

	South Dublin County Council Local Government (Planning & Development) Acts 1963 to 1993 Planning Register (Part 1)	Plan Register No. S96A/0542	
1. Location	8 Birchview Avenue, Dublin 24.		
2. Development	Two storey house to side with vehicular access and ancillary works.		
3. Date of Application	11/10/96	Date Further Particulars (a) Requested (b) Received	
3a. Type of Application	Permission	1. 15/01/97 2.	1. 27/01/97 2.
4. Submitted by	Name: R. Fenlon, Address: 121 Butterfield Park, Rathfarnham, Dublin 14.		
5. Applicant	Name: R. Fenlon Address: 8 Birchview Avenue, Dublin 24.		
6. Decision	O.C.M. No. 0543 Date 24/03/97	Effect AP GRANT PERMISSION	
7. Grant	O.C.M. No. Date	Effect AP GRANT PERMISSION	
8. Appeal Lodged	21/04/97	Written Representations	
9. Appeal Decision	20/08/97	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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0	0	0	
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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: S96A/0542

APPEAL by John Crowe and Philomena Crowe of 9 Birchview Avenue, Kilnamanagh, County Dublin and others against the decision made on the 24th day of March, 1997 by the Council of the County of South Dublin to grant subject to conditions a permission to R. Fenlon of 121 Butterfield Park, Rathfarnham, County Dublin for development comprising a two storey house to side with vehicular access and ancillary works at 8 Birchview Avenue, 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

It is considered that, subject to compliance with the conditions set out in the Second Schedule, the proposed development would not endanger public safety by reason of a traffic hazard or devalue property in the vicinity and would not seriously injure the amenities of property in the vicinity. The proposed development would, therefore, 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 and particulars lodged with the application as amended by the revised plans and particulars received by the planning authority on the 27th day of January, 1997, except as may otherwise be required in order to comply with the following conditions.

Reason: In the interest of clarity.

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2. All public services to the proposed development shall be located underground.

Reason: In the interest of visual amenity.

3. The footpath and kerb to the front of the proposed entrance to serve number eight Birchview Avenue shall be dished to the requirements of the planning authority at the developer's expense prior to the commencement of use of the entrance.

Reason: In the interest of pedestrian and traffic safety.

4. The proposed house shall match, as closely as practicable, the external finishes of the adjacent house in terms of materials, colours and textures.

Reason: In the interest of visual amenity.

5. 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 a public water supply 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 a public water supply and sewerage facilities facilitating the proposed development.

6. 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 road improvement 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.

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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 Council in respect of the provision of road improvement and traffic management facilitating the proposed development.

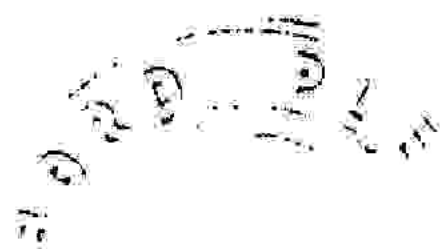
7. The proposed rear garden boundary wall between the existing and the proposed house shall be a straight line from the dividing wall of the two houses to the back wall of the rear garden. Details shall be submitted to the planning authority for agreement prior to the commencement of development.

Reason: In the interest of residential amenity and to facilitate any appropriate future extension.



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

Dated this 20th day of August 1997.



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



Bosca 4122,
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Baile Átha Cliath 24.

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**PLANNING
DEPARTMENT**
P.O. Box 4122,
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**NOTIFICATION OF DECISION TO GRANT PERMISSION
LOCAL GOVERNMENT (PLANNING AND DEVELOPMENT) ACTS, 1963 TO 1993**

Decision Order Number 0543	Date of Decision 24/03/97
Register Reference S96A/0542	Date 11th October 1996

Applicant R. Fenlon

Development Two storey house to side with vehicular access and ancillary works.

Location 8 Birchview Avenue, Dublin 24.

Floor Area Sq Metres

Time extension(s) up to and including

Additional Information Requested/Received 15/01/97 /27/01/97

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

.....
for **SENIOR ADMINISTRATIVE OFFICER** 24/03/97

R. Fenlon,
121 Butterfield Park,
Rathfarnham,
Dublin 14.

SOUTH DUBLIN COUNTY COUNCIL
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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 additional information received by the Planning Authority on 27/1/1997, 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 THE 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.
- 6 That the water supply and drainage arrangements, including the disposal of surface water, be in accordance with the

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requirements of the County Council.

REASON:

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

- 7 The footpath to the front of the property shall be dishd to the requirements of the Area Engineer, Roads Maintenance Division, at the applicants expense.

REASON:

In the interest of traffic safety.

- 8 The proposed house shall match, as closely as possible, the existing house on this site in terms of materials, finish and colour.

REASON:

In the interest of visual amenity.

- 9 The proposed rear garden boundary wall between the existing and the proposed house shall be a straight line from the dividing wall of the two houses to the back wall of the rear garden.

REASON:

To facilitate possible future extension to rear of the proposed house in the interest of the proper planning and development of the area.

- 10 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:

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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.

- 11 That a financial contribution in the sum of money equivalent to the value of £800 (eight 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 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.

- 12 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 development of Class 1 public open space at Tymon Park which will facilitate the development; this contribution to be paid before commencement of development on site.

REASON:

It is considered reasonable that the developer shall 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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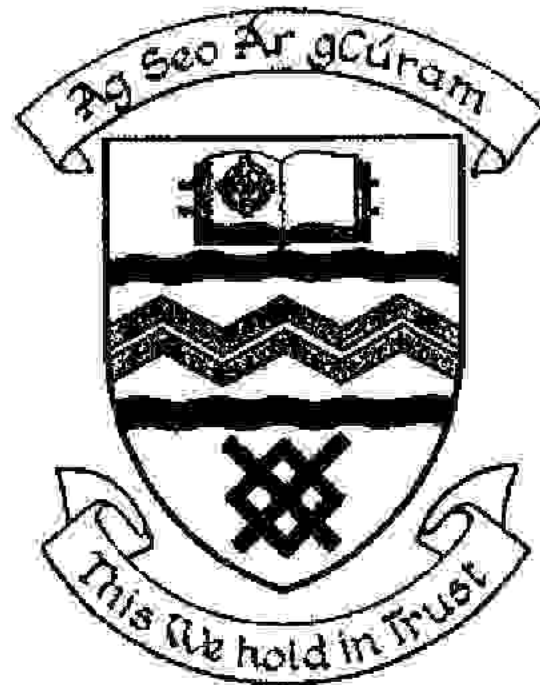
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LOCAL GOVERNMENT (PLANNING AND DEVELOPMENT) ACTS, 1963 TO 1993

Decision Order Number 0075	Date of Decision 15/01/97
Register Reference S96A/0542	Date 11th October 1996

Applicant R. Fenlon
Development Two storey house to side with vehicular access and ancillary works.

Location 8 Birchview Avenue, Dublin 24.

App. Type Permission

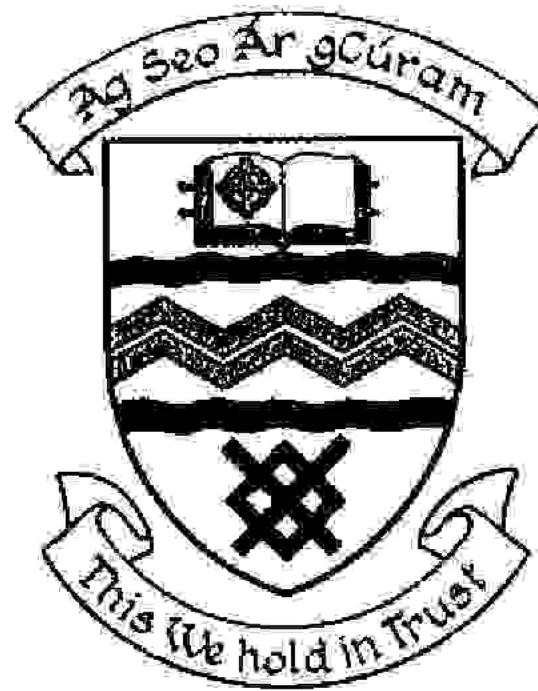
Dear Sir/Madam,

With reference to your planning application, received on 11/10/96 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 revised site layout plan to scale 1:200 to show the existing house, the adjoining house (no.7) and the proposed house correctly configured on the site. Drawings submitted show houses of parallelogram shape which is incorrect. The revised site layout plan should show any public sewers or watermains adjacent to the site boundary on Treepark Road. It should be noted that there is a 5.0m wayleave on either side of all such sewers or watermains inside which no building is permitted. The revised site layout plan should be fully and accurately dimensioned.

S McCall & Associates,
116 Lower Drumcondra Road,
Dublin 9.

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Signed on behalf of South Dublin County Council

.....
for Senior Administrative Officer

15/01/97

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

Order Number 2153	Date of Order 06/11/96
Register Reference S96A/0542	Date 11th October 1996

Applicant R. Fenlon

Development Two storey house to side with vehicular access and ancillary works.

Location 8 Birchview Avenue, Dublin 24.

Dear Sir/Madam,

An inspection carried out on 24/10/96 has shown that the site notice erected in respect of your planning application does not comply with the requirements of the Local Government (Planning and Development) Regulations, 1994 as the site notice cannot be read from the footpath. Before this application can be considered, you must erect a new notice on the site or structure, and submit the following to this Department:

- (a) two copies of the text of the notice
- (b) two plans showing the position of the notice on the land or structure
- (c) a statement of the date on which the notice is erected

The notice must be maintained in position for at least one month and must fulfil the following conditions:-

1. Must be durable material
2. Must be securely erected in a conspicuous position easily visible and legible by persons using the public road
3. Must be headed "Application to Planning Authority.
4. Must state:
 - (a) Applicant's name
 - (b) whether application is for Permission, Outline Permission, or Approval.

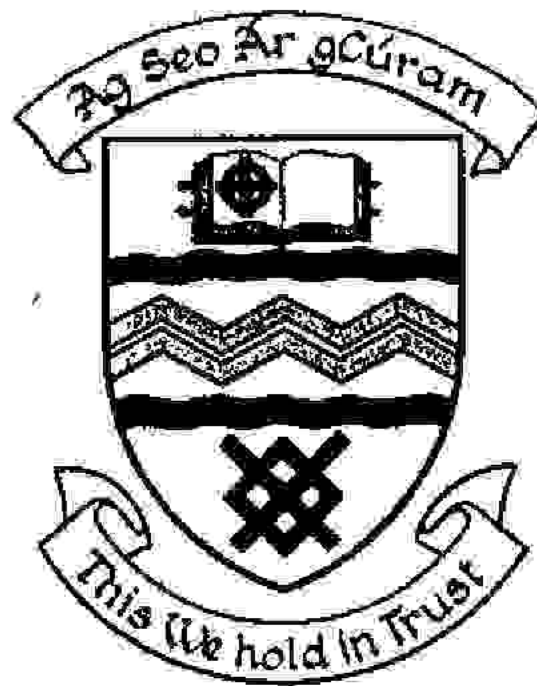
S McCall & Associates,
116 Lower Drumcondra Road,
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- (c) nature and extent of development including number of dwellings (if any)
- (d) that the application may be inspected at the Planning Department, South Dublin County Council, Town Centre, Tallaght, Dublin 24.

No further consideration will be given to this application until you comply with these requirements.

Yours faithfully,

.....
for Senior Administrative Officer.

06/11/96