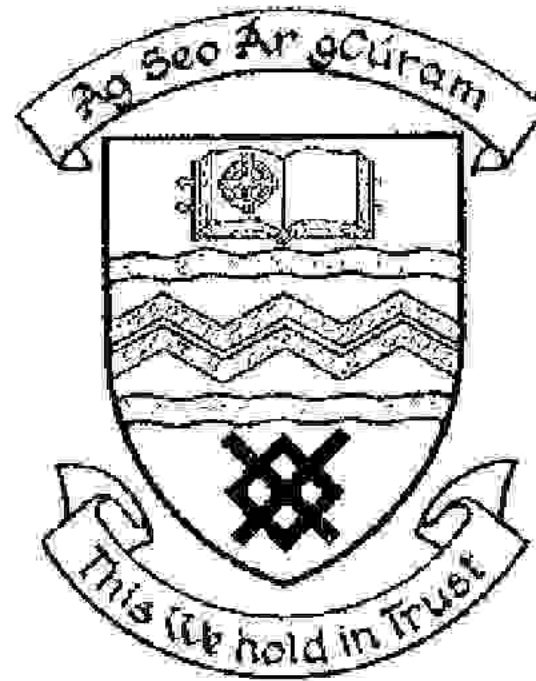


	South Dublin County Council Local Government (Planning & Development) Acts 1963 to 1999 and Planning & Development Act 2000 Planning Register (Part 1)	Plan Register No. S01A/0630	
1. Location	Site at north-eastern end of Magna Business Park, Fortunestown, Dublin 24.		
2. Development	Industrial/warehouse unit with ancillary offices and associated carpark, electricity sub-station, sunken docks, canopy, marshalling yard and landscaping.		
3. Date of Application	26/09/01	Date Further Particulars (a) Requested (b) Received	
3a. Type of Application	Permission	1. 2.	1. 2.
4. Submitted by	Name: Henry J. Lyons & Partners, Address: 47/48 Pearse Street, Dublin 2.		
5. Applicant	Name: Place Properties Ltd., Address: Magna Business Park, Fortunestown, Dublin 24.		
6. Decision	O.C.M. No. 3444 Date 22/11/2001	Effect AP GRANT PERMISSION	
7. Grant	O.C.M. No. 0101 Date 14/01/2002	Effect AP GRANT PERMISSION	
8. Appeal Lodged	21/12/2001	Written Representations	
9. Appeal Decision			
10. Material Contravention			
11. Enforcement	Compensation	Purchase Notice	
12. Revocation or Amendment			
13. E.I.S. Requested	E.I.S. Received	E.I.S. Appeal	
14. Registrar	Date	Receipt No.	

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Henry J. Lyons & Partners,
47/48 Pearse Street,
Dublin 2.

NOTIFICATION OF GRANT OF Permission

**LOCAL GOVERNMENT (PLANNING AND DEVELOPMENT) ACTS, 1963 TO 1999
AND PLANNING AND DEVELOPMENT ACT 2000**

Final Grant Order Number 0101	Date of Final Grant 14/01/2002
Decision Order Number 3444	Date of Decision 22/11/2001
Register Reference S01A/0630	Date 26/09/01

Applicant Place Properties Ltd.,

Development Industrial/warehouse unit with ancillary offices and associated carpark, electricity sub-station, sunken docks, canopy, marshalling yard and landscaping.

Location Site at north-eastern end of Magna Business Park, Fortunestown, Dublin 24.

Floor Area 6536.00 Sq Metres

Time extension(s) up to and including

Additional Information Requested/Received /

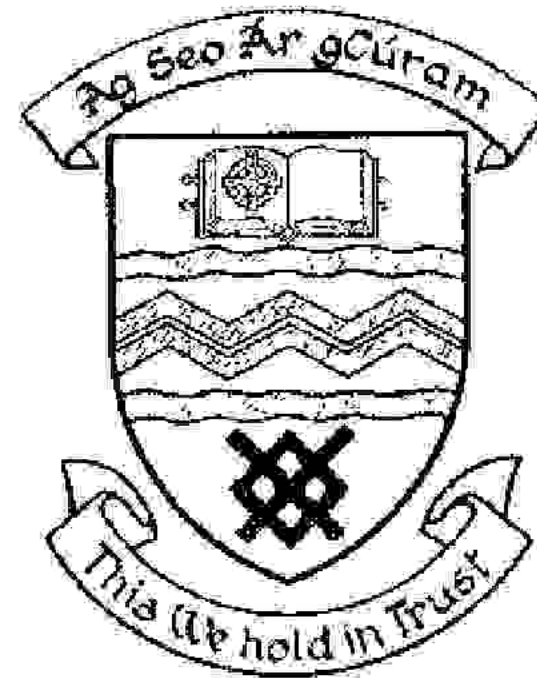
A Permission has been granted for the development described above,
subject to the following (16) Conditions.

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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, save as may be required by the other conditions attached hereto.

REASON:

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

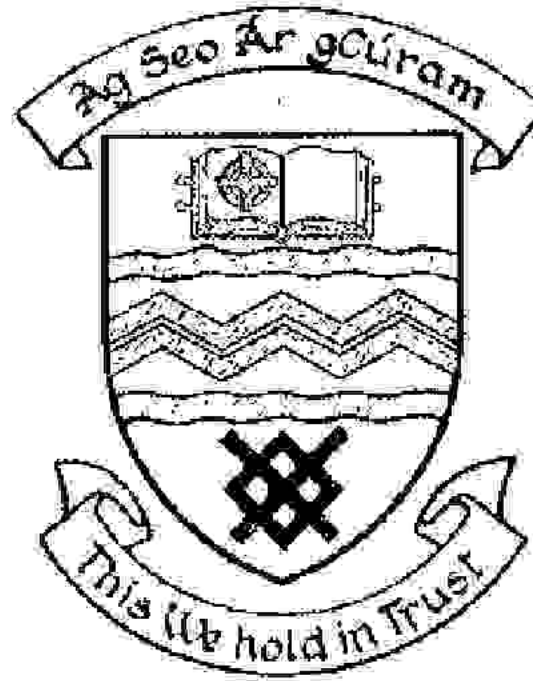
- 2 That the water supply and drainage arrangements, including the disposal of surface water, be in accordance with the requirements of the County Council. In that respect:
 - i) No connection shall be made to the foul sewerage system until such time as the Brookfield Road Foul Sewer Duplication has taken place.
 - ii) No discharge of trade effluent to sewer shall be permitted without the applicant first obtaining from the Environmental Services Department, a licence under Section 16 of the Water Pollution Acts 1977 - 1990.
 - iii) No buildings shall be erected within 5 metres of a public sewer or any sewer with the potential to be taken in charge.
 - iv) Applicant to ensure full and complete separation of foul and surface water systems.
 - v) All pipes shall be laid with a minimum cover of 1.2m in roads, footpaths and driveways, and 0.9m in open space. Where it is not possible to achieve these minimum covers, pipes shall be bedded and surrounded in C20 concrete 150mm thick.
 - vi) As per Condition 3(b) of the planning permission for the site development of Magna Business Campus (S99A/0343) the maximum surface water run-off from this development shall be 13.3 litres per second per ha. The surface water discharges from the site shall be attenuated in the attenuation for the entire Business Campus.
 - vii) Prior to the commencement of development the applicant shall submit full details of any proposed surface water pumping system for sunken dock loading area. Adequate provision shall also be allowed for an overflow storage facility in the event of pump failure.
 - viii) All surface water runoff from vehicle parking / marshalling areas shall be routed via a petrol/oil/diesel interceptor before discharging to the surface water sewer.

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- ix) The unit shall have its own individual commercially metered connection to the watermain and full 24 hour water storage.
- x) The connection to and tapping of public watermains shall be carried out by South Dublin County Council personnel at the applicant's prior expense.

REASON:

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

- 3 That no industrial effluent be permitted without prior approval from Planning Authority.

REASON:

In the interest of health.

- 4 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.

- 5 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.

- 6 The requirements of the Environmental Health Officer shall be strictly adhered to. In that respect:

- i) Any fumes emitted from the premises are to be minimised and if necessary treated using the Best Available Technology and emitted to the outer air via a stack erected to the rear (south) of the premises, to a minimum height of 1 metre above the eaves of the premises or adjoining premises.
- ii) A suitable location for the storage of refuse is to be provided.
- iii) All rooms, passageways, sanitary accommodation and lobbies shall be ventilated to the external air.
- iv) Noise due to the normal operation of the business, expressed as Laeq over 1 hour at the façade of a noise sensitive location, shall not exceed the daytime background level by more than 10dB(A) (see note below).
- v) Noise due to the normal operation of the business, expressed as Laeq over 15 minutes in a noise

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- sensitive location, shall not exceed the background level for night time (see note below).
- vi) No heavy construction equipment/machinery (to include pneumatic drills, construction vehicles, generators, etc.) shall be operated on or adjacent to the construction site before 8.00 hours on weekdays and 9.00 hours on Saturdays, nor after 18.00 hours on weekdays and 13.00 hours on Saturdays, nor at any time on Sundays, Bank Holidays or public Holidays.
- vii) During the construction phase of the development Best Practices Means shall be employed to minimise air blown dust emitted from the site. This shall include covering skips and slack-heaps, netting of scaffolding, daily washing down of pavements and other public areas, and any other precautions necessary to prevent dust nuisance. There must be compliance with British Standard B.S. 5228 Noise Control on Construction and Open Sites.

REASON:

To protect the amenities of the area and in the interest of public health and the proper planning and development of the area.

NOTE: A noise sensitive location is any dwelling house, hotel or hostel, health building, educational establishment when in use, places of worship when in use, places of entertainment which for their proper enjoyment require the absence of noise at nuisance levels, or any other facility or area of high amenity which for its proper enjoyment requires the absence of noise at nuisance levels.

- 7 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.

- 8 Any material change in use from a warehouse with ancillary offices shall require Planning Permission from the Planning Authority or An Bord Pleanála on appeal.

REASON:

In order to control the use of the proposed development.

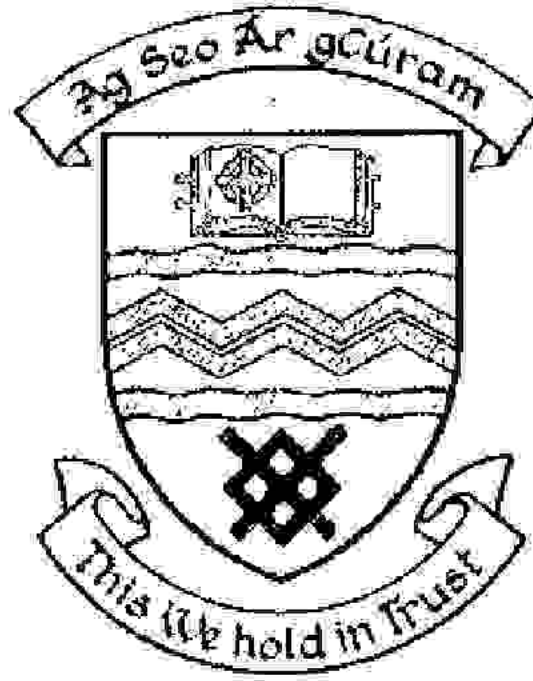
- 9 Prior to the commencement of development the applicant shall submit, for the written agreement of the Parks and Landscape Services Department:

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- i) A detailed tree and hedgerow survey, indicating the location, species, age, condition, crown spread and height of all trees and hedgerows on the site. Agreement shall be reached with the Parks and Landscape Services Department on proposals for the removal/retention of these trees/hedgerows and measures to protect them during the course of the development. The trees and hedges to be retained on site shall be protected by suitable fencing and a scheme of tree felling and surgery works based on the applicants' survey is to be carried out prior to the commencement of works on site. The protective fencing shall be erected by the developer and inspected by an official from the Parks and Landscape Services Department prior to development works commencing on the site.
 - ii) A detailed landscape plan with full works specifications.
 - iii) Full details of the proposed boundary treatment.
- REASON:
In the interest of amenity and the proper planning and development of the area.
- 10 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.
- 11 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.
- 12 That a financial contribution in the sum of £52,766 (fifty two thousand seven hundred and sixty six pounds) EUR 67,000 (sixty seven thousand euros) 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.

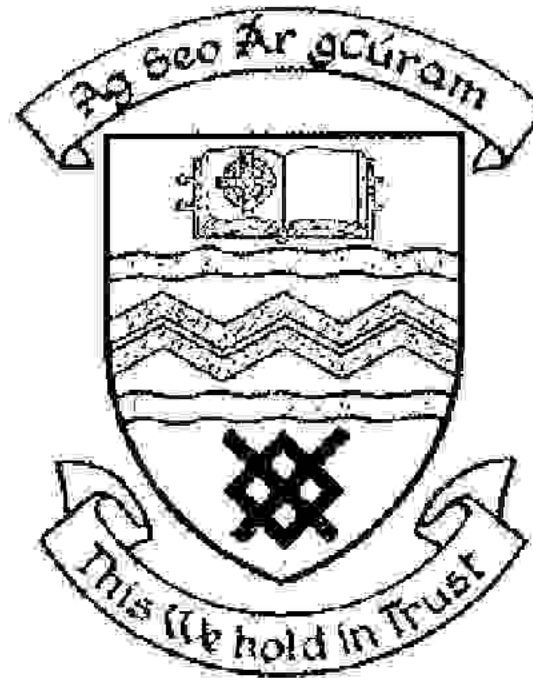
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REG REF. SOL 170687

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- 13 That a financial contribution in the sum of £137,256 (one hundred and thirty seven thousand two hundred and fifty six pounds) EUR 174,279 (one hundred and seventy four thousand two hundred and seventy nine euros) 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 facilitates 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.

- 14 That a financial contribution in the sum of £26,471 (twenty six thousand four hundred and seventy one pounds) EUR 33,611 (thirty three thousand six hundred and eleven euros) be paid by the proposer to South Dublin County Council towards the cost of the Boherboy Water Supply Scheme which serves this development.

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 the works.

- 15 That a financial contribution in the sum of £52,288 (fifty two thousand two hundred and eighty eight pounds) EUR 66,392 (sixty six thousand three hundred and ninety two euros) be paid by the proposer to South Dublin County Council towards the cost of the Dodder Valley Catchment Drainage Improvement Works which serves this development.

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 the works.

- 16 Before development is commenced under any permission granted pursuant to this decision, the developer shall lodge with South Dublin County Council a cash deposit of £59,100 (fifty nine thousand one hundred pounds) EUR 75,042 (seventy five thousand and forty two euros), a bond of an insurance company or other security to the value of £98,500 (ninety eight thousand five hundred pounds) EUR 125,069 (one hundred and twenty five thousand and sixty nine euros) to secure the provision and satisfactory completion to taking in charge

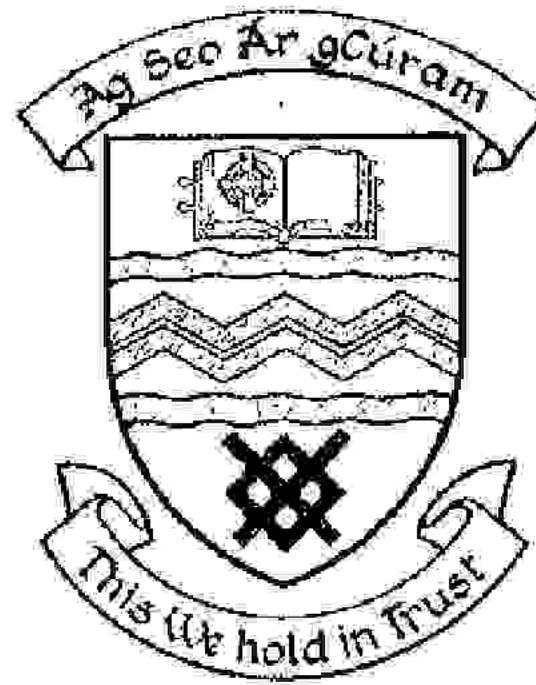
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standard of roads, footpaths, watermains, drains, public open space and other services required in connection with the development.

REASON:

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

- (1) All buildings must be designed and constructed in accordance with the Building Regulations 1997.
- (2) Building Control Regulations require a Commencement Notice. A copy of the Commencement Notice is attached.
- (3) A Fire Safety Certificate must be obtained from the Building Control Authority, where applicable.
- (4) Free Standing Walls must be designed and constructed in accordance with IS 325: Code of Practice for use of Masonry Part 1 : Structural use of unreinforced Masonry. The Owner must also ensure that the construction of all walls is supervised by a competent person.

Signed on behalf of South Dublin County Council.

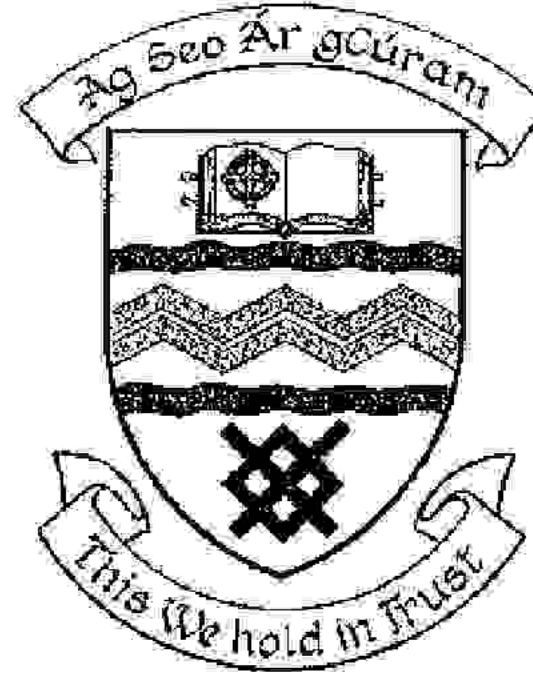
..... *ACB* 14/01/02
for SENIOR ADMINISTRATIVE OFFICER

C

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COMHAIRLE CHONTAE ÁTHA CLIATH THEAS

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NOTIFICATION OF DECISION TO GRANT PERMISSION
LOCAL GOVERNMENT (PLANNING AND DEVELOPMENT) ACTS, 1963 TO 1999
AND PLANNING AND DEVELOPMENT ACT 2000

Decision Order Number 3444	Date of Decision 22/11/2001
Register Reference S01A/0630	Date: 26/09/01

Applicant Place Properties Ltd.,

Development Industrial/warehouse unit with ancillary offices and associated carpark, electricity sub-station, sunken docks, canopy, marshalling yard and landscaping.

Location Site at north-eastern end of Magna Business Park, Fortunestown, Dublin 24.

Floor Area Sq Metres

Time extension(s) up to and including

Additional Information Requested/Received /

Clarification of Additional Information Requested/Received /

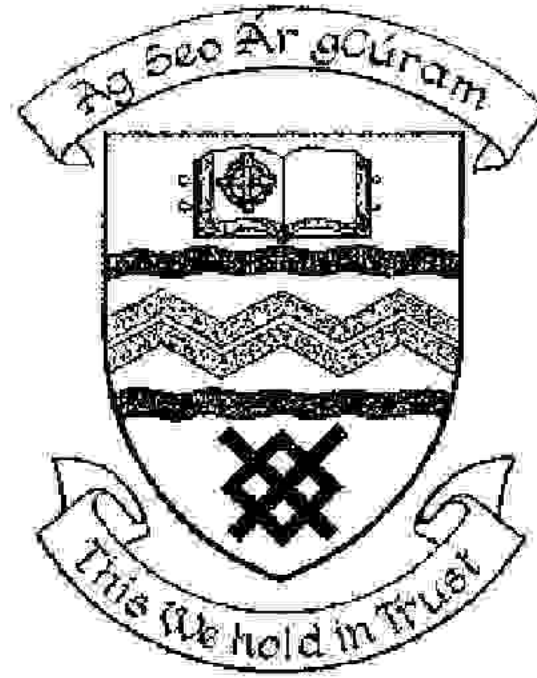
In pursuance of its functions under the above mentioned Acts, the South Dublin County Council, being the Planning Authority for the County Health District of Dublin, did by Order dated as above make a DECISION TO GRANT PERMISSION in respect of the above proposal.

Subject to the conditions (16) on the attached Numbered Pages.
Signed on behalf of the South Dublin County Council.


..... 22/11/01
for SENIOR ADMINISTRATIVE OFFICER

Henry J. Lyons & Partners,
47/48 Pearse Street,
Dublin 2.

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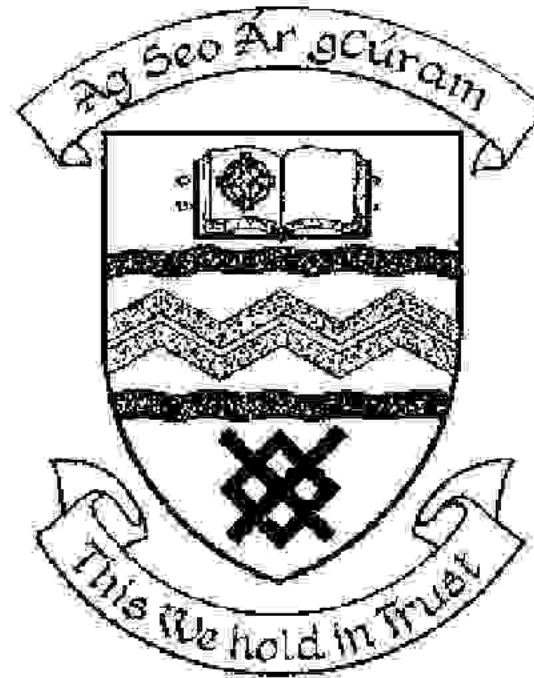
Conditions and Reasons

- 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 That the water supply and drainage arrangements, including the disposal of surface water, be in accordance with the requirements of the County Council. In that respect:
 - i) No connection shall be made to the foul sewerage system until such time as the Brookfield Road Foul Sewer Duplication has taken place.
 - ii) No discharge of trade effluent to sewer shall be permitted without the applicant first obtaining from the Environmental Services Department, a licence under Section 16 of the Water Pollution Acts 1977 - 1990.
 - iii) No buildings shall be erected within 5 metres of a public sewer or any sewer with the potential to be taken in charge.
 - iv) Applicant to ensure full and complete separation of foul and surface water systems.
 - v) All pipes shall be laid with a minimum cover of 1.2m in roads, footpaths and driveways, and 0.9m in open space. Where it is not possible to achieve these minimum covers, pipes shall be bedded and surrounded in C20 concrete 150mm thick.
 - vi) As per Condition 3(b) of the planning permission for the site development of Magna Business Campus (S99A/0343) the maximum surface water run-off from this development shall be 13.3 litres per second per ha. The surface water discharges from the site shall be attenuated in the attenuation for the entire Business Campus.
 - vii) Prior to the commencement of development the applicant shall submit full details of any proposed surface water pumping system for sunken dock loading

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area. Adequate provision shall also be allowed for an overflow storage facility in the event of pump failure.

- viii) All surface water runoff from vehicle parking / marshalling areas shall be routed via a petrol/oil/diesel interceptor before discharging to the surface water sewer.
- ix) The unit shall have its own individual commercially metered connection to the watermain and full 24 hour water storage.
- x) The connection to and tapping of public watermains shall be carried out by South Dublin County Council personnel at the applicant's prior expense.

REASON:

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

- 3 That no industrial effluent be permitted without prior approval from Planning Authority.

REASON:

In the interest of health.

- 4 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.

- 5 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.

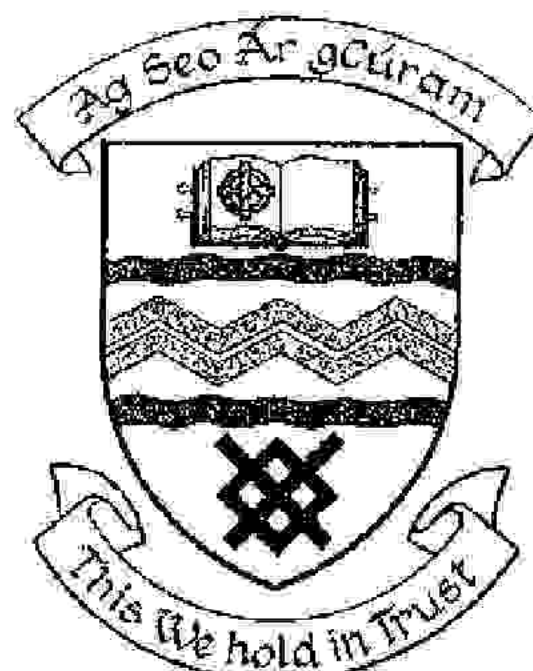
- 6 The requirements of the Environmental Health Officer shall be strictly adhered to. In that respect:

- i) Any fumes emitted from the premises are to be minimised and if necessary treated using the Best Available Technology and emitted to the outer air via a stack erected to the rear (south) of the

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REG REF. S01A/0630

- premises, to a minimum height of 1 metre above the eaves of the premises or adjoining premises.
- ii) A suitable location for the storage of refuse is to be provided.
 - iii) All rooms, passageways, sanitary accommodation and lobbies shall be ventilated to the external air.
 - iv) Noise due to the normal operation of the business, expressed as Laeq over 1 hour at the façade of a noise sensitive location, shall not exceed the daytime background level by more than 10dB(A) (see note below).
 - v) Noise due to the normal operation of the business, expressed as Laeq over 15 minutes in a noise sensitive location, shall not exceed the background level for night time (see note below).
 - vi) No heavy construction equipment/machinery (to include pneumatic drills, construction vehicles, generators, etc.) shall be operated on or adjacent to the construction site before 8.00 hours on weekdays and 9.00 hours on Saturdays, nor after 18.00 hours on weekdays and 13.00 hours on Saturdays, nor at any time on Sundays, Bank Holidays or public Holidays.
 - vii) During the construction phase of the development Best Practices Means shall be employed to minimise air blown dust emitted from the site. This shall include covering skips and slack-heaps, netting of scaffolding, daily washing down of pavements and other public areas, and any other precautions necessary to prevent dust nuisance. There must be compliance with British Standard B.S. 5228 Noise Control on Construction and Open Sites.

REASON:

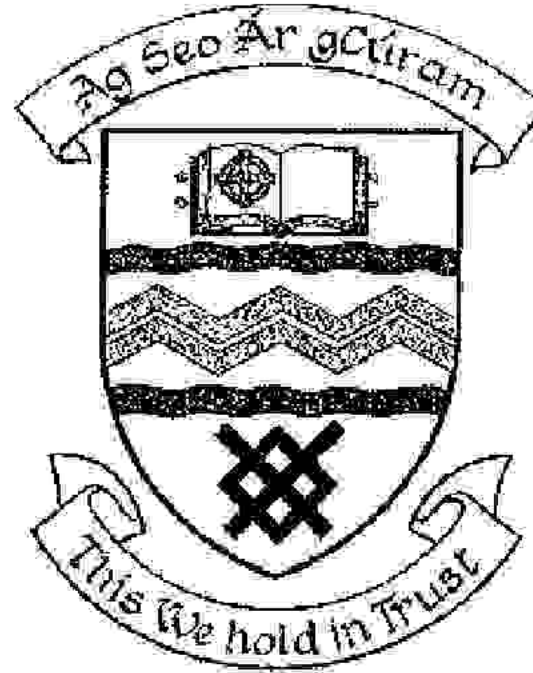
To protect the amenities of the area and in the interest of public health and the proper planning and development of the area,

NOTE: A noise sensitive location is any dwelling house, hotel or hostel, health building, educational establishment when in use, places of worship when in use, places of entertainment which for their proper enjoyment require the absence of noise at nuisance levels, or any other facility or area of high

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REG. REF. S01A/0630

amenity which for its proper enjoyment requires the
absence of noise at nuisance levels.

- 7 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.

- 8 Any material change in use from a warehouse with ancillary
offices shall require Planning Permission from the Planning
Authority or An Bord Pleanála on appeal.

REASON:

In order to control the use of the proposed development.

- 9 Prior to the commencement of development the applicant shall
submit, for the written agreement of the Parks and Landscape
Services Department:

- i) A detailed tree and hedgerow survey, indicating the
location, species, age, condition, crown spread and
height of all trees and hedgerows on the site.
Agreement shall be reached with the Parks and
Landscape Services Department on proposals for the
removal/retention of these trees/hedgerows and
measures to protect them during the course of the
development. The trees and hedges to be retained on
site shall be protected by suitable fencing and a
scheme of tree felling and surgery works based on
the applicants' survey is to be carried out prior to
the commencement of works on site. The protective
fencing shall be erected by the developer and
inspected by an official from the Parks and
Landscape Services Department prior to development
works commencing on the site.
- ii) A detailed landscape plan with full works
specifications.
- iii) Full details of the proposed boundary treatment.

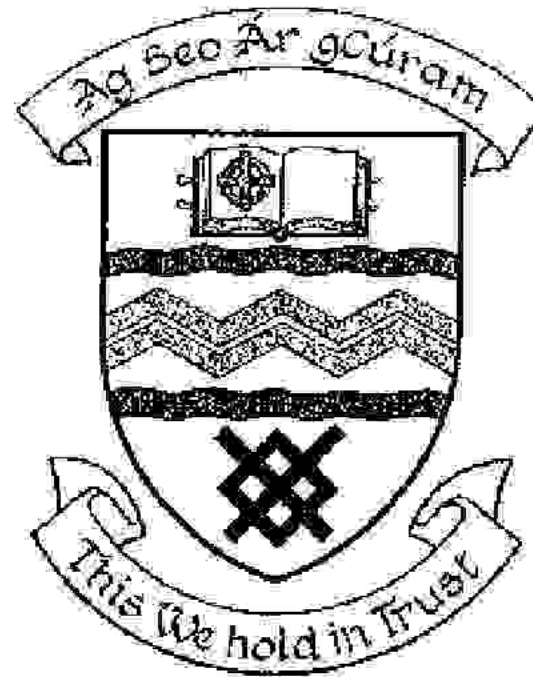
REASON:

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

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- 10 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.

- 11 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.

- 12 That a financial contribution in the sum of £52,766 (fifty two thousand seven hundred and sixty six pounds) EUR 67,000 (sixty seven thousand euros) 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.

- 13 That a financial contribution in the sum of £137,256 (one hundred and thirty seven thousand two hundred and fifty six pounds) EUR 174,279 (one hundred and seventy four thousand two hundred and seventy nine euros) 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 facilitates this development; this contribution to be paid before the commencement of development on the site.

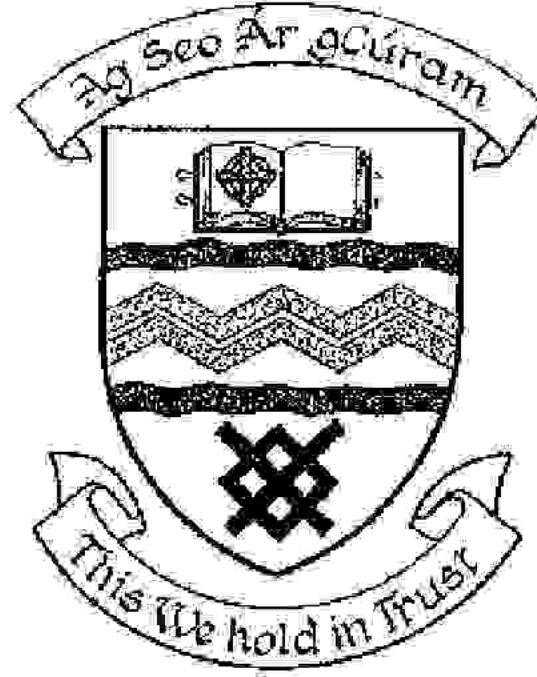
REASON:

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.

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

Halla an Chontae,
Lár an Bhaile, Tamhlacht,
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**PLANNING
DEPARTMENT**
County Hall,
Town Centre, Tallaght,
Dublin 24.

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REG. REF. S01A/0630

- 14 That a financial contribution in the sum of £26,471 (twenty six thousand four hundred and seventy one pounds) EUR 33,611 (thirty three thousand six hundred and eleven euros) be paid by the proposer to South Dublin County Council towards the cost of the Boherboy Water Supply Scheme which serves this development.

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 the works.

- 15 That a financial contribution in the sum of £52,288 (fifty two thousand two hundred and eighty eight pounds) EUR 66,392 (sixty six thousand three hundred and ninety two euros) be paid by the proposer to South Dublin County Council towards the cost of the Dodder Valley Catchment Drainage Improvement Works which serves this development.

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 the works.

- 16 Before development is commenced under any permission granted pursuant to this decision, the developer shall lodge with South Dublin County Council a cash deposit of £59,100 (fifty nine thousand one hundred pounds) EUR 75,042 (seventy five thousand and forty two euros), a bond of an insurance company or other security to the value of £98,500 (ninety eight thousand five hundred pounds) EUR 125,069 (one hundred and twenty five thousand and sixty nine euros) to secure the provision and satisfactory completion to taking in charge standard of roads, footpaths, watermains, drains, public open space and other services required in connection with the development.

REASON:

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