with regard to the appropriate course of action, should archaeological material be discovered.

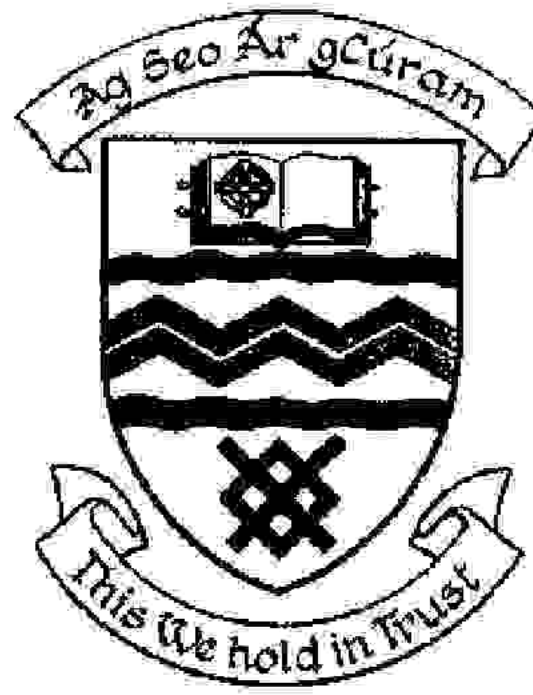
The archaeologist shall prepare and submit a report, describing the results of the Archaeological Monitoring, to the Local Authority and the National Monuments Service, Office of Public Works, at the earliest date possible following the completion of Archaeological Monitoring.

REASON:

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

- 17 That a financial contribution in the sum of £3,900 (three thousand nine hundred pounds) be paid by the proposer to South Dublin County Council towards the cost of provision of

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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.

- 18 That a financial contribution in the sum of money equivalent to the value of £4,000 (four thousand 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.

- 19 That a financial contribution in the sum of £5,000 (five thousand pounds) be paid by the proposer to South Dublin County Council towards the cost of the provision and development of Class 1 public open space at Dodder Valley Regional Park which will serve the development; 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

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provision and development of amenity lands in the area which will facilitate the proposed development.

20 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 £8,000 (eight thousand pounds) until such time as the Roads, Open Spaces, Car Parks, Sewers, Watermains and Drains are taken in charge by the Council.
Or./...
- b. Lodgement with the Council of a Cash Sum of £5,000 (five 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.

21 Before the commencement of development a Trees Bond in the sum of £10,000 (ten thousand pounds) to be lodged with South Dublin County Council to ensure the protection of existing trees on site during construction.

REASON:

To ensure the protection of existing trees on site during the period of construction.

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