

COMHAIRLE CHONTAE ÁTHA CLIATH

P. C. Reference		LOCAL GOVERNMENT (PLANNING AND DEVELOPMENT) ACT 1963 & 1976 PLANNING REGISTER		REGISTER REFERENCE 85A/942	
1. LOCATION		Somerton, Ballyboden Road, Dublin 14. S.			
2. PROPOSAL		18 apartments in three buildings			
3. TYPE & DATE OF APPLICATION		TYPE P	Date Received 12th July, 1985	Date Further Particulars (a) Requested 1. 2. (b) Received 1. 2.	
4. SUBMITTED BY		Name Fitzgerald, Reddy & Assocs., Address 50, Merrion Sq., Dublin 2.			
5. APPLICANT		Name Owendoher Building Co. Ltd., Address			
6. DECISION		O.C.M. No. P/3257/85 Date 10th Sept., 1985		Notified 10th Sept., 1985 Effect To grant permission	
7. GRANT		O.C.M. No. P/3786/85 Date 23rd Oct., 1985		Notified 23rd Oct., 1985 Effect Permission granted	
8. APPEAL		Notified 3rd Oct., 1985 Type 3rd Party		Decision Permission granted by An Bord Pleanála Effect 11th Feb., 1986	
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		Copy issued by			
Checked by		Date Registrar.			
		Co. Accts. Receipt No			

Fitzgerald Reddy & Assocs.,

50 Merrion Square,

Dublin 2.

85A-942

19th June, 1986.

Re: Proposed 18 apartments in three buildings and ancillary site work
at Somerton, Ballyboden Road, Dublin 14, for Owendoher Building
Company Ltd.

Dear Sirs,

I refer to your submission received on 23rd May, 1986, to comply with
condition No. 1, of decision to grant permission by An Bord Pleanála,
Ref. No. PL6/5/70084, dated 11th February, 1986, in connection with the
above.

In this regard, I wish to inform you that the submission is not acceptable
and does not comply with this condition.

Yours faithfully,



for Principal Officer.

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

County Dublin

Planning Register Reference Number: 85A/942

APPEAL by the Butterfield and District Residents Association, care of Wilfred M. Raftery, Saint Michael's, 1 Springfield Avenue, Templeogue, County Dublin, against the decision made on the 10th day of September, 1985, by the Council of the County of Dublin to grant subject to conditions a permission to ~~Owendover Building Company Limited, care of Fitzgerald Reddy and Associates, of 50 Merrion Square, Dublin, for development comprising eighteen apartments in three buildings and ancillary site work at Somerton, Ballyboden Road, 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 reasons 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 objective for the area and the existing non-conforming uses on the site and provided the conditions set out in the Second Schedule hereto are complied with, it is considered that the proposed development would be in accordance with the proper planning and development of the area.

SECOND SCHEDULE

1. Prior to the commencement of development, the developer shall satisfy the planning authority that he has sufficient interest in that part of the site shown as public open space to ensure its use as such.

Reason: To ensure an adequate standard of public open space and to protect the amenities of the river bank and adjoining public open space.

Contd./...

AN BORD PLEANALA

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

County Dublin

Planning Register Reference Number: 85A/942

APPEAL by the Butterfield and District Residents Association, care of Wilfred M. Raftery, Saint Michael's, 1 Springfield Avenue, Templeogue, County Dublin, against the decision made on the 10th day of September, 1985, by the Council of the County of Dublin to grant subject to conditions a permission to Owendorfer Building Company Limited, care of Fitzgerald Reddy and Associates, of 50 Merrion Square, Dublin, for development comprising eighteen apartments in three buildings and ancillary site work at Somerton, Ballyboden Road, 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 reasons 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 objective for the area and the existing non-conforming uses on the site and provided the conditions set out in the Second Schedule hereto are complied with, it is considered that the proposed development would be in accordance with the proper planning and development of the area.

SECOND SCHEDULE

1. Prior to the commencement of development, the developer shall satisfy the planning authority that he has sufficient interest in that part of the site shown as public open space to ensure its use as such.

Reason: To ensure an adequate standard of public open space and to protect the amenities of the river bank and adjoining public open space.

Contd./...

SECOND SCHEDULE (CONTD.)

2. The developer shall pay a sum of money to the Dublin County Council as a contribution towards the provision of public water supply and piped sewerage facilities in the area. The amount to be paid and the arrangement for payment shall be as agreed between the developer and the said Council before development commences or, failing agreement, shall be as determined by An Bord Pleanála.

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. All necessary measures shall be taken by the developer to prevent the spillage or deposit of clay rubble, or other debris on the adjoining lands during the course of the works.

Reason: In the interests of the amenities of the area.

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

Reason: In the interests of the amenities of the area.

5. Water supply and drainage arrangements including the disposal of surface water shall be in accordance with the requirements of the planning authority.

Reason: In the interests of public health.

6. Screen walls in brick or similar durable materials not less than 2 metres in height, suitably capped and rendered shall be provided as necessary to screen private areas from public view. The specific locations and extent of walling shall be agreed with the planning authority before development commences.

Reason: In the interests of visual amenity.

7. The developer shall construct and maintain all the roads, including footpath verges, public lighting, open space, sewers, watermains or drains forming part of the development, to the satisfaction of the planning authority.

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

Contd./...

SECOND SCHEDULE (CONTD)

8. Full details of the proposed retaining wall and substructure shall be agreed with the planning authority before its construction and the developers shall be responsible for the structural stability of the said wall and substructure. The retaining wall shall provide for a masonry finish.

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

9. The developer shall ensure that no disruption is caused to the flow or course of the Owendoher River during or after construction without the prior agreement of the planning authority.

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

10. The developer shall provide on the site a 16 metre diameter turning circle opposite the site access and a 6 metre diameter buffer strip at the southern end of the access between the service road on the site and the Ballyboden Road. Details of any required adjustments to the site layout shall be submitted to and agreed with the planning authority before development commences on site.

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

11. The path verge and kerbing along the site frontage shall be reinstated to the requirements of the planning authority.

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

12. The areas of private open space, existing trees and landscaping features shall be properly maintained at all times in conjunction with the developer's private management scheme for the development.

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

13. (a) A works programme for all tree surgery works and tree removal on the site shall be agreed with the planning authority prior to the commencement of development. All such works shall be completed at the time of occupation of the apartments.

(b) Details of tree protection measures shall be agreed with the planning authority and all protective fencing shall be erected prior to the commencement of development.

Contd./...

SECOND SCHEDULE (CONTD.)

(c) A detailed landscaping scheme plus specification for both the public and private open spaces shall be submitted to and agreed with the planning authority before development commences. This scheme shall provide for a 1.5 metre palisade fence along the length of the public open space, the location and specification for which will be agreed with the Council.

(d) A scheme of street tree planting shall be submitted to and agreed with the planning authority before development is commenced.

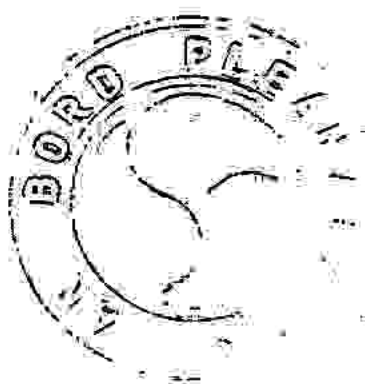
(e) Details of intermittent shrub planting in suitable locations immediately inside the boundary wall to Ballyboden Road shall be submitted to and agreed with the planning authority before development is commenced.

Reason: In the interests of the amenity of the area.

Eoghan. b. Brangan

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

Dated this 11th day of February 1986.





Block 2, Irish Life Centre
Lr. Abbey Street
Dublin 1
Telephone (01) 724755

Fitzgerald Reddy & Assocs.,
50 Merrion Square,
Dublin 2.

Our Ref. 85A/942

Your Ref.

Date 11th November, 1985

re/ 18 apartments in three buildings and ancillary site work at Somerton,
Ballyboden Road, Dublin 14 for Owendoher Building Company Limited

Dear Sirs,

I refer to the notification of Grant of Permission in relation to the above, which issued to you on 23rd October, 1985. It is noted that a valid appeal has been lodged against the Council's decision to grant permission. The Grant of Permission is invalid by virtue of this appeal.

I should be obliged if you would arrange to return the Grant of Permission Notification.

Yours faithfully,


for PRINCIPAL OFFICER

DUBLIN COUNTY COUNCIL

Tel. 724755 (ext. 262/264)

P/3786/85

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

GRANT OF
PERMISSION

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

To..... **Fitzgerald Reddy & Assoc.,**
..... **50 Merrion Square,**
..... **Dublin 2.**

Decision Order
Number and Date **P/3257/85** **10/9/85**

Register Reference No. **85A-942**

Planning Control No.

Application Received on **12/7/85**

Applicant **Owendohar Building Company Limited.**

A PERMISSION/APPROVAL has been granted for the development described below subject to the undermentioned conditions.

..... **18 apartments in three buildings and ancillary site work at Somerton, Ballyboden**
..... **Road, Dublin 15**

CONDITIONS

1. The development to be carried out in its entirety in accordance with the plans, particulars and specifications lodged with the application, save as may be required by the other conditions attached hereto.
2. That before development commences, approval under the Building Bye-Laws be obtained and all conditions of that approval be observed in the development.
3. That each proposed house be used as a single dwelling unit.
4. That a financial contribution in the sum of £6,480. 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.

REASONS FOR CONDITIONS

1. To ensure that the development shall be in accordance with the permission and that effective control be maintained.
2. In order to comply with the Sanitary Services Acts, 1878-1964.
3. To prevent unauthorized development
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

Date..... **23 OCT 1985**

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

DUBLIN COUNTY COUNCIL

GRANT OF
PERMISSION

Tel. 724755 (ext. 262/264)

P/3786/85

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

Notification of Grant of Permission/Approval

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

To **Fitzgerald Reddy & Assocs.,**
50, Merrion Square,
Dublin 2.

Decision Order **P/3257/85, 10/9/85**
Number and Date

Register Reference No. **85A/942**

Planning Control No.

Application Received on **12/7/85**

Applicant **Owandoher Building Co. Ltd.**

A PERMISSION/APPROVAL has been granted for the development described below subject to the undermentioned conditions.

Proposed 18 apartments in three buildings and ancillary site work at Somerton, Ballyboden Road, Dublin 14.

SUBJECT TO THE FOLLOWING CONDITIONS

CONDITIONS	REASONS FOR CONDITIONS
5. 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.	5. To protect the amenities of the area.
6. That all public services to the proposed development, including electrical, telephone cables and equipment, be located underground throughout the entire site.	6. In the interest of amenity.
7. That public lighting be provided as each street is occupied in accordance with a scheme to be approved by the County Council so as to provide street lighting to the standard required by the County Council.	7. In the interest of amenity and public safety.
8. That no dwellinghouse be occupied until all the services have been connected thereto and are operational.	8. In the interest of the proper planning and development of the area.
9. That the area shown as open space be levelled, soiled, seeded and landscaped to the satisfaction of the County Council and to be available for use by residents on completion of their dwellings.	9. In the interest of the proper planning and development of the area.
10. That the water supply and drainage arrangements, including the disposal of surface water, be in accordance with the requirements of the County Council.	10. In order to comply with the Sanitary Services Acts, 1878 - 1964.

(Contd. ...)

Signed on behalf of the Dublin County Council

For Principal Officer

IMPORTANT: Turn overleaf for further information

Date

23 OCT 1985

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

CONDITIONS

REASONS FOR CONDITIONS

- | | |
|--|---|
| <p>11. 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.</p> | <p>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>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.</p> | <p>In the interest of the proper planning and development of the area.</p> |
| <p>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.</p> | <p>In the interest of visual amenity.</p> |
| <p>14. That the developer shall construct and maintain to the Council's standard all the roads, including footpaths, verges, public lighting, open space, sewers, watermain or drains forming part of the development.</p> | <p>In the interest of the proper planning and development of the area.</p> |
| <p>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.</p> | <p>To protect the amenities of the area.</p> |
| <p>16. That full details of the proposed retaining wall and substructure be agreed with the relevant Departments of Dublin County Council before its construction and that the applicants shall be responsible for the structural stability of the said wall and substructure. The retaining wall is to provide for a masonry finish.</p> | <p>In the interest of the proper planning and development of the area.</p> |
| <p>18. That the applicants shall ensure that no disruption is caused to the flow or course of the Cwendohar River during or after construction without prior agreement of the County Council or the relevant Authorities.</p> | <p>In the interest of the proper planning and development of the area.</p> |

Cont./....

23 OCT 1985

DUBLIN COUNTY COUNCIL

tel. 724755 (ext. 262/264)

P/3786/85

GRANT OF
PERMISSION

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

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

To **Fitzgerald Reddy & Assoc.,**
50 Merrion Square,
Dublin 2.

Decision Order

Number and Date **P/3257/85**

10/9/85

Register Reference No.

85A-942

Planning Control No.

Application Received on

12/7/85

Applicant **Owendohar Building Company Limited.**

A PERMISSION/APPROVAL has been granted for the development described below subject to the undermentioned conditions.
18 apartments in three buildings and ancillary site work at Somerton, Ballyboden
Road, Dublin 14.

CONDITIONS

REASONS FOR CONDITIONS

18. That the applicants shall provide on site a 16m diameter turning circle opposite the site access and a 6m. diameter buffer strip at the southern end of the access between the service road on the site and the Ballyboden Road. Details of any required adjustments to the site layout shall be submitted to and agreed with the County Council in writing before development commences on site.
19. That the path verge and kerbing along the site frontage shall be reinstated to the requirements of the Area Engineer, Roads Maintenance.
20. That the areas of private open space, existing trees and landscaping features be properly maintained at all times in conjunction with the developers private management scheme for the development. Details of intermittent shrub planting in suitable locations immediately inside the boundary wall to Ballyboden Road are to be submitted to the Planning Authority before the commencement of development.

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

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

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

Contd./.....

Signed on behalf of the Dublin County Council

For Principal Officer

Date

23 OCT 1985

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

Form A1—Future Print Ltd.

15/85
P/3786/85

21. (a) A works programme for all tree surgery works and tree removal on the site to be agreed with the Parks Department prior to the commencement of development. All such works to be completed at the time of occupation of the apartments.

21. In the interest of amenity.

(b) Details of tree protection measures to be agreed with the Parks Department and all protective fencing to be erected prior to the commencement of development.

(c) A detailed landscaping scheme plus specification for both the public and private open spaces to be submitted and agreed, prior to the commencement of development. This scheme will provide for a 1.5 metre palisade fence along the length of the public open space, the location and specification for which will be agreed with the Parks Department.

(d) A scheme of street tree planting to be submitted and agreed prior to the commencement of development.

NOTE: The applicants are advised that all necessary requirements of the Chief Fire Officer must be fully complied with before the implementation of the permission.

23 OCT 1985