

	South Dublin County Council Local Government (Planning & Development) Acts 1963 to 1993 Planning Register (Part 1)	Plan Register No. S96A/0338
1. Location	Rathfarnham Gate, Rathfarnham.	
2. Development	Change to development as granted under PL 06S.096164:- A revised design to the 'central arch block' to include 16 no. additional dwelling units to the rear and the conversion of the roof space into 2 no. dwelling units to match the existing roof design. To enlarge the 'type 3' dwelling units in the 'south end terrace'. To replace the old 'tower B' design and one 'type 3' dwelling with a revised design to the south end which incorporates 18 no. residential units on five floors and a small extension to a public house on the ground floor. Most of the preceding will be built over a new underground car park with access to courtyard no. 3, with a control barrier between blocks 2A and 2B, and associated site works at site.	
3. Date of Application	11/10/96	Date Further Particulars (a) Requested (b) Received
3a. Type of Application	Permission	1. 14/08/96 2. 1. 11/10/96 2.
4. Submitted by	Name: Fewer McGinley Associates, Address: Wyse House, Adelphi Quay,	
5. Applicant	Name: McInerney Construction Limited, Address: McInerney House, Adelphi Quay, Waterford.	
6. Decision	O.C.M. No. 2325 Date 04/12/96	Effect AP GRANT PERMISSION
7. Grant	O.C.M. No. 0369 Date 24/02/97	Effect



8.	Appeal Notified	07/01/97	Written Representations
9.	Appeal Decision	07/02/97	Appeal Withdrawn
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.



**SOUTH DUBLIN COUNTY COUNCIL  
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Fewer McGinley Associates,  
Wyse House,  
Adelphi Quay,  
Waterford.

**NOTIFICATION OF GRANT OF Permission**

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

<b>Final Grant Order Number</b> 0369	<b>Date of Final Grant</b> 24/02/97
<b>Decision Order Number</b> 2325	<b>Date of Decision</b> 04/12/96
<b>Register Reference</b> S96A/0338	<b>Date</b> 11th October 1996

**Applicant** McInerney Construction Limited,

**Development** Change to development as granted under PL 06S.096164:- A revised design to the 'central arch block' to include 16 no. additional dwelling units to the rear and the conversion of the roof space into 2 no. dwelling units to match the existing roof design. To enlarge the 'type 3' dwelling units in the 'south end terrace'. To replace the old 'tower B' design and one 'type 3' dwelling with a revised design to the south end which incorporates 18 no. residential units on five floors and a small extension to a public house on the ground floor. Most of the preceding will be built over a new underground car park with access to courtyard no. 3, with a control barrier between blocks 2A and 2B, and associated site works at site.

**Location** Rathfarnham Gate, Rathfarnham.

**Floor Area** 0.000 Sq Metres

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

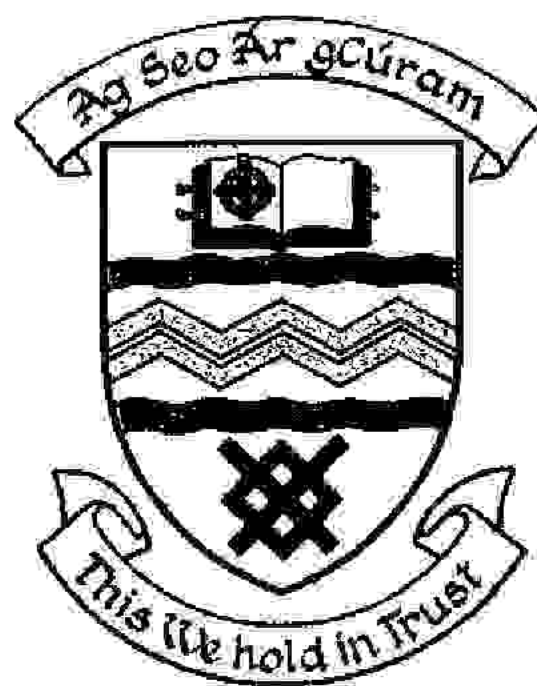
**Additional Information Requested/Received** 14/08/96 /11/10/96

A Permission has been granted for the development described above,

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subject to the following (24) conditions.

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## Conditions and Reasons

- 1 With regard to the extra apartments/townhouses permitted under the current application over and above that approved under Register Reference S95A/0014, a financial contribution in the sum of £800 (eight hundred pounds) PER UNIT, shall be paid by the proposer to South Dublin County Council as a contribution towards expenditure that was incurred and or that is proposed to be incurred by the Council in respect of the provision of traffic management works and infrastructural roads undertaken in the area facilitating the proposed development; this contribution to be paid before the commencement of this 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 in respect of infrastructural roads and the provision of traffic management works undertaken in the area facilitating the proposed development.

- 2 The development to be carried out in its entirety in accordance with the plans, particulars and specifications lodged with the application, 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.

- 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.



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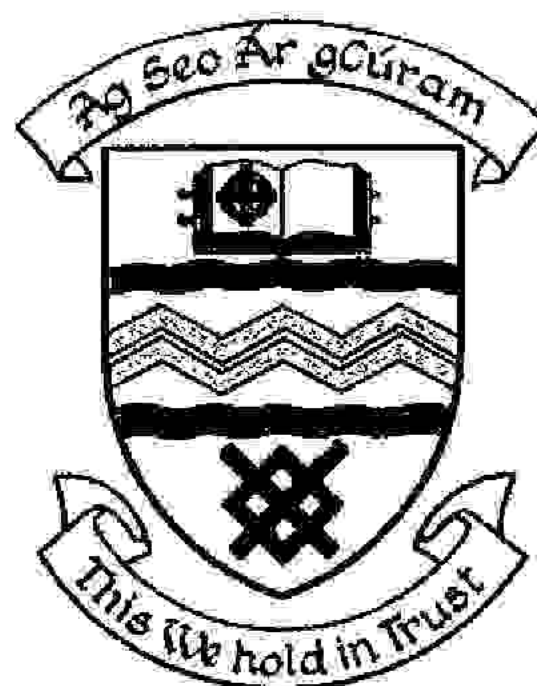
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- 5 That no dwellinghouse be occupied until all the services have been connected thereto and are operational.  
REASON:  
In the interest of the proper planning and development of the area.
- 6 That all watermain tapplings, branch connections, swabbing 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.
- 7 That an acceptable apartment naming and numbering scheme be submitted to and approved by the County Council before any constructional work takes place on the proposed apartment.  
REASON:  
In the interest of the proper planning and development of the area.
- 8 That prior to commencement of development the requirements of the Chief Fire Officer be ascertained and strictly adhered to in the development.  
REASON:  
In the interest of safety and the avoidance of fire hazard.
- 9 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.
- 10 Prior to the commencement of development the requirements of the Principal Environmental Health Officer shall be ascertained and strictly adhered to in the development. In this regard mechanically aided extract ventilation system capable of providing a minimum of 3 air changes per hour shall be provided to all internal water closets/bathrooms.

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Roof vent pipes shall be located as far as practicable away from public view.

**REASON:**

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

- 11 Enclosed designated areas for the storage of domestic refuse or refuse from the commercial development, pending its disposal shall be provided, the details of which shall be agreed in writing with the Planning Authority before development commences.

**REASON:**

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

- 12 That no advertising sign or structure be erected except those which are exempted development, without prior approval of Planning Authority or An Bord Pleanala on appeal.

**REASON:**

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

- 13 Adequate provision is to be made to facilitate access to and the use of the development, buildings, facilities and services by disabled persons. The minimum requirements to be provided shall be as set out in "Access for the Disabled - Minimum Design Criteria" published by the National Rehabilitation Board.

**REASON:**

In the interest of safety and amenity.

- 14 That details of the Management Agreement for the maintenance and control of the site be submitted and agreed with the Planning Authority prior to the commencement of development.

**REASON:**

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

- 15 Before any development commences the developer shall submit for the written agreement of the Planning Authority proposals for the upgrading of the footpath along the entire frontage of the site with the public road which shall include provision for paving to an agreed pattern, kerbing, the provision of planting and the provision of an



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appropriate bollard and chain barrier for at least 35 metres either side of the proposed arch.

**REASON:**

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

- 16 The materials, colours and textures of all the external finishes to the proposed development shall harmonise with that of the first phase of the development.

**REASON:**

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

- 17 A comprehensive scheme of hard and soft landscaping shall be submitted and agreed in writing with the Planning Authority prior to the commencement of development which shall include; boundary treatment, paving of all footpaths, circulation area and open areas within the boundary of the overall development. This scheme shall include full specification, bill of quantities, and a programme of implementation and subsequent maintenance of all hard and soft landscape areas.

**REASON:**

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

- 18 At least one car parking space shall be available for use by residents of each residential unit. Of the remaining spaces 32 shall be available to serve the public house component of the scheme with the balance available to serve visitor and credit union use.

**REASON:**

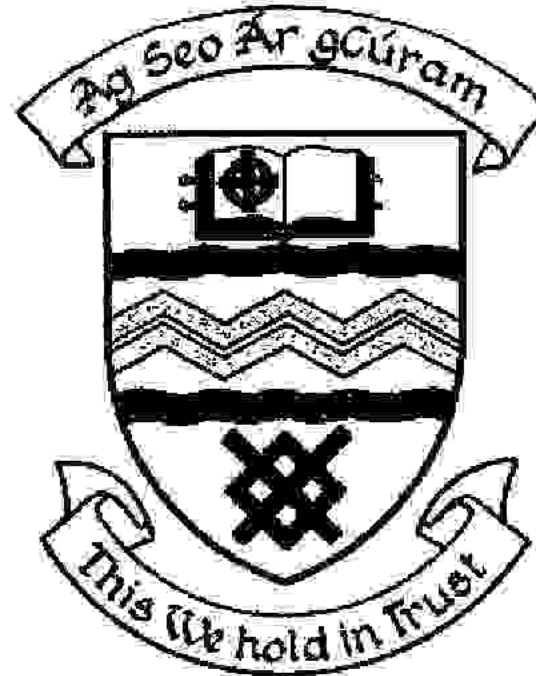
In the interest of the proper planning and development of the area.

- 19 The proposed vehicle control barrier between blocks 2A and 2B shall be omitted from the proposed development. No barrier or other structure to control vehicular access to



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any part of the proposed development shall be erected at any point along the access road from Main Street to the proposed underground car-park.

**REASON:**

The proposed barrier would restrict access to most of the off street car-parking spaces required to serve the proposed development which could then lead to a traffic hazard by virtue of the generation of on street car-parking. In addition no details of the proposed barrier have been submitted.

- 20 That the arrangements made with regard to the payment of the financial contribution in the sum of £14,400 (fourteen thousand four hundred pounds) in respect of the overall development as required by Condition No. 20 of planning permission granted By An Bord Pleanála under Register Reference S95A/0014 be strictly adhered to in respect of this proposal.

**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.

- 21 That the arrangements made with regard to the payment of the financial contribution in the sum of £250 (two hundred and fifty pounds) PER APARTMENT as required by Condition No. 21 of planning permission granted by An Bord Pleanála under Register Reference S95A/0014 be strictly adhered to in respect of this proposal.

**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 in respect of the provision of traffic management works undertaken in the area facilitating the proposed development.

- 22 That the arrangements made with regard to the payment of the financial contribution in the sum of £200 (two hundred pounds) PER APARTMENT as required by Condition No. 22



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of planning permission granted under Register Reference S95A/0014 be strictly adhered to in respect of this proposal.

**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 in respect of the provision of public open space in the area facilitating the proposed development.

- 23 With regard to the extra apartments/townhouses permitted under the current application over and above that approved under Register Reference S95A/0014, a financial contribution in the sum of £500 (five hundred pounds) PER UNIT, shall be paid by the proposer to South Dublin County Council as a contribution towards expenditure that was incurred and/or that is proposed to be incurred by the Council in respect of the development of public open space in the area facilitating the proposed development; this contribution to be paid before the commencement of this development on site.

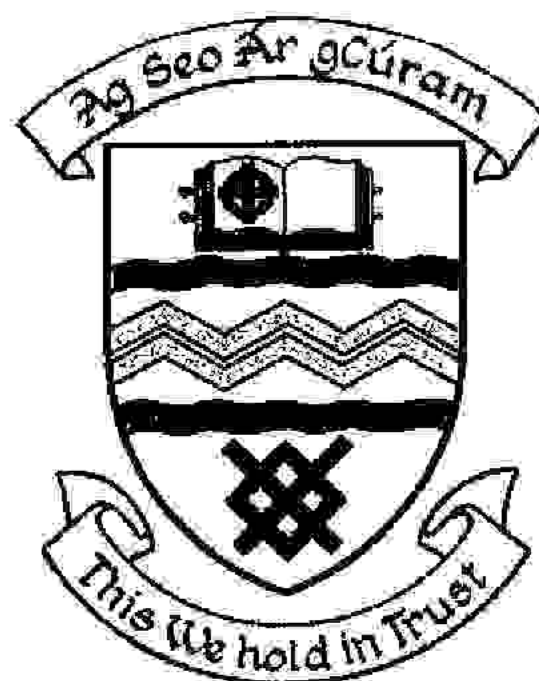
**REASON:**

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 in respect of the provision of public open space in the area facilitating the proposed development.

- 24 With regard to the overall development, 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 £150,000 (one hundred and fifty 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 £100,000 (one hundred thousand pounds) to be applied by the Council at its absolute discretion if such services are



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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.

All buildings must now be designed and constructed in accordance with the new  
 Building Regulations. The Regulations also provide that a Commencement Notice must  
 be submitted to the Building Control Authority in respect of all buildings other than  
 exempted development for the purposes of the Local Government (Planning and  
 Development) Acts, 1963 - 1993, not less than seven days and not more than twenty-one  
 days before development commences. A copy of the form of commencement notice is  
 attached.

In addition, a Fire Certificate must be obtained from the Building Control Authority  
 in respect of the erection, alteration or change of use of all buildings other than  
 dwelling houses.

Signed on behalf of South Dublin County Council.

 .....February 1997  
 for SENIOR ADMINISTRATIVE OFFICER



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Decision Order Number 2325	Date of Decision 04/12/96
Register Reference S96A/0338	Date 17th June 1996

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**Conditions and Reasons**

- 1 With regard to the extra apartments/townhouses permitted under the current application over and above that approved under Register Reference S95A/0014, a financial contribution in the sum of £800 (eight hundred pounds) PER UNIT, shall be paid by the proposer to South Dublin County Council as a contribution towards expenditure that was incurred and or that is proposed to be incurred by the Council in respect of the provision of traffic management works and infrastructural roads undertaken in the area facilitating the proposed development; this contribution to be paid before the commencement of this 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 in respect of infrastructural roads and the provision of traffic management works undertaken in the area facilitating the proposed development.

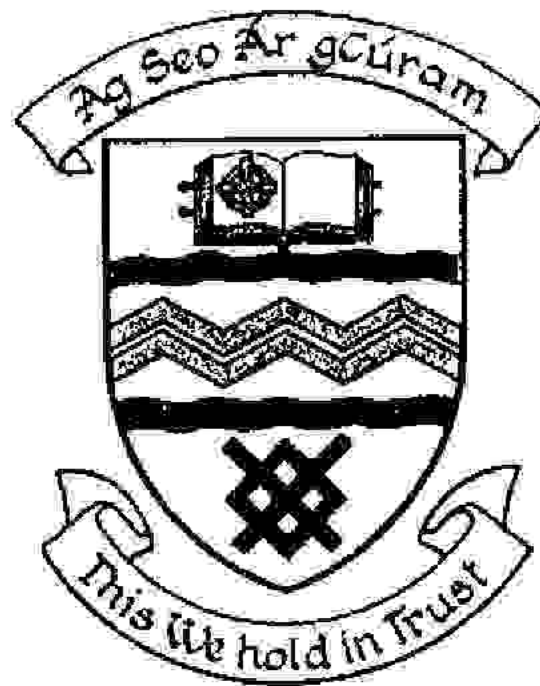
- 2 The development to be carried out in its entirety in accordance with the plans, particulars and specifications lodged with the application, save as may be required by the other conditions attached hereto.

**REASON:**

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~~To ensure that the development shall be in accordance with~~  
the permission, and that effective control be maintained.

- 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 all watermain tappings, 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.
- 7 That an acceptable apartment naming and numbering scheme be submitted to and approved by the County Council before any constructional work takes place on the proposed apartment.  
REASON:



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

- 8 That prior to commencement of development the requirements of the Chief Fire Officer be ascertained and strictly adhered to in the development.

REASON:

In the interest of safety and the avoidance of fire hazard.

- 9 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.

- 10 Prior to the commencement of development the requirements of the Principal Environmental Health Officer shall be ascertained and strictly adhered to in the development. In this regard mechanically aided extract ventilation system capable of providing a minimum of 3 air changes per hour shall be provided to all internal water closets/bathrooms. Roof vent pipes shall be located as far as practicable away from public view.

REASON:

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

- 11 Enclosed designated areas for the storage of domestic refuse or refuse from the commercial development, pending its disposal shall be provided, the details of which shall be agreed in writing with the Planning Authority before development commences.

REASON:

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

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- 12 That no advertising sign or structure be erected except those which are exempted development, without prior approval of Planning Authority or An Bord Pleanála on appeal.

REASON:

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

- 13 Adequate provision is to be made to facilitate access to and the use of the development, buildings, facilities and services by disabled persons. The minimum requirements to be provided shall be as set out in "Access for the Disabled - Minimum Design Criteria" published by the National Rehabilitation Board.

REASON:

In the interest of safety and amenity.

- 14 That details of the Management Agreement for the maintenance and control of the site be submitted and agreed with the Planning Authority prior to the commencement of development.

REASON:

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

- 15 Before any development commences the developer shall submit for the written agreement of the Planning Authority proposals for the upgrading of the footpath along the entire frontage of the site with the public road which shall include provision for paving to an agreed pattern, kerbing, the provision of planting and the provision of an appropriate bollard and chain barrier for at least 35 metres either side of the proposed arch.

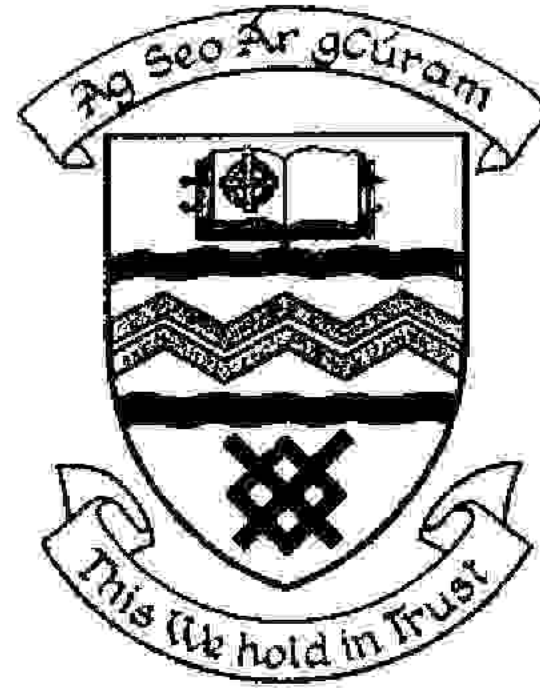
REASON:

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

- 16 The materials, colours and textures of all the external finishes to the proposed development shall harmonise with that of the first phase of the development.



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REASON:

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

- 17 A comprehensive scheme of hard and soft landscaping shall be submitted and agreed in writing with the Planning Authority prior to the commencement of development which shall include; boundary treatment, paving of all footpaths, circulation area and open areas within the boundary of the overall development. This scheme shall include full specification, bill of quantities, and a programme of implementation and subsequent maintenance of all hard and soft landscape areas.

REASON:

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

- 18 At least one car parking space shall be available for use by residents of each residential unit. Of the remaining spaces 32 shall be available to serve the public house component of the scheme with the balance available to serve visitor and credit union use.

REASON:

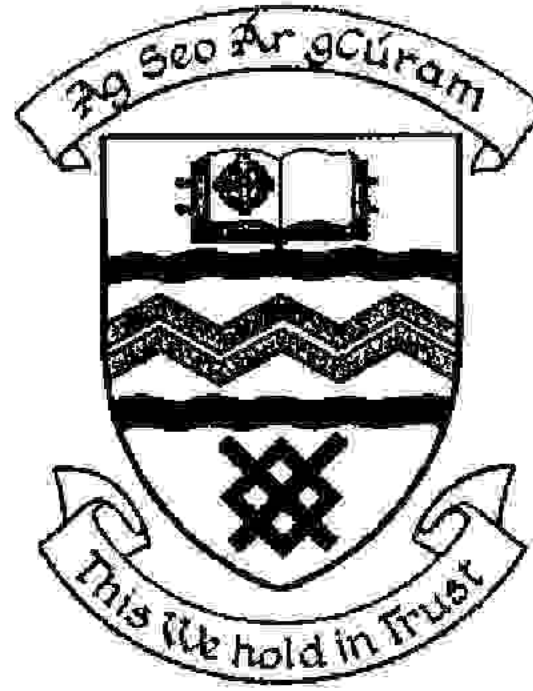
In the interest of the proper planning and development of the area.

- 19 The proposed vehicle control barrier between blocks 2A and 2B shall be omitted from the proposed development. No barrier or other structure to control vehicular access to any part of the proposed development shall be erected at any point along the access road from Main Street to the proposed underground car-park.

REASON:

The proposed barrier would restrict access to most of the off street car-parking spaces required to serve the proposed

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development which could then lead to a traffic hazard by virtue of the generation of on street car-parking. In addition no details of the proposed barrier have been submitted.

- 20 That the arrangements made with regard to the payment of the financial contribution in the sum of £14,400 (fourteen thousand four hundred pounds) in respect of the overall development as required by Condition No. 20 of planning permission granted By An Bord Pleanála under Register Reference S95A/0014 be strictly adhered to in respect of this proposal.

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.

- 21 That the arrangements made with regard to the payment of the financial contribution in the sum of £250 (two hundred and fifty pounds) PER APARTMENT as required by Condition No. 21 of planning permission granted by An Bord Pleanála under Register Reference S95A/0014 be strictly adhered to in respect of this proposal.

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 in respect of the provision of traffic management works undertaken in the area facilitating the proposed development.

- 22 That the arrangements made with regard to the payment of the financial contribution in the sum of £200 (two hundred pounds) PER APARTMENT as required by Condition No. 22



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

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

REG REF. S96A/0338

of planning permission granted under Register Reference S95A/0014 be strictly adhered to in respect of this proposal.

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 in respect of the provision of public open space in the area facilitating the proposed development.

- 23 With regard to the extra apartments/townhouses permitted under the current application over and above that approved under Register Reference S95A/0014, a financial contribution in the sum of £500 (five hundred pounds) PER UNIT, shall be paid by the proposer to South Dublin County Council as a contribution towards expenditure that was incurred and/or that is proposed to be incurred by the Council in respect of the development of public open space in the area facilitating the proposed development; this contribution to be paid before the commencement of this 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 in respect of the provision of public open space in the area facilitating the proposed development.

- 24 With regard to the overall development, 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 £150,000 (one hundred and fifty thousand pounds) until such time as the Roads, Open Spaces,

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



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Car Parks, Sewers, Watermains and Drains are taken in charge  
by the Council.

or./...

b. Lodgement with the Council of a Cash Sum of £100,000  
(one hundred 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.



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

Decision Order Number 1575	Date of Decision 14/08/96
Register Reference S96A/0338	Date 17th June 1996

**Applicant  
Development**

McInerney Construction Limited,  
Change to development as granted under PL 06S.096164:- A revised design to the 'central arch block' to include 16 no. additional dwelling units to the rear and the conversion of the roof space into 2 no. dwelling units to match the existing roof design. To enlarge the 'type 3' dwelling units in the 'south end terrace'. To replace the old 'tower B' design and one 'type 3' dwelling with a revised design to the south end which incorporates 18 no. residential units on five floors and a small extension to a public house on the ground floor. Most of the preceding will be built over a new underground car park with access to courtyard no. 3, with a control barrier between blocks 2A and 2B, and associated site works at site.

**Location**

Rathfarnham Gate, Rathfarnham.

**App. Type**

Permission

Dear Sir/Madam,

With reference to your planning application, received on 17/06/96 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 Details submitted with the application indicate that the applicant is the freehold owner of the site of the current application. There is however another current application, Register Reference S96A/0054 on a site included within the current application in the name of Redford Ltd. as owner of the site in respect of which a commercial development is proposed. The applicant is requested to clarify his interest in the site in respect of the development proposed

under Reg. Ref. S96A/0054.  
Fewer McGinley Associates,  
Wyse House,  
Adelphi Quay,  
Waterford.

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- 2 The proposed development includes provision for a small extension to a public house which is currently entirely outside the site of the current application. The applicant is requested to submit evidence of the agreement of the owner/occupier of the public house to the proposed extension.
- 3 The applicant has submitted proposals to provide off-street car parking spaces to serve the proposed development on the basis of 40% of residential units not having any spaces available for occupiers and no provision for any residential visitor parking during "day usage". This scale of dual usage of off-street car parking is considered inappropriate to serve the development as a whole. The applicant is requested to submit revised proposals, if any, which would provide for at least 1 off-street car parking space to serve each residential unit with provision only for shared use of car parking between commercial and residential visitor uses if necessary.
- 4 The applicant is requested to submit revised plans to clarify by means of the use of colour or otherwise details of alterations necessary to achieve the proposed extension to a public house.
- 5 The applicant is requested to submit plans for the layout of off-street car parking spaces and circulation areas at a scale of 1:250 with dimensions as necessary to indicate the width of spaces and circulation areas.



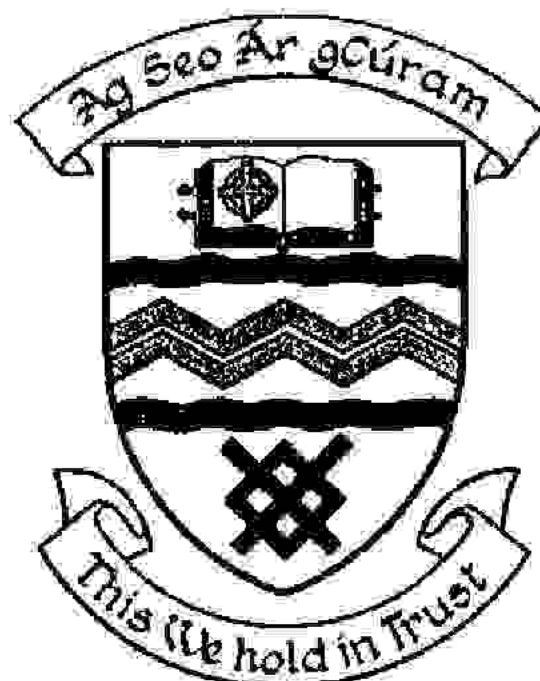
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signed on behalf of South Dublin County Council

.....  
for Senior Administrative Officer

15/08/96