

COMHAIRLE CHONTAE ÁTHA CLIATH

P. C. Reference	LOCAL GOVERNMENT (PLANNING AND DEVELOPMENT) ACT 1963 & 1976 PLANNING REGISTER		REGISTER REFERENCE WA.2628
1. LOCATION	Land at rear of Butterfield Avenue and Washington Park adjoining Dodder River, Rathfarnham.		
2. PROPOSAL	38 detached houses		
3. TYPE & DATE OF APPLICATION	TYPE	Date Received	Date Further Particulars
			(a) Requested (b) Received
	P	23rd Dec., '81	1. 2.
4. SUBMITTED BY	Name Michael Larkin & Assocs., Address Bettyglen House, Dublin 5.		
5. APPLICANT	Name Smith, Foy & Co., Address 59, Fitzwilliam Square, Dublin 2.		
6. DECISION	O.C.M. No.	PA/849/82	Notified 1st April, 1982
	Date	1st April, 1982	Effect To grant permission,
7. GRANT	O.C.M. No.		Notified
	Date		Effect
8. APPEAL	Notified	23rd April, 1982	Decision Permission granted by An Bord Pleanála,
	Type	3rd Party,	Effect 26th Aug., 1982
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
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: **Michael Larkin & Associates,**
Architects,
Betty Glen House,
Dublin 5.

Decision Order
Number and Date **PA/849/82 1/4/82**
Register Reference No. **WA 2628**
Planning Control No. **13717**
Application Received on **23/12/82**
Mat. Contra. Not. dated: 2/2/82

Applicant **Smith, Poy & Co.**

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:

detached houses at lands at rear of Butterfield Ave., and Washington Park
adjoining River Dodder.

SUBJECT TO THE FOLLOWING CONDITIONS:

CONDITIONS	REASONS FOR CONDITIONS
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.	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 to be obtained and all conditions of that approval to be 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 unit.	3. To prevent unauthorised development.
4. That a financial contribution in the sum of €19,728.00 be paid by the proposer to the Dublin 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:

PAW
for Principal Officer

Date: **1st April, 1982.**

IMPORTANT: Turn overleaf for further information.

CONDITIONS

REASONS FOR CONDITIONS

5. That no development under any permission granted pursuant to this decision be commenced until security for the provision and satisfactory completion of services including maintenance until taken-in-charge by the Local Authority of roads, open space, carparks, sewers, watermains or drains has been given by:

(a) Lodgment with the Council of an approved Insurance Company Bond in the sum of **£32,000 (thirty-two thousand pounds)** 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) Lodgement with the Council of **Cash of £20,000** 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) Lodgement 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. Or/ and such lodgement 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.

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

(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.

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

To: Michael Larin & Associates,
Architect,
Bettyglan, House,
Dublin 5.

Decision Order
Number and Date PA/849/82: 1/4/82.

Register Reference No. WA 2628

Planning Control No. 13717

Application Received on 23/12/81
Mat. Contra. Not. dated: 2/2/82

Applicant Smith, Foy & Co.

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 38 detached houses at lands at rear of Butterfield Ave., and

Washington Park adjoining River Dodder.

SUBJECT TO THE FOLLOWING CONDITIONS:

CONDITIONS

REASONS FOR CONDITIONS

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.
7. That all public services to the proposed development, including electrical, telephone cables and equipment, be located underground throughout the entire site.
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.
9. That no dwellinghouse be occupied until all the services have been connected thereto and are operational.
10. That the water supply and drainage arrangements, including the disposal of surface water, be in accordance with the requirements of the County Council.

6. To protect the amenities of the area.
7. In the interest of amenity.
8. In the interest of amenity and public safety
9. In the interest of the proper planning and development of the area.
10. In order to comply with the Sanitary Services Acts, 1878 - 1964.

(Contd . . .)

Signed on behalf of the Dublin County Council:

for Principal Officer

Date: 1st April, 1982.

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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.

~~That the proposed development be carried out in accordance with the conditions of the planning permission granted by the County Council on 12th March 1981. The proposed development shall be carried out in accordance with the conditions of the planning permission granted by the County Council on 12th March 1981. The proposed development shall be carried out in accordance with the conditions of the planning permission granted by the County Council on 12th March 1981.~~

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13. That screen walls, of blockwork or similar durable materials not less than 7ft. in height suitably capped and rendered externally, including any necessary piers, be provided along house boundaries adjoining the open space i.e. house nos. 1, 9, 10, 24, 29 to 34 & at the flanks of house nos. 5, 6, 13, 14, 28, 35, 29 & 34, so as to screen rear gardens from public view.

13. In the interest of visual amenity.

14. A low wall in blockwork, brickwork or similar durable materials together with railings is to be provided at the out-de-sac boundaries to the open space. The design, specifications and extent of the work is to be the subject of consultation and agreement with the Council Council.

14. In the interest of visual amenity.

15. (a) The open space referred to in condition 16, is to be developed prior to handing over in accordance with a detailed landscape plan with full works specification & programme which is to be submitted to the County Council for agreement prior to the commencement of site development works. These details are to include regarding, topsoiling, seeding, drainage tree/shrub planting & street planting. or 15(b).

15. In the interest of visual amenity.

(b) A financial contribution on the basis of £300. per

house would be acceptable if such arrangement is entered into within 12 months of the grant of this permission/lien of 15(a) above.

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.

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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.

[Signature]
for Principal Officer.

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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 detached houses at nk lands at rear of Butterfield Ave., and Washington Park, adjoining Bever Dodder.

SUBJECT TO THE FOLLOWING CONDITIONS:

CONDITIONS	REASONS FOR CONDITIONS
<p>16. That the area of open space coloured green shown on plan no. 12A be handed over to the County Council free of charge as referred to in the applicants letter dated 21st December, 1981. The open space is to be fenced off and protected during site development works and is not to be used for the storage of plant, materials, temporary buildings spoil or equipment.</p> <p>17. A pedestrian footbridge across the River Dodder is to be provided by the developers to the standards, specifications of the County Council. The specific location is to be the subject of consultation and agreement with the Council before construction.</p> <p>18. That safe access, including any necessary traffic vision arrangements, be provided to the existing public road to the requirements of the County Council.</p> <p>19. That the developer shall construct and maintain to the Councils standard for taking in charge, all roads, including footpaths, verges, public lighting, open spaces, car parks sewers, watermains or drains forming part of the development, until taken in charge by the Council.</p>	<p>16. In the interest of the proper planning and development of the area and in the interest of amenity.</p> <p>17. In the interest of amenity.</p> <p>18. In the interest of safety and the avoidance of traffic hazard.</p> <p>19. In the interest of the proper planning and development of the area.</p>

Signed on behalf of the Dublin County Council:

for Principal Officer

Date: **1st April, 1982.**

IMPORTANT: Turn overleaf for further information.

AN BORD PLEANALALOCAL GOVERNMENT (PLANNING AND DEVELOPMENT) ACTS, 1963 AND 1976County DublinPlanning Register Reference Number: W.A. 2628

APPEAL by The Dodder Valley Association care of Wilfred M. Raftery, "St. Michael's", 1, Springfield Avenue, Templeogue, Dublin against the decision made on the 1st day of April, 1982, by the Council of the County of Dublin deciding to grant subject to conditions a permission to Messrs. Smith, Foy and Company, 59, Fitzwilliam Square, Dublin for housing development on a site to the rear of Butterfield Avenue, and Washington Park, Rathfarnham, County Dublin in accordance with plans and particulars lodged with the said Council:

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

FIRST SCHEDULE

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

SECOND SCHEDULE

Column 1 - Conditions	Column 2 - Reasons for Conditions
1. A footpath shall be provided by the developers across the public open space to the north of the site linking the footpaths adjoining houses 25 and 38. This footpath through the open space shall be located 3 metres from the wall to the rear of houses 29 to 34 and the intervening area shall be planted with a screening belt of evergreen and deciduous trees.	1. In the interests of amenity and to limit the effect of the houses upon views from the public open space.

Contd./...

SECOND SCHEDULE (CONTD).

Column 1 - Conditions

Column 2 - Reasons for Conditions

2. The areas shown as public open spaces on the lodged plans shall be reserved for use as such and shall be soiled, seeded, planted and landscaped in accordance with a detailed scheme to be agreed with the planning authority so as to be available for use by the residents and by the public generally on the occupation of the houses. This scheme shall include details of the pedestrian pathway system through the open spaces, shall provide for compliance with the terms of condition number 1 above and shall also provide for suitable tree and shrub planting on the roads in the estate. The works necessary to comply with the foregoing shall be carried out by the developers themselves, or by the County Council in accordance with an agreement made in that behalf between the developers and the Council. The major public open space area shall be fenced off and protected during the course of the development and it shall not be used for the storage of plant, equipment or materials, for the accommodation of temporary buildings or for the deposit of spoil.

3. The proposed pedestrian footbridges across the River Dodder shall be provided by the developers and the location and details of the design and construction of the footbridges shall meet the requirements of the planning authority.

4. All public services for the development including electrical, communal television, telephone cables and equipment shall be located underground throughout the site.

2. In the interests of visual and residential amenity.

3. In the interests of amenity.

4. In the interests of the visual amenities of the area.

Contd./...

SECOND SCHEDULE (CONTD).

Column 1 - Conditions	Column 2 - Reasons for Conditions
<p>5. Details of arrangements for the provision of a water supply and of foul and surface water drainage to serve the development shall be in accordance with the requirements of the planning authority.</p>	<p>5. To ensure a proper standard of development.</p>
<p>6. Public lighting shall be provided in accordance with the planning authority's standard requirements for such a service.</p>	<p>6. To ensure that street lighting of adequate standard is provided.</p>
<p>7. Apart from the walls provided for in the lodged plans, screen walls (in brick or block or similar durable materials) not less than 2 metres high and suitably capped and rendered shall be provided at such locations as may be required by the planning authority to screen rear gardens from public view.</p>	<p>7. In the interests of visual and residential amenity.</p>
<p>8. The developers shall pay a sum of money to the Dublin County Council as a contribution towards the provision of a public water supply and piped sewerage facilities in the area. The amount to be paid and the time and method of payment shall be agreed between the developers and the said Council before the development is commenced, or, failing agreement, shall be as determined by An Bord Pleanála.</p>	<p>8. The provision of such services in the area by the Council will facilitate the proposed development. It is considered reasonable that the developers should contribute towards the cost of providing the services.</p>
<p>9. 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, drains, 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</p>	<p>9. To ensure the satisfactory completion of the development.</p>

Contd./...

SECOND SCHEDULE (CONTD).

Column 1 - Conditions

Column 2 - Reasons for Conditions

completion or maintenance, as aforesaid, of any part of the development. The form and amount of the security shall be agreed between the planning authority and the developers or, failing such agreement, shall be as determined by An Bord Pleanála.

10. A low wall (in brick or block or similar durable materials) together with railings shall be provided by the developers along all boundaries between cul-de-sacs and public open spaces. The details and extent of these works shall be agreed with the planning authority.

11. Vision splays shall be provided at the access to the site to the satisfaction of the planning authority.

10. In the interests of visual amenity.

11. In the interests of traffic safety.

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

Dated this ^{26th} day of August 1982.