

COMHAIRLE CHONTAE ÁTHA CLIATH

P. C. Reference	LOCAL GOVERNMENT (PLANNING AND DEVELOPMENT) ACT 1963 & 1976 PLANNING REGISTER		REGISTER REFERENCE 86A/80
1. LOCATION	Rookwood, Ballyboden, Rathfarnham		
2. PROPOSAL	38 new houses		
3. TYPE & DATE OF APPLICATION	TYPE	Date Received	Date Further Particulars
	P	27 January '86	(a) Requested (b) Received
			1. 25th March, 1986
			2.
4. SUBMITTED BY	Name Mark Leslie, R.I.A.I., Address 34 Wyatt Road, London N.5. England		
5. APPLICANT	Name Mrs. Brenda Weir, Address Rookwood House, Ballyboden, Rathfarnham		
6. DECISION	O.C.M. No. P/634/89		Notified 21/2/89
	Date 21/2/89		Effect to grant permission
7. GRANT	O.C.M. No.		Notified
	Date		Effect
8. APPEAL	Notified 23/3/89		Decision Permission granted by An Bord Pleanala
	Type 3rd Party		Effect 18/1/90
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.			

Prepared by

Checked by

Copy issued by Registrar.

Date

Co. Accts. Receipt No

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 ~~XXXXXX~~

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

To Delap & Waller,
63 Lower Baggot Street,
Dublin 2.

Decision Order
Number and Date P/634/89 - 21/2/89

Register Reference No. 86A-80

Planning Control No.

Application Received on 27/1/88
Add. Info. Rec'd: 22/12/88

Applicant Brenda Weir

In pursuance of its functions under the above-mentioned Acts, 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:-

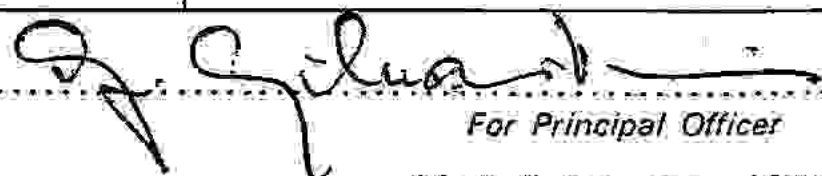
38 new houses at Rockwood, Stocking Lane, Ballyboden.

SUBJECT TO THE FOLLOWING CONDITIONS

CONDITIONS	REASONS FOR CONDITIONS
1. The development to be carried out in its entirety in accordance with the plans, particulars and specifications lodged with the application and as amended by the additional information submitted to the Planning Authority on the 20/12/88, save as may be required by the other conditions attached hereto.	1. To ensure that the development shall be in accordance with the permission and that effective control be maintained.
2. That before development commences, approval under the Building Bye-Laws be obtained and all conditions of that approval be observed in the development.	2. In order to comply with the Sanitary Services Acts, 1878-1964.
3. That each proposed house be used as a single dwelling unit.	3. To prevent unauthorised development.
4. That a financial contribution in the sum of £56,580. 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.	4. 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.

contd./....

Signed on behalf of the Dublin County Council


For Principal Officer

21st February, 1989.

Date

IMPORTANT: Turn overleaf for further information

DUBLIN COUNTY COUNCIL

724755 (ext. 262/264)

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Applicant Brenda Weir

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38 new houses at Rockwood, Stocking Lane, Ballyboden.

SUBJECT TO THE FOLLOWING CONDITIONS

<u>CONDITIONS</u>	<u>REASONS FOR CONDITIONS</u>
<p>9. That the area shown as open space be graded, 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. Or./.. In lieu of the open space being developed by the applicants, a financial contribution of £300. per house shall be paid to the County Council to enable this work to be carried out. This cost to be paid on a phased basis as agreed with the Planning Authority.</p> <p>10. 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.</p> <p>11. 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.</p>	<p>9. In the interest of the proper planning and development of the area.</p> <p>10. 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.</p> <p>11. In the interest of the proper planning and development of the area.</p>

CONT/....

Signed on behalf of the Dublin County Council


For Principal Officer

Date 21st February, 1989.

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

Tel. 724755 (ext. 262/264)

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38 new houses at Rockwood, Stocking Lane, Ballyboden

SUBJECT TO THE FOLLOWING CONDITIONS

CONDITIONS	REASONS FOR CONDITIONS
16. The proposed footpath along Scholarstown Road may be relocated to run between the existing trees on the site boundary. The footpath shall be designed in such a way and comprise appropriate materials to ensure the preservation of the trees. Any revisions to be the subject of consultation and agreement with the Planning Department.	16. In the interest of the proper planning and development of the area.
17. (a) The existing walnut tree located to the south of the gatelodge and the existing ground level beneath the tree shall be retained, (i.e. there shall be no driveways, underground services, car parking areas or boundary walls under or between this tree). (b) The existing beech hedging surrounding the formal gardens and the line of beech for preservation located to the south of the existing trunk watermain traversing the site shall be retained. These features shall be located outside the curtilages of the proposed dwellinghouses. (c) Prior to the commencement of development, all trees and vegetation proposed for retention shall be protected by a stout timber fence, 1.5m high. This fence shall enclose at least the area covered by the branch spread of the trees and shall be maintained in good condition throughout the period of the development. The areas so fenced off shall not be	17. To ensure the retention of trees and vegetation of high quality and amenity value.

CONT/...

Signed on behalf of the Dublin County Council


For Principal Officer

21st February, 1989.

Date

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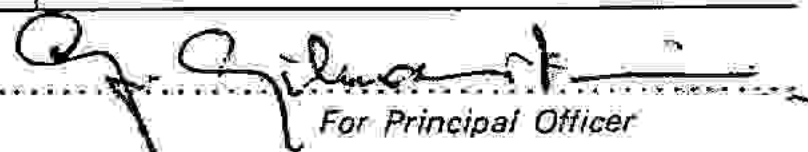
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SUBJECT TO THE FOLLOWING CONDITIONS

CONDITIONS	REASONS FOR CONDITIONS
22. Scholarstown Road, between Stocking Lane and Edmondstown Road, to be widened as per the Drawings submitted by way of additional information with the exception of the 25m adjacent to Edmondstown Road junction. Details of the improvement of this section to be agreed with the Roads Department, Dublin County Council. This work to be carried out at the applicants expense, to the satisfaction of Dublin County Council prior to the occupation of any house on site.	22. In the interest of traffic safety.
23. Public lighting to be agreed and provided at the applicants expense to the requirements of the Roads Department Lighting Section.	23. In the interest of the proper planning and development of the area.
24. That a financial contribution in the sum of £800. per house be paid by the proposer to Dublin County Council towards the cost of improvement of the road network in the area and which facilitates this development. This contribution to be paid before the commencement of development.	24. In the interest of the proper planning and development of the area.
	CONT/....

Signed on behalf of the Dublin County Council


For Principal Officer

21st February, 1989.

Date

IMPORTANT: Turn overleaf for further information

Mark Leslie,
34, Wyatt Road,
London N.5.,
England.

86A/80

25/3/'86

Re: Proposed 38 new houses at Rookwood, Stocking Lane, Ballyboden
for Brenda Weir.

Dear Sir,

With reference to your planning application, received here on 27/1/'86, in connection with the above, I wish to inform you, that before the application can be considered under the Local Government (Planning and Development) Acts, 1963-1983, the following additional information must be submitted in quadruplicate:-

1. Applicant to submit a fully detailed plan for the layout of the area of the site adjoining Scholarstown Road providing for necessary road improvement works, footpath provision, boundary treatment and for the provision of acceptable house curtilages.
2. Applicant to submit full details of the proposed drainage layout showing all relevant details of foul and surface water sewers to point of exit to existing sewers. Also full details of the proposed water supply arrangements and watermain layout to be submitted.

Please mark your reply "Additional Information" and quote the Reg. Ref. No. given above.

Yours faithfully,


for Principal Officer.

AN BORD PLEANÁLA

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

County Dublin

Planning Register Reference Number: 86A/80

APPEAL by Brenda Weir care of Fionnuala Rogerson of Ardtona House, Churchtown, Dublin and by Moyville, Edmondstown Green, Edwards Court and Beechview Residents Association of 189 Moyville, Ballyboden Road, Rathfarnham, Dublin against the decision made on the 21st day of February, 1989, by the Council of the County of Dublin to grant subject to conditions a permission to the said Brenda Weir for housing development at Rookwood, Stocking Lane, Ballyboden, 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 1983, it is hereby decided, for the reason set out in the First Schedule hereto, to grant permission for the said housing development (thirty four houses) 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. The development shall be carried out in its entirety in accordance with the plans, particulars and specifications lodged with the application and as amended by the additional information submitted to the planning authority on the 22nd day of December, 1988, save as may be required by the conditions attached hereto.

Reason: To ensure that the development shall be in accordance with the permission and that effective control be maintained.

SECOND SCHEDULE (CONTD.)

2. Before the development is commenced, the developer shall pay a financial contribution in the sum of £56,580 to Dublin County Council towards the cost of providing a public water supply and piped drainage in the area of the proposed development which facilitate 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 providing the services.

3. The developer shall pay a financial contribution to Dublin County Council towards the cost of upgrading the existing foul sewer in Ballyboden Road which will facilitate the proposed development. The amount of the contribution and the time and method of payment shall be as agreed with the Council or, in default of such agreement, shall be as determined by An Bord Pleanála. This contribution shall be levied on this development on a proportionate basis (per house), relative to approved new development in the catchment area which would utilise the increased system capacity and allowing for the degree to which the sewer may already be overloaded.

Reason: The provision of improved services in the area by the Council will facilitate the proposed development and it is considered reasonable that the developer should contribute towards the cost of providing the services.

4. Before the development is commenced, the developer shall lodge with 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, watermains, drains, public open space 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 Council and the developer or, failing agreement, shall be as determined by An Bord Pleanála.

Reason: To ensure the satisfactory completion of the development.

5. All public services to the proposed development, including electrical, communal television, telephone cables and equipment shall be located underground throughout the entire site.

Reason: In the interest of amenity.

PL 6/5/78947

SECOND SCHEDULE (CONTD.)

6. No dwellinghouse shall be occupied until all the services have been connected there to and are operational.

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

7. The area shown as open space shall be cleared of undergrowth and where necessary graded, soiled and seeded and landscaped to the satisfaction of the County Council and be made available for use by residents on completion of their dwellings. In lieu of the open space being developed by the applicants, a financial contribution of £300 per house shall be paid to the County Council to enable this work to be carried out. This cost shall be paid on a phased basis as agreed with the planning authority.

Reason: In the interest of amenity and orderly development.

8. The developer shall construct and maintain to the Council's standard for taking in charge all the roads, including footpaths, verges, public lighting, public open space, sewers, watermains or drains, forming part of the development, until taken in charge by the Council.

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

9. The open space areas shall 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.

Reason: To protect the amenities of the area.

10. The proposed footpath along Scholarstown Road may be relocated to run between the existing trees on the site boundary. The footpath shall be designed in such a way and comprise appropriate materials to ensure the preservation of the trees. Any revisions shall be the subject of consultation and agreement with the planning authority.

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

SECOND SCHEDULE (CONTD.)

11. (a) The existing walnut tree located to the south of the gatelodge and the existing ground level beneath the tree shall be retained, (i.e. there shall be no driveways, underground services, car parking areas or boundary walls under or beside this tree).
- (b) The existing beech hedging surrounding the formal gardens and the line of beech for preservation located to the south of the existing trunk watermain traversing the site shall be retained. These features shall be located, where possible, outside the curtilages of the proposed dwellinghouses.
- (c) Prior to the commencement of development, all trees and vegetation proposed for retention shall be protected by a stout fence at least 1.5 metres high. This fence shall enclose at least the area covered by the branch spread of the trees and shall be maintained in good condition throughout the period of the development. The areas so fenced off shall not be used for storage, dumping or for any purpose which could jeopardise the health of the trees/vegetation. The line of protective fencing shall be agreed with the planning authority prior to its erection.
- (d) Prior to the commencement of development, a cash deposit or a bond of an insurance company shall be lodged by the developer with the planning authority. This sum may be applied by the planning authority at its absolute discretion to ensure trees and hedge features are adequately protected. The form and amount of this bond shall be agreed between the Council and the developer, or failing agreement, shall be as determined by An Bord Pleanála.

Reason: To ensure the retention of trees and vegetation of high quality and amenity value.

12. Before development is commenced, comprehensive house plans to an acceptable scale shall be submitted to the planning authority for agreement. Details shall include colours and materials of external finishes.

Reason: The house plans submitted contain inadequate detail.

SECOND SCHEDULE (CONTD.)

13. (a) The existing boundary treatment around the site shall be retained, and made good where necessary, save where its removal is required for road improvement purposes.
- (b) Details of boundary treatment around the proposed dwellinghouses and treatment of the proposed site entrance shall be submitted to the planning authority and its written agreement obtained prior to the commencement of development.
- (c) Boundary treatment along Scholarstown Road shall be submitted to the planning authority and its written agreement obtained prior to the commencement of development.

Reason: In the interest of visual amenity.

14. Provision shall be made for the widening of Scholarstown Road, between Stocking Lane and Edmonstown Road, as shown on the drawings submitted to the planning authority by way of additional information.

Reason: In order that the proposed development takes account of necessary road improvements in the area.

15. Public lighting shall be provided at the applicant's expense to the requirements of the planning authority.

Reason: In the interest of amenity and public safety.

16. Water supply and drainage arrangements, including the disposal of surface water shall be in accordance with the requirements of Dublin County Council.

- (a) In this respect, no work to commence on the site until the foul sewer at Ballyboden Road has been duplicated.
- (b) In respect of surface water, the developer shall provide for the upsizing of services in accordance with the requirements of the planning authority to allow for upstream drainage if required to the west of the site. The detailed design proposal shall be submitted to and agreed with planning authority prior to commencement of development.

Reason: In the interest of public health.

SECOND SCHEDULE (CONTD.)

17. Details and location of the proposed footbridge across the Owendoher River shall be agreed with the planning authority.

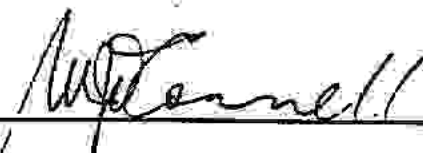
Reason: In the interest of the proper planning and development of the area.

18. The requirements of Dublin Corporation Waterworks Section shall be complied with in respect of the 24 inch watermain traversing the site. A wayleave of approximately 10 metres on one side and approximately 5 metres on the other side of the watermain shall be provided.

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

19. The developer shall pay a financial contribution in the sum of £800 per house to Dublin County Council as a contribution towards the costs incurred or to be incurred by the said Council in carrying out improvements to the distributor road network in the area. The time and method of payment shall be agreed between the developer and the Council prior to the commencement of development, or failing agreement shall be determined by An Bord Pleanála.

Reason: It is considered reasonable that the developer should contribute towards the cost of road improvements which facilitate the proposed development.



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

Dated this 18th day of January 1990.