

# COMHAIRLE CHONTAE ÁTHA CLIATH

P. C. Reference	LOCAL GOVERNMENT (PLANNING AND DEVELOPMENT) ACT 1963 & 1976 PLANNING REGISTER	REGISTER REFERENCE  XA 124
1. LOCATION	Ballyowen , Lucan, Co. Dublin. <span style="float: right; font-size: 2em;">S</span>	
2. PROPOSAL	Residential development and ancillary works,	
3. TYPE & DATE OF APPLICATION	TYPE	Date Received
	A	27th Jan., 1982
	Date Further Particulars	(a) Requested (b) Received
	1. ....	1. ....
	2. ....	2. ....
4. SUBMITTED BY	Name <b>A. J. Purcell &amp; Assoc.,</b> Address <b>13, Anglesea St., Dublin 2.</b>	
5. APPLICANT	Name <b>Tern Houses (Brennanstown) Ltd.,</b> Address <b>Lonsdale House, Avoca Ave., Blackrock, Co. Dublin.</b>	
6. DECISION	O.C.M. No. <b>PA/763/82</b>	Notified <b>26th March, 1982</b>
	Date <b>26th March, 1982</b>	Effect <b>To grant permission,</b>
7. GRANT	O.C.M. No.	Notified
	Date	Effect
8. APPEAL	Notified <b>3rd May, 1982</b>	Decision <b>Approval refused by An Bord Pleanála</b>
	Type <b>1st Party,</b>	Effect <b>7th March, 1985</b>
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 .....	Registrar.
Checked by .....	Date .....	
	Co. Accts. Receipt No .....	

AN BORD PLEANALA

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

County Dublin

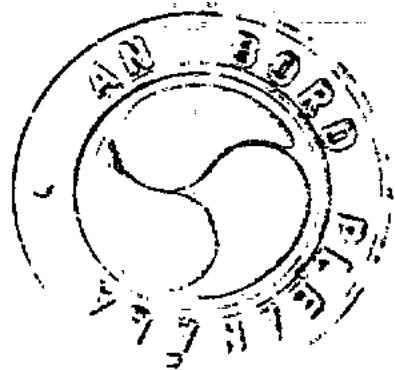
Planning Register Reference Number: X.A. 124

APPEAL by Tern Houses (Brennanstown) Limited, of Lonsdale House, Avoca Avenue, Blackrock, County Dublin, against the decision made on the 26th day of March, 1982, by the Council of the County of Dublin, to grant subject to conditions an approval for residential development and ancillary site works on a site at Ballyowen, Lucan, County Dublin.

DECISION: Pursuant to the Local Government (Planning and Development) Acts, 1963 to 1983, approval is hereby refused for the said residential development and site works for the reason set out in the Schedule hereto.

SCHEDULE

The proposed development would be premature and would result in the creation of a serious traffic hazard on the present inadequate and heavily-trafficked road fronting the site.



Eoghan B. Brangan

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

Dated this 7<sup>th</sup> day of March 1985.

# DUBLIN COUNTY COUNCIL

Tel. 724755 (Ext. 262/264)

PLANNING DEPARTMENT  
DUBLIN COUNTY COUNCIL  
IRISH LIFE CENTRE  
LOWER ABBEY STREET  
DUBLIN 1

## Approval

Notification of Decision to Grant ~~Planning~~/~~Approval~~  
Local Government (Planning and Development) Acts, 1963 & 1976

To: A.J. Purcell & Assoc., Decision Order  
Architects & Civil Engineers, Number and Date PA/763/82, 26/3/'82  
13, Anglesa Street, Register Reference No. XA.124  
Dublin 2. Planning Control No. 16653  
Application Received on 27/1/'82  
Applicant Turn House (Brannanstown) Ltd.

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 ~~Planning~~/~~Approval~~ for:-

Proposed site works and housing development at Ballyonan, Lucan.

### SUBJECT TO THE FOLLOWING CONDITIONS:

CONDITIONS	REASONS FOR CONDITIONS
<ol style="list-style-type: none"> <li>1. Subject to the conditions of this permission the development to be carried out and completed strictly in accordance with the plans and specification lodged with the application.</li> <li>2. That before development commences approval under the Building Bye-Laws to be obtained and all conditions of that approval to be observed in the development.</li> <li>3. That the proposed house be used as a single dwelling unit.</li> <li>4. That a financial contribution in the sum of <b>£197,000</b> 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.</li> </ol>	<ol style="list-style-type: none"> <li>1. To ensure that the development shall be in accordance with the permission and that effective control be maintained.</li> <li>2. In order to comply with the Sanitary Services Acts, 1878 – 1964.</li> <li>3. To prevent unauthorised development.</li> <li>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.</li> </ol>

(Contd . . . .)

Signed on behalf of the Dublin County Council: \_\_\_\_\_  
for Principal Officer

Date: 26th March, 1982.

**IMPORTANT: Turn overleaf for further information.**

CONDITIONS

REASONS FOR CONDITIONS

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, watermains or drains has been given by:

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

(a) Lodgment with the Council of an approved Insurance Company Bond in the sum of £145,000.00

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.

(b) Lodgment with the Council of <sup>Cash of</sup> £15,000.00 Or/ 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 the Council.

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.

(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 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, Holbrook House, Holles Street, Dublin 2.

An appeal by the applicant for PERMISSION/APPROVAL should be accompanied by this form and a deposit of £10.

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  
DUBLIN COUNTY COUNCIL  
IRISH LIFE CENTRE  
LOWER ABBEY STREET  
DUBLIN 1

## Approval

Notification of Decision to Grant ~~Provision~~ Approval  
Local Government (Planning and Development) Acts, 1963 & 1976

To: **A.J. Purcell & Assoc.**  
**Architects & Civil Engineers,**  
**13, Anglemore Street,**  
**Dublin 2.**

Decision Order  
Number and Date **PA/763/82, 26/3/82**  
Register Reference No. **KA.124**  
Planning Control No. **16563**  
Application Received on **27/1/82**

Applicant **Tem House (Brannanstown) Ltd.**

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 ~~Provision~~ Approval for:

**Proposed site works and housing development at Ballyowen, Lucan.**

SUBJECT TO THE FOLLOWING CONDITIONS:

CONDITIONS	REASONS FOR CONDITIONS
<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>6. To protect the amenities of the area.</p>
<p>7. That all public services to the proposed development, including electrical, telephone cables and equipment, be located underground throughout the entire site.</p>	<p>7. In the interest of amenity.</p>
<p>8. 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.</p>	<p>8. In the interest of amenity and public safety</p>
<p>9. That no dwellinghouse be occupied until all the services have been connected thereto and are operational.</p>	<p>9. In the interest of the proper planning and development of the area.</p>
<p><del>That the water supply and drainage arrangements, including the disposal of surface water, be in accordance with the requirements of the County Council.</del></p>	<p><del>That the water supply and drainage arrangements, including the disposal of surface water, be in accordance with the requirements of the County Council.</del></p>
<p>10. That the water supply and drainage arrangements, including the disposal of surface water, be in accordance with the requirements of the County Council.</p>	<p>10. In order to comply with the Sanitary Services Acts, 1878 - 1964.</p>

(Contd ...)

Signed on behalf of the Dublin County Council:.....

for Principal Officer

Date: **26th March, 1982.**

IMPORTANT: Turn overleaf for further information.

**CONDITIONS**

**REASONS FOR CONDITIONS**

**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.

**11.** 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.

**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.

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

**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.

**13.** In the interest of visual amenity.

**14.** That a detailed and comprehensive landscaping programme including phasing for levelling, soiling seeding and landscaping including tree planting, of all areas shown and conditioned as public open space and for street landscaping shall be agreed with the Parks Department and shall be fully implemented as required or in lieu of the above shall pay a financial contribution of £300 per house to Dublin County Council as a contribution towards the development of public open space.

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

**15.** That a distance of 7' 6" be provided between the flanks of each house.

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

**16.** That each front garden have a minimum depth of 25ft. and each rear garden have a minimum depth of 35ft. Save as referred to in Condition No. 22 below.

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

**17.** That no housing development take place on foot of this permission until such time as the new local Distributor Road has been constructed from the existing Newlands

**17.** In the interest of road safety.

Cont.../..

**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 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, Holbrook House, Holles Street, Dublin 2.

An appeal by the applicant for PERMISSION/APPROVAL should be accompanied by this form and a deposit of £10.

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  
DUBLIN COUNTY COUNCIL  
IRISH LIFE CENTRE  
LOWER ABBEY STREET  
DUBLIN 1

Notification of Decision to Grant ~~Permission~~ Approval  
Local Government (Planning and Development) Acts, 1963 & 1976

To: A.J. Purcell & Assoc. Decision Order  
Architects & Civil Engineers. Number and Date PA/765/82, 26/3/82  
13, Anglesa Street, Register Reference No. XA.124  
Dublin 2. Planning Control No. 15663  
Application Received on 27/1/82  
Applicant Tern House (Brennanstown) Ltd.

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:

Proposed site works and housing development at Sallynwan, Lucan.

SUBJECT TO THE FOLLOWING CONDITIONS:

CONDITIONS	REASONS FOR CONDITIONS
<p>Fenthill Road to the access to the site at Earlsfort Road and is available for use by the applicant.</p> <p>18. That the applicant pay a financial contribution of £1,200 per house towards the provision of a satisfactory road network in the area. The timing and method of payment shall be agreed in writing with the Planning Authority prior to commencement of development. Out of this contribution £80,000 to be paid prior to commencement of any development to be used towards the cost of constructing that section of the proposed Local Distributor Road between the Fenthill Road and the proposed roundabout to the south-east of the site. From this contribution a deduction will also be made in respect of the cost of any portion of the proposed new distributor road at the southern boundary of the applicant site between the roundabout to the south east to the western limit of the applicant's property which may be considered by the applicant.</p> <p>19. That no housing development take place on foot of this permission until such time as the Local Distributor Road across the southern boundary of the site has been constructed from Earlsfort Road to the western limit of the applicant's property.</p>	<p>18. 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.</p> <p>19. In the interest of road safety.</p>

Cont./..

Signed on behalf of the Dublin County Council:

for Principal Officer

Date: 26th March, 1982.

IMPORTANT: Turn overleaf for further information.

CONDITIONS

REASONS FOR CONDITIONS

20. The junction of Earlsfort Road the Distributor Road to be to the Roads Engineers design.

21. All houses fronting and flanking onto the Earlsfort Road, Beech View opposite the open space and Ash Road to have a minimum building line set back of 35ft. as indicated on Drawing No. 46B submitted with the application.

22. Foul sewer from MH 24 to F4 to be extended to site boundary at same size and gradient i.e. 225mm. diameter at 1/265. Sewer from MH.F4 to MH.F3 to be 300mm. diameter at 1/390.

Construction is not to commence on houses located within 50m. of proposed County Council sewer pending completion of this sewer. All houses which drain to proposed County Council sewer are not to be commenced until wayleave has been granted and not to be occupied until construction has been completed on this sewer.

23. An additional flow of 39l/s. to be allowed for at surface water manhole S15 and capacity of sewer downstream of this point to be increased as required to cater for this flow. Surface water sewer from M.H. S1 to outfall does not have capacity to drain applicants site and should be upsized to 675mm. diameter at same gradient. Documentary evidence to be submitted to indicate that applicant has obtained permission to lay sewer lines on lands not in his ownership.

24. Water supply is available only from the existing 300mm. watermain on the Lusan/Blondalkin Road not more than 100 houses to be occupied per year pending the construction of the proposed watermain to improve the supply in this area. Part of these improvements are to be constructed by the applicant in consultation with the Water Design Department. Branch connections, swabbing, chlorination and house tappings to be carried out by the County Council

20. In order to comply with the requirements of the Roads Department.

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

22. In order to comply with the Sanitary Services Acts, 1878-1964.

23. In order to comply with the Sanitary Services Acts, 1878-1964.

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

Cont./..

NOTE:

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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, Floor 3, Block 6 & 7, Irish Life Centre, Dublin 1.

An appeal by the applicant for PERMISSION/APPROVAL should be accompanied by this form and a deposit of £10.

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

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PLANNING DEPARTMENT  
DUBLIN COUNTY COUNCIL  
IRISH LIFE CENTRE  
LOWER ABBEY STREET  
DUBLIN 1

Notification of Decision to Grant ~~Refusal~~ Approval  
Local Government (Planning and Development) Acts, 1963 & 1976

To: A. J. Purcell & Associates, Decision Order Number and Date PA/763/82, 26/5/82  
Architects & Civil Engineers, Register Reference No. XA, 124  
15, Angleson St., Planning Control No. 16653  
Dublin 1. Application Received on 27/1/82  
Applicant Tern Houses (Brennanstown) Ltd.

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 ~~Refusal~~ Approval for:

Proposed site works and housing development at Ballyowne, Lucan.

SUBJECT TO THE FOLLOWING CONDITIONS:

CONDITIONS	REASONS FOR CONDITIONS
<p>at the applicants prior expense.</p> <p>25. Detailed plans shall be submitted to the Planning Authority for approval providing for footpaths to be developed from the southern end of Ash Crescent to the western boundary of the site and from the north end of Earlsfort Park to the western boundary of the site. Such plan shall be approved prior to the commencement of development on the site.</p> <p>26. No houses shall be occupied unless and until such time as the land required for the school and church sites to the east of Ash Road has been made available <i>to the appropriate authorities</i></p> <p>27. That the locations of the specific houses shall be subject of agreement with the Planning Authority prior to the commencement of construction of houses. Not more than 18% of the total number of houses in the development shall be of the two bedroomed bungalow house type. In this respect the numbers of bungalows indicated on the submitted plans are unacceptable. Amended proposals to be agreed with the Planning Authority.</p> <p>28. The boundary treatment between the proposed public open space and the existing house adjoining the south east corner of the site shall be the subject of an agreement with the Planning Authority.</p>	<p>25. In the interest of the proper planning and development of the area.</p> <p>26. In the interest of the proper planning and development of the area.</p> <p>27. In the interest of the proper planning and development of the area.</p> <p>28. In the interest of visual amenity.</p> <p style="text-align: right;"><i>Cont. on/see</i></p>

Signed on behalf of the Dublin County Council: \_\_\_\_\_  
for Principal Officer

Date: 26th March, 1982.

IMPORTANT: Turn overleaf for further information.

CONDITIONS	REASONS FOR CONDITIONS
<p>29. The location of builders compounds and site offices shall be agreed with the Planning Authority prior to commencement of any development and in this connection the areas shown as proposed public open space shall not be used for such uses.</p> <p>30. That the area shown and conditioned as public open space shall not be used for the disposal of any materials other than those agreed with the Parks Department and such open spaces shall be kept in a tidy clean state until such time as they are landscaped in accordance with the requirements of Condition 14.</p> <p>31. That 6ft. wide footpath be provided around the side of the proposed public open space at the north end of the site. Detailed plans shall be approved by the Planning Authority prior to the commencement of development.</p> <p>32. That the development be in accordance with the layout shown on Drawing No.'s 41B and 43B and not as shown on Drawing No.'s 46B and 47B.</p>	<p>29. In the interest of visual amenity.</p> <p>30. In the interest of amenity.</p> <p>31. In the interest of the proper planning and development of the area.</p> <p>32. The development layouts referred to contain discrepancies and the number of houses shown on drawing No.'s 46B and 47B represent an excessive density and would be contrary to proper planning and development of the area.</p>

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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.