COMHAIRLE CHONTAE ATHA CLIATH

P. C. Reference	LOCAL GOVERNMENT (PLANNING AND REGISTER DEVELOPMENT) ACT 1963 & 1976		
	PLANNING REGISTER		86A/1206
1. LOCATION	Ballyroan and Scholarstown, Rathfarnham.		
2. PROPOSAL	Rev. house types and minor layout changes.		
3. TYPE & DATE OF-APPLICATION	E Common de la com	quested	er Particulars (b) Received
"	P. 18th August, 86.	e ext. up to & ., 18/11/86	1
4. SUBMITTED BY	Name Delaney MacVeigh & Pike, Address 1, Clonskeagh Square, Dublin 14.		
5. APPLICANT	Name Berryfield Limited, Address 130, Rathgar Road, Dublin 6.		
6. DECISION	O.C.M. No. P/4303/86 Date 18th Nov., '86	Notified 18th Nov., '86 Effect To grant permission	
7. GRANT	O.C.M. No.	Notified Effect	
8, APPEAL	Notified 16th Dec.,1 986 Type 3rd Party	DecisionPermission granted by An Bord Pleanala Effect 23/4/87	
9. APPLICATION SECTION 26 (3)	Date of Decision application Effect		
10. COMPENSATION	Ref. in Compensation Register		
11. ENFORCEMENT	Ref. in Enforcement Register		
12. PURCHASE NOTICE			
13. REVOCATION or AMENDMENT			** = **
14; 15:			
Prepared by ,	Copy issued by	anananay karananan sa karanan sa	Registr
Checked by		 	

Co. Accts. Receipt No

Future Print

86A-1206

Sean Forrest, Fountain House, 55 Main Street, Rathfarnham, Dublin 14.

26th November, 1987

RE:

Proposed revised house types and minor layout changes for 342 of the 364 houses on the existing permission (Reg. Ref. YA 205) on 43 acres at Ballyroan and Scholarstown for Berryfield Ltd.

Dear Sir,

I refer to your submission received on 11th September, 1987, to comply with condition No. 4 of decision to grant permission by An Bord Pleanala, Ref. PL6/5/72868, dated 23rd April, 1987, in connection with the above.

In this regard, I wish to inform you that the submission is satisfactory and complies with Condition No. 4, in so far as the road widths are agreed. Compliance will depend on satisfactory construction and completion.

. Coffeel AD

AN BORD PLEANALA

LOCAL GOVERNMENT (PLANNING AND DEVELOPMENT) ACTS, 1963 TO 1983

County Dublin

Planning Register Reference Number: 86A/1206

APPEAL by Kevin Doyle, of 80, Dargle Wood, Knocklyon Road, Dublin, by Peter Sweetman, of 81, Lansdowne Park, Knocklyon Road, Templeogue, Dublin, on behalf of Lansdowne Park and District Residents Association and by Deirdre O'Connor, of 78 Glenvara Park, Ballycullen Road, Knocklyon, Dublin, on behalf of Knocklyon Community Council, against the decision made on the 18th day of November, 1986, by the Council of the County of Dublin, to grant subject to conditions a permission for development comprising 184 house types and layout changes for 342 out of a total of Which permission was granted by An Bord Pleanala under Reference Pike of Clonskeagh Square, Dublin, in accordance with plans and particulars lodged with the said Council:

DECISION: Pursuant to the Local Government (Planning and Development) Acts, 1963 to 1983, 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

It is considered that, subject to compliance with the conditions set out in the Second Schedule hereto, the proposed development would be in accordance with the proper planning and development of the area.

SECOND SCHEDULE

- 1. (a) The development shall be phased to take account of major road works in the area by Dublin County Council. The first phase shall consist of houses on the northern part of the site within the area outlined in blue on the annotated copy of drawing number C006/SW12 submitted by the developers at the oral hearing of the previous appeal in relation to the proposed development under An Bord Pleanâla appeal reference number 6/5/63618, held on 15th November 1984. The construction of any houses in the second phase shall not take place until construction and completion of that section of the proposed Green Route within the site as required by condition number 3 below.
 - (b) No development shall take place on the part of the first phase area referred to at (a) above which would be occupied by the twenty-two houses shown backing on to the road reservation to the west of the site until the layout for this section of the development has been separately submitted to the planning authority for approval and has been approved by that authority, or by An Bord Pleanála on appeal.
 - Reasons (a) In order to secure orderly development
 - (b) The Board considers that the possibility of direct access to the proposed road west of the site should be further examined, and that the layout of the part of the development in question may require to be amended to provide for such access.
- 2. Land expected to be required by the planning authority for road works shall be reserved for that purpose and the boundaries of such land shall be marked out on the ground in consultation with the planning authority before development commences.

Reason: To facilitate anticipated future road works.

3. The section of the proposed Green Route within the appeal site which is required to serve the proposed development shall be constructed by the developers in accordance with the standards and specifications required for this type of road by the planning authority (including footpaths and verges).

Reason: To ensure the provision of an access road of suitable standard to serve the proposed development and to be integrated satisfactorily with the future road pattern for the area envisaged by the planning authority. 4. The internal roads serving the development shall be constructed in accordance with the requirements of the planning authority.

Reason: In the interests of road safety.

- The areas shown as public open space on the lodged drawing (a) 5. number C 006/SW 12 referred to in condition number 1 above shall be reserved for use as such and shall be soiled, seeded, planted, landscaped and bounded in accordance with a detailed scheme to be submitted to and agreed with Dublin County Council before development is commenced, the scheme to include a timetable for the carrying out of the This timetable shall provide involved. works development of the major parcel of open space of 51 acres approximately in the first phase of the overall housing development as defined in condition number 1 above. default of such agreement, details of the scheme shall be as determined by An Bord Pleanála.
 - (b) The scheme shall also include details of the existing trees on the site which are to be retained, together with detailed proposals for the protection of these trees and of the open space area during the construction period.
 - (c) Apart from tree and shrub planting on the public open space areas, the site generally shall be planted and landscaped in accordance with a scheme to be submitted to and agreed with the Council or, in default of such agreement, shall be as determined by An Bord Pleanála. This scheme shall include provision for boundary treatment on the road reservations.
 - (d) If the developers and the Council agree that the works required under the terms of part (a) of this condition should be carried out by the Council, the developers shall pay a sum of money to the Council to meet the cost of the works. The amount to be paid and arrangements for payment shall be as agreed between the developers and the Council or, failing agreement, shall be as determined by An Bord Pleanála.

Reason: In the interests of visual and residential amenity.

Council as a contribution towards the said Council's expenditure on the provision of a public water supply and piped sewerage facilites in the area and towards the improvement of surface water facilities to facilitate the proposed development. 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.

Reason: The provision or improvement 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 or improving the services.

7. 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 roads, footpaths, sewers, watermains, public open spaces, 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 determined by An Bord Pleanála.

Reason: To ensure the satisfactory completion of the development.

8. Access for vehicular or constructional traffic shall not be permitted directly to Ashton Grove; a pedestrian facility only is to be provided. Details of the pedestrian path and any necessary ancillary planting and landscaping immediately adjoining the boundary with Ashton Grove shall be submitted to and agreed with Dublin County Council prior to the commencement of development.

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

9. The pedestrian way between plots numbers 352 and 353 shall be omitted from the development.

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

- 10. (a) The developer shall submit proposals for serving the site directly from Knocklyon Road by way of a new road having a T-junction approximately 90 metres north of the riding stables. The horizontal and vertical alignments of this road shall be agreed with Dublin County Council before development work begins on site. The developer shall be responsible for the construction and full cost of this new road.
 - (b) The new access road shall be extended southwards to join road number 4 and road number 2 shall be cul-de-saced.
 - (c) The applicant shall satisfy the planning authority that he has control over the necessary lands required for the new road.
 - 11. Screen walls (in brick or block), at least 2 metres in height and suitably capped and rendered, shall be erected at such loations as may be required by the planning authority so as to screen rear gardens from public view.

Reason: In the interests of visual and residential amenity.

12. The water supply and drainage arrangements, including disposal of surface water, shall comply with the requirements of Dublin County Council for such services and works.

Reason: To ensure the satisfactory provision of these services.

13. All public services to the proposed development, including electrical and telephone equipment, shall be located underground throughout the site.

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

14. Public lighting shall be provided in accordance with the planning authority's standard requirements for such a service.

Reason: To ensure that street lighting of adequate standard is provided.

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

Dated this 23 Many of Afril

1987.

DUBLIN COUNTY COUNCIL

e: 724755 (ext. 262/264)

IMPORTANT: Turn overleaf for further information

PLANNING DEPARTMENT, BLOCK 2, IRISH LIFE CENTRE, LR. ABBEY STREET, DUBLIN 1.

Notification of Decision to Grant Permission Approval Local Government (Planning and Development) Acts, 1963-1982

Delany MacVeigh & Pike,	Decision O Number an	rder d Date P/4303/86 18.11.86	
1 Clonskeagh Square,	Register Reference No86A/1206		
Dublin 14	Planning Control No		
es o Do compose on en en en emembración, frenches julgatiques la companyament de sension			
Applicant Berryfield Ltd.	Time Ext	. up to: 18.11.86	
In pursuance of its functions under the above-mentioned Acthe County Health District of Dublin, did by Order dated as above	ets, the Dubling e make a dec	County Council, being the Planning Authority for ision to grant Permission/Approval for:-	
Proposed revised house types and minor lay	yout chang	res for 342 of the 364 houses	
on the existing permission (Reg.Ref.YA/20)			
SUBJECT TO THE FOLLOWING CONDITIONS			
CONDITIONS		REASONS FOR CONDITIONS	
 That the development to be carried out in its entirety in action, the plans, particulars and specification lodged with a cation, save as may be required by the other conditions hereto. 	To ensure that the development shall be in accordance with the permission and that effective control be maintained.		
 That before development commences approval under the Bye-Laws to be obtained and all conditions of that appro- observed in the development. 	2 in order to comply with the Sanitary Services Acts, 1878-1964.		
3. That the proposed house be used as a single dwelling un	. That the proposed house be used as a single dwelling unit.		
4. That a financial contribution in the sum of £259,200. be paid by the proposer to the Dublin County Council toward of provision of public services in the area of the development, and which facilitate this development; this co to be paid before the commencement of development on	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 the services.		
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Signed on behalf of the Dublin County Council	6 H H 000011	For Arincipal Officer	
		Date 18th November 1986	

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 takenin-charge by the Local Authority of roads, open space, carparks, sewers, watermains or drains has been given by:

(a) Lodgment with the Council of an approved Insurance Company Bond in the sum of £300,000.

which shall be renewed by the developer from time to time as required during the course of the development and kept in force by him until such time as the roads, open space, carparks, sewers, watermains and drains are taken-in-charge by the Council.

Or/

(b) Lodgment with the Council of £200,000. to be applied by the Council at its absolute discretion, if such services are not duly provided to its satisfaction on the provision and completion of such services to standard specification.

(c) Lodgment with the Planning Authority of a letter of guarantee issued by any body 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 lodgment in either case has been acknowledged in writing by

Note: When development has been completed, the Council may pursue the Bond to secure completion of the works required to bring the estate up to the standard for taking-in-charge.

To ensure that a ready sanction may be available to the Council to induce the provision of services and prevent disamenity in the development.

NOTE:

If there is no appeal to An Bord Pleanala 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 Acts has been withdrawn, the Council will grant the PERMISSION/APPROVAL after the withdrawal.

An appeal against the decision may be made to An Bord Pleanala. 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:-An Bord Pleanala, Blocks 6 and 7, Irish Life Centre, Lower Abbey Street, Dublin 1.

(1) An appeal lodged by an applicant or his agent with An Bord Pleanala will be invalid unless accompanied by a fee of £30 (Thirty Pounds). (2) A party to an appeal making a request to An Bord Pleanala for an Oral Hearing of an appeal must, in addition to (1) above, pay to An Bord Pleanala a fee of £30 (Thirty Pounds). (3) A person who is not a party to an appeal must pay a fee of £10 (Ten Pounds) to An Bord Pleanala when making submissions or observations to An Bord Pleanala in relation to an appeal.

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. 724755 (ext. 262/264)

IMPORTANT: Turn overleaf for further information

PLANNING DEPARTMENT, BLOCK 2, IRISH LIFE CENTRE, LR. ABBEY STREET, DUBLIN 1.

Notification of Decision to Grant Permission/Approval Local Government (Planning and Development) Acts, 1963-1983

To Delany MacVeigh & Pike,	Decision Order Number and Date 2/4303/86 18.11.86		
	Register Reference No		
- 1 Clonekeagh Square,			
DOMIN'IN THE SECTION OF THE SECTION			
E SE DESERVAMENTAMENTAMENTAMENT CONTRACTOR DE LA CONTRACTOR DE CONTRACTOR DE LA CONTRACTOR DE CONTRACTOR DE CO	W 12 70 12 11 86		
Applicant Berryfield Ltd.			
as a least be nietrict of Dublin, did by Order dated as a	cts, the Dublin County Council, being the Planning Authority for bove make a decision to grant Permission/Approval for:-		
Proposed revised house types and minor layou	t changes for 342 of the 304 doubles on		
the estating permission (Reg.Ref.YA/205) on	43 acres at Bellyrosn & Scholarstown		
SUBJECT TO THE FOLLOWING CONDITIONS			
CONDITIONS	REASONS FOR CONDITIONS		
That all necessary measures be taken by the contractor to spillage or deposit of clay, or other debris on adjoining roads	= ==		
 7. That all public services to the proposed development electrical, telephone cables and equipment, be located uthroughout the entire site. 	=		
8. That public lighting be provided as each street is occupied in with a scheme to be approved by the County Council so a street lighting to the standard required by the County	accordance stoprovide uncil.		
That no dwellinghouse be occupied until all the services connected thereto and are operational.	1		
XMAIXMAXXIXXXXXXXXXXXXXXXXXXXXXXXXXXXXX	AAAA		
10. That the water supply and drainage arrangements, is disposal of surface water, be in accordance with the req the County Council.	ncluding the uirements of Acts, 1878-1964.		
THE SAME SERVE			
	(Contd)		
4			
Signed on behalf of the Dublin County Council	For Principal Officer		
	18th November, 1986		

- 11 That all watermain tappings, 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.
- 12. 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.
- 13 That screen walls in block or similar durable materials not less than 2 metres 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.
- That the developer shall construct and maintain to the Council's standard for taking in charge, all the roads, including footpaths, verges, public lighting, open space, sewers, watermains or drains forming part of the development, until taken in charge by the Council.
- 15. That the areas shown and conditioned as open space be fenced off during construction work and shall not be used for the purpose of site compounds or for the storage of plant, materials or spoil.
- 16(A) The development shall be phased to take account of major road works in the area by Dublin County Council. The first phase shall consist of houses on the northern part of the site within the area outlined in blue on the annotated copy of drawing no. COO6/SW 12 submitted at the oral hearing on 15th November, 1984 by the developers. The construction of any houses in the second phase shall not take place until construction and completion of that section of the proposed Green Route within the site, as required by condition No. 18 of this order.

- To comply with 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.
- the interest of the proper planning and development of the area.
- 13 in the interest of visual amenity.
- 14in the interest of the proper planning and development of the area.
- 15. To protect the emenities of the area.
- 16. To secure orderly development.

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Contd/...

NOTE:

If there is no appeal to An Bord Pleanala 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 Acts has been withdrawn, the Council will grant the PERMISSION/APPROVAL after the withdrawal.

An appeal against the decision may be made to An Bord Pleanala. 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:—An Bord Pleanala, Blocks 6 and 7. Irish Life Centre, Lower Abbey Street, Dublin 1.

IMPORTANT NOTICE

- (1) An appeal lodged by an applicant or his agent with An Bord Pleanala will be invalid unless accompanied by a fee of £36 (Thirty-Six pounds).
- (2) A party to an appeal making a request to An Bord Pleanala for an Oral Hearing of an appeal must, in addition to (1) above, pay to An Bord Pleanala a fee of £36 (Thirty-Six pounds).
- person who is not a party to an appeal must pay a fee of £10 (Ten pounds) to An Bord Pleanala when making submissions or bservations to An Bord Pleanala in relation to an appeal.

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. 724755 (ext. 262/264)

PLANNING DEPARTMENT, BLOCK 2, IRISH LIFE CENTRE, LR. ABBEY STREET, DUBLIN 1.

Notification of Decision to Grant Permission/America XXX

Local Government (Planning and Development) Acts, 1963-1983

To Delany MacVeigh & Pike,	Decision Order P/4303/86 18.11.86 Number and Date
1 Clonekeagh Square	Register Reference No 864/1206
	Planning Control No.
Berryfield Ltd. Applicant	Application Received on 18.8.86 Time Ext. Up To: 18.11.86
the County Health District of Dublin, did by Order dated as a Proposed revised house types and minor layout	changes for 342 of the 364 houses on the
existing permission (Reg. Ref. YA/205) on 43	acres at Ballyroan and Scholarstown
SUBJECT TO THE FOLLOWING CONDITIONS CONDITIONS	REASONS FOR CONDITIONS
No. 16(B) Contd/ (B) No development shall take place on the	
of the first phase area referred to at (a) which would be occupied by the twenty-two he shown backing on the the road reservtion to west of the site until the layout for this of the development has been separately submit to the Planning Anthority for approval and been approved by that authority, or by An B Pleanala on appeal.	the section (tred)
i7. Land expected to be required by the Plan Authority for road works shall be reserved that purpose and the boundries of such land be marked out on the ground in consultation the Planning Authority before development of the proposed Green Route on both the appaire and the adjoining property on the east	for fature road works. shall vith compaces. ections
which is in the appellants' ownership i.e. section 70 metres approx. and identified A2 the Dublin County Council drawing No. RPS 8 in addition to the road reservation on the boundary of the appeal site.	the on 3/467/1A,
Signed on behalf of the Dublin County Council	For Principal Officer,
	Date 18th Movember, 1986

IMPORTANT: Turn overleaf for further information

- 18. The section of the proposed Green Route within the appeal site which is required to serve the proposed development shall be constructed by the developers at their own expense in accordance with the standards and specifications required for this type of road by the Plenning Authority (including footpaths and verges).
- 19. The internal roads serving the development shall be constructed in accordance with the requirements of the Planning Authority.
- 20. (a) The areas shown as public open space on the lodged drawing No. C 006/SH 12 shall be reserved for use as such and shall be soiled, seeded, planted, land-scaped and bounded in accordance with a detailed scheme to be submitted to and agreed with the Dublin County Council before development is commenced, the scheme to include a timetable for the carrying out of the works involved. This timetable shall provide for development of the major parcel of open space of 5% acres approx. In the first phase of the overall housing development as defined in condition No. 16 above. In default of such agreement, details of the scheme shall be as determined by An Bord Pleanals.

(b) The scheme shall also include details of the existing trees on the site which are to be retained, together with detailed proposals for the protection of these trees and of the open space area during the construction

period.

(c) Apart from the tree and shrub planting on the public open space areas, the site generally shall be planted and landscaped in accordance with a scheme to be submitted to and agreed with the Council or, in default of such agreement, as may be determined by An Bord Pleanals. This scheme shall make provision, inter alia, for boundary treatment on the road reservations.

(d) In the event that the developers and the Council agree that the works required under the terms of part (a) of this condition should be carried out by the Council, the developers shall pay a sum of money (£300, per house) to the Council to meet the cost of the works. The amount to be paid and arrangements for payment shall be as agreed between the developers and the Council or faciling agreement, shall be as determined by An Bord

18. To ensure the provision of an access road of suitable standard to serve the proposed development and to be integrated satisfactorily with the future road pattern for the area envisaged by the Planning Authority.

19. In the interest of road safety.

20. In the interest of visual and residential emenity.

If there is no appeal to An Bord Pleanala 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 Acts has been withdrawn, the Council will grant the PERMISSION/APPROVAL after the withdrawal.

An appeal against the decision may be made to An Bord Pleanala. 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:

An Bord Pleanala, Blocks 6 and 7, Irish Life Centre, Lower Abbey Street, Dublin 1.

(1) An appeal lodged by an applicant or his agent with An Bord Pleanala will be invalid unless accompanied by a fee of £36 (Thirty-six Pounds). (2) A party to an appeal must, in addition to (1) above, pay to An Bord Pleanala a fee of £36 (Thirty-six Pounds). (3) A person who is not a party to an appeal must pay a fee of £10 (Thirty-six Pounds). (3) A person who is not a party to an appeal must pay a fee of £10 (Thirty-six Pounds) to An Bord Pleanala in relation to an appeal.

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.