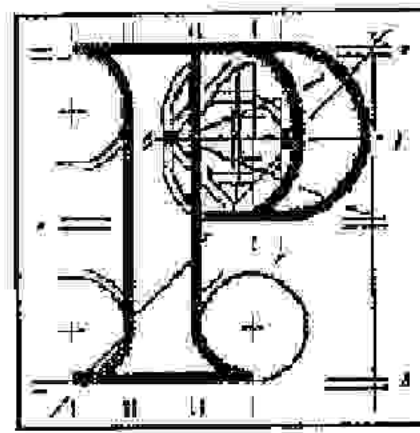


	South Dublin County Council Local Government (Planning & Development) Acts 1963 to 1999 and Planning & Development Act 2000 Planning Register (Part 1)	Plan Register No. S00A/0146	
1. Location	Whitechurch Road, Rathfarnham, Dublin 14		
2. Development	Make alterations to approved layout to provide side passage to site number 4, detached house on site number 5 and enlargement of site number 5		
3. Date of Application	08/03/00	Date Further Particulars (a) Requested (b) Received	
3a. Type of Application	Permission	1. 04/05/2000 2.	1. 18/07/2000 2.
4. Submitted by	Name: O'Flaherty & Associates Address: 15 Sonesta, Malahide,		
5. Applicant	Name: Morning Developments Address: 74 Killester Avenue, Killester, Dublin 5.		
6. Decision	O.C.M. No. 2102 Date 14/09/2000	Effect AP GRANT PERMISSION	
7. Grant	O.C.M. No. Date	Effect AP GRANT PERMISSION	
8. Appeal Lodged	11/10/2000	Written Representations	
9. Appeal Decision	08/05/2001	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: S00A/0146

APPEAL by Willbrook Lawn Residents' Association of 12 Willbrook Lawn, Rathfarnham, Dublin against the decision made on the 14th day of September, 2000 by the Council of the County of South Dublin to grant subject to conditions a permission to Morning Developments care of O'Flaherty and Associates of 15 Sonesta, Malahide, County Dublin for development comprising alterations to approved layout to provide side passage to site number four, detached house on site number five and enlargement of site number five at Whitechurch Road, Rathfarnham, 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 objective for the area, to the pattern of development in the vicinity and 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 development would not seriously injure the amenities of the area or of property in the vicinity, and would be acceptable in terms of traffic safety and convenience. The proposed development would, therefore, be in accordance with the proper planning and development of the area.

SECOND SCHEDULE

1. The development shall be carried out in accordance with the plans and particulars lodged with the application as amended by the drawings received by the planning authority on the 15th day of March, 2000 and the 18th day of July, 2000, except as may otherwise be required in order to comply with the following conditions.

Reason: In the interest of clarity.

BA

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. Public lighting shall be provided in accordance with a scheme, details of which shall be submitted to the planning authority for agreement prior to the commencement of development.

Reason: In the interest of amenity and public safety.

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. Vision plays at the entrance/exit and the resurfacing of the footpath along the frontage of the site shall be in accordance with the requirements of the planning authority.

Reason: In the interest of traffic safety and orderly development.

6. (1) The proposed 900 millimetre brick wall bounding car parking spaces 8 and 9 shall be increased in height to 2.1 metres and shall match that proposed to enclose the bin store.
- (2) The north-western boundary treatment, which shall provide an appropriate level of screening to the two adjoining houses at Willbrook Lawn, shall be submitted to the planning authority for agreement prior to the occupation of house number 5.

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

7. The developer shall agree with the planning authority those measures on the stream within the site which are necessary to maintain the flow and quality of the water in Rathfarnham Park and shall undertake these measures prior to the occupation of house number 5.

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

BA

8. In the first planting season following occupation of house number 5, the site shall be landscaped in accordance with a scheme of landscaping, details of which shall be submitted to the planning authority for agreement before development commences.

Reason: In the interest of visual amenity.

9. The materials colours and textures of all external finishes to house number 5 shall match those on houses numbers 1 to 4.

Reason: In the interest of visual amenity.

10. 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 the Boherboy Water Supply Scheme 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.

Brian Hunt

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

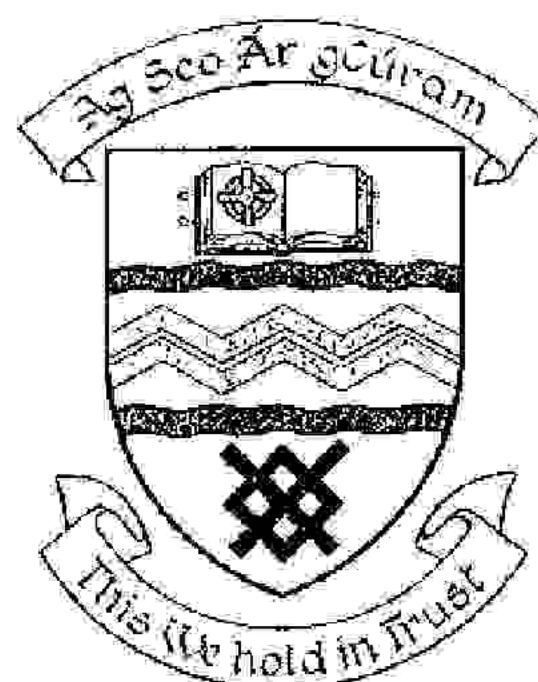
Dated this 8th day of May 2001.

	South Dublin County Council Local Government (Planning & Development) Acts 1963 to 1993 Planning Register (Part 1)	Plan Register No. S00A/0146	
1. Location	Whitechurch Road, Rathfarnham, Dublin 14		
2. Development	Make alterations to approved layout to provide side passage to site number 4, detached house on site number 5 and enlargement of site number 5		
3. Date of Application	08/03/00	Date Further Particulars (a) Requested (b) Received	
3a. Type of Application	Permission	1. 04/05/2000 2.	1. 18/07/2000 2.
4. Submitted by	Name: O'Flaherty & Associates Address: 15 Sonesta, Malahide,		
5. Applicant	Name: Morning Developments Address: 74 Killester Avenue, Killester, Dublin 5.		
6. Decision	O.C.M. No. 2102 Date 14/09/2000	Effect AP GRANT PERMISSION	
7. Grant	O.C.M. No. Date	Effect AP GRANT PERMISSION	
8. Appeal Lodged			
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.	

SOUTH DUBLIN COUNTY COUNCIL
COMHAIRLE CHONTAE ÁTHA CLIATH THEAS

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Lár an Bhaile, Tamlacht,
Baile Átha Cliath 24.

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NOTIFICATION OF DECISION TO GRANT PERMISSION
LOCAL GOVERNMENT (PLANNING AND DEVELOPMENT) ACTS, 1963 TO 1993

Decision Order Number 2102	Date of Decision 14/09/2000
Register Reference S00A/0146	Date: 08/03/00

Applicant Morning Developments

Development Make alterations to approved layout to provide side passage to site number 4, detached house on site number 5 and enlargement of site number 5

Location Whitechurch Road, Rathfarnham, Dublin 14

Floor Area Sq Metres

Time extension(s) up to and including

Additional Information Requested/Received 04/05/2000 /18/07/2000

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 (13) on the attached Numbered Pages.
Signed on behalf of the South Dublin County Council.

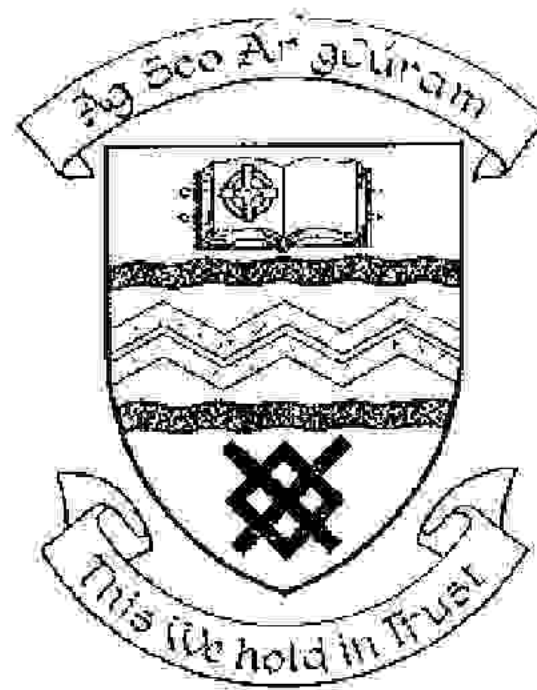
..... 14/09/00
for SENIOR ADMINISTRATIVE OFFICER

O'Flaherty & Associates
15 Sonesta,
Malahide,
County Dublin.

SOUTH DUBLIN COUNTY COUNCIL
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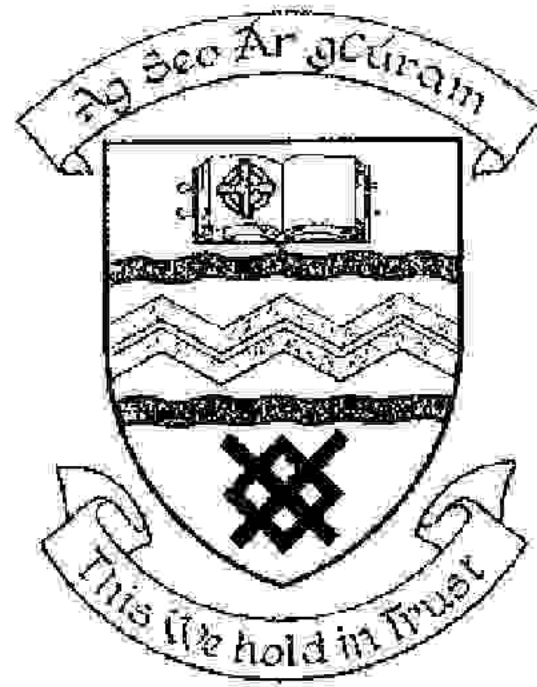
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Conditions and Reasons

- 1 The development to be carried out in its entirety in accordance with the plans, particulars and specifications lodged with the application as amended Unsolicited Additional Information and by Additional Information received by the Planning Authority on 15th March 2000 and on 18th July 2000 respectively, 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.
REASON:
In order to comply with the Sanitary Services Acts, 1878-1964.
- 3 Vision splays at the entrance/exit shall comply with the requirements of the Roads Department and footpaths along frontage of the site to be resurfaced to Roads Department standards.
REASON:
To ensure a proper standard of development.
- 4 Public lighting shall be provided in accordance with the requirements of the County Council.
REASON:
In the interest of amenity and public safety.
- 5 All service cables associated with the proposed development (such as electrical, communal television, telephone and street lighting cables) shall be run underground within the site.
REASON:
In the interest of orderly development and the visual amenities of the area.

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REG. REF. S00A/0146

- 6 (i) The proposed 1.8m high concrete block wall along the party boundary between site No's. 4 and 5 shall terminate adjoining the front elevation of site 5.
- (ii) The proposed 900mm high brick walls adjoining car parking spaces 8 and 9 as shown on revised site layout plan submitted, shall be 2.1m high and shall be capped.
- (iii) Revised details of north western boundary treatment which is to provide appropriate screening for the two adjacent houses at Willbrook Lawn shall be submitted to and agreed with the Planning Department prior to the occupation of the dwellings.

REASON:

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

- 7 (i) The applicant shall improve and upgrade the sluice gates located in the northern end of the stream within the site in order to maintain the flow and quality of water in Rathfarnham Park.
- (ii) The applicant shall submit for agreement with the Planning Department, prior to the occupation of any dwelling, an appropriate protective barrier adjoining the stream.

REASON:

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

- 8 The proposed tree planting of Acer platanoides and Whitebeam is unsatisfactory. The applicant shall consult with the Parks Department regarding a more suitable choice of tree planting.

REASON:

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

- 9 That each proposed house be used as a single dwelling unit.

REASON:

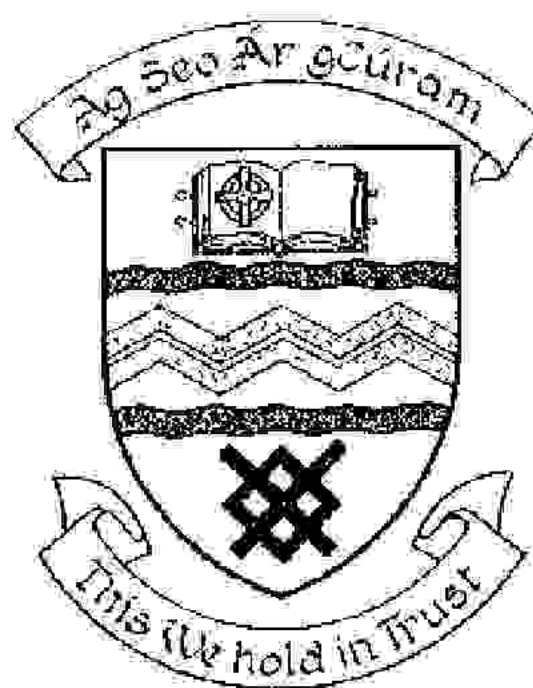
In the interest of the proper planning and development of the area.

- 10 That an acceptable street naming and house numbering scheme be submitted to and approved by the County Council before

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REG REF. S00A/0146

the proposed houses are occupied.

REASON:

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

- 11 That the materials, colours and textures of all external finishes to proposed house on Site No. 5 shall match those of houses on Sites 1 to 4.

REASON:

In the interest of the visual amenities of the area.

- 12 That arrangements be made with regard to the payment of financial contributions in respect of the overall development, as required by Condition No. 11 of An Bord Pleanála Decision Order No. 06S.109044, arrangements to be made prior to commencement of 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 providing these services.

- 13 That a financial contribution in the sum of £675 (six hundred and seventy five pounds) EUR 857 (eight hundred and fifty seven 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.

	South Dublin County Council Local Government (Planning & Development) Acts 1963 to 1993 Planning Register (Part 1)	Plan Register No. S00A/0146	
1. Location	Whitechurch Road, Rathfarnham, Dublin 14		
2. Development	Make alterations to approved layout to provide side passage to site number 4, detached house on site number 5 and enlargement of site number 5		
3. Date of Application	08/03/00	Date Further Particulars (a) Requested (b) Received	
3a. Type of Application	Permission	1. 04/05/2000 2.	1. 2.
4. Submitted by	Name: O'Flaherty & Associates Address: 15 Sonesta, Malahide,		
5. Applicant	Name: Morning Developments Address: 74 Killester Avenue, Killester, Dublin 5.		
6. Decision	O.C.M. No. 0936 Date 04/05/2000	Effect FI REQUEST ADDITIONAL INFORMATION	
7. Grant	O.C.M. No. Date	Effect FI REQUEST ADDITIONAL INFORMATION	
8. Appeal Lodged			
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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LOCAL GOVERNMENT (PLANNING AND DEVELOPMENT) ACTS, 1963 TO 1993

Decision Order Number 0936	Date of Decision 04/05/2000
Register Reference S00A/0146	Date: 08/03/00

Applicant Development Morning Developments
Make alterations to approved layout to provide side passage to site number 4, detached house on site number 5 and enlargement of site number 5

Location Whitechurch Road, Rathfarnham, Dublin 14

App. Type Permission

Dear Sir/Madam,

With reference to your planning application, received on 08/03/00 in connection with the above, I wish to inform you that before the application can be considered under the Local Government (Planning & Development) Acts 1963-1993, the following ADDITIONAL INFORMATION must be submitted in quadruplicate:

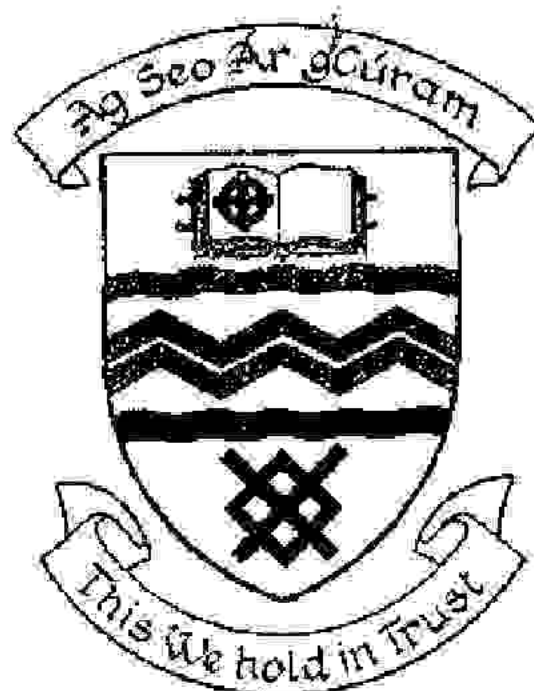
- 1 There are discrepancies between the approved site layout map at scale 1:200 submitted with Reg. Ref. S97A/0262 and that submitted at same scale, with the current application. The applicant is requested to submit a revised and accurate site layout map. This map should indicate in figures the proposed dimensions of the garden area of proposed House No. 5. The layout plan should also accurately show the adjoining houses at Willbrook Lawn.
- 2 The applicant is requested to clearly indicate on the revised site layout plan the existing and proposed boundary treatment along the western, north-western and northern site boundaries (of the overall site). Proposed boundary treatment of the proposed enlargement of Site No. 5 should also be submitted.
- 3 The applicant is requested to submit an elevational drawing to a minimum scale of 1:100 showing the proposed detached

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REG REF. S00A/0146

house on Site No. 5 in relation to the adjoining terrace of
4 houses.

- 4 The applicant is requested to submit details in compliance
with Condition No's. 3, 7 and 10 of the An Bord Pleanála
decision for Reg. Ref. S97A/0262.
- 5 The applicant is requested to submit full details and
arrangements regarding disposal of refuse from the overall
site.

Signed on behalf of South Dublin County Council

/s/
.....
for Senior Administrative Officer

04/05/00