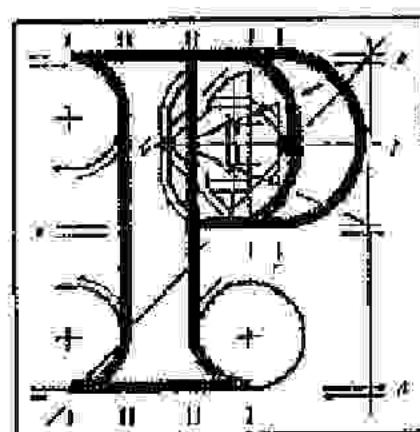


	South Dublin County Council Local Government (Planning & Development) Acts 1963 to 1999 and Planning & Development Act 2000 Planning Register (Part 1)	Plan Register No. S00A/0607	
1. Location	Monastery Heath, Monastery Road, Knockmitten, Clondalkin		
2. Development	Retention and completion of 'D' type house No. 60 and 'K' type bungalow No. 61, Road 4		
3. Date of Application	28/08/00	Date Further Particulars (a) Requested (b) Received	
3a. Type of Application	Permission	1. 2.	1. 2.
4. Submitted by	Name: Fenton-Simons, Address: 29 Fitzwilliam Place, Dublin 2.		
5. Applicant	Name: Kelland Homes Ltd., Address: Ballymount House, Ballymount Road, Kingswood, Dublin 12		
6. Decision	O.C.M. No. 2381 Date 26/10/2000	Effect AP GRANT PERMISSION	
7. Grant	O.C.M. No. Date	Effect AP GRANT PERMISSION	
8. Appeal Lodged	27/11/2000	Written Representations	
9. Appeal Decision	02/07/2001	Grant Permission & Refuse 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: S00A/0607

APPEAL by Michael Lacey of 73 Woodford Drive, Clondalkin, Dublin against the decision made on the 26th day of October, 2000 by the Council of the County of South Dublin to grant subject to conditions a permission to Kelland Homes Limited care of Fenton Simons of 29 Fitzwilliam Place, Dublin for development comprising the retention and completion of 'D' type house number 60 and 'K' type bungalow number 61, Road 4 in development known as Monastery Heath, Knockmitten, Monastery Road, Clondalkin, 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 retention and completion of house type 'D' number 60 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. Furthermore, permission is hereby refused for the retention and completion of bungalow type 'K' number 61 for the reason set out in the Third Schedule hereto.

FIRST SCHEDULE

Having regard to the planning history of the site it is considered that, subject to compliance with the conditions set out in the Second Schedule, the proposed retention and completion of house number 60 would not result in a loss of privacy or light, or otherwise seriously injure the residential amenities of the adjacent houses to the north and would not be contrary to the proper planning and development of the area.

FA

SECOND SCHEDULE

1. The development shall comply with the terms and conditions of the permission granted under planning register reference number S97A/0471, except as may otherwise be required by the conditions hereunder.

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

2. 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.

3. 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.

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 planning authority in respect of works facilitating the proposed development.

THIRD SCHEDULE

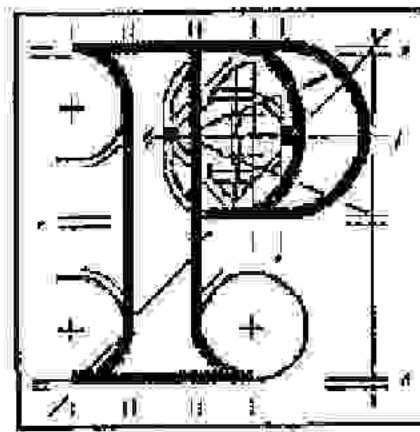
Having regard to the planning history of the site, to the difference in levels between the site and adjoining houses in Woodford Drive and to the proximity of the bungalow to its northern site boundary, it is considered that the proposed bungalow to be retained would seriously injure the residential amenities and depreciate the value of adjoining properties and would be contrary to the proper planning and development of the area.

Brian Hunt

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

Dated this 26th day of June 2001.

An Bord Pleanála



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

County South Dublin

Planning Register Reference Number: S00A/0607

APPEAL by Michael Lacey of 73 Woodford Drive, Clondalkin, Dublin against the decision made on the 26th day of October, 2000 by the Council of the County of South Dublin to grant subject to conditions a permission to Kelland Homes Limited care of Fenton Simons of 29 Fitzwilliam Place, Dublin for development comprising the retention and completion of 'D' type house number 60 and 'K' type bungalow number 61, Road 4 in development known as Monastery Heath, Knockmitten, Monastery Road, Clondalkin, 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 retention and completion of house type 'D' number 60 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. Furthermore, permission is hereby refused for the retention and completion of bungalow type 'K' number 61 for the reason set out in the Third Schedule hereto.

FIRST SCHEDULE

Having regard to the planning history of the site it is considered that, subject to compliance with the conditions set out in the Second Schedule, the proposed retention and completion of house number 60 would not result in a loss of privacy or light, or otherwise seriously injure the residential amenities of the adjacent houses to the north and would not be contrary to the proper planning and development of the area.

JA

SECOND SCHEDULE

1. The development shall comply with the terms and conditions of the permission granted under planning register reference number S97A/0471, except as may otherwise be required by the conditions hereunder.

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

2. 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.

3. 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.

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 planning authority in respect of works facilitating the proposed development.

THIRD SCHEDULE

Having regard to the planning history of the site, to the difference in levels between the site and adjoining houses in Woodford Drive and to the proximity of the bungalow to its northern site boundary, it is considered that the proposed bungalow to be retained would seriously injure the residential amenities and depreciate the value of adjoining properties and would be contrary to the proper planning and development of the area.

Brian Hunt

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

Dated this *26th* day of *June* 2001.