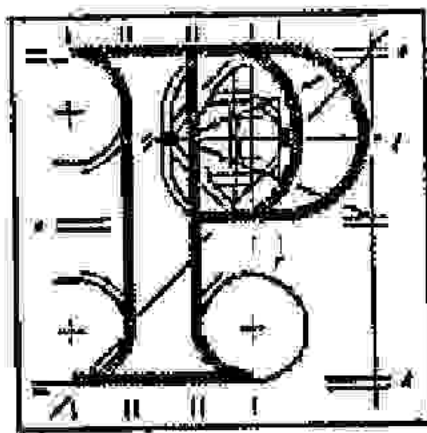


	South Dublin County Council Local Government (Planning & Development) Acts 1963 to 1999 and Planning & Development Act 2000 Planning Register (Part 1)		Plan Register No.  S01A/0157	
1. Location	Kilteel Road, Tootenhill, Rathcoole, Co. Dublin.			
2. Development	3 two storey dormer houses with access from Rathlawns housing estate by private gated entrance with new public pavement crossing			
3. Date of Application	16/03/01	Date Further Particulars (a) Requested (b) Received		
3a. Type of Application	Permission	1.	1.	
		2.	2.	
4. Submitted by	Name: Michael P Gowran Address: "Skellig Cottage" Coolmine, Saggart,			
5. Applicant	Name: J & A Philips, M Philips & G Philips Address: Kilteel Road, Tootenhill, Rathcoole, Co. Dublin.			
6. Decision	O.C.M. No. 1034	Effect		
	Date 15/05/2001	AP GRANT PERMISSION		
7. Grant	O.C.M. No.	Effect		
	Date	AP GRANT PERMISSION		
8. Appeal Lodged	13/06/2001	Written Representations		
9. Appeal Decision	07/01/2002	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 1999

County South Dublin

Planning Register Reference Number: S01A/0157

**APPEAL** by Rathlawns Estate Resident's Association care of Ronald Creighton of 16 Rathlawns Estate, Rathcoole, County Dublin against the decision made on the 15<sup>th</sup> day of May, 2001 by the Council of the County of South Dublin to grant subject to conditions a permission to John and Anne Philips, Morgan Phillips and Gertie Phillips care of Michael P. Gowran of 'Skellig Cottage', Coolmine, Saggart, County Dublin for development comprising the construction of three two-storey dormer houses with access from Rathlawns housing estate by private gated entrance with new public pavement crossing, at Killeel Road, Tootenhill, Rathcoole, 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 1999, 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 residential zoning of the site, 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 or of property in the vicinity, would be acceptable in terms of traffic safety and convenience and would be in accordance with proper planning and development of the area.

*UK*

## SECOND SCHEDULE

1. Prior to commencement of development, details of all boundary treatments shall be submitted to the planning authority for agreement.

**Reason:** In the interest of orderly development and visual and residential amenity.

2. Prior to commencement of development, an accurate tree survey shall be submitted to the planning authority for agreement. The survey shall show the location of all trees on the site, together with the species, height, crown spread and condition of each tree, clearly distinguishing between those which are to be felled and those to be retained. Adequate measures shall be taken on the basis of this tree survey for the protection of trees which are to be retained. In addition, as much as possible of the existing hedge along the south west boundary of the site shall be retained except to the extent that its removal is necessary to provide for the entrance to the site.

**Reason:** To facilitate the identification and subsequent protection of trees and hedges to be retained on the site, in the interest of visual amenity.

3. 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.

4. All service cables associated with the proposed development (such as electrical, communal television, telephone and public lighting cables) shall be run underground within the site.

**Reason:** In the interest of orderly development and the visual amenities of the area.

5. (1) Prior to commencement of development, the applicant shall submit revised details of Unit 3 'Aghar' for the written agreement of the planning authority showing (i) the omission of the first floor windows on the south west elevation and (ii) the building rotated such that the south west elevation is parallel to the boundary of the site.  
(2) The gable windows to bedrooms 2 and 3 in houses 1 and 2, Ceduna and Holloway, shall also be omitted.

**Reason:** In the interest of residential amenity.

ME

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 planning authority in respect of works 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.

9. The developer shall pay a sum of money to the planning authority as a contribution towards expenditure that was and/or that is proposed to be incurred by the planning authority in respect of works facilitating the proposed development. The amount of the contribution and the arrangements for payment shall be agreed between the developer and the planning authority or, in default of agreement, shall be determined by An Bord Pleanála.

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

8. Prior to commencement of development, a management scheme providing adequate measures relating to the future maintenance of private open spaces and roads in a satisfactory manner shall be submitted to the planning authority for agreement.

Reason: In the interest of orderly development.

7. Prior to commencement of development, proposals for the street name, house numbering scheme and associated signage shall be submitted to the planning authority for agreement.

Reason: In the interest of orderly development and visual amenities of the area.

6. Prior to commencement of construction of the houses, details of the materials, colours and textures of all external finishes to the proposed houses shall be submitted to the planning authority for agreement.

10. Prior to commencement of development, the developer shall lodge with the planning authority a cash deposit, a bond of an insurance company, or other security to secure the provision and satisfactory completion of roads, footpaths, watermains, drains, public open space and other services required in connection with the development, coupled with an agreement empowering the planning authority to apply such security or part thereof to the satisfactory completion of any part of the development. The form and amount of the security shall be as agreed between the planning authority and the developer or, in default of agreement, shall be determined by An Bord Pleanála.

**Reason:** To ensure the satisfactory completion of the development.

*Walter J. Byrne*

Member of An Bord Pleanála

duly authorised to authenticate

the seal of the Board.

Dated this 4<sup>th</sup> day of January 2002.

