

	South Dublin County Council Local Government (Planning & Development) Acts 1963 to 1993 Planning Register (Part 1)	Plan Register No. S96A/0146	
1. Location	St. Andrews Hall, Main Street, Lucan.		
2. Development	A. Demolition of existing parish hall. B. Erection of three storey residential block of 11 apartments. C. Site works to provide additional car-parking spaces.		
3. Date of Application	15/03/96	Date Further Particulars (a) Requested (b) Received	
3a. Type of Application	Permission	1. 11/04/96 2.	1. 17/04/96 2.
4. Submitted by	Name: Lynch O'Toole Martin, Address: Dodder Park Road, Rathfarnham,		
5. Applicant	Name: Weatherley Ltd., Address: Main Street, Dunshaughlin, Co. Meath.		
6. Decision	O.C.M. No. 1110 Date 13/06/96	Effect AP GRANT PERMISSION	
7. Grant	O.C.M. No. Date	Effect AP GRANT PERMISSION	
8. Appeal Lodged	09/07/96	Written Representations	
9. Appeal Decision	07/11/96	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.	

AN BORD PLEANÁLA

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

County South Dublin

Planning Register Reference Number: S96A/0146

APPEAL by Lucan Planning Council and others care of Glascott Symes of The King's Hospital, Palmerstown, Dublin against the decision made on the 13th day of June, 1996 by the Council of the County of South Dublin to grant subject to conditions a permission to Weatherley Limited care of Lynch O'Toole Martin of Dodder Park Road, Rathfarnham, Dublin for development comprising (a) demolition of existing parish hall, (b) erection of three-storey residential block of 11 apartments and (c) site works to provide additional car parking spaces at Saint Andrew's Hall, Main Street, Lucan, 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

Having regard to the planning history of the site and the zoning objectives for the area, it is considered that, subject to compliance with the conditions set out in the Second Schedule, the proposed development would not seriously injure the amenities of the area and would be in accordance with the proper planning and development of the area.

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5. Water supply and drainage arrangements, including the disposal of surface water, shall comply with the requirements of the planning authority for such works and services.

Reason: In the interest of public health and to ensure a proper standard of development.

6. A management scheme for the adequate future maintenance of private open spaces, roads and communal areas shall be submitted to and agreed with the planning authority prior to the commencement of development.

Reason: To ensure the adequate future maintenance of this private development in the interest of residential amenity.

7. No development shall take place until a landscaping scheme has been submitted to and agreed with the planning authority. This scheme shall include details of all existing trees and hedgerows on the site, specifying those proposed for retention, together with measures for their protection during the development period. The site shall be landscaped in accordance with the agreed scheme, which shall also include a timescale for implementation.

Reason: In the interest of visual amenity.

8. The wall profile at Saint Andrew's Lodge at point of access from Main Street to the lane accessing the site shall be modified in accordance with the requirements of the planning authority. No development of any form, including planting, fences or wing walls, shall exceed a height of 0.9 metres within the area required to provide visibility from the site entrance. Details of the above, including reinstatement of the stone wall, shall be submitted to and agreed with the planning authority prior to the commencement of development.

Reason: In the interest of traffic safety.

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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 road improvement works and traffic management facilitating the proposed development.

13. 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 public water supplies 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 public water supplies and sewerage facilities facilitating the proposed development.

14. 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 acquisition of lands for public open space purposes 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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**SOUTH DUBLIN COUNTY COUNCIL
COMHAIRLE CHONTAE ÁTHA CLIATH THEAS**



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

Decision Order Number 1110	Date of Decision 13/06/96
Register Reference S96A/0146	Date 15th March 1996

Applicant Weatherley Ltd.,

Development A. Demolition of existing parish hall. B. Erection of three storey residential block of 11 apartments. C. Site works to provide additional car-parking spaces.

Location St. Andrews Hall, Main Street, Lucan.

Floor Area Sq Metres

Time extension(s) up to and including

Additional Information Requested/Received 11/04/96 /17/04/96

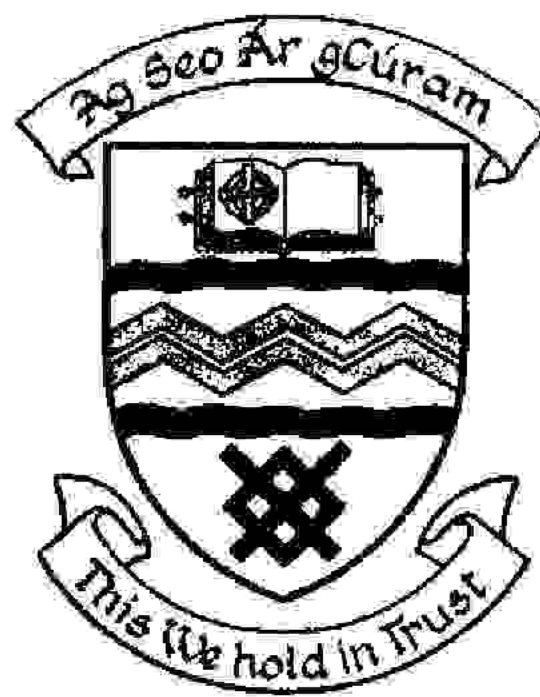
In pursuance of its functions under the above mentioned Acts, the South Dublin County Council, being the Planning Authority for the County Health District of Dublin, did by Order dated as above make a decision to **GRANT PERMISSION** in respect of the above proposal.

Subject to the conditions (19) on the attached Numbered Pages.
Signed on behalf of the South Dublin County Council.

.....
for SENIOR ADMINISTRATIVE OFFICER

13/06/96

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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, 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 applicant shall employ a qualified archaeologist to carry out Archaeological Monitoring of all sub-surface works carried out within the proposed development site, associated with the extension to the existing building. This will involve the Archaeological Monitoring of all site preparation works, including the opening of all foundation trenches and sub-surface works associated with the provision of services. Should archaeological material be discovered during the course of Archaeological Monitoring, the applicant shall facilitate the archaeologist in fully recording this material. The applicant shall be prepared to be advised by the Office of Public Works with regard to the appropriate course of action. The archaeologist shall prepare and submit a report, describing the results of Archaeological Monitoring, to the Office of Public Works, at the earliest date possible following the completion of Archaeological Monitoring.
REASON:
In the interest of proper planning and development of the area.

- 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.

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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 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 Heating to be provided by the use of either oil, gas, electricity or by smokeless fuels in fireplaces or appliances suitable only for burning solid smokeless fuels.

REASON:

In the interest of reducing air pollution.

- 8 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.

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- 9 That no development under any permission granted pursuant to this decision be commenced until security for the provision and satisfactory completion of services including roads, open space, car parks, sewers, watermains or drains has been given by:-

A. Lodgement with the Council of an approved bond or letter of guarantee in the sum of £5,000 (five thousand pounds).

OR...../

B. Lodgement with the Council of a cash sum of £5,000 (five thousand pounds) to be applied by the Council at its absolute discretion if such services are not provided to its satisfaction.

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.

- 10 That a satisfactory scheme of landscaping, including the proposed programme for such works, shall be submitted to and approved by the Council before any development commences.

REASON:

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

- 11 That the water supply and drainage arrangements, including the disposal of surface water, be in accordance with the requirements of the County Council. In particular a legally binding wayleave agreement shall be entered into to provide for an 5m wayleave to the main sewers which traverse the site. This wayleave agreement to be submitted for the written agreement of the Planning Authority before any development commences. This wayleave agreement to provide for:

- (i) access in perpetuity for South Dublin County Council and
- (ii) that no development take place (extensions, garages, boundary walls, tree planting, etc.) within 5m of the sewers.

Boundary fence construction to be of a light type ensuring that foundations do not bear on the rising main. Details of

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the wayleave agreement shall be included within the deeds of the new properties.

REASON:

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

- 12 (a) The outfall manhole on the existing main sewer which traverses the site to be constructed by South Dublin County Council at the applicants expense.
- (b) Flood routes for the main foul and surface water pipes through the site to be agreed with the Environmental Services Department, South Dublin County Council before work commences.
- (c) Details to be submitted for approval of the Planning Authority before development commences.

REASON:

To ensure a satisfactory standard of development.

- 13 That the wall profile at St. Andrews Lodge at point of access from Main Street to lane accessing the site be modified in accordance with the requirements of the Roads Engineer, Roads Planning Division, South Dublin County Council. No development of any form including planting, fences or wing walls shall exceed a height of 0.9m within the area required to provide visibility from the site entrance. Details of the above to be submitted for approval prior to the commencement of development.

REASON:

To ensure a satisfactory standard of development.

- 14 Public access shall be provided to the western boundary of the site to facilitate a possible future riverside walk via the proposed gravel path and steps from the riverside area to the east of the site. Details of the above shall be submitted for the written agreement of the Planning

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Authority prior to development commencing on the site.

REASON:

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

- 15 That prior to development commencing full details of all external materials and finishes to be submitted and agreed in writing with the planning authority.

REASON:

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

- 16 That a financial contribution in the sum of money equivalent to the value of £7,000 (seven thousand 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 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 development.

- 17 That a financial contribution in the sum of £2,000 (two thousand pounds) be paid by the proposer to South Dublin County Council towards the cost of diversionary works to the public sewer in the Lucan area which will facilitate this

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development; this contribution to be paid before the commencement of development on the site.

REASON:

These diversionary works 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.

- 18 That a financial contribution in the sum of £1,500 (one thousand five 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.

REASON:

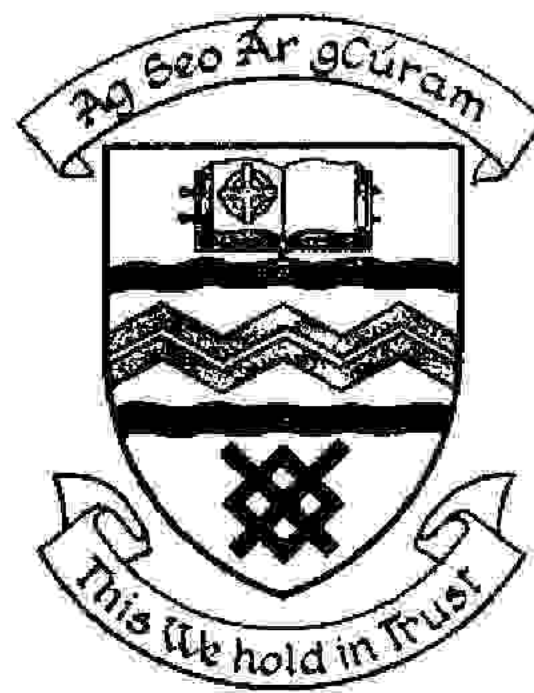
The provision of such services in the area by the Council will facilitate the proposed development. It is considered reasonable that the developer should contribute towards the cost of providing the services.

- 19 That a financial contribution in the sum of £11,000 (eleven thousand pounds) be paid by the proposer to South Dublin County Council to assist the Council in the acquisition of lands for public open space purposes which will be available to the residents of the proposed development. This contribution to be paid immediately on notification of full planning permission being granted.

REASON:

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

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

Order Number 0624	Date of Order 11/04/96
Register Reference S96A/0146	Date 15th March 1996

Applicant Weatherley Ltd.,

Development A. Demolition of existing parish hall. B. Erection of three storey residential block of 11 apartments. C. Site works to provide additional car-parking spaces.

Location St. Andrews Hall, Main Street, Lucan.

Dear Sir/Madam,

An inspection carried out on 01.04.1996 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 notice which is erected on the pier of the wall along the laneway, is not easily visible and legible by persons using the public road. 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) a copy of the text of the notice
- (b) a plan 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:

Lynch O'Toole Martin,
Dodder Park Road,
Rathfarnham,
Dublin 14.

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- (a) Applicant's name
- (b) whether application is for Permission, Outline Permission, or Approval.
- (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.

11/04/96