

COMHAIRLE CHONTAE ÁTHA CLIATH

P. C. Reference	LOCAL GOVERNMENT (PLANNING AND DEVELOPMENT) ACT 1963 & 1976 PLANNING REGISTER		REGISTER REFERENCE WA. 2236.
1. LOCATION	Ballyowen, Lucan. 5		
2. PROPOSAL	Housing Development.		
3. TYPE & DATE OF APPLICATION	TYPE A	Date Received 6.11.1981.	Date Further Particulars
			(a) Requested 1. 2.
4. SUBMITTED BY	Name A.J. Purcell & Associates.		
	Address 13, Anglesea Street, D.2.		
5. APPLICANT	Name Tern Housing Brennanstown Ltd.		
	Address Lonsdale House, Avoca Ave., Blackrock.		
6. DECISION	O.C.M. No. PA/9/82		Notified 5th Jan., 1982
	Date 5th Jan., 1982		Effect To grant permission,
7. GRANT	O.C.M. No.		Notified
	Date		Effect
8. APPEAL	Notified 21st Jan., 1982		Decision Approval refused by An Bord Pleanála
	Type 3rd Party,		Effect 20th April, 1983
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 PLEANÁLALOCAL GOVERNMENT (PLANNING AND DEVELOPMENT) ACTS, 1963 TO 1982County DublinPlanning Register Reference Number: W.A. 2236

APPEAL by Tern Houses (Brennanstown) Limited, care of Andrew J. Purcell and Associates, 13 Anglesea Street, Dublin against the decision made on the 5th day of January, 1982, by the Council of the County of Dublin to grant subject to conditions an approval for housing development on a site at Ballyowen, Lucan, County Dublin:

DECISION: Pursuant to the Local Government (Planning and Development) Acts, 1963 to 1982, approval is hereby refused for the said housing development for the reason set out in the Schedule hereto.

SCHEDULE

The outline permission to which this application for approval relates effectively requires that the development shall be in accordance with the detailed action area plan approved by the planning authority for the area of which the site forms a part so as to ensure that the development of the land is properly co-ordinated with the development of other land in the vicinity on the basis of an overall plan. In the absence of an approved action area plan providing for a co-ordinated programme of phased road improvements and in the absence of any proposals by the developers to assist in the overcoming of the defects in the road system, the 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.

Patrick A. Malone

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

Dated this *20th* day of *April* 1983

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. Parcell and Assoc.**
13 Anglessea Street,
Dublin 2.

Decision Order Number and Date **PA/9/82 3.1.82**

WA2236

Register Reference No.

Planning Control No.

Application Received on **6.11.81**

Applicant **Tern Housing Brennanstown Limited**

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:-

housing development at Ballyowen, Lucan

SUBJECT TO THE FOLLOWING CONDITIONS:

CONDITIONS	REASONS FOR CONDITIONS
<ol style="list-style-type: none">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.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.3. That the proposed house be used as a single dwelling unit.4. That a financial contribution in the sum of £197,000. 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.	<ol style="list-style-type: none">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 unauthorised 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: **5th January, 1982.**

IMPORTANT: Turn overleaf for further information.

CONDITIONS	REASONS FOR CONDITIONS
<p>3. 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:</p> <p>(a) Lodgment with the Council of an approved Insurance Company Bond in the sum of £175,000 (one hundred and seventy five thousand pounds) £75,000 (seventy five 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.</p> <p>(b) Lodgement with the Council of £75,000 (seventy five thousand pounds) 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.</p> <p>Or/</p> <p>(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.</p> <p>and such lodgement in either case has been acknowledged in writing by the Council.</p> <p>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.</p>	<p>3. To ensure that a ready sanction may be available to the Council to induce the provision of services and prevent disamenity in the development.</p> <p>(Contd. ...)</p> <p><i>PK</i></p>

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

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

/24755(Ext. 262/264)

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

To: **A. J. Purcell and Assoc.**
13 Anglessea Street,
Dublin 2.

Decision Order
Number and Date **PA/9/82 3.1.82**

Register Reference No. **MA2236**

Planning Control No.

Application Received on **6.11.81**

Applicant **Tara Housing Development Limited**

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:-

housing development at Ballyowen, Lucan

APPROVAL

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.	6. To protect the amenities of the area.
7. That all public services to the proposed development, including electrical, telephone cables and equipment, be located underground throughout the entire site.	7. In the interest of amenity.
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.	8. In the interest of amenity and public safety
9. That no dwellinghouse be occupied until all the services have been connected thereto and are operational.	9. In the interest of the proper planning and development of the area.
10. 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.	10. In the interest of the proper planning and development of the area.
11. That the water supply and drainage arrangements, including the disposal of surface water, be in accordance with the requirements of the County Council.	11. In order to comply with the Sanitary Services Acts, 1878 - 1964.

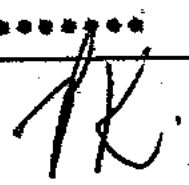
(Contd . . .)

Signed on behalf of the Dublin County Council:

for Principal Officer

Date: **5th January, 1982**

IMPORTANT: Turn overleaf for further information.

CONDITIONS	REASONS FOR CONDITIONS
<p>12. 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>13. 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>14. 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. <u>The specific locations and extent of walling must be fully discussed and agreed with the County Council before construction.</u> Timber fencing is not acceptable.</p> <p>15. That a distance of 7ft.6ins be provided between the flanks of each house.</p> <p>16. That each front garden have a minimum depth of 25ft. and each rear garden have a minimum depth of 35ft.</p> <p>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 Fonthill 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 £1,250 per house towards the provision of a satisfactory road network in the area. The time 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 and to be used towards the construction of the New Local Distributor Road as referred to in condition No. 17. Also to be deducted from this contribution is the cost of constructing the new distributor road</p>	<p>12. 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>13. In the interest of the proper planning and development of the area.</p> <p>14. In the interest of visual amenity.</p> <p>15. In the interest of the proper planning and development of the area.</p> <p>16. In order to comply with the requirements of the Development Plan.</p> <p>17. In the interest of road safety.</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>Over/..... </p>

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. Farrell & Assoc.,**
13 Angleson Street,
DUBLIN 2.

Decision Order Number and Date **PA/9/82** **3.1.82**

Register Reference No. **WA 2296**

Planning Control No. **6.11.81**

Application Received on

Applicant **Torn Housing Breconstown Limited.**

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:

housing development at Ballyowna, Luanan,

SUBJECT TO THE FOLLOWING CONDITIONS:

CONDITIONS

REASONS FOR CONDITIONS

18. across the southern boundary of the applicant's site from the roundabout to the east to the western limit of the applicant's property as required in condition 19.
19. That the applicant construct the Local Distributor Road across the southern boundary of this site from the Roundabout to the east to the Western boundary of the site. This road to be constructed at the first phase of the development to a standard of 24ft. carriageway and a footpath along the northern side in accordance with the Roads Engineers plan and design for this road. The applicant's plans to be amended accordingly and the layout agreed with the Planning Authority prior to commencement of development. The applicant to obtain the necessary authorisation from Dublin Corporation for right of access and construction works on their lands. The housing layout to be amended to provide for this distributor road.
20. That no housing development take place on foot of this permission until such time as the Local Distributor road across the southern boundary has been constructed from Earlsfort Road to the western limit of the applicants property.
21. The junction of Earlsfort Road and the Distributor Road to be to the Roads Engineers design.
22. All houses fronting and flanking onto the Earlsfort Road, ~~Red 12A~~ view opposite the open space, and Ash Road to have a minimum building line set back of 35ft.

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

20. In the interest of Road Safety.

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

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

Signed on behalf of the Dublin County Council:

for Principal Officer

Date: **5th January, 1982**

IMPORTANT: Turn overleaf for further information.

CONDITIONS

REASONS FOR CONDITIONS

23. Foul sewer from Manhole F14 to F4 to be extended to site boundary at the same rise gradient i.e. 225mm diameter @ 1/265. Construction is not to start in houses located within 50m. of the proposed County Council sewer pending completion of this sewer. Houses which drain to M.H. F13 on proposed County Council sewer are not to be occupied until wayleave has been granted and construction completed on this sewer.

24. An additional flow of 39 lps to be allowed for at surface water manhole S15 and capacity of sewers downstream of this point to be increased as required to cater for this flow. Surface water sewer from M.H.S.I. to outfall does not have capacity to drain applicant's site and could be upsize 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.

25. Water supply is available only from the existing 300mm watermain on the Lucan/Clondalkin 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 tapplings to be carried out by the County Council at the applicants prior expense.

26. The precise layout at the western end of Earlsfort Ave. and Beech View to be amended by the omission of the following houses:- (a) the northern house on the west of Earlsfort Pk. (b) the two most western houses on Earlsfort Ave. (c) the two most western houses on Beech View. (d) The two most southern houses on Ash Crescent. The sites of these houses and the road at the end of Beech View and Earlsfort Ave. to be incorporated into the public open space. Details to be agreed with Planning Authority prior to commencement of development.

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

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

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

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

PK

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, 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

Tel. 724755 (Ext. 262/264)

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,**
15 Anglessea St.,
Dublin 2.

Decision Order
Number and Date **PA/9/82: 5/1/82.**

Register Reference No. **WA 2236**

Planning Control No.

Application Received on **6/11/81**

Applicant **Tern Housing Broomanstown Limited.**

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 housing development at Ballyowen, Lucan.

SUBJECT TO THE FOLLOWING CONDITIONS:

CONDITIONS	REASONS FOR CONDITIONS
27. The land to the east of Ash Road required for the school site and the Church site to be made available to the Church Authorities prior to completion of any houses in the estate.	27. In the interest of the proper planning and development of the area.
28. That the house types on the sites to be the subject of agreement with the Planning Authority prior to commencement of construction of houses in . In this regard a maximum content of 10% of the estate may be constructed on the small bungalow type submitted.	28. In the interest of the proper planning and development of the area.
29. The area of land to the west of Ash Road at the northern limit of the estate and containing 1.45 acres to form part of the public open space attaching to this estate.	29. In the interest of the proper planning and development of the area.
30. The boundary treatment between the open space and the existing house in the south/east corner to be the subject of agreement with the occupant of the house or failing agreement to be as determined by the Planning Authority.	30. In the interest of the proper planning and development of the area.

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

for Principal Officer

Date: **5th January, 1982.**

IMPORTANT: Turn overleaf for further information.