

## COMHAIRLE CHONTAE ÁTHA CLIATH

File Reference P.C. 10231	LOCAL GOVERNMENT (PLANNING AND DEVELOPMENT) ACT 1963 PLANNING REGISTER		REGISTER REFERENCE S M.462
1. LOCATION	"Willbrook House", Whitechurch Road, Rathfarnham, Dublin, 14.		
2. PROPOSAL	102 2-storey dwellinghouses.		
3. TYPE & DATE OF APPLICATION	TYPE P.	Date Received 2.3.77	Date Further Particulars (a) Requested 1. 28/4/77 (b) Received 1. 2/6/77 2. 2.
4. SUBMITTED BY	Name Fergal MacCabe, Esq., Architect, Address 33, Fitzwilliam Place, Dublin, 2.		
5. APPLICANT	Name Viscount Securities Limited, Address 13, Merrion Square, Dublin, 2.		
6. DECISION	O.C.M. No. P/2644/77 Date 29/7/77	Notified 29th July, 1977 Effect To Grant Permission	
7. GRANT	O.C.M. No. Date	Notified Effect	
8. APPEAL	Notified 16/8/77 Type 1st & 3rd Parties	Decision 17th May, 1978 Effect Permission Granted by An Bord Pleanala	
9. APPLICATION SECTION 26 (3)	Date of application	Decision Effect	
10. COMPENSATION	Ref. in Compensation Register		
11. ENFORCEMENT	Ref. in Enforcement Register		
12. PURCHASE NOTICE			
13. REVOCATION or AMENDMENT			
14.			
15.			
16.			
Prepared by .....		Copy issued by ..... Registrar.	
Checked by .....		Date .....	
Grid Ref.	O.S. Sheet	Co. Accts. Receipt No. ....	

# DUBLIN COUNTY COUNCIL

Tel. 742951 (Ext. 131)

PLANNING DEPARTMENT,  
46-49 DAME STREET,  
DUBLIN 2

Notification of Decision to Grant Permission/Approval  
Local Government (Planning and Development) Act, 1963

To:

Decision Order Number and Date **P/2644/77 29th July, '77**

**Fergal MacCabe,**

Register Reference No. **M. 462,**

**33, Fitzwilliam Place,**

Planning Control No. **10231.**

**Dublin, 2.**

Application Received on **2/3/77**

Applicant: **Viscount Securities Ltd.**

Add. Inf. recd: **2/6/77.**

In pursuance of its functions under the above-mentioned Act the 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/Approval for

**Proposed 102-dwellings at "Willbrook House", Whitechurch Road.**

SUBJECT TO THE FOLLOWING CONDITIONS:

Conditions

Reasons for Conditions

1. That the development be carried out and completed strictly in accordance with the plans and specification lodged with the application save as is in the conditions hereunder otherwise required.
2. That the development is not to commence until approval under the Building Bye-laws has been obtained and any conditions of such approval shall be observed in the development.
3. That each dwellinghouse be used as a single dwelling unit.
4. That a financial contribution in the sum of £18,353, be paid by the proposer to the 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.
5. That no development under any permission granted pursuant to this decision be commenced until security for the provision and satisfactory completion of services including maintenance until taken-in-charge by the Local Authority of roads, open space, carparks, sewers, water-mains, or drains has been given by:-
  - (a) Lodgement with the Council of an approved Insurance Company Bond in the sum of £29,400. which shall be kept in force by the developer until such time as the roads, open space, car-parks, sewers, water-mains and drains are taken-in-charge by the Council.
  - (b) Lodgement with the Council of a Cash £17,200, to be applied by the Council at

1. To ensure that the development be in accordance with the permission and effective control be maintained.
2. In order to comply with the Sanitary Services Acts, 1878 - 1900
3. To prevent unauthorised development.
4. The provision of such services in the area of the Council will facilitate the proposed development. It is considered reasonable that the developer should contribute towards the cost of providing the services.
5. To ensure that a ready sanction may be available to the Council to induce the provision of services and prevent disamenity in the development.

Continued:

on behalf of the Dublin County Council:

for

Senior Administrative Officer

Form 3

Date:

29/7/77

IMPORTANT: Turn overleaf for further information



Conditions	Reasons for Conditions
<p>5. (b) its absolute discretion if such services are not duly provided to its satisfaction, on the provision and completion of such services to standard specification.</p> <p>(c) Lodgement with the Planning Authority of a letter of guarantee issued, by anybody approved by the Planning Authority for the purpose in respect of the proposed development in accordance with the guarantee scheme agreed with the Planning Authority and such lodgement in any case has been acknowledged in writing by the Council.</p> <p>6. 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.</p> <p>7. That all public services to the proposed development including electrical telephones cables and equipment be located underground throughout the entire site.</p> <p>8. That details of the proposed public lighting arrangements be submitted to and approved by the County Council so as to provide street lighting to the standard required by the County Council.</p> <p>9. That no dwellinghouse be occupied until all the services have been connected thereto and are operational.</p> <p>10. That the screen walls in block or similar durable materials not less than 6' high suitably capped and rendered be provided at the necessary locations so as to screen rear gardens from public view. The specific locations and extent of walling must be fully discussed and agreed with the County Council, before construction, Timber fencing is not acceptable.</p> <p>11. That the area shown as open space be levelled, soiled and seeded and landscaped to the satisfaction of the County Council and to be available for use by residents on completion of their dwellings.</p> <p>12. That the water supply and drainage arrangements be in accordance with the requirements of the Council.</p>	<p>6. To protect the amenities of the area.</p> <p>7. In the interest of amenity.</p> <p>8. In the interest of amenity and public safety.</p> <p>9. In the interest of the proper planning and development of the area and in order to comply with the Sanitary Services Acts, 1878 - 1964.</p> <p>10. In the interest of visual amenity.</p> <p>11. In the interest of the proper planning and development of the area.</p> <p>12. In order to comply with the Sanitary Services Acts, 1878 - 1964.</p>

Continued:

Note:

for Senior Administrative Officer.

If there is no appeal to the Minister for Local Government against this decision PERMISSION/APPROVAL will be granted by the Council as soon as may be after the expiration of the period for the taking of such appeal. If every appeal made in accordance with the Act has been withdrawn, the Council will grant the PERMISSION/APPROVAL after the withdrawal.

An appeal against the decision may be made to the Minister for Local Government. The Applicant may appeal within one month from the date of receipt by him of this notification. ANY OTHER PERSON may appeal within twenty-one days beginning on the date of the decision.

An appeal shall be in writing and shall state the subject matter and grounds of the appeal. It should be addressed to:-

The Secretary, Department of Local Government, Custom House, Dublin 1.

An appeal by the applicant for Outline Permission should be accompanied by this form.

Approval of the Council under Building Bye-Laws must be obtained and the terms of the approval must be complied with in the carrying out of the work before any development which may be permitted is commenced.

# DUBLIN COUNTY COUNCIL

Tel. 742951 (Ext. 131)

PLANNING DEPARTMENT,  
46-49 DAME STREET,  
DUBLIN 2

## Notification of Decision to Grant Permission/Approval Local Government (Planning and Development) Act, 1963

To:

Decision Order  
Number and Date **P/2644/77 29th July, 1977.**

**Fergal MacCabe,**

Register Reference No. **M. 462.**

**33, Fitzwilliam Place,**

Planning Control No. **10231.**

**Dublin, 2.**

Application Received on **2/3/77**  
Add. Inf. recd: **2/6/77.**

Applicant: **Viscount Securities Ltd.**

In pursuance of its functions under the above-mentioned Act the 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/Approval for

**Proposed 102-dwellings at "Willbrook House", Whitechurch Road.**

### SUBJECT TO THE FOLLOWING CONDITIONS:

Conditions	Reasons for Conditions
13. That all watermain tapplings branch connections, swabbing and chlorination be carried out by the County Council, Sanitary Services Department and that the cost & thereof be paid to the County Council before any development commences.	13. To comply with the public health requirements and to ensure adequate standards of workmanship. As the provision of these services by the County Council will facilitate the proposed development, it is considered reasonable that the Council should recoup the cost.
14. That an acceptable street naming and house numbering scheme be submitted to and approved by the County Council before any constructional work takes place on the proposed houses.	14. In the interest of the proper planning and development of the area.
15. The specific details and programming for the landscaping of public open space estate roads and all necessary ancillary works required on the public open space area are to be fully discussed and agreed with the Parks Superintendent. The areas proposed for public open space purposes are to be fenced off and protected during the course of the site development and housing works. Builders materials, plant, stores and temporary buildings are not to be placed on the public open space areas during the development of these lands.	15. In the interest of the proper planning and development of the area.
16. That site Nos. 35 and 48, be omitted from the development in order to provide adequate separation of the new houses from the existing St. Gatiens Court Estate.	16. In the interest of the proper planning and development of and residential amenity.
17. That house Nos. 18 - 24 be re-located in a southerly direction so as to ensure that no less than 40-ft., clear is provided between the existing boundary of St. Gatiens Court and the rear wall of the proposed new dwelling-houses.	17. In the interest of proper planning and development and residential amenity of the area.
18. That the proposed new six foot high boundary wall at the rear of the site Nos. 18 - 24 be	18. In the interest of the proper

Continued:

on behalf of the Dublin County Council:

for

Senior Administrative Officer


Form 3

Date:

*29/7/77*

IMPORTANT: Turn overleaf for further information



Conditions	Reasons for Conditions
<p>18. be continued along the west boundary of St. Gatiens Court Estate where necessary to the south back of pathline of the estate road fronting to house Nos. 42 - 47.</p> <p>19. That the necessary lands required for road improvement purposes at the south boundary of the site and the Whitechurch Road Improvement Scheme be reserved as such and kept free from building development. The applicants are to construct that portion of the Distributor Road at the south side of the site between Whitechurch Road and the main estate road as shown on Drawing No. 1, and referred to in the letter dated 2/3/77, submitted to the Council on the 2/3/77, to the constructional standards, widths and overall requirements of the County Council. The improvement line boundaries must be set out and agreed on site before any development works take place on these lands. The access arrangements to Whitechurch Road including the necessary traffic visibility lines are to be fully discussed and agreed with the Roads Department.</p> <p>20. Prior to commencement of the development the developer must consult with the Council's Sanitary Services Department, in order to agree a phased building programme relating to the provision of foul services for the lands.</p>	<p>18. planning and development of the area.</p> <p>19. In the interest of the proper planning and development of the area.</p> <p>20. In the interest of the proper planning and development of the area.</p>
for Senior	<div style="text-align: center;">   Administrative Officer. </div>

**Note:**

If there is no appeal to the Minister for Local Government against this decision PERMISSION/APPROVAL will be granted by the Council as soon as may be after the expiration of the period for the taking of such appeal. If every appeal made in accordance with the Act has been withdrawn, the Council will grant the PERMISSION/APPROVAL after the withdrawal.

An appeal against the decision may be made to the Minister for Local Government. The Applicant may appeal within one month from the date of receipt by him of this notification. ANY OTHER PERSON may appeal within twenty-one days beginning on the date of the decision.

An appeal shall be in writing and shall state the subject matter and grounds of the appeal.  
It should be addressed to:-

The Secretary, Department of Local Government, Custom House, Dublin 1.

An appeal by the applicant for Outline Permission should be accompanied by this form.

Approval of the Council under Building Bye-Laws must be obtained and the terms of the approval must be complied with in the carrying out of the work before any development which may be permitted is commenced.

PL 6/5/39706

AN BORD PLEANÁLA

LOCAL GOVERNMENT (PLANNING AND DEVELOPMENT) ACTS, 1963 AND 1976

County Dublin

Planning Register Reference Number: M.462

APPEAL by Butterfield District Residents' Association of 201, Ballyroan Road, Dublin, Viscount Securities Limited, of 13 Merrion Square, Dublin, and others, against the decision made on the 29th day of July, 1977, by the Council of the County of Dublin deciding to grant subject to conditions a permission to the said Viscount Securities Limited for housing development on a site at "Willbrook House", Whitechurch Road, in accordance with plans and particulars lodged with the said Council:

DECISION: Pursuant to the Local Government (Planning and Development) Acts, 1963 and 1976, it is hereby decided, for the reasons set out in the First Schedule hereto, to grant permission for the said housing development in accordance with the said plans and particulars, subject to the conditions specified in column 1 of the Second Schedule hereto, the reasons for the imposition of the said conditions being as set out in column 2 of the Second Schedule and the said permission is hereby granted subject to the said conditions.

FIRST SCHEDULE

It is considered that the proposed development would be in accordance with the zoning provisions of the development plan and would not otherwise be contrary to the proper planning and development of the area provided the conditions set out in the Second Schedule are complied with.

SECOND SCHEDULE

Column 1 - Conditions	Column 2 - Reasons for Conditions
<ol style="list-style-type: none"><li data-bbox="327 743 928 1581">1. The area shown as "Public Open Space" on the lodged plans shall be reserved as such and shall be drained, levelled, soiled, seeded and landscaped and shall be made available for use of residents when the houses are ready for occupation. The said open space shall not be used for storage purposes during building operations. A comprehensive landscaping scheme for the site generally shall be agreed between the developers and the planning authority and such agreed scheme shall be carried out as part of the development.</li><li data-bbox="285 1623 928 1983">2. Suitably capped and rendered screen walls not less than 6 feet in height shall be erected in accordance with the requirements of the planning authority so as to screen rear gardens from public view.</li><li data-bbox="265 2031 936 2330">3. All public services for the proposed development including electrical, communal television and telephone cables and equipment shall be located underground throughout the entire site.</li><li data-bbox="252 2360 928 2582">4. Public lighting shall be provided in accordance with the planning authority's standard requirements for such a service.</li></ol>	<ol style="list-style-type: none"><li data-bbox="1197 784 1933 982">1. In the interests of the visual and recreational amenities of the future occupants of the houses and of the area generally.</li><li data-bbox="1156 1671 1860 1761">2. In the interests of privacy and residential amenity.</li><li data-bbox="1135 2073 1736 2163">3. In the interests of visual amenity.</li><li data-bbox="1123 2402 1806 2582">4. To ensure that street lighting of adequate standard is provided in the interests of amenity and public safety.</li></ol>

contd./..

SECOND SCHEDULE (Contd.)

Column 1 - Conditions	Column 2 - Reasons for Conditions
<p>5. The water supply and drainage arrangements shall be in accordance with the requirements of Dublin County Council.</p>	<p>5. In the interests of public health and to ensure that these services are of adequate standard.</p>
<p>6. The house numbered 35 on the lodged plans shall be omitted from the development and houses numbered 18 to 24 inclusive shall be relocated southwards. In this regard, the layout of this part of the development adjoining the south and west of Saint Gatien's Court Estate shall be modified in accordance with drawing number 1B dated August, 1977 lodged by the applicants with An Bord Pleanála at the oral hearing of the appeal on 30th November, 1977 save that the house numbered 48 on the plans lodged with the planning authority shall be included.</p>	<p>6. and 7. To protect the amenities of adjoining residential property.</p>
<p>7. The proposed 6 feet high boundary wall to the rear of Saint Gatien's Court Estate shown on the lodged plans shall be continued so as to extend from the south back of the footpath on the estate road fronting houses numbered 42 to 48 inclusive to a point east of the eastern boundary of the plot numbered 18.</p>	
<p>8. The land along the eastern boundary of the site required for the improvement of Whitechurch Road shall be reserved free from development. The developers shall construct the portion of the proposed new road to the south of the site between</p>	<p>8. To provide for possible future road works and for adequate means of access to serve the development.</p>



SECOND SCHEDULE (Contd.)

Column 1 - Conditions	Column 2 - Reasons for Conditions
<p>Whitechurch Road and the main estate road giving access to the proposed development to the constructional standards, width and specification required by the planning authority and vision splays at the junction of this road and Whitechurch Road shall be provided in so far as is possible within the site. The exact road improvement lines or reservations required by the planning authority along the southern and eastern boundaries of the site shall be agreed with that authority and set out on site before any development is commenced. Arrangements shall also be made by the developers with the planning authority for the reservation free from development of the land shown on drawing number 1 lodged with the planning authority on 2nd March, 1977 adjoining the south-western corner of the site which may be required in the future for road works.</p> <p>9. The developers shall pay a sum of money to the Dublin County Council as a contribution towards the said Council's expenditure on the provision of a public water supply and piped sewerage facilities in the area. The amount to be paid and the time and method of payment shall be agreed between the developers and the said Council before the development is commenced, or failing agreement, shall be as determined by An Bord Pleanála.</p>	<p>9. The provision of such services in the area by the Council will facilitate the proposed development. It is considered reasonable that the developers should contribute towards the cost of providing the services.</p>

SECOND SCHEDULE (Contd.)

Column 1 - Conditions	Column 2 - Reasons for Conditions
<p>10. Before the development is commenced the developers shall lodge with the Dublin County Council 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 said Council of public open spaces, footpaths, sewers, watermains, drains, public lighting and other services required in connection with the development, coupled with an agreement empowering the said Council to apply such security or part thereof for the satisfactory completion or maintenance as aforesaid of any part of the development. The form and amount of the security shall be as agreed between the planning authority and the developers, or, failing such agreement, shall be as directed by An Bord Pleanála.</p>	<p>10. To ensure the satisfactory completion of the development.</p>

JOHN S. CONWAY

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

Dated this 17<sup>th</sup> day of May 1978

L. S.