

	South Dublin County Council Local Government (Planning & Development) Acts 1963 to 1993 Planning Register (Part 1)	Plan Register No. S96A/0422
1. Location	Adjacent to the proposed Scholarstown/Killininny Link Road, Killininny, Ballycragh.	
2. Development	Neighbourhood Centre consisting of two storey public house and restaurant of circa 845 sq.m. and single and two storey Commercial Units of circa 584 sq.m. and associated car parking and site works located adjacent to the proposed Scholarstown/Killininny Link Road forming Phase 4C of overall Action Plan Area for 127 acres which has the benefit of Outline Permission Reg. Ref. 92A/1885. Access to the site will be by way of a local internal distributor road from a roundabout on a newly constructed Scholarstown/Killininny Link Road and local access from Oldcourt Avenue. The proposed Link Road, Public Open Space and Outfall Sewers have been the benefit of a previous Approval Reg. Ref. S94A/0335.	
3. Date of Application	29/04/97	Date Further Particulars (a) Requested (b) Received
3a. Type of Application	Approval	1. 20/09/96 1. 29/04/97 2. 2.
4. Submitted by	Name: Fenton - Simons, Address: Planning & Development Consultants, 29 Fitwilliam Place, Dublin 2.	
5. Applicant	Name: Maplewood Homes Ltd. Address: 222-224 Harolds Cross Road, Dublin 6W.	
6. Decision	O.C.M. No. 1265 Date 26/06/97	Effect AA GRANT APPROVAL
7. Grant	O.C.M. No. Date	Effect

8.	Appeal Notified	29/07/97	Written Representations
9.	Appeal Decision	23/03/98	Refuse 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

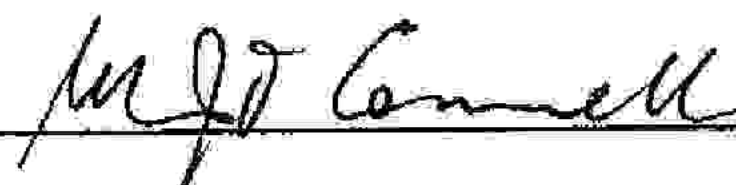
Planning Register Reference Number: S96A/0422

APPEAL by The Duffy Group Limited care of P.M.Ging of Laureston, Monastery Road, Clondalkin, Dublin and by others 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 an approval to Maplewood Homes Limited care of Fenton-Simons of 29 Fitzwilliam Place, Dublin for development described in the public notice as "Neighbourhood Centre consisting of two storey public house and restaurant of circa 845 square metres and single and two storey commercial units of circa 584 square metres and associated car parking and site works located adjacent to the proposed Scholarstown/Killininny Link Road forming Phase 4c of overall Action Plan Area for 127 acres which has the benefit of Outline Permission Register Reference 92A/1885. Access to the site will be by way of a local internal distributor road from a roundabout on a newly constructed Scholarstown/Killininny Link Road and local access from Oldcourt Avenue. The proposed Link Road, Public Open Space and Outfall Sewers have been the benefit of a previous Approval Register Reference Number S94A/0335" at site adjacent to the proposed Scholarstown/Killininny Link Road, Killininny, Ballycragh, County Dublin:

DECISION: Pursuant to the Local Government (Planning and Development) Acts, 1963 to 1993, approval is hereby refused for the said development for the reason set out in the Schedule hereto.

SCHEDULE

It is considered that the details of the proposed development submitted for approval differ materially from the terms of the outline permission granted by An Bord Pleanála on the 12th day of August, 1993 (PL 06S.091090 - Planning Register Reference Number: 92A/1885) in that the newspaper notice relating to the application for outline permission described the development as comprising the erection of 880 two-storey houses on lands at Ballycragh, Knocklyon, Oldcourt and Killininny, County Dublin and the grant of outline permission does not contain any reference to the development of a neighbourhood centre on lands to which this grant of outline permission relates and within which the proposed development site is located. The Board is, therefore, precluded from granting approval in respect of the development, the subject of the present application.

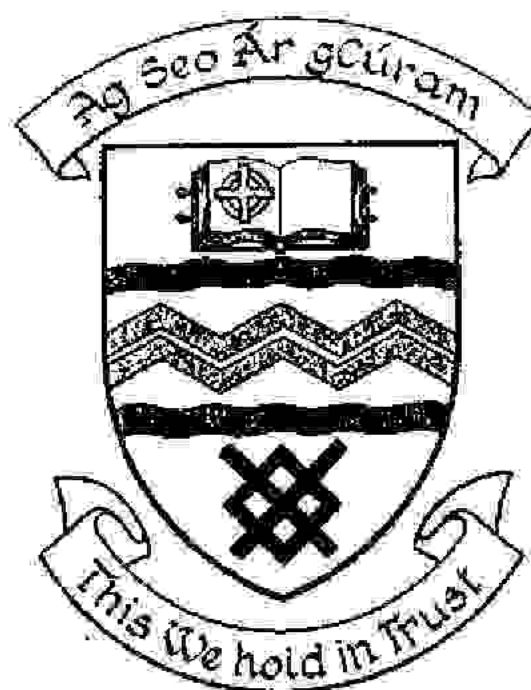


Member of An Bord Pleanála
duly authorised to authenticate
the seal of the Board.

Dated this 23rd day of March 1998.

SOUTH DUBLIN COUNTY COUNCIL
COMHAIRLE CHONTAE ÁTHA CLIATH THEAS

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

Decision Order Number 1265	Date of Decision 26/06/97
Register Reference S96A/0422	Date 25th July 1996

Applicant Maplewood Homes Ltd.

Development Neighbourhood Centre consisting of two storey public house and restaurant of circa 845 sq.m. and single and two storey Commercial Units of circa 584 sq.m. and associated car parking and site works located adjacent to the proposed Scholarstown/Killlininny Link Road forming Phase 4C of overall Action Plan Area for 127 acres which has the benefit of Outline Permission Reg. Ref. 92A/1885. Access to the site will be by way of a local internal distributor road from a roundabout on a newly constructed Scholarstown/Killlininny Link Road and local access from Oldcourt Avenue. The proposed Link Road, Public Open Space and Outfall Sewers have been the benefit of a previous Approval Reg. Ref. S94A/0335.

Location Adjacent to the proposed Scholarstown/Killlininny Link Road,
Killlininny, Ballycragh.

Floor Area	Sq Metres
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Time extension(s) up to and including

Additional Information Requested/Received	20/09/96	/29/04/97
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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 APPROVAL** in respect of the above proposal.

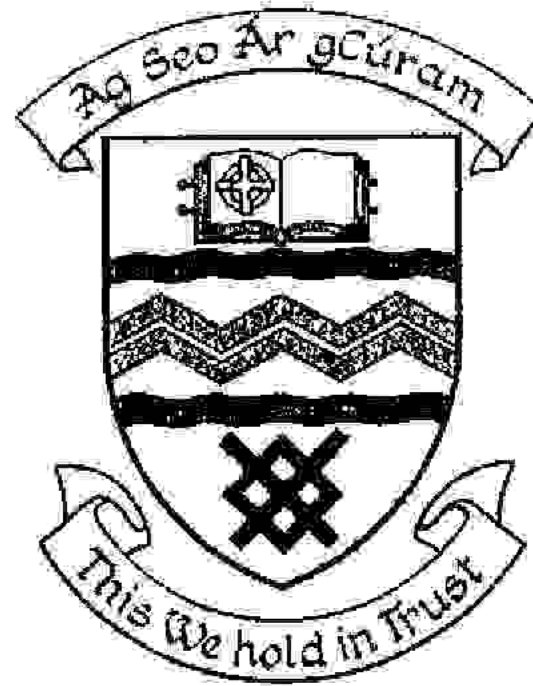
Fenton - Simons,
Planning & Development Consultants,
29 Fitzwilliam Place,
Dublin 2.

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Subject to the conditions (22) on the attached Numbered Pages.
Signed on behalf of the South Dublin County Council.

.....
for SENIOR ADMINISTRATIVE OFFICER

26/06/97

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 29.04.1997, 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 An additional 34 car parking spaces shall be provided immediately to the west of the site within the reserved site area of 1.5 acres. All parking spaces shall be on a permanent surface with parking bays marked out clearly with a durable material.

REASON:

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

- 3 The boundary of the site with the reserved site area shall be a 2.0m high wall capped and plastered on the reserved

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site side. The boundary of the additional parking area with the reserved site shall be a 2.0m high railings which shall be removed when development of the reserved site is undertaken.

REASON:

In the interest of visual amenity and to ensure the reserved site is properly fenced-off to prevent unauthorised parking or dumping.

- 4 The boundary of the site with phase 4B housing to the south shall be a plinth wall and railings 2.0m high. This boundary treatment shall be continued along the southern boundary of the additional car parking area.

REASON:

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

- 5 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.

- 6 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.

- 7 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.

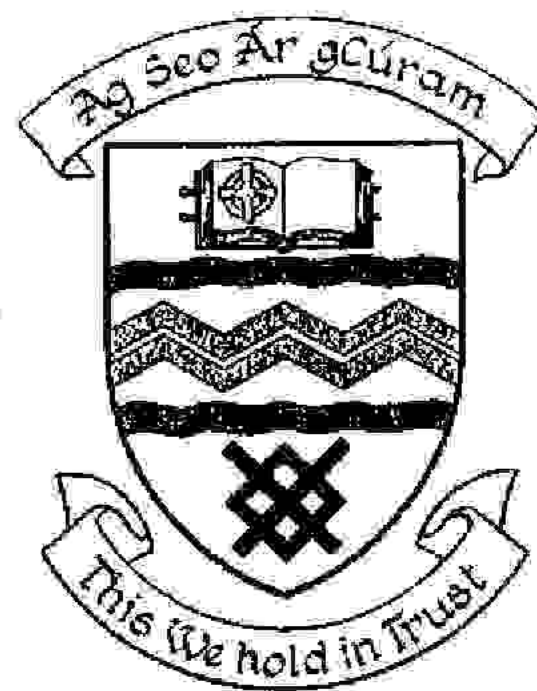
- 8 That the water supply and drainage arrangements, including the disposal of surface water, be in accordance with the requirements of the County Council.

REASON:

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

- 9 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.

- 10 That prior to commencement of development the requirements of the Principal Environmental Health Officer be ascertained and strictly adhered to in the development.

REASON:

In the interest of health.

- 11 That the area between the building and roads must not be used for truck parking or other storage or display purposes, but must be reserved for car parking and landscaping as shown on lodged plans.

REASON:

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

- 12 Signage on individual commercial units at ground floor level shall be confined to shopfronts. Individually mounted letters either back lit or strip-lit shall be used. Signage for first floor units shall be confined to the entrances at ground level only. Any proposal for a communal sign for the development shall be the subject of a separate planning application. No further advertising signs, devices or structures shall be erected on the building or within the curtilage except those which are exempted development without a prior specific grant of planning permission from the Planning Authority or An Bord Pleanala on appeal.

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REASON:

In the interest of visual amenity.

- 13 Any proposal for change of use of the units shall be the subject of a separate planning application. For the purposes of this development, use is for a two-storey public house and restaurant and single and two-storey units which shall be used as shops or offices as defined in Section 8(1) of the Local Government (Planning & Development) Regulations, 1994 under 'Business Premises' (a) & (c) and 'Shop' (a) - (i).

REASON:

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

- 14 The proposed foul and surface water sewers routed through Class I public open space shall be realigned to follow the Loop road and the Killininny/Scholarstown Link Road respectively.

REASON:

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

- 15 That the areas shown and conditioned as open space be fenced off during construction work and shall not be used for the purpose of site compounds or for the storage of plant, materials or spoil.

REASON:

To protect the amenities of the area.

- 16 That the developer shall construct and maintain to the Council's standard for taking in charge all the roads, including footpaths, verges, public lighting, open space, sewers, watermains or drains, forming part of the development, until taken in charge by the Council.

REASON:

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

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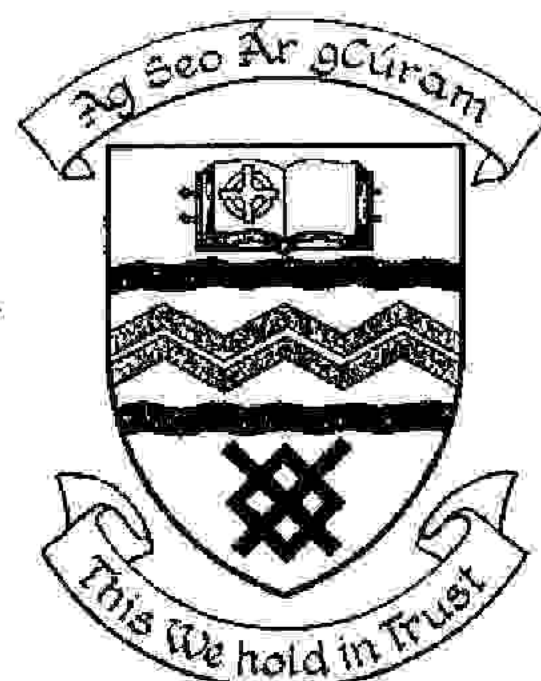
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- 17 A specification for street tree planting shall be agreed with the Parks & Landscape Services Department of South Dublin County Council prior to the commencement of development on site.
REASON:
In the interest of the proper planning and development of the area.
- 18 This approval is subject to the relevant conditions of the parent approval for this site Ref. S94A/0335.
REASON:
In the interest of the proper planning and development of the area.
- 19 That the section of the Killinenny/Scholarstown Link Road from Old Bawn to the western roundabout and the western leg of the internal local distributor (Loop Road) from the said roundabout to Road 1 in Phase 4A be constructed prior to the occupation of any unit in this development.
REASON:
In the interest of traffic safety and the proper planning and development of the area.
- 20 In relation to foul and surface water drainage and water supply, the following, in particular shall apply to this development.
A. FOUL DRAINAGE:
a) outfall from kitchens in the neighbourhood centre shall be routed via appropriate grease traps;
b) sewers with the potential of being taken-in-charge shall be in public open space or road reservation;
c) the relevant conditions of S96A/0303 for Phase 4A development shall apply to this development.
B. SURFACE WATER DRAINAGE:
a) no surface water runoff shall be allowed discharge on the proposed adjoining roads;
b) sewers with the potential of being taken-in-charge shall be in public open space or road reservations;

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- c) the relevant conditions of S96A/0303 for Phase 4A development shall apply to this development;
- d) all gullies in the car parking areas shall have grit traps/sumps;
- e) no building/structure shall be within 5.0m of a sewer or drain with the potential of being taken-in-charge.

C. WATER SUPPLY:

- a) the proposed spine main on the proposed internal loop road shall be 150mm diameter. This main shall connect into previously conditioned 150mm main Ref. S96A/0303 for Phase 4A;
- b) an additional sluice valve shall be provided on the spine main north of spur main into public house (adjacent car space no. 35 Ref. M. Hamm Drg. 9808-04);
- c) no building shall be within 5.0m of existing/ proposed mains <225mm diameter. See units 1-4 and public house;
- d) all watermains to be laid in road reservations or public open space;
- e) The applicant shall submit and agree the revised watermain layout with the Area Engineer, Deansrath Depot, South Dublin County Council prior to commencement of work on site (Ph: 4570784/5/6).
- f) all units shall have independent 24 hour storage.

REASON:

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

- 21 That a financial contribution in the sum of £11,537 (eleven thousand five hundred and thirty seven 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

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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.

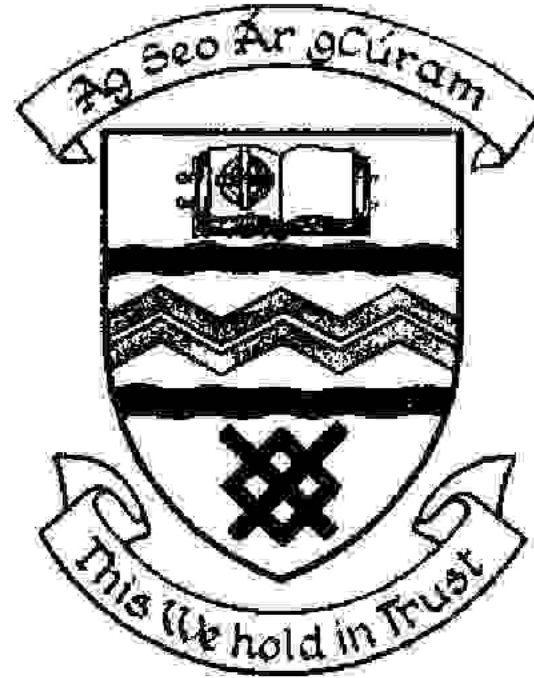
- 22 That a financial contribution in the sum of money equivalent to the value of £19,200 (nineteen thousand two hundred pounds) as on 1st January, 1991, updated in accordance with the Wholesale Price Index - Building and Construction (Capital Goods) as published by the Central Statistics Office to the 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.

NOTE: The applicant is advised that adequate provision is to be made to facilitate access to and the use of development 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

Decision Order Number 1863	Date of Decision 20/09/96
Register Reference S96A/0422	Date 25th July 1996

Applicant Maplewood Homes Ltd.
Development Neighbourhood Centre consisting of two storey public house and restaurant of circa 845 sq.m. and single and two storey Commercial Units of circa 584 sq.m. and associated car parking and site works located adjacent to the proposed Scholarstown/Killlininny Link Road forming Phase 4C of overall Action Plan Area for 127 acres which has the benefit of Outline Permission Reg. Ref. 92A/1885. Access to the site will be by way of a local internal distributor road from a roundabout on a newly constructed Scholarstown/Killlininny Link Road and local access from Oldcourt Avenue. The proposed Link Road, Public Open Space and Outfall Sewers have been the benefit of a previous Approval Reg. Ref. S94A/0335.

Location Adjacent to the proposed Scholarstown/Killlininny Link Road, Killlininny, Ballycragh.

App. Type Approval

Dear Sir/Madam,

With reference to your planning application, received on 25/07/96 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 draft action plan for the area and condition no. (B)(V)(2) of approval Ref. S94A/0335 require a reserved site of c. 1.5 acre to be located adjacent to the neighbourhood centre. Clarification is required as to how this can be accommodated in the proposed layout.

Fenton - Simons,
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- 2 Clarification is required as to how minimum development plan car parking standards can be achieved in the development. In this regard, allowing for dual use of spaces, it is considered that approx. 140 no. spaces should be provided.
- 3 Clarification is required as to how the layout can provide for the establishment of a double line of trees along the western side of the proposed local distributor (loop) road in keeping with the same requirement applied to Phase 4A of the development (Reg. Ref. S96A/0303). The revised layout should include a footpath and cycle path as previously.

Signed on behalf of South Dublin County Council

.....
for Senior Administrative Officer

20/09/96

	South Dublin County Council Local Government (Planning & Development) Acts 1963 to 1993 Planning Register (Part 1)	Plan Register No. S96A/0422	
1. Location	Adjacent to the proposed Scholarstown/Killlininny Link Road, Killlininny, Ballycragh.		
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3. Date of Application	25/07/96	Date Further Particulars (a) Requested (b) Received	
3a. Type of Application	Approval	1. 2.	1. 2.
4. Submitted by	Name: Fenton - Simons, Address: Planning & Development Consultants, 29 Fitwilliam Place, Dublin 2.		
5. Applicant	Name: Maplewood Homes Ltd. Address: 222-224 Harolds Cross Road, Dublin 6W.		
6. Decision	O.C.M. No. Date	Effect	
7. Grant	O.C.M. No. Date	Effect	

8. Appeal Notified		
9. Appeal Decision		
10. Material Contravention		
11. Enforcement 0	Compensation 0	Purchase Notice 0
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13. E.I.S. Requested	E.I.S. Received	E.I.S. Appeal
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