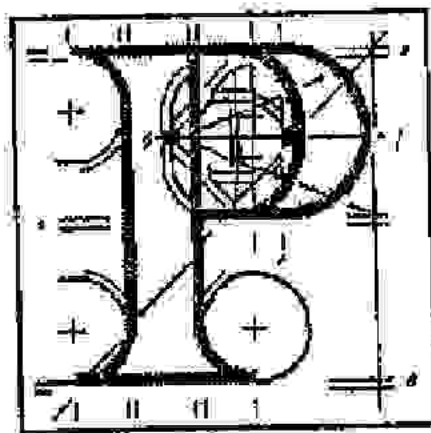


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|-----------------------------|--|--|-----------------|
| | South Dublin County Council Local Government (Planning & Development) Acts 1963 to 1999 and Planning & Development Act 2000 Planning Register (Part 1) | Plan Register No. S00A/0528 | |
| 1. Location | Rostrevor, Scholarstown Road, Boden Park, Dublin 16. | | |
| 2. Development | Build a dormer bungalow with a total gross floor area of 242 sq. m to the rear of existing house | | |
| 3. Date of Application | 31/07/00 | Date Further Particulars (a) Requested (b) Received | |
| 3a. Type of Application | Permission | 1. 2. | 1. 2. |
| 4. Submitted by | Name: Ciaran Doyle Architect Address: 2. Glen Close, Dublin 18. | | |
| 5. Applicant | Name: Mrs. D. Doyle Address: Rostrevor, Scholarstown Road, Dublin 16. | | |
| 6. Decision | O.C.M. No. 2200 Date 28/09/2000 | Effect AP GRANT PERMISSION | |
| 7. Grant | O.C.M. No. Date | Effect AP GRANT PERMISSION | |
| 8. Appeal Lodged | 25/10/2000 | Written Representations | |
| 9. Appeal Decision | 24/04/2001 | 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/0528

APPEAL by R. MacNamara and others of 5 The Close, Boden Park, Rathfarnham, Dublin and by A. Folens care of Louis Burke of Mantua Studio, Templeogue Bridge, Dublin against the decision made on the 28th day of September, 2000 by the Council of the County of South Dublin to grant subject to conditions a permission to D. Doyle care of Ciarán Doyle Architect of 2 Glen Close, Dublin for development comprising the construction of a dormer bungalow with a total gross floor area of 242 square metres to the rear of the existing house at Rostrevor, Scholarstown Road, Boden Park, Dublin:

DECISION: Pursuant to the Local Government (Planning and Development) Acts, 1963 to 1999, permission is hereby refused for the said development for the reason set out in the Schedule hereto.

SCHEDULE

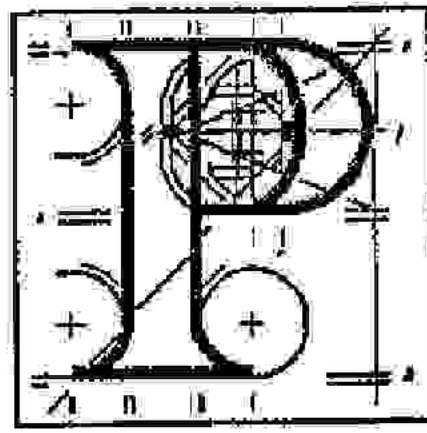
The proposed development, by reason of its height, scale and proximity to the property to the west on Scholarstown Road, would be visually obtrusive and would seriously injure the residential amenity of the adjoining property. The proposed development would, therefore, be contrary to the proper planning and development of the area.



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

Dated this 24th day of *April* 2001.

An Bord Pleanála



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

County South Dublin

Planning Register Reference Number: S00B/0453

APPEAL by M. Malóne care of P. Murtagh of 31 Saint Killian's Avenue, Greenhills, Dublin against the decision made on the 1st day of September, 2000 by the Council of the County of South Dublin to grant subject to conditions a permission for front tiled roof extension and porch at 15 Saint Killian's Avenue, Greenhills, Dublin in accordance with plans and particulars lodged with the said Council:

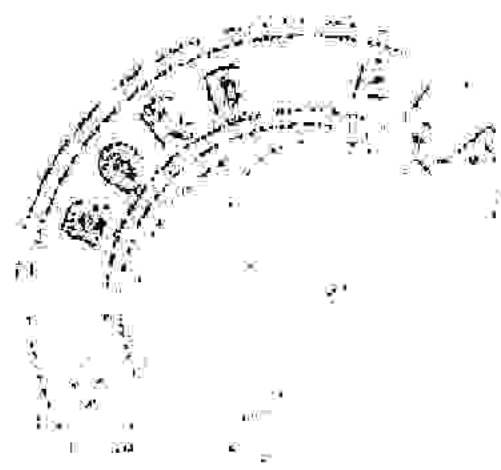
WHEREAS the said appeal relates only to condition number 4 subject to which the decision was made:

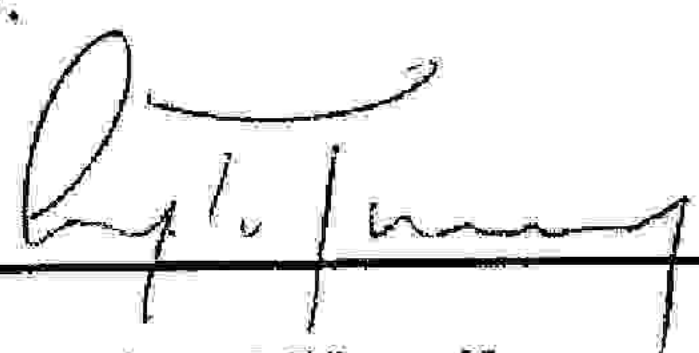
AND WHEREAS the Board is satisfied, having regard to the nature of the said condition, that the determination by the Board of the relevant application as if it had been made to it in the first instance would not be warranted:

NOW THEREFORE An Bord Pleanála, in exercise of the powers conferred on it by subsection (1) of section 15 of the Local Government (Planning and Development) Act, 1992, hereby directs the said Council to remove the said condition number 4 and the reason therefor and to amend condition number 3 so that it shall be as follows for the reason set out:

3. All external finishes shall harmonise in colour and texture with the existing house. In this regard, the walls of the proposed extension shall be finished in multicoloured pebble dash to match that on the adjoining house at number 13 Saint Killian's Avenue.

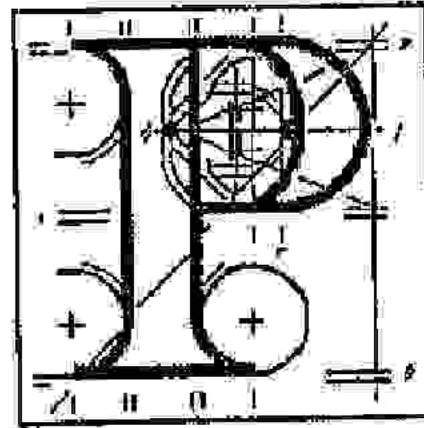
Reason: In the interest of visual amenity.




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

Dated this 27th day of April 2001.

An Bord Pleanála



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

County South Dublin

Planning Register Reference Number: S00A/0451

APPEAL by J. and M. Bradshaw care of Frank L. Benson and Partners of Hainault House, 69-71 Saint Stephen's Green, Dublin against the decision made on the 28th day of August, 2000 by the Council of the County of South Dublin to refuse permission for development comprising the erection of dwellinghouse and septic tank to rear of existing Bradshaw dwelling at Military Road, Woodtown, Dublin:

DECISION: Pursuant to the Local Government (Planning and Development) Acts, 1963 to 1999, permission is hereby refused for the said development for the reasons set out in the Schedule hereto.

SCHEDULE

1. Having regard to the location of the proposed development on an elevated site in an area zoned "B" in the current South Dublin County Development Plan for which the objective is "to protect and improve rural amenity and to provide for the development of agriculture", which objective is considered reasonable, and to the existence of three dwellings on this landholding, it is considered that the proposal would contravene materially the provisions of the Development Plan and would, therefore, be contrary to the proper planning and development of the area.
2. The proposed development would endanger public safety by reason of traffic hazard, because of the generation of additional turning movements on a heavily trafficked substandard regional route, where there are no footpaths or public lighting and where traffic is travelling at high speeds. The proposed removal of the roadside hedgerow to improve sight distances at the entrance would be contrary to the zoning objective for the area which seeks to protect and improve rural amenity.

LC

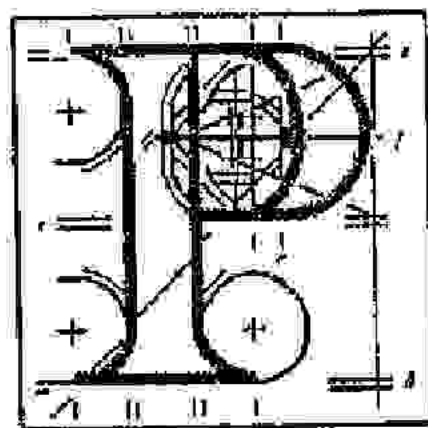
3. Taken in conjunction with existing development in the vicinity, the proposed development would give rise to an excessive density of development in a rural area lacking certain public services and community facilities and would contravene the policy of the planning authority, as expressed in the current South Dublin County Development Plan, to direct residential development to serviced centres, which policy is considered reasonable.

Leiris O'Leary

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

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

An Bord Pleanála



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

County South Dublin

Planning Register Reference Number: S00A/0438

APPEAL by Saggart and District Community Council care of James and Ann Byrne of Main Street, Saggart, County Dublin against the decision made on the 24th day of August, 2000 by the Council of the County of South Dublin to grant subject to conditions a permission to Derrybawn Construction Company Limited care of D. McCarthy and Company of Lynswood House, Ballinteer Road, Dublin for development comprising the construction of two number two-storey three bedroom semi-detached houses with a single vehicular access to the public road and a reduction in existing ground levels on-site to side of Number 1213, Main Street, Saggart, 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 zoning of the site of the proposed development in the current Development Plan for the area and its location within the village of Saggart, 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 property in the vicinity, would be acceptable in terms of traffic safety and convenience and would, therefore, be in accordance with the proper planning and development of the area.

SECOND SCHEDULE

1. Water supply and drainage arrangements, including the disposal of surface water and any works to roads and footpaths, shall be in accordance with the requirements of the planning authority. In particular:

- (a) Prior to the commencement of any development on the site the applicant shall submit a revised layout plan showing full details of the proposed surface water drainage for each dwellinghouse.
- (b) The applicant shall ensure full and complete separation of the foul and surface water drainage systems.
- (c) All pipes shall be laid with a minimum cover of 1.2 metres in roads, footpaths, and driveways and 0.9 metres in open space. Where it is not possible to achieve these minimum covers, pipes shall be laid in c20 concrete 150 millimetres thick.

Reason: To ensure the proper planning and development of the area.

- 2. Prior to commencement of development the applicant shall submit for the written agreement of the planning authority revised design of the front external elevation and finishes of the houses to reflect the simpler architectural treatment of existing development in the vicinity.

Reason: In the interest of the visual amenities of the area.

- 3. The proposed houses shall be used as single dwelling units.

Reason: In the interest of residential amenity.

- 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. A low screen wall approximately 600 millimetres in height shall be constructed along the front boundary of the proposed dwellings.

Reason: In the interest of orderly development.

- 6. Details of the proposed retaining wall shall be lodged and agreed in writing with the planning authority prior to the commencement of development on the site.

Reason: In the interest of orderly development.

- 7. Gable windows shall be fitted with obscure glass.

Reason: In the interest of the residential amenity of adjoining properties.

- 8. The developer shall facilitate the planning authority in the archaeological appraisal of the site and in preserving and recording or otherwise protecting archaeological materials or features which may exist within the site. In this regard, the developer shall:-

- (a) notify the planning authority in writing at least four weeks prior to the commencement of any site operation (including hydrological and geotechnical investigations) relating to the proposed development, and
- (b) employ a suitably-qualified archaeologist prior to the commencement of development. The archaeologist shall assess the site and monitor all site development works.

The assessment shall address the following issues:-

- (i) the nature and location of archaeological material on the site, and
- (ii) the impact of the proposed development on such archaeological material.

Prior to the commencement of development, a report containing the results of the assessment shall be submitted to the planning authority. Arising from this assessment, the developer shall agree with the planning authority details regarding any further archaeological requirements (including, if necessary, archaeological excavation) prior to commencement of construction works.

In default of agreement on any of these requirements, the matter shall be determined by An Bord Pleanála.

Reason: In order to conserve the archaeological heritage of the site and to secure the preservation of any remains which may exist within the site.

- 9. (a) No development shall commence until the planning authority has stated in writing that construction of the Saggart/Newcastle/Rathcoole sewerage scheme has commenced.
- (b) No connection shall be made to the existing public foul sewer and no dwelling unit shall be occupied until the planning authority has stated in writing that the construction of the sewerage scheme is sufficiently advanced to enable foul sewage from the site to be discharged to the new sewerage scheme.

Reason: In the interest of the provision of satisfactory drainage and water supply, public health and the proper planning and development of the area.

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

Reason: In the interest of orderly development.


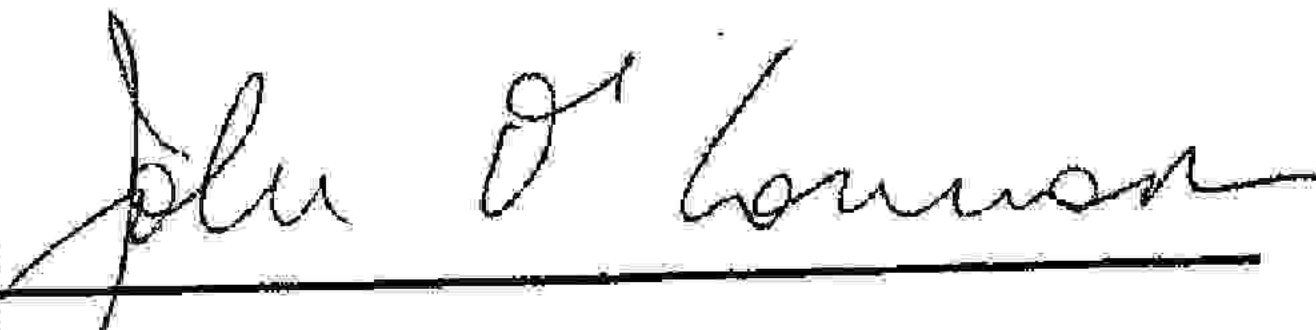
11. Prior to commencement of development, the developer shall lodge with the planning authority a cash deposit, a bond of an insurance company, or other security to secure the provision and satisfactory completion and maintenance until taken in charge by the planning authority of roads, footpaths, watermains, 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 or maintenance 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.

12. 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, including public open space and traffic management 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.

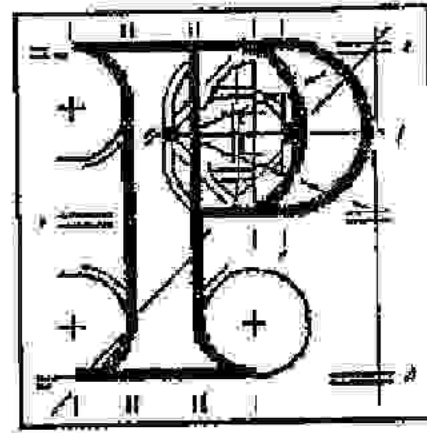
In the case of expenditure that is proposed to be incurred, the requirement to pay this contribution is subject to the provisions of section 26(2)(h) of the Local Government (Planning and Development) Act, 1963 generally, and in particular, the specified period for the purposes of paragraph (h) shall 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.



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

Dated this 24th day of April 2001.

An Bord Pleanála



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

County South Dublin

Planning Register Reference Number: S00A/0342

APPEAL by William Sheridan care of Gilligan Architects of 20 Anglesea Road, Ballsbridge, Dublin against the decision made on the 28th day of September, 2000 by the Council of the County of South Dublin to refuse permission for development comprising the construction of an extension to premises at rear and internal alterations at 3 Main Street, Tallaght, 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 Development Plan zoning of the site with the objective "to protect, provide for and/or improve district centre facilities," which zoning permits commercial development, and to the limited scale of the proposed development, 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 be contrary to the proper planning and development of the area.

SECOND SCHEDULE

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

Reason: In the interest of orderly development and the visual amenities 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. Prior to occupation of the proposed development, the temporary structure on the southern part of the site shall be removed and this part of the site laid out as a passive recreational area, for use by employees.

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

4. 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 car parking facilities 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.

5. 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 the provision of a public water supply and sewerage facilities 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.



Seán O'Leary

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

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