

COMHAIRLE CHONTAE ÁTHA CLIATH

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| P. C. Reference | LOCAL GOVERNMENT (PLANNING AND DEVELOPMENT) ACT 1963 & 1976 PLANNING REGISTER | | REGISTER REFERENCE WA.137 |
| 1. LOCATION | Ballymount Road, Lower & Robinhood Road, Clondalkin, Co. Dublin | | |
| 2. PROPOSAL | Private Industrial / Warehousing Development and Ancillary Works | | |
| 3. TYPE & DATE OF APPLICATION | TYPE P. | Date Received 2.2.81 | Date Further Particulars |
| | | | (a) Requested 1. Time extended up to and incl. 1/5/81 2. |
| (b) Received 1. 2. | | | |
| 4. SUBMITTED BY | Name O'Malley & Bergin, Address 33 Fitzwilliam Place, Dublin 2 | | |
| 5. APPLICANT | Name J.S. Lister Ltd., Address Dorset Street, Dublin 1 | | |
| 6. DECISION | O.C.M. No. PA/65/81 | | Notified 1st May, 1981 |
| | Date 1st May, 1981 | | Effect To grant permission, |
| 7. GRANT | O.C.M. No. | | Notified |
| | Date | | Effect |
| 8. APPEAL | Notified 26th May, 1981 | | Decision Permission granted by An |
| | Type 3rd Party, | | Bord Pleanala, Effect 26th May, 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 | | Copy issued by Registrar. | |
| Checked by | | Date | |
| | | Co. Accts. Receipt No | |

AN BORD PLEANÁLALOCAL GOVERNMENT (PLANNING AND DEVELOPMENT) ACTS, 1963 AND 1976County DublinPlanning Register Reference Number: W.A. 137

APPEAL by Murdon Limited of Drumcondra House, Drumcondra Road, Dublin, and others, and by J.S. Lister Limited, of Dorset Street, Dublin against the decision made on the 1st day of May, 1981, by the Council of the County of Dublin deciding to grant subject to conditions a permission to the said J.S. Lister Limited for industrial and warehousing development and ancillary works on a site at Ballymount Road Lower and Robinhood Road, Clondalkin, 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 reason 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

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

| Column 1 - Conditions | Column 2 - Reasons for Conditions |
|---|--|
| <p>1. The developers shall pay the sum of £240,000 to Dublin County Council as a contribution towards the Council's expenditure on the provision of public services in the area. Arrangements for payment of this amount shall be as agreed between the developers and the Council or, failing agreement, shall be as determined by An Bord Pleanála.</p> <p>2. The developers shall lodge with Dublin County Council security by way of a cash deposit, a bond of an approved insurance company or similar guarantee for the satisfactory completion of the development including maintenance until taken in charge by</p> | <p>1. It is considered reasonable that the developers should contribute towards the cost of the provision of services in the area by the Council which will facilitate the proposed development.</p> <p>2. To ensure the satisfactory completion of the development.</p> |

Contd./.....

| Column 1 - Conditions | Column 2 - Reasons for Conditions |
|--|--|
| <p>the said Council of roads, footpaths, road verges, sewers, watermains, drains, public lighting and other services required in connection with the development which the said Council may eventually have to take in charge, coupled with an agreement empowering the Council to apply such security or any 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 said Council and the developers before the development is commenced or, failing such agreement, shall be as determined by An Bord Pleanála.</p> <p>3. The site shall be used solely for industrial and warehousing development and ancillary uses as set out in the application form lodged with the planning authority on 2nd February, 1981, and specific user permission shall be obtained before each unit is occupied.</p> <p>4. A comprehensive landscaping scheme for each site as it becomes available for development shall be submitted to and agreed with the planning authority or, failing agreement, shall be as determined by An Bord Pleanála. Each scheme shall provide for suitable boundary treatment and for the planting of trees, shrubs and grassed areas, with particular reference to off-loading and car-parking areas.</p> <p>5. The method of electrical installation, including over ground facilities, shall be as agreed with the Electricity Supply Board, and evidence of this agreement shall be submitted to the planning authority. Any necessary substations shall be the subject of applications for planning permission to the authority.</p> | <p>3. In the interests of the orderly development of the area, and to ensure that the nature of the use of each unit is acceptable.</p> <p>4. In the interests of visual amenity.</p> <p>5. In the interests of orderly development and proper planning control.</p> |

Contd./ ...

SECOND SCHEDULE CONTD.

| Column 1 - Conditions | Column 2 - Reasons for Conditions |
|---|---|
| <p>the said Council of roads, footpaths, road verges, sewers, watermains, drains, public lighting and other services required in connection with the development which the said Council may eventually have to take in charge, coupled with an agreement empowering the Council to apply such security or any 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 said Council and the developers before the development is commenced or, failing such agreement, shall be as determined by An Bord Pleanála.</p> | |
| <p>3. The site shall be used solely for industrial and warehousing development and ancillary uses as set out in the application form lodged with the planning authority on 2nd February, 1981, and specific user permission shall be obtained before each unit is occupied.</p> | <p>3. In the interests of the orderly development of the area, and to ensure that the nature of the use of each unit is acceptable.</p> |
| <p>4. A comprehensive landscaping scheme for each site as it becomes available for development shall be submitted to and agreed with the planning authority or, failing agreement, shall be as determined by An Bord Pleanála. Each scheme shall provide for suitable boundary treatment and for the planting of trees, shrubs and grassed areas, with particular reference to off-loading and car-parking areas.</p> | <p>4. In the interests of visual amenity.</p> |
| <p>5. The method of electrical installation, including overhead ground facilities, shall be as agreed with the Electricity Supply Board, and evidence of this agreement shall be submitted to the planning authority. Any necessary substations shall be the subject of applications for planning permission to the authority.</p> | <p>5. In the interests of orderly development and proper planning control.</p> |

Contd./ ...

SECOND SCHEDULE (CONTD.)

| Column 1 - Conditions | Column 2 - Reasons for Conditions |
|--|--|
| <p>6. Adequate off-street parking and loading/unloading facilities including all necessary turning areas for the free and safe movement of heavy commercial vehicles within the individual sites shall be provided to the requirements of the planning authority. Any changes necessary to the location or size of structures to facilitate the foregoing shall be agreed by the planning authority or, in default of agreement, shall be as determined by An Bord Pleanala.</p> | <p>6. In the interests of orderly development and traffic safety.</p> |
| <p>7. The land expected to be required by the planning authority for the improvement of the existing road network in the area shall be reserved for that purpose.</p> | <p>7 to 11 (inclusive). To ensure the provision of a satisfactory road system to serve the proposed development and to facilitate road works in the area proposed to be undertaken by Dublin County Council.</p> |
| <p>8. A 30 feet wide carriageway shall be constructed by the developers from Ballymount Road within the north/south distributor road reservation. This road shall be constructed for its full length within the developers' curtilage. A 30 feet wide carriageway shall also be constructed by the developers' within the 70 feet wide distributor road reservation for its full length, providing a temporary connection at the local authority depot at Robinhood Road. All other roads shall be 42 feet in width overall with a carriageway of 30 feet and paths of 6 feet.</p> | |
| <p>9. All road works to be undertaken by the developers shall be carried out in accordance with the detailed requirements of the planning authority. The full length</p> | |

Contd./ ...

| Column 1 - Conditions | Column 2 - Reasons for Conditions |
|---|---|
| <p>of the Robinhood/Greenhills primary distributor road shall have been constructed before any unit on the 15 acre site to the east of this road is occupied. The specific location of the road shall be as agreed with the planning authority.</p> <p>10. The cul-de-sac junction serving blocks 2, 3 and 4 from Robinhood Road shall be re-located in accordance with the requirements of the planning authority, and any necessary road works to facilitate access at the said junction shall be carried out by the developers to the satisfaction of the planning authority, or by the planning authority at the expense of the developers.</p> <p>11. There shall be no direct access to industrial units from the distributor roads. Revised access arrangements shall be provided from the secondary road network and the junction stagger on the district distributor road shall be adjusted in accordance with the requirements of the planning authority.</p> <p>12. Water supply, sewerage, and drainage arrangements for the disposal of surface water, including any necessary stream diversions and culverting/piping works, shall comply with the requirements of the planning authority. The phasing of development shall have regard to the following limitations:-</p> <p>(i) Not more than 20 cubic feet per minute of foul effluent discharge shall be permitted from the portion of the site located at the west side of the Greenhills/Robinhood primary distributor road, pending the completion of the Greater Dublin Drainage System. Details of acceptable proposals for the foul drainage of the portion of the site in question shall be agreed with the planning authority.</p> | <p>12. In the interests of public health.</p> |

Contd./.....

SECOND SCHEDULE (CONTD.)

| Column 1 - Conditions | Column 2 - Reasons for Conditions |
|--|-----------------------------------|
| (ii) Building development shall be confined to the said western portion of the site pending completion of the Greater Dublin Drainage System. | |
| (iii) No industrial waste shall be discharged without the prior consent of the planning authority. | |

Michael Cooke

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

Dated this 26th day of May 1982.

Tel. 724755 (Ext. 262/264)

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

IMPORTANT: Turn overleaf for further information.

CONDITIONS

REASONS FOR CONDITIONS

4. 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 **£150,000. (fifteen hundred 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) Lodgment with the Council of **cash sum of £50,000.** 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.
5. That before development commences the requirements of the Chief Fire Officer be ascertained and strictly adhered to in the development.
6. That the proposed development be used solely for industrial/warehousing and ancillary offices as set out in the application dated the 2nd February, 1981 and that any change of use shall be subject of the approval of the Planning Authority or An Bord Pleanála on appeal.

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

5. In the interest of safety and the avoidance of fire hazard.
(Contd. ...)
6. In the interest of the proper planning and development of the area and to prevent unauthorised development.
(Contd.)

NOTE:

If there is no appeal to An Bord Pleanála 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 Pleanála. 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 Pleanála, 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
Local Government (Planning and Development) Acts, 1963 & 1976

To: **O'Malley & Bergin,**
33 Fitzwilliam Place,
Dublin 2.

Decision Order Number and Date **PA/655/81: 1/5/81**

Register Reference No. **WA 137**

Planning Control No. **9906**

Application Received on **2/2/81**
Time Ext. up to **1/5/81**

Applicant **J. S. Lister 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:-

Proposed industrial/warehouse development and ancillary works (including roads and services) at Ballymount Road Lower and Robinhood Road.

SUBJECT TO THE FOLLOWING CONDITIONS:

| CONDITIONS | REASONS FOR CONDITIONS |
|--|--|
| 7. That specific user permission be obtained before each unit is occupied. | 7. To prevent unauthorised development. |
| 8. That a comprehensive landscaping scheme including boundary treatment be submitted to and approved by the County Council. | 8. In the interest of the proper planning and development of the area. |
| 9. Development shall not be commenced until the method of electrical installation including the necessary sub-stations and overground facilities have been agreed with the Electricity Supply Board, and evidence of this agreement submitted to the Planning Authority. It should be noted that planning permission will be required for sub-stations if not included in the original submission. | 9. In the interest of the proper planning and development of the area. |
| 10. That all water main teppings branch connections, scrubbing 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. | 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. |
| 11. That adequate off-street car parking and loading/unloading facilities including all necessary turning areas for the free and safe movement of heavy commercial vehicles within the individual sites in relation to the scale and type of development proposed for the separate units be provided to the requirements of the County Development Plan. | 11. In the interest of the proper planning and development of the area. |
| Cond.:/... | Cond.:/... |

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

for Principal Officer

Date: **1st May, 1981.**

IMPORTANT: Turn overleaf for further information.

CONDITIONS

REASONS FOR CONDITIONS

11. **Condt./...**

Any necessary adjustments and reductions in the proposed new structures are to be the subject of the approval of the County Council in relation to the foregoing.

12. That the necessary lands required for the improvement of the existing road network be reserved as such and made available to the County Council at the time of commencement of the development works on the industrial lands. The developers must agree the conveyancing arrangements with the County Council before any development work takes place. A 30' carriageway is to be constructed from Ballymount Road within the 120' North/South Distributor Road Reservation. This road to be constructed for its full length within the applicants curtilage to the Roads Engineers design and requirements. A 30' wide carriageway is to be constructed within 70' Distributor Road for its full length providing a temporary connection to Robinhood Road where it affects the Council Depot. The applicants must consult with the Roads and Sanitary Services Departments with regard to the temporary connection to Robinhood Road and the applicant's are advised that a permanent connection to Robinhood Road may be required at the east boundary of the existing Council depot., the applicant's must arrange for the necessary co-ordination arrangements with regard to these matters. All other roads to be 50' O/A with a 30' Carriageway and 6' paths. The full length of the Robinhood/Greehills Primary Distributor Road is to be constructed before any unit on the 15 acre site to the east of this road is occupied. The specific location of this road is to be set out and agreed on site in consultation with the Roads Department. /.....

Condt./....

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

Condt./...

NOTE:

For Principal Officer.

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 Permission/~~APPROVAL~~
Local Government (Planning and Development) Acts, 1963 & 1976

To: **O'Malley & Bergin,**
33 Fitzwilliam Place,
Dublin 2.

Decision Order
Number and Date **PA/865/81: 1/6/81.**

Register Reference No. **WA 137**

Planning Control No. **9986**

Application Received on **2/2/81.**

Time Ext. up to. **1/6/81**

Applicant **J. S. Lister 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:-

Proposed industrial/warehouse development and ancillary works (including roads and services at Ballymount Road Lower and Robinhood Road.

SUBJECT TO THE FOLLOWING CONDITIONS:

CONDITIONS

12. Cond./..

The cul-de-sac junction serving Blocks 2,3, and 4 from Robinhood Road is to be relocated in accordance with the requirements of the Roads Department in relation to existing and proposed road junctions at the north side of Robinhood Road any necessary improvements for local road widening to the existing Robinhood to facilitate adequate and safe access are to be carried out by the developers or alternatively an agreed sum towards the Council's road works for this section are to be the subject of consultation and agreement with the County Council.

Direct access to proposed industrial units from the Distributor Roads is not permitted and revised access arrangements are to be provided from the secondary road network. The junction stagger on the District Distributor Road is inadequate and will require adjustments to the requirements of the County Council. Adequate circulation space is to be provided for the turning of heavy vehicles within the proposed industrial units courtyards is to be provided so as to ensure safe and unrestricted movement of heavy vehicles serving the various units.

REASONS FOR CONDITIONS

Cond./...

Signed on behalf of the Dublin County Council:

for Principal Officer

Date: **1st May, 1981.**

IMPORTANT: Turn overleaf for further information.

| CONDITIONS | REASONS FOR CONDITIONS |
|---|--|
| <p>13. That the water supply and drainage arrangements and disposal of surface water including any necessary stream diversions and culverting/piping works to be in accordance with the requirements of the County Council. The developer must consult with the County Council with regard to the details and design requirements for these works. The phasing of development of these lands must be in accordance with the following limitations:-</p> <p>(a) No more than 20 cubic feet per minute of total foul effluent discharge is permitted from that portion of the lands located at the west side of the Greenhills/Robinhood Primary Distributor Road, within the site pending the completion of the Greater Dublin Drainage System which is expected to be completed in 1984. Before any work is put in hand details of acceptable proposals for the foul drainage of this portion of the site must be submitted to and approved by the County Council. The developers must ensure that total foul effluent discharge does not exceed the 20 cubic feet per minute already referred to in relation to any building occupancies prior to the completion of the Greater Dublin Drainage System.</p> <p>(b) The development of the eastern portion of the site at the east side of Greenhills/Robinhood Road Primary Distributor within the site is not permitted until the completion of the Greater Dublin Drainage System.</p> <p>No industrial waste may be discharge without the consent of the County Council.</p> <p>NOTE: the developer should note that adequate water supply will be available in 1982.</p> <p style="text-align: right;">for Principal Officer.</p> | <p>13. In order to comply with the requirements of the Sanitary Authority.</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, 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.