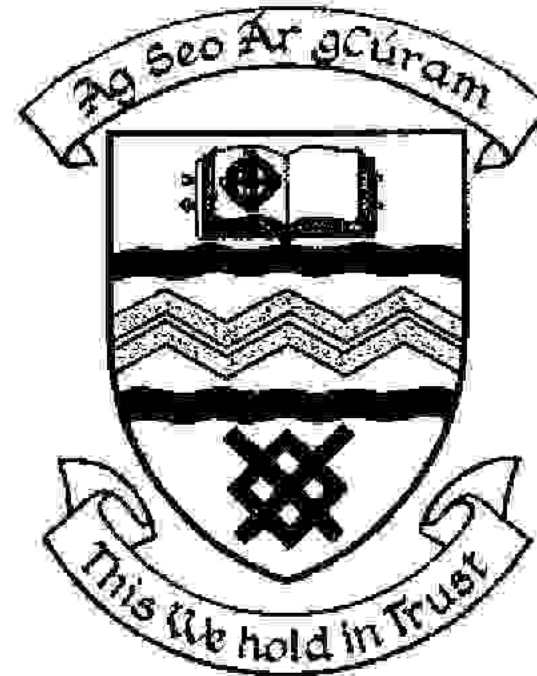


	South Dublin County Council Local Government (Planning & Development) Acts 1963 to 1993 Planning Register (Part 1)	Plan Register No.  S96A/0202	
1. Location	Oldbawn House, Kiltipper Road, Tallaght.		
2. Development	26 semi-detached houses.		
3. Date of Application	09/04/96	Date Further Particulars (a) Requested (b) Received	
3a. Type of Application	Permission	1.  2.	1.  2.
4. Submitted by	Name: McCrossan O'Rourke Architects, Address: 12 Richmond Road, Portobello Harbour,		
5. Applicant	Name: J. Whelan, Address: 30 Castlegate, Christchurch, Dublin 8.		
6. Decision	O.C.M. No. 1316  Date 11/07/96	Effect AP GRANT PERMISSION	
7. Grant	O.C.M. No. 2360  Date 13/11/96	Effect AP GRANT PERMISSION	
8. Appeal Lodged	19/07/96	Written Representations	
9. Appeal Decision	13/11/96	Attach Con(s), Amend Con(s) & Remove Cons	
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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McCrossan O'Rourke Architects,  
12 Richmond Road,  
Portobello Harbour,  
Dublin 8.

**NOTIFICATION OF GRANT OF Permission**

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

<b>Final Grant Order Number</b> 2360	<b>Date of Final Grant</b> 13/11/96
<b>Decision Order Number</b> 1316	<b>Date of Decision</b> 11/07/96
<b>Register Reference</b> S96A/0202	<b>Date</b> 9th April 1996

**Applicant** J. Whelan,

**Development** 26 semi-detached houses.

**Location** Oldbawn House, Kiltipper Road, Tallaght.

**Floor Area** 0.000 Sq Metres

**Time extension(s) up to and including** 15/07/96

**Additional Information Requested/Received** /

A Permission has been granted for the development described above,  
subject to the following (35) Conditions.

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**Conditions and Reasons**

- 1 The development to be carried out in its entirety in accordance with the plans, particulars and specifications lodged with the application, as amended by unsolicited additional information received by the planning authority on 21/6/96, 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 The proposed housing layout shall be as per drawing no. 07A received by the planning authority on 21/6/96.

**REASON:**

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

- 3 As attached by Order of An Bord Pleanála dated 13th November, 1996, Ref. PL. 06S.099564.

House numbers 17 and 18 shall be excluded from the proposed development and the site area shall be allocated for use as public open space. The hammerhead turning area shall be moved from the front of house number 17 to the front of house number 19.

**REASON:**

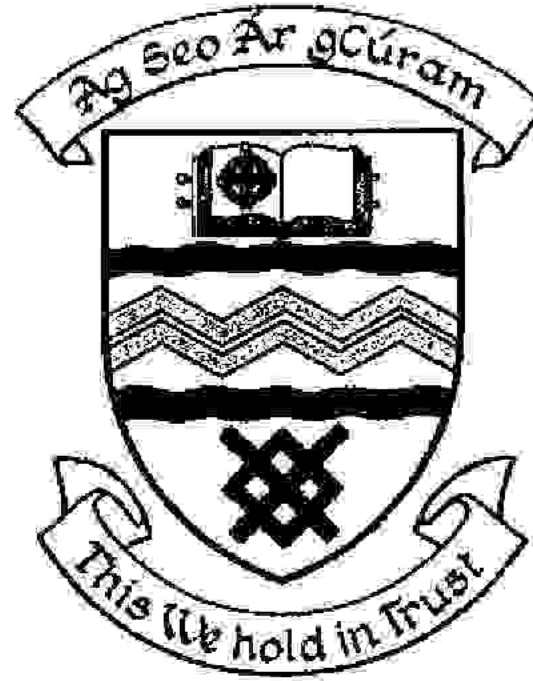
To preserve the specimen sycamore tree to the north of these proposed houses in the interest of the amenities of the area.

- 4 The rear gardens of house no.'s 1-4 shall be extended as far as the western boundary of the site with the Kiltipper housing estate so that no residual areas remain.

**REASON:**

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

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- 
- 5 The area outlined in blue on Drawing No. 07 and shown for Road Reservation along the Old Bawn Road shall be reserved free from all development and shall be ceded free of charge to the County Council in accordance with the proposals outlined in the letter of application received by the Planning Authority on 9th April, 1996.

**REASON:**

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

- 6 (1) The existing entrance to the site from Old Bawn Road shall be closed up permanently.
- (2) The proposed entrance off Kiltipper Road shall be constructed as the first phase of development and shall be used for all construction traffic.

**REASON:**

In the interest of traffic safety.

- 7 All public services to the proposed development, including electrical, telephone cables and equipment, shall be located underground throughout the entire site.

**REASON:**

In the interest of amenity.

- 8 Public lighting shall be provided as each street is occupied in accordance with a scheme to be agreed with the planning authority.

**REASON:**

In the interest of amenity and public safety.

- 9 The area shown as open space shall be levelled, soiled, seeded and landscaped to the satisfaction of the planning authority and made available for use by residents on completion of the houses.

**REASON:**

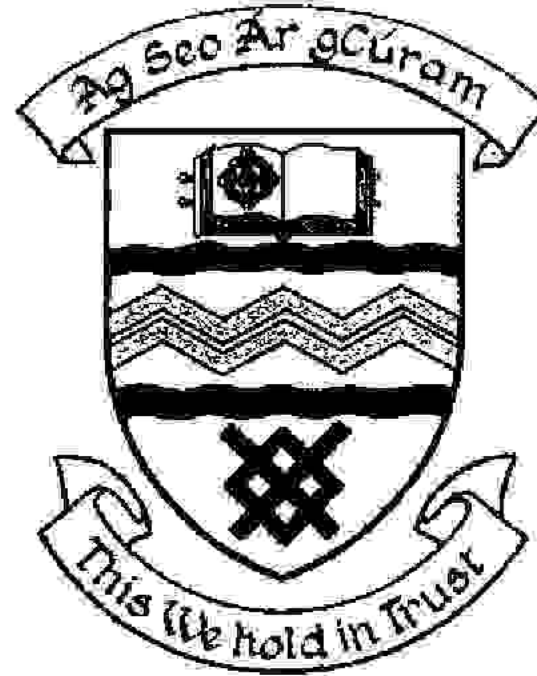
In the interest of the amenities of the area.



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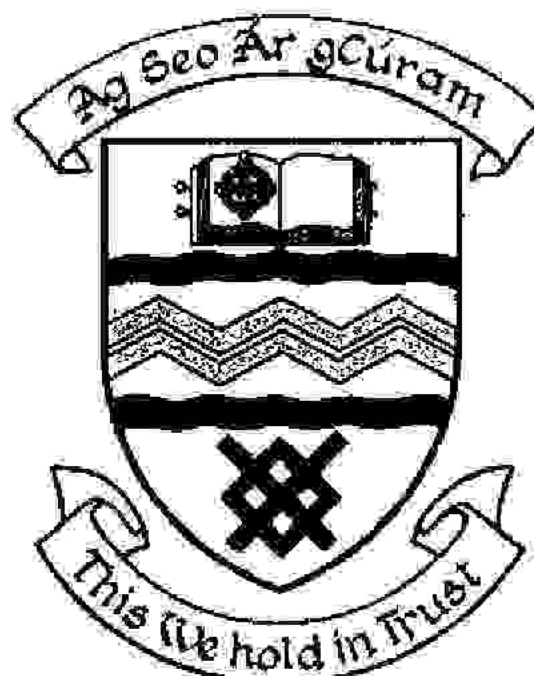
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- 
- 10 The area shown and conditioned as open space shall be fenced-off during construction work and shall not be used for the purpose of site compounds or for the storage of plant, materials or spoil.  
REASON:  
To protect the amenities of the area.
- 11 The trees to be preserved and retained on the site shall be protected from damage during development by the erection of 1.5 metre high stout fencing at the outer crown spread of the trees. The scheme of tree felling and surgery works, based on the tree survey submitted with the application shall be carried out prior to commencement of development.  
REASON:  
To protect mature trees on site in the interest of residential and visual amenity.
- 12 A street naming and house numbering scheme shall be submitted to and agreed with the planning authority before any construction work takes place on the proposed houses.  
REASON:  
In the interest of the proper planning and development of the area.
- 13 The developer shall construct and maintain to the Council's standard for taking in charge all the roads, footpaths, verges, public lighting, open space, sewers, watermains and 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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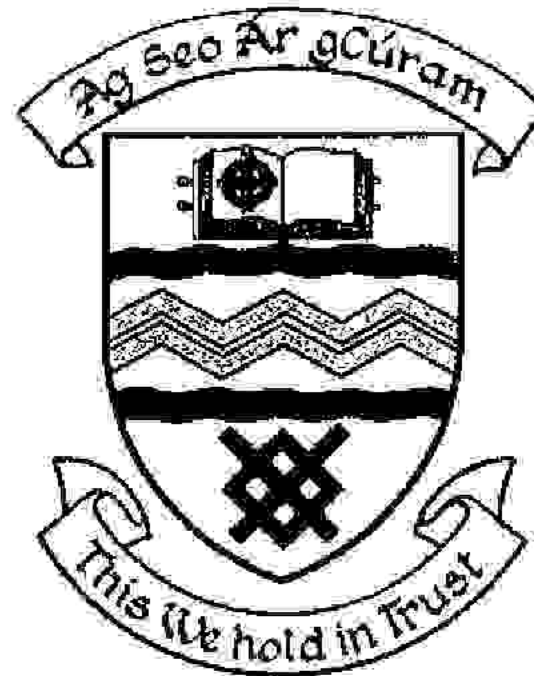
- 
- 14 The developer shall obtain a wayleave from the Parks Department South Dublin County Council in relation to the proposal to construct a public foul sewer across public open space to link in with manhole K14.  
REASON:  
In the interest of the proper planning and development of the area.
- 15 Prior to the commencement of development details of the proposed road crossing at Old Bawn Road of the foul sewer shall be submitted to and agreed with the planning authority.  
REASON:  
In the interest of public health.
- 16 Prior to the commencement of development, details of the proposed outfall pipe and outfall structure at the River Dodder shall be submitted to and agreed with the planning authority.  
REASON:  
In the interest of public health.
- 17 The developer shall provide a wayleave agreement for the surface water sewerline outside lands in their ownership in favour of and in accordance with the requirements of South Dublin County Council.  
REASON:  
In the interest of the proper planning and development of the area.
- 18 The roofs of the proposed houses shall be of blue/black, slate grey or turf brown tiles or slates.  
REASON:  
In the interest of visual amenity.



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- 19 The existing septic tank serving Old Bawn House shall be drained and back filled. All agricultural buildings shall be removed from the site.  
 REASON:  
 In the interest of public health and visual amenity.
- 20 The proposed two metre wide footpath along the Kiltipper Road site frontage shall be provided and constructed in such a manner as to avoid damage to the existing mature trees along Kiltipper Road which are to be preserved in the development. The existing hedge shall be retained, if possible, or, alternatively, a new hawthorn hedge shall be planted along the site boundary with Kiltipper Road and the proposed boundary fencing shall be set back to the rear of this hedge. Details in relation to the foregoing shall be submitted to and agreed with the planning authority prior to the commencement of development.  
 REASON:  
 In the interest of pedestrian safety and visual amenity.
- 21 Except along the Kiltipper Road frontage screen walls, two metre high, suitably capped and rendered, shall be provided where necessary to screen rear gardens from public view.  
 REASON:  
 In the interest of residential amenity.
- 22 The portion of the site to the north of house no. 16 on site layout plan 07/A received by the Planning Authority on 21/6/96 and corresponding to the relevant part of the area of land outlined in green on site layout plan 07 received by the Planning Authority on 9/4/96 shall be ceded free of charge to South Dublin County Council for use for community purposes in accordance with the proposal outlined in the letter of application received by the Planning Authority on 9/4/96.  
 REASON:  
 In the interest of the proper planning and development of the area.

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- 23 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.
- 24 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.
- 25 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.
- 26 Prior to commencement of development on site, the developer shall submit for the written agreement of the Planning Authority a detailed landscape plan for the site with full works specification (including timescale for implementation), maintenance programme for a period of at least 18 months and bill of quantities for the development of the public open space. The plan is to include grading, topsoiling, seeding, paths, street tree planting, drainage and tree and shrub planting.  
REASON:  
In the interest of visual amenity.
- 27 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.

- 28 That a specification and plan for street tree planting be agreed in writing with the Planning Authority prior to the commencement of works on site.

REASON:

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

- 29 The vehicular turning bays shall be constructed to Council standards i.e. 14m x 6m.

REASON:

In the interest of traffic safety.

- 30 That each proposed house be used as a single dwelling unit.

REASON:

To prevent unauthorised development.

- 31 As amended by Order of An Bord Pleanála dated 13th November, 1996 Ref. PL 06S.099564.

Prior to the commencement of development, the developer shall pay the sum of £13,800 (thirteen thousand eight hundred pounds) to South Dublin County Council as a contribution towards expenditure that was and/or that is proposed to be incurred by the Council in respect of the provision of public water supplies and sewerage facilities the proposed development.

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

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provision of public water supplies and sewerage facilities  
facilitating the proposed development.

- 32 As amended by Order of An Bord Pleanála dated 13th of  
November, 1996, Ref. PL 06S.099564.

Prior to the commencement of development, the developer shall pay the sum of £1,200 (one thousand, two hundred pounds) per house (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 South Dublin County Council as a contribution towards expenditure that was and/or that is proposed to be incurred by the Council in respect of road improvements and traffic management facilitating the proposed development.

In the case of expenditure that is proposed to be incurred, the requirement to pay this contribution is subject to the provisions of Section 26(2)(h) of the Local Government (Planning and Development) Act, 1963 generally, and in particular, the specified period for the purposes of paragraph (h) shall be the period of seven years from the date of this order.

**REASON:**

It is considered reasonable that the developer should contribute towards the expenditure that was and/or that is proposed to be incurred by the Council in respect of road improvements and traffic management facilitating the proposed development.

- 33 As removed by Order of an Bord Pleanála dated 13th November, 1996, Ref. PL 06S.099564.

- 34 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 £50,000 (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./...



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- b. Lodgement with the Council of a Cash Sum of £30,000 (thirty 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.

- 35 That no development under any permission granted pursuant to this decision be commenced until security for the protection of the trees to be retained on site has been given by the lodgement with the Council of an approved Insurance Co. Bond in the sum of £15,000 (fifteen thousand pounds) which shall be renewed by the developer from time to time as required during the course of the development and kept in force by the applicant until such time as mature trees are effectively safeguarded.

**REASON:**

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

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.

**SOUTH DUBLIN COUNTY COUNCIL**  
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*Brian Connolly*  
for SENIOR ADMINISTRATIVE OFFICER

December 1996



# AN BORD PLEANÁLA

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

County South Dublin

Planning Register Reference Number: S96A/0202

**APPEAL** by J. Whelan care of McCrossan O'Rourke Architects of 12 Richmond Row, Portobello Harbour, Dublin against the decision made on the 11th day of July, 1996 by the Council of the County of South Dublin to grant subject to conditions a permission for the erection of 26 semi-detached houses at Oldbawn, Kiltipper Road, Tallaght, County Dublin in accordance with plans and particulars lodged with the said Council:

**WHEREAS** the said appeal relates only to conditions numbers 3, 31, 32 and 33 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 attach the said condition number 3 and the reason therefor, to remove the said condition number 33 and the reason therefor and to amend conditions numbers 31 and 32 so that they shall be as follows for the reasons set out:

31. Prior to the commencement of development, the developer shall pay the sum of £13,800 (thirteen thousand eight hundred pounds) to South Dublin County Council as a contribution towards expenditure that was and/or that is proposed to be incurred by the Council in respect of the provision of public water supplies and sewerage facilities facilitating the proposed development.

In the case of expenditure that is proposed to be incurred, the requirement to pay this contribution is subject to the provisions of section 26(2)(h) of the Local Government (Planning and Development) Act, 1963 generally, and in particular, the specified period for the purposes of paragraph (h) shall be the period of seven years from the date of this order.

**Reason:** It is considered reasonable that the developer should contribute towards the expenditure that was and/or that is proposed to be incurred by the Council in respect of the provision of public water supplies and sewerage facilities facilitating the proposed development.

aa.

32. Prior to the commencement of development, the developer shall pay the sum of £ 1,200 (one thousand two hundred pounds) per house (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 South Dublin County Council as a contribution towards expenditure that was and/or that is proposed to be incurred by the Council in respect of road improvements and traffic management facilitating the proposed development.

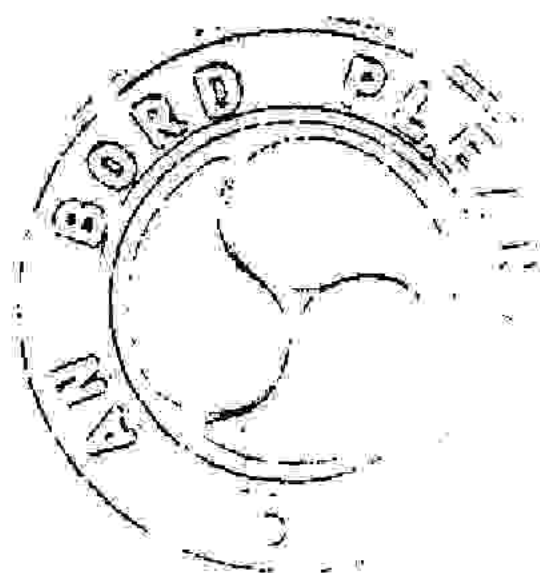
In the case of expenditure that is proposed to be incurred, the requirement to pay this contribution is subject to the provisions of section 26(2)(h) of the Local Government (Planning and Development) Act, 1963 generally, and in particular, the specified period for the purposes of paragraph (h) shall be the period of seven years from the date of this order.

**Reason:** It is considered reasonable that the developer should contribute towards the expenditure that was and/or that is proposed to be incurred by the Council in respect of road improvements and traffic management facilitating the proposed development.

*Anne Con. Quinn*

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

Dated this 13<sup>th</sup> day of November, 1996

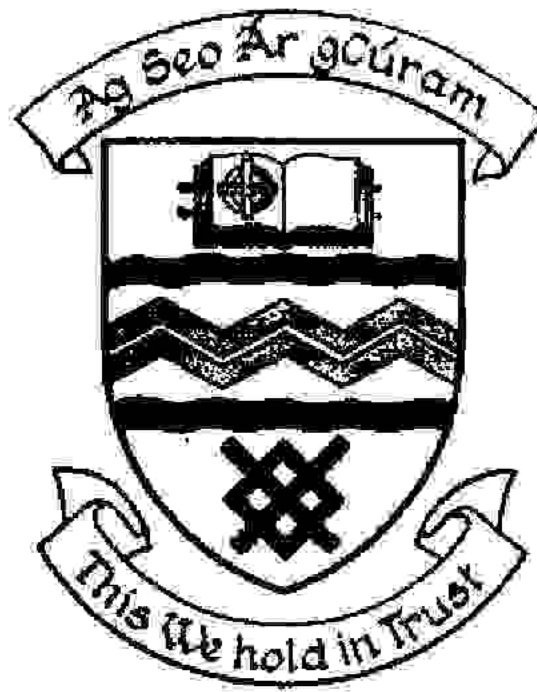




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**NOTIFICATION OF DECISION TO GRANT PERMISSION  
LOCAL GOVERNMENT (PLANNING AND DEVELOPMENT) ACTS, 1963 TO 1993**

<b>Decision Order Number</b> 1316	<b>Date of Decision</b> 11/07/96
<b>Register Reference</b> S96A/0202	<b>Date</b> 9th April 1996

**Applicant** J. Whelan,  
**Development** 26 semi-detached houses.  
**Location** Oldbawn House, Kiltipper Road, Tallaght.  
**Floor Area** Sq Metres  
**Time extension(s) up to and including** 15/07/96  
**Additional Information Requested/Received** /

In pursuance of its functions under the above mentioned Acts, the South Dublin County Council, being the Planning Authority for the County Health District of Dublin, did by Order dated as above make a decision to **GRANT PERMISSION** in respect of the above proposal.

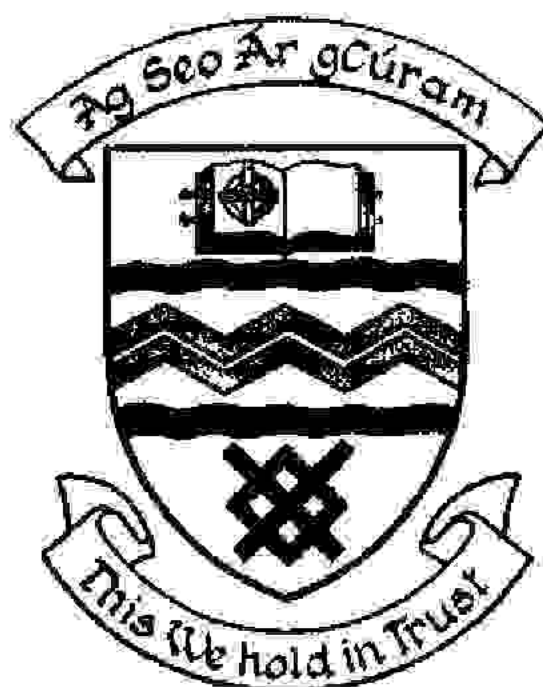
Subject to the conditions ( 35 ) on the attached Numbered Pages.  
Signed on behalf of the South Dublin County Council.

.....  
for SENIOR ADMINISTRATIVE OFFICER

11/07/96

McCrossan O'Rourke Architects,  
12 Richmond Road,  
Portobello Harbour,  
Dublin 8.

**SOUTH DUBLIN COUNTY COUNCIL  
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REG REF. S96A/0202

**Conditions and Reasons**

- 1 The development to be carried out in its entirety in accordance with the plans, particulars and specifications lodged with the application, as amended by unsolicited additional information received by the planning authority on 21/6/96, 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 The proposed housing layout shall be as per drawing no. 07A received by the planning authority on 21/6/96.

**REASON:**

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

- 3 House numbers 17 and 18 shall be excluded from the proposed development and the site area shall be allocated for use as public open space. The hammerhead turning area shall be moved from the front of house number 17 to the front of house number 19.

**REASON:**

To preserve the specimen sycamore tree to the north of these proposed houses in the interest of the amenities of the area.

- 4 The rear gardens of house no.'s 1-4 shall be extended as far as the western boundary of the site with the Kiltipper housing estate so that no residual areas remain.

**REASON:**

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



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REG. REF. S96A/0202

- 5 The area outlined in blue on Drawing No. 07 and shown for Road Reservation along the old Bawn Road shall be reserved free from all development and shall be ceded free of charge to the County Council in accordance with the proposals outlined in the letter of application received by the Planning Authority on 9th April, 1996.

REASON:

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

- 6 (1) The existing entrance to the site from Old Bawn Road shall be closed up permanently.
- (2) The proposed entrance off Kiltipper Road shall be constructed as the first phase of development and shall be used for all construction traffic.

REASON:

In the interest of traffic safety.

- 7 All public services to the proposed development, including electrical, telephone cables and equipment, shall be located underground throughout the entire site.

REASON:

In the interest of amenity.

- 8 Public lighting shall be provided as each street is occupied in accordance with a scheme to be agreed with the planning authority.

REASON:

In the interest of amenity and public safety.

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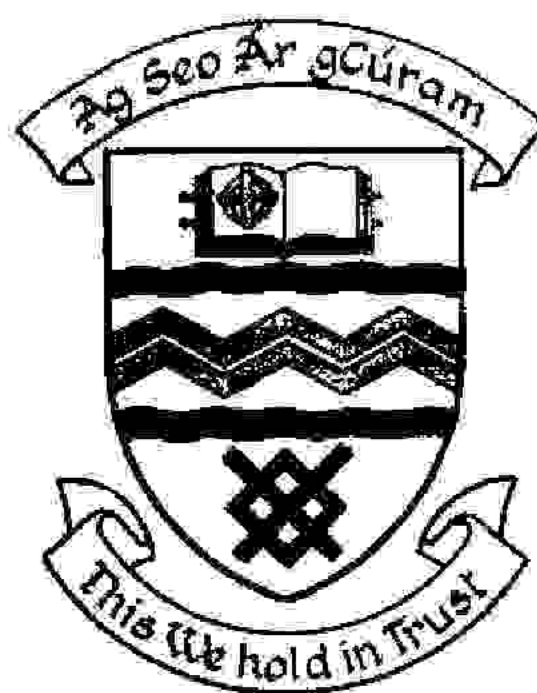
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- 9 The area shown as open space shall be levelled, soiled, seeded and landscaped to the satisfaction of the planning authority and made available for use by residents on completion of the houses.  
REASON:  
In the interest of the amenities of the area.
- 10 The area shown and conditioned as open space shall 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.
- 11 The trees to be preserved and retained on the site shall be protected from damage during development by the erection of 1.5 metre high stout fencing at the outer crown spread of the trees. The scheme of tree felling and surgery works, based on the tree survey submitted with the application shall be carried out prior to commencement of development.  
REASON:  
To protect mature trees on site in the interest of residential and visual amenity.
- 12 A street naming and house numbering scheme shall be submitted to and agreed with the planning authority before any construction work takes place on the proposed houses.  
REASON:  
In the interest of the proper planning and development of the area.



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- 13 The developer shall construct and maintain to the Council's standard for taking in charge all the roads, footpaths, verges, public lighting, open space, sewers, watermains and 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.

- 14 The developer shall obtain a wayleave from the Parks Department South Dublin County Council in relation to the proposal to construct a public foul sewer across public open space to link in with manhole K14.

REASON:

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

- 15 Prior to the commencement of development details of the proposed road crossing at Old Bawn Road of the foul sewer shall be submitted to and agreed with the planning authority.

REASON:

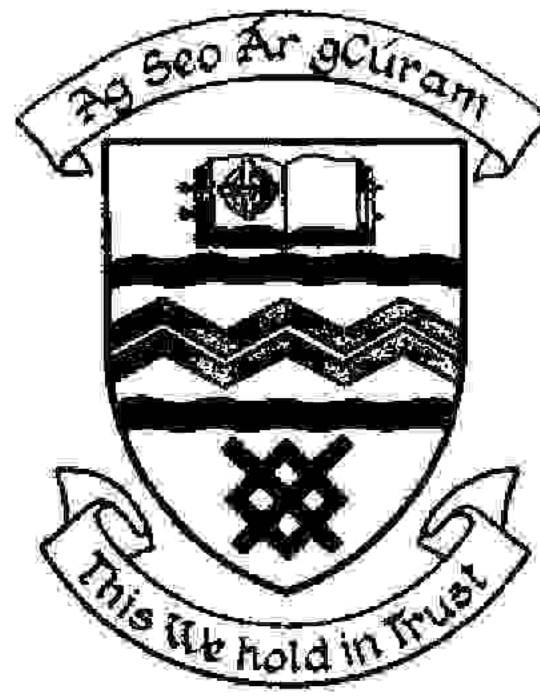
In the interest of public health.

- 16 Prior to the commencement of development, details of the proposed outfall pipe and outfall structure at the River Dodder shall be submitted to and agreed with the planning authority.

REASON:

In the interest of public health.

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- 17 The developer shall provide a wayleave agreement for the surface water sewerline outside lands in their ownership in favour of and in accordance with the requirements of South Dublin County Council.

REASON:

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

- 18 The roofs of the proposed houses shall be of blue/black, slate grey or turf brown tiles or slates.

REASON:

In the interest of visual amenity.

- 19 The existing septic tank serving Old Bawn House shall be drained and back filled. All agricultural buildings shall be removed from the site.

REASON:

In the interest of public health and visual amenity.

- 20 The proposed two metre wide footpath along the Kiltipper Road site frontage shall be provided and constructed in such a manner as to avoid damage to the existing mature trees along Kiltipper Road which are to be preserved in the development. The existing hedge shall be retained, if possible, or, alternatively, a new hawthorn hedge shall be planted along the site boundary with Kiltipper Road and the proposed boundary fencing shall be set back to the rear of this hedge. Details in relation to the foregoing shall be submitted to and agreed with the planning authority prior to the commencement of development.

REASON:

In the interest of pedestrian safety and visual amenity.



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- 21 Except along the Kiltipper Road frontage screen walls, two metre high, suitably capped and rendered, shall be provided where necessary to screen rear gardens from public view.

REASON:

In the interest of residential amenity.

- 22 The portion of the site to the north of house no. 16 on site layout plan 07/A received by the Planning Authority on 21/6/96 and corresponding to the relevant part of the area of land outlined in green on site layout plan 07 received by the Planning Authority on 9/4/96 shall be ceded free of charge to South Dublin County Council for use for community purposes in accordance with the proposal outlined in the letter of application received by the Planning Authority on 9/4/96.

REASON:

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

- 23 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.

- 24 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:

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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.

- 25 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.
- 26 Prior to commencement of development on site, the developer shall submit for the written agreement of the Planning Authority a detailed landscape plan for the site with full works specification (including timescale for implementation), maintenance programme for a period of at least 18 months and bill of quantities for the development of the public open space. The plan is to include grading, topsoiling, seeding, paths, street tree planting, drainage and tree and shrub planting.  
REASON:  
In the interest of visual amenity.
- 27 That the water supply and drainage arrangements, including the disposal of surface water, be in accordance with the requirements of the County Council.  
REASON:  
In order to comply with the Sanitary Services Acts, 1878-1964.
- 28 That a specification and plan for street tree planting be agreed in writing with the Planning Authority prior to the commencement of works on site.  
REASON:  
In the interest of the proper planning and development of the area.



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- 29 The vehicular turning bays shall be constructed to Council standards i.e. 14m x 6m.

REASON:

In the interest of traffic safety.

- 30 That each proposed house be used as a single dwelling unit.

REASON:

To prevent unauthorised development.

- 31 That a financial contribution in the sum of £16,800 (sixteen thousand eight hundred 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.~~ 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. *46*

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.

- 32 That a financial contribution in the sum of money equivalent to the value of £1,600 (one thousand six hundred pounds) per house 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

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that is proposed to be incurred by the Council on road improvement works and traffic management schemes facilitating the proposed development.

- 33 A special open space contribution of £500 (five hundred pounds) per house be paid to South Dublin County Council towards the acquisition and development of lands along the Dodder River. Because this site is bounded by as yet undeveloped or partly developed high amenity lands it is considered appropriate in this instance to seek a contribution to improve, landscape, plant and develop recreational facilities within the Dodder Valley Park and which will facilitate the development. This objective of the Council is set out in Section 4.6.7 of the 1993 County Development Plan. This contribution to be paid prior to the commencement of development.

**REASON:**

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

- 34 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 £50,000 (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 £30,000 (thirty 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./...



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- 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:

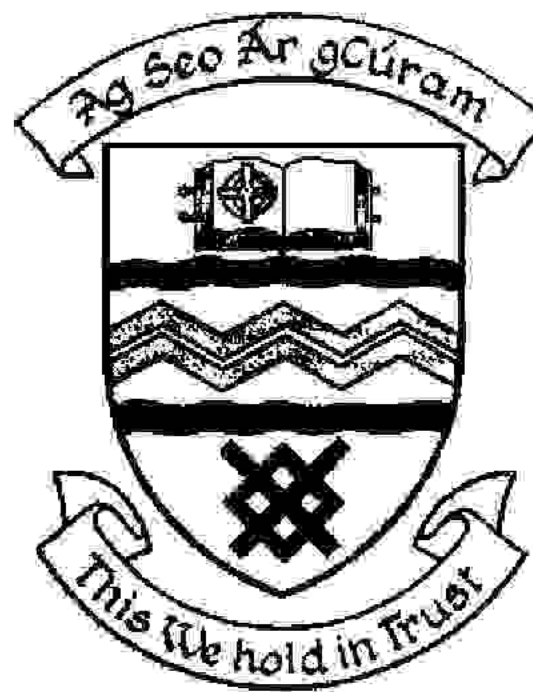
To ensure that a ready sanction may be available to the Council to induce the provision of services and prevent disamenity in the development.

- 35 That no development under any permission granted pursuant to this decision be commenced until security for the protection of the trees to be retained on site has been given by the lodgement with the Council of an approved Insurance Co. Bond in the sum of £15,000 (fifteen thousand pounds) which shall be renewed by the developer from time to time as required during the course of the development and kept in force by the applicant until such time as mature trees are effectively safeguarded.

REASON:

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

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

<b>Decision Order Number</b> 1045	<b>Date of Decision</b> 05/06/96
<b>Register Reference</b> S96A/0202	<b>Date</b> 9th April 1996

**Applicant** J. Whelan,  
**App. Type** Permission  
**Development** 26 semi-detached houses.  
  
**Location** Oldbawn House, Kiltipper Road, Tallaght.

Dear Sir / Madam,

In accordance with Section 26 (4A) of the Local Government (Planning and Development) Act 1963 as amended by Section 39 (f) of the Local Government (Planning and Development) Act 1976 the applicant has furnished his consent in writing to the extension by the council of the period for considering this application within the meaning of sub-section 4 (a) of section 26 , up to and including 15/07/96

Yours faithfully

.....  
for SENIOR ADMINISTRATIVE OFFICER

05/06/96

McCrossan O'Rourke Architects,  
12 Richmond Road,  
Portobello Harbour,  
Dublin 8.