

	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/0318	
1. Location	Junction of High Street & Main Street, Tallaght.		
2. Development	Removal of existing buildings and for the provision of a new commercial building comprising 1 no. basement level car-parking facility with entrance from High Street and 4 no. floors above ground level incorporating Restaurant, Take Away and other Retail Units to ground floor and Offices to the upper floors.		
3. Date of Application	25/05/01	Date Further Particulars (a) Requested (b) Received	
3a. Type of Application	Permission	1. 2.	1. 2.
4. Submitted by	Name: Chris Ryan Architects, Address: 29 Upr Mount Street, Dublin 2.		
5. Applicant	Name: Niall Mellon, Address: Mellon Group, 121-125 Lr Rathmines Road, Dublin 6.		
6. Decision	O.C.M. No. 2944 Date 17/09/2001	Effect AP GRANT PERMISSION	
7. Grant	O.C.M. No. 0366 Date 29/01/2002	Effect AP GRANT PERMISSION	
8. Appeal Lodged	15/10/2001	Written Representations	
9. Appeal Decision	07/01/2002	Appeal Withdrawn	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.

P/0366/02.

Comhairle Chontae Atha Claith Theas

Record of Executive Business and Manager's Orders

Local Government (Planning & Development) Acts 1963 - 1993

A decision has been made in the following case to grant permission under the above Acts:

Register Reference: S01A/0318

Order Number: 2944

Date: 17/09/01

Development:

Removal of existing buildings and for the provision of a new commercial building comprising 1 no. basement level car-parking facility with entrance from High Street and 4 no. floors above ground level incorporating Restaurant, Take Away and other Retail Units to ground floor and offices to the upper floors.

Junction of High Street & Main Street, Tallaght.

Location:

Applicant:

Niall Mellon.

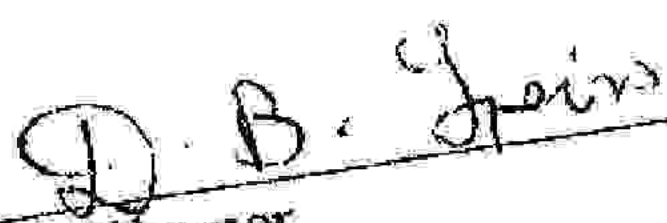
As the appeal in the above case has been WITHDRAWN, I recommend that the grant be made.


Administrative Officer.

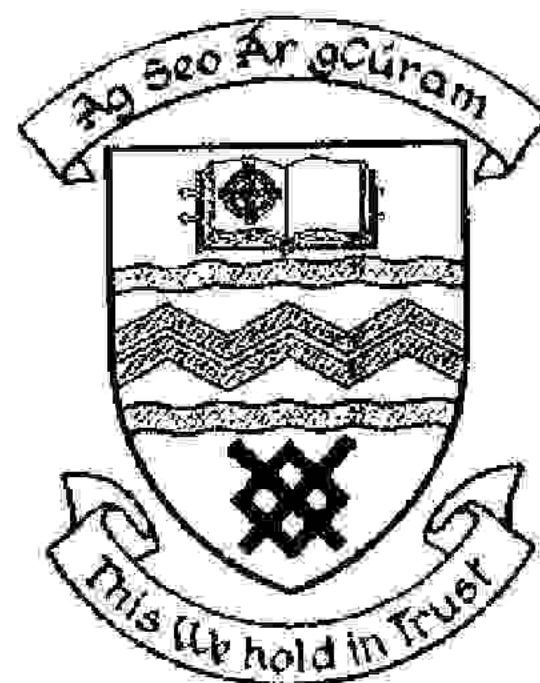
ORDER:

As the appeal to An Bord Pleanála has been withdrawn in respect of Removal of existing buildings and for the provision of a new commercial building comprising 1 no. basement level car-parking facility with entrance from High Street and 4 no. floors above ground level incorporating Restaurant, Take Away and other Retail Units to ground floor and offices to the upper floors at Junction of High Street & Main Street, Tallaght for Niall Mellon, the permission which the Planning Authority decided to make by Order No. 2944 is hereby granted by the Planning Authority, the grant to be subject to the conditions specified in the order relating thereto.

Date: 26th January 2002


Senior Planner

SOUTH DUBLIN COUNTY COUNCIL
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Chris Ryan Architects,
29 Upr Mount 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 0366	Date of Final Grant 29/01/2002
Decision Order Number 2944	Date of Decision 17/09/2001
Register Reference S01A/0318	Date 25/05/01

Applicant Niall Mellon,

Development Removal of existing buildings and for the provision of a new commercial building comprising 1 no. basement level car-parking facility with entrance from High Street and 4 no. floors above ground level incorporating Restaurant, Take Away and other Retail Units to ground floor and Offices to the upper floors.

Location Junction of High Street & Main Street, Tallaght.

Floor Area 3941.00 Sq Metres
Time extension(s) up to and including 19/09/2001
Additional Information Requested/Received /

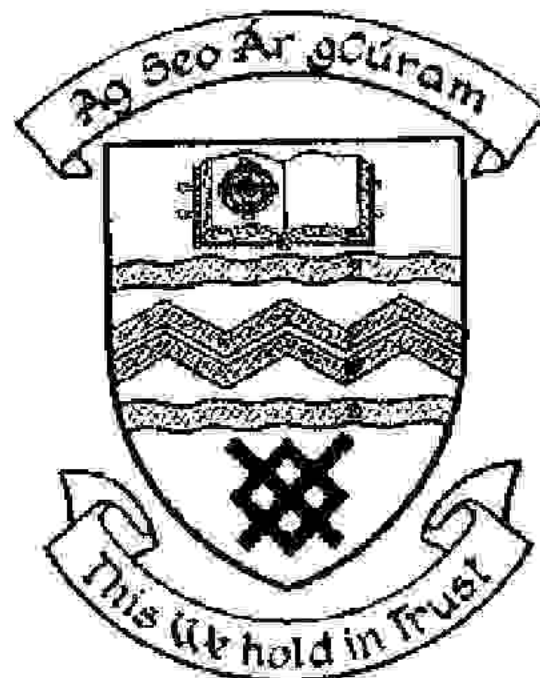
A Permission has been granted for the development described above,
subject to the following (17) Conditions.

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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 altered by Unsolicited Additional Information received 24/08/2001 and 10/09/2001 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 Prior to the commencement of development the applicant shall submit for the written agreement of the Planning Authority, full details and samples of the proposed exterior finishes to the development.
Reason: In the interest of architectural harmony and visual amenity.
- 3 The exterior finishes at penthouse level on the south (rear) elevation shall match, in materials and colour, the finishes on the north (front), west and east (side) elevations.
Reason: In the interest of visual amenity and in order to reduce the visual impact of the southern elevation of the structure.
- 4 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.
- 5 Prior to the commencement of development the applicant shall submit to and agree in writing with the Development Department of South Dublin County Council revised basement and ground floor plans clearly and accurately outlining in red the full extent of the site boundary within the applicants' ownership.
Reason: In the interest of the proper planning and development of the area and to define the extent of the site within the applicants' ownership.
- 6 That prior to commencement of development the requirements of the Principal Environmental Health Officer be ascertained and strictly adhered to in the development.
REASON:
In the interest of health.

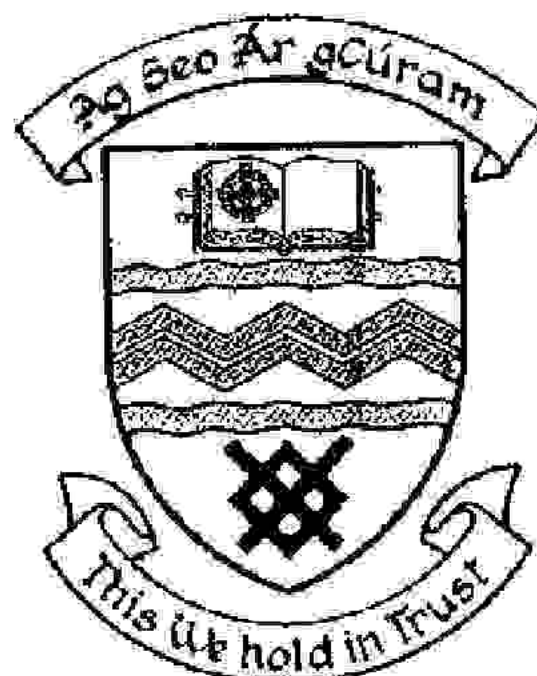
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- 7 That prior to commencement of development the requirements of the Chief Fire Officer be ascertained and strictly adhered to in the development.
REASON:
In the interest of safety and the avoidance of fire hazard.
- 8 Adequate provision is to be made to facilitate access to and the use of the development, buildings, facilities and services by disabled persons in accordance with current Building Regulations.
REASON:
In the interest of safety and amenity.
- 9 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.
- 10 Before developments commences the applicant shall ascertain and strictly adhere to the requirements of Duchas, the Heritage Service, including the employment of a suitably qualified archaeologist at the applicants own expense to supervise works etc-and produce any reports of archaeological findings for submission to Duchas and the Planning Authority.
REASON:
The site is within an area of archaeological potential and within the boundary of a Recorded Monument.
- 11 Revised plans indicating a satisfactory relationship between the southern elevation of the proposed building at its south eastern end and the northern elevation of the existing building fronting Main Street to the south shall be submitted to and agreed in writing by the Planning Authority before development commences.
REASON:
In the interest of the proper planning and development of the area.
- 12 The entrance to the basement car park and the ramp to the basement car park shall be constructed in compliance with the requirements of the Area Engineer Roads Maintenance.
REASON:
In the interests of pedestrian and traffic safety.
Note:
(i) The applicant should note that according to Article

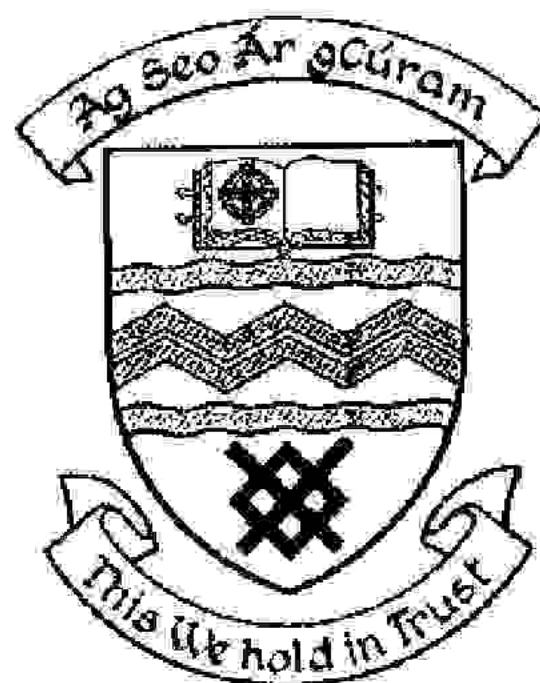
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REG REF. S01A/0000

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26(11) of the Local Government (Planning and Development) Act, 1963 'A person shall not be entitled solely by reason of a permission or approval under this section to carry out any development'.

(ii) Applicant is advised that in the event of encroachment or oversailing of the adjoining property, the consent of the adjoining property owner is required.

(iii) The site is within the boundary of a Recorded Monument Protected Under Section 12 of the national Monuments (Amendment) Act 1994.

- 13 That a financial contribution in the sum of £31,816 (thirty one thousand eight hundred and sixteen thousand pounds) EUR 40,399 (forty thousand three hundred and ninety nine 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.

- 14 That a financial contribution in the sum of £82,761 (eighty two thousand seven hundred and sixty one pounds) EUR 105,085 (one thousand and eighty five 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.

- 15 That a financial contribution in the sum of £31,528 (thirty one thousand five hundred and twenty eight pounds) EUR 40,032 (forty thousand and thirty 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

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reasonable that the developer should contribute towards the cost of the works.

- 16 That a financial contribution in the sum of £8,552 (eight thousand five hundred and fifty two pounds) EUR 10,859 (ten thousand eight hundred and fifty nine euros) be paid by the proposer to South Dublin County Council towards the cost of upgrading of Bancroft Foul Sewer which will facilitate this development; this contribution to be paid before the commencement of development on 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 the works.

- 17 That prior to the commencement of development, the applicant shall make a financial contribution to the Council to the sum of £81,000 (eighty one thousand pounds) EUR 102,848 (one hundred and two thousand eight hundred and forty eight euros) calculated on the basis of providing 81 car spaces in Tallaght Village at the cost of £1,000 per space to facilitate the shortfall in car parking spaces encountered.

REASON:

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

NOTE:

(i) The applicant should note that according to Article 26 (11) of the Local Government (Planning and Development) Act, 1963 'A person shall not be entitled solely by reason of a permission or approval under this section to carry out any development'.

(ii) Applicant is advised that in the even of encroachment of oversailing of the adjoining property, the consent of the adjoining property owner is required.

(iii) The site is within the boundary of a Recorded Monument Protected Under Section 12 of the National Monuments (Amendment) Act 1994.

- (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.

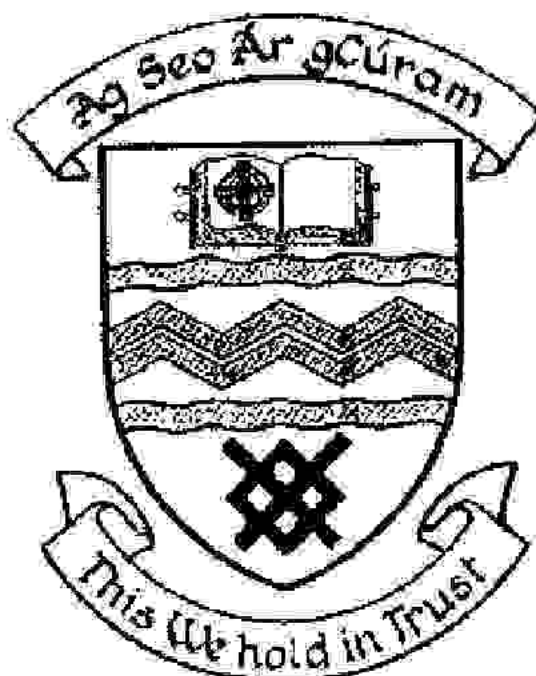
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- (3) A Fire Safety Certificate must be obtained from the Building Control Authority, where applicable.
- (4) Free Standing Walls must be designed and constructed in accordance with IS 325: Code of Practice for use of Masonry Part 1 : Structural use 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.

Jonall F. O'Leary
19/02/02
for SENIOR ADMINISTRATIVE OFFICER