

	South Dublin County Council Local Government (Planning & Development) Acts 1963 to 1993 Planning Register (Part 1)	Plan Register No.  S96A/0674	
1. Location	on lands at Laurel Hill, Stocking Lane, Ballyboden, D. 16		
2. Development	2 storey residence, garage, septic tank and percolation area including alterations to existing road entrance and demolition of existing house.		
3. Date of Application	19/12/96	Date Further Particulars (a) Requested (b) Received	
3a. Type of Application	Permission	1. 17/02/97 2.	1. 23/04/97 2. 07/07/97
4. Submitted by	Name: Oliver Dempsey, Address: Architect, 1 Dyehouse Lane, Waterford.		
5. Applicant	Name: E. Murtagh, Address: Laurel Hill, Stocking Lane, Ballyboden, Dublin 16.		
6. Decision	O.C.M. No. 1770  Date 04/09/97	Effect AP GRANT PERMISSION	
7. Grant	O.C.M. No.  Date	Effect AP GRANT PERMISSION	
8. Appeal Lodged	02/10/97	Written Representations	
9. Appeal Decision	09/02/98	Remove Condition(s) & Amend Condition(s)	
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.			

P/0332/98

# 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

FINANCIAL CONTRIBUTION	£400 + 11%
AMOUNT	£400 + 11%

County South Dublin

Planning Register Reference Number: S96A/0674

**APPEAL** by Eamonn Murtagh care of Oliver Dempsey of Dyehouse Lane, Waterford against the decision made on the 4th day of September, 1997 by the Council of the County of South Dublin to grant subject to conditions a permission for the erection of a two-storey house with garage, septic tank and percolation area, including alterations to existing road entrance and demolition of existing house at Laurel Hill, Stocking Lane, Ballyboden, Dublin in accordance with plans and particulars lodged with the said Council:

**WHEREAS** the said appeal relates only to conditions numbers 3, 18, 19 and 20 subject to which the decision was made:

**AND WHEREAS** the Board is satisfied, having regard to the nature of the said conditions, that the determination by the Board of the relevant application as if it had been made to it in the first instance would not be warranted:

**NOW THEREFORE** An Bord Pleanála, in exercise of the powers conferred on it by subsection (1) of section 15 of the Local Government (Planning and Development) Act, 1992, hereby directs the said Council to remove the said condition number 20 and the reason therefor and to amend conditions numbers 3, 18 and 19 so that they shall be as follows for the reasons set out:

3. The existing house on the site shall be demolished before construction of the new house commences.

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

18. Prior to the commencement of development, the developer shall pay the sum of £400 (four hundred pounds) (updated at the time of payment in accordance with changes in the Wholesale Price Index - Building and Construction (Capital Goods), published by the Central Statistics Office) 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 the provision of a public water supply and sewerage facilities facilitating the proposed development.

*MLP*



# Comhairle Chontae Atha Cliath Theas

## Record of Executive Business and Manager's Orders

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.

19. Prior to the commencement of development, the developer shall pay the sum of £900 (nine hundred pounds) (updated at the time of payment in accordance with changes in the Wholesale Price Index - Building and Construction (Capital Goods), published by the Central Statistics Office) 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. mg

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.

Order : Noted.  
Dated : 19th February 1998  
Senior Administrative Officer  
whom the appropriate powers have been delegated by order of the County Manager.  
Dated: ..... day of ..... 19.....

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

Dated this 30<sup>th</sup> day of January 1998.

**SOUTH DUBLIN COUNTY COUNCIL  
COMHAIRLE CHONTAE ÁTHA CLIATH THEAS**

Bosca 4122,  
Lár an Bhaile, Tamhlacht,  
Baile Átha Cliath 24.

Telefon: 01-462 0000  
Facs: 01-462 0104



**PLANNING  
DEPARTMENT**  
P.O. Box 4122,  
Town Centre, Tallaght,  
Dublin 24.

Telephone: 01-462 0000  
Fax: 01-462 0104

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

<b>Decision Order Number</b> 1770	<b>Date of Decision</b> 04/09/97
<b>Register Reference</b> S96A/0674	<b>Date</b> 19th December 1996

**Applicant** E. Murtagh,

**Development** 2 storey residence, garage, septic tank and percolation area including alterations to existing road entrance and demolition of existing house.

**Location** on lands at Laurel Hill, Stocking Lane, Ballyboden, D. 16

**Floor Area** Sq Metres

**Time extension(s)** up to and including

**Additional Information Requested/Received** 17/02/97 /23/04/97

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

.....  
for SENIOR ADMINISTRATIVE OFFICER

04/09/97

Oliver Dempsey,  
Architect,  
1 Dyehouse Lane,  
Waterford.



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COMHAIRLE CHONTAE ÁTHA CLIATH THEAS

Bosca 4122,  
Lár an Bhaile, Tamhlacht,  
Baile Átha Cliath 24.

Telefon: 01-462 0000  
Facs: 01-462 0104

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PLANNING  
DEPARTMENT  
P.O. Box 4122,  
Town Centre, Tallaght,  
Dublin 24.

Telephone: 01-462 0000  
Fax: 01-462 0104

**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 Additional Information received by the Planning Authority on 23.04.1997 and Clarification of Additional Information received on 07.07.1997, 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 For the purposes of this application the site is considered to be that outlined in Red on Drawing No. 16A to scale 1:2500 received by the Planning Authority on 23.04.1997. Only one house shall be erected on this site as outlined in red.

**REASON:**

To preserve the rural character of this agricultural area in the interest of proper planning and development and visual amenity.

- 3 The existing house on this site shall be taken out of residential use and shall be used for purposes incidental to the enjoyment of the new dwelling house or it shall be demolished.

**REASON:**

To ensure that there is one residential unit only on this holding in the interest of the proper planning and development of the area.

- 4 The existing vehicular entrance to the site shall be closed up permanently and a stone wall to match the existing roadside boundary wall constructed in its place. The existing roadside boundary wall shall be retained except at the proposed new entrance and shall be repaired, where

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COMHAIRLE CHONTAE ÁTHA CLIATH THEAS



PLANNING  
DEPARTMENT  
P.O. Box 4122,  
Town Centre, Tallaght,  
Dublin 24.

Telephone: 01-462 0000  
Fax: 01-462 0104

Bosca 4122,  
Lár an Bhaile, Tamhlacht,  
Baile Átha Cliath 24.

Telefon: 01-462 0000  
Facs: 01-462 0104

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necessary, using matching stone.

REASON:

In the interest of traffic safety and visual amenity.

- 5 The height of the proposed house shall be not greater than 1.3m higher than the ridge line of the existing house on this site.

REASON:

In the interest of visual amenity and to ensure that the proposed house is not obtrusive on the landscape.

- 6 The existing hedgerow located approximately 25m to the south east of the proposed house shall be retained in its entirety.

REASON:

In the interests of visual amenity and to screen the proposed house from the route of the southern cross motorway.

- 7 The entire motorway boundary of the site shall be planted with a 10m wide belt of mixed evergreen and deciduous trees planted in at least 3 rows at 1.0m centres. All planting shall take place within the first planting season following the commencement of construction of the house. The belt of planting shall be protected by a stock-proof fence until trees are established.

REASON:

To screen the proposed house from the motorway in the interest of visual amenity.

- 8 The existing septic tank for Laurel Hill shall be drained and back-filled. A biocycle effluent treatment unit shall be installed to the manufacturers requirements and to comply with the requirements of SR6:1991 published by Eolas. A maintenance contract shall be entered into with the manufacturer/supplier of the unit.

REASON:

In the interest of public health.

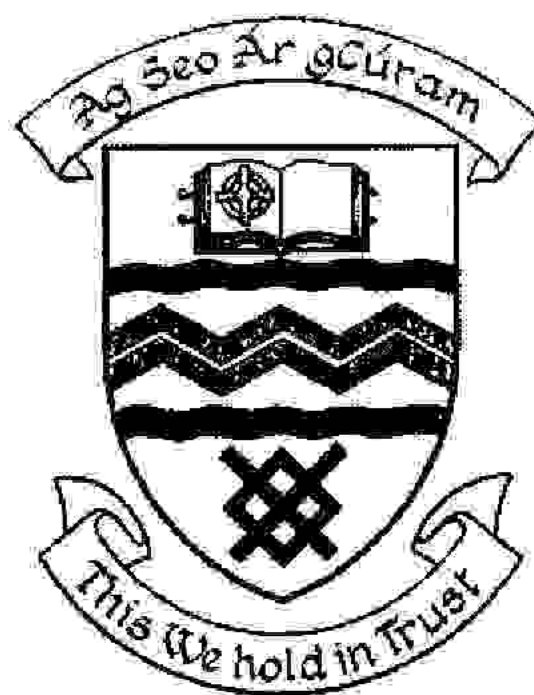
- 9 All surface water shall be discharged to soakways.

REASON:

In the interest of public health.



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COMHAIRLE CHONTAE ÁTHA CLIATH THEAS



Bosca 4122,  
Lár an Bhaile, Tamhlacht,  
Baile Átha Cliath 24.

Telefon: 01-462 0000  
Facs: 01-462 0104

PLANNING  
DEPARTMENT  
P.O. Box 4122,  
Town Centre, Tallaght,  
Dublin 24.

Telephone: 01-462 0000  
Fax: 01-462 0104

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- 10 All mature trees on site shall be retained in full except where felling is indicated on Drg. No. 17A to scale 1:500 received by the Planning Authority on 07.07.1997. Trees to be felled shall be replaced with equivalent species type standard trees with girth 12-14cm except for the belt of evergreen trees to the north of the proposed house.  
REASON:  
In the interest of visual amenity.
- 11 That the proposed house be used as a single dwelling unit.  
REASON:  
To prevent unauthorised development.
- 12 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.
- 13 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.
- 14 That the dwellinghouse not 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.
- 15 The roadside boundary including the proposed pillars shall be set back either side of the access for a sufficient distance to allow adequate sight lines from a 3m set-back to South Dublin County Council Roads Department requirements. Details shall be agreed on site during construction with

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Bosca 4122,  
Lár an Bhaile, Tamhlacht,  
Baile Átha Cliath 24.

Telefon: 01-462 0000  
Facs: 01-462 0104

PLANNING  
DEPARTMENT  
P.O. Box 4122,  
Town Centre, Tallaght,  
Dublin 24.

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the Roads Planning Control Section. Any services to be moved shall be at the applicants expense. No surface water shall discharge from the site onto the public road.

REASON:

In the interest of traffic safety.

- 16 The roof of the proposed house shall be natural slate with terrocotta ridge tiles. All external walls shall be napp plaster finish painted (if required) a neutral colour.

REASON:

In the interest of visual amenity.

- 17 The site layout of this development shall be as per Drg. No. 17A at scale 1:500 received by the Planning Authority on 07.07.1997 except where altered or amended by other conditions of this permission.

REASON:

In the interest of clarity and proper planning and development.

- 18 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.

- 19 That a financial contribution in the sum of money equivalent to the value of £1,850 (one thousand eight hundred and fifty 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



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Bosca 4122,  
Lár an Bhaile, Tamhlacht,  
Baile Átha Cliath 24.

Telefon: 01-462 0000  
Facs: 01-462 0104

**PLANNING  
DEPARTMENT**  
P.O. Box 4122,  
Town Centre, Tallaght,  
Dublin 24.

Telephone: 01-462 0000  
Fax: 01-462 0104

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

<b>Decision Order Number</b> 1207	<b>Date of Decision</b> 19/06/97
<b>Register Reference</b> S96A/0674	<b>Date</b> 19th December 1996

**Applicant** E. Murtagh,  
**App. Type** Permission  
**Development** 2 storey residence, garage, septic tank and prelocation area including alterations to existing road entrance and demolition of existing house.

**Location** on lands at Laurel Hill, Stocking Lane, Ballyboden, D. 16

Dear Sir / Madam,

With reference to your planning application, additional information received on 23rd April 1997 in connection with the above, I wish to inform you that before the application can be considered under the Local Government (Planning and Development) Acts 1963 - 1993, the following clarification of Additional Information must be submitted in quadruplicate:

- 1 Following site inspection carried out by the Environmental Health Officer for South Dublin County Council it would appear that the site is not suitable for the installation of a standard septic tank and percolation area. The applicant is requested to submit alternative proposals for the disposal of domestic effluent on this site to the standards of SR6:1991 published by Eolas. If a proprietary effluent treatment unit is being proposed then a site survey, test results and details of unit proposed will be required in order to assess the proposal.

Oliver Dempsey,  
Architect,  
1 Dyehouse Lane,  
Waterford.

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COMHAIRLE CHONTAE ÁTHA CLIATH THEAS

Bosca 4122,  
Lár an Bhaile, Tamhlacht,  
Baile Átha Cliath 24.

Telefon: 01-462 0000  
Facs: 01-462 0104



PLANNING  
DEPARTMENT  
P.O. Box 4122,  
Town Centre, Tallaght,  
Dublin 24.

Telephone: 01-462 0000  
Fax: 01-462 0104

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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.

- 20 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 provision and development of public open space in the area of the proposed development and which will facilitate 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 provision and development of amenity lands in the area which will facilitate the proposed development.



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COMHAIRLE CHONTAE ÁTHA CLIATH THEAS**



Bosca 4122,  
Lár an Bhaile, Tamhlacht,  
Baile Átha Cliath 24.

Telefon: 01-462 0000  
Facs: 01-462 0104

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DEPARTMENT**  
P.O. Box 4122,  
Town Centre, Tallaght,  
Dublin 24.

Telephone: 01-462 0000  
Fax: 01-462 0104

- 2 In point 4 of additional information submission received by the Planning Authority on 23/4/97 it is stated that the proposed house will be 9.4m above ground level. The applicant is requested to indicate the finished floor level of the existing house on the site and the finished floor level of the proposed house. If any excavation of land is proposed this should be shown clearly on drawings.
- 3 The applicant is requested to submit detailed proposals for screen planting between the proposed house and the proposed motorway.

Please mark your reply **"CLARIFICATION OF ADDITIONAL INFORMATION"** and quote the Planning Reg Ref. No. given above.

Yours faithfully

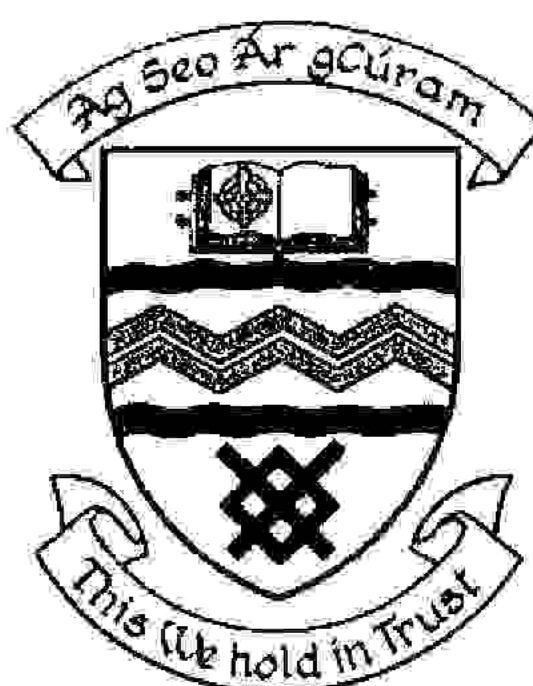
.....  
for SENIOR ADMINISTRATIVE OFFICER

19/06/97

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**COMHAIRLE CHONTAE ÁTHA CLIATH THEAS**

Bosca 4122,  
Lár an Bhaile, Tamhlacht,  
Baile Átha Cliath 24.

Telefon: 01-462 0000  
Facs: 01-462 0104



**PLANNING  
DEPARTMENT**  
P.O. Box 4122,  
Town Centre, Tallaght,  
Dublin 24.

Telephone: 01-462 0000  
Fax: 01-462 0104

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

Decision Order Number 0299	Date of Decision 17/02/97
Register Reference S96A/0674	Date 19th December 1996

**Applicant** E. Murtagh,  
**Development** 2 storey residence, garage, septic tank and prelocation area including alterations to existing road entrance and demolition of existing house.

**Location** on lands at Laurel Hill, Stocking Lane, Ballyboden, D. 16

**App. Type** Permission

Dear Sir/Madam,

With reference to your planning application, received on 19/12/96 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 1:2500 map of the area showing all lands in his ownership and to submit evidence of ownership of lands.
- 2 The applicant is requested to submit a revised site map to show the entire landholding outlined in red as the site for the proposed house.
- 3 The applicant is requested to submit a full set of architectural drawings to include elevations, floor plans and sections of the existing house on this site together with a colour photographic record of all four facades. The applicant shall submit a report from a suitably qualified conservation architect in relation to the existing house on

Oliver Dempsey,  
Architect,  
1 Dyehouse Lane,  
Waterford.



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COMHAIRLE CHONTAE ÁTHA CLIATH THEAS



Bosca 4122,  
Lár an Bhaile, Tamhlacht,  
Baile Átha Cliath 24.

Telefon: 01-462 0000  
Facs: 01-462 0104

PLANNING  
DEPARTMENT  
P.O. Box 4122,  
Town Centre, Tallaght,  
Dublin 24.

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the site to include history of the house, if available, age, method of construction and materials used. The applicant should note that the house is not listed for preservation in the 1993 Dublin County Development Plan. However, a review process of the Development Plan has commenced recently and consideration may be given to listing this house.

- 4 The siting of the proposed house and its overall design and height would make it unduly prominent on the landscape and likely to affect the residential amenities of adjoining property. The applicant is requested to submit revised proposals to lessen the impact of the proposed house, especially when viewed from the proposed motorway.
- 5 The applicant is requested to submit revised proposals for effluent treatment on this site given the failure of site assessment tests. The applicant should further indicate the location of the existing septic tank and percolation area on this site serving Laurel Hill and the septic tank and percolation area for the adjoining site to the south - Springmount. Locations should be indicated on a revised site layout plan to scale 1:500.
- 6 The applicant is requested to submit results of tests carried out to show that soakways comply with BRE Digest 365 Guidelines.
- 7 The applicant is requested to submit a tree survey of the entire land-holding. Further, a landscaping proposal for the entire holding should be submitted on a site layout plan to scale 1:500 to indicate number, type of species and timescale of implementation. The applicant should not that it is an objective of the 1993 Dublin County Development Plan to preserve the trees on this site.

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- 8 The applicant is requested to indicate if it is proposed to close up the existing site access when the new one is opened. It is an objective of the Development Plan to preserve the trees along the roadside boundary and any revised proposal should take this into consideration.

NOTE: The applicant should note that the preferred option of the Planning Authority would be the renovation and extension of the existing house on this site.

Signed on behalf of South Dublin County Council

.....  
for Senior Administrative Officer

17/02/97