

## CORPORATION OF DUBLIN

PLAN NO.  983/80 (4839/79)	LOCAL GOVERNMENT (PLANNING AND DEVELOPMENT) ACTS 1963 & 1976 PLANNING REGISTER (Part I)		REGISTER REFERENCE <b>TA 2448</b> <del>983/80</del>
1. LOCATION	St. Annes Estate, Kimmage Rd. West/Fortfield Road, Dublin 12..		O.S. NO. 9-3328-12 GRID REF. 1313-3039
2. PROPOSED DEVELOPMENT	2 storey. 81 Houses and 30 flats in 3 storey units.		PREPARED BY:  CHECKED BY:
3. TYPE & DATE OF APPLICATION	TYPE  P	APPLICATION DATE  13th March, '80	Date Further Particulars: (a) Requested 1. .... 2. .... 3. .... (b) Received 1. .... 2. .... 3. ....
4. SUBMITTED BY	Name Robert Creedon & Associates, Address Ulster Bank Chambers, Main St. Blackrock.		
5. APPLICANT	Name St. Annes Estates Ltd., Address 11 Newmarket, Dublin 8.		
6. DECISION	O.C.M. No. & DATE P997. 24th April, 1980. Date NOTIFIED 24th April, 1980.		EFFECT TO GRANT PERMISSION SUBJECT TO EIGHT (8) CONDITIONS. (SEE OPPOSITE).
7. GRANT	O.C.M. No. & DATE Date NOTIFIED		EFFECT
8. APPEAL	NOTIFICATION TO 14th May, 1980. CORPORATION		Decision PERMISSION GRANTED. (SEE OPPOSITE).
9. APPLICATION SECTION 26 (3)	SA. DATE OF AN BOARD PLEA/ALAS DECISION: Date of 27th May, 1981. application		Decision
10. COMPENSATION	Ref. in Compensation Register		
11. ENFORCEMENT	Ref. in Enforcement Register		
12. PURCHASE NOTICE			
13. REVOCATION or AMENDMENT			
14.			
15.			
16.			

DATE OF ISSUE OF COPY

CERTIFYING OFFICER

FINANCE OFFICER AND  
TREASURER'S RECEIPT NO.

# CORPORATION OF DUBLIN

Order of the Assistant City and County Manager

Local Government (Planning & Development) Acts 1963/'76 Local Government (Dublin) Acts 1930-1955

P997

2A 222 1938

Decision Order No. JC/EH

Date: 16.4.80

## RECOMMENDATION:

I hereby endorse the recommendation of the Development Control Assistant Grade 1/Planning Assistant Grade 1:

Date: 13.3.80

## PERMISSION

TO GRANT in respect of the Application received on 983/80-

subject to 8 conditions, for the development proposed in Plan/Reg. No. 11 Newmarket Dublin 8.

by Applicant St. Anne's Estates Ltd of Erect 81 houses two storeys and 30 flats in three storey units at

namely to : St. Anne's Estate, Kimmage Road West, Fortfield Road, Dublin 12.

Signed: Assistant Principal Officer. Date: 21/4

ORDER: in accordance with the recommendation of the Principal Officer, I decide that having regard to the provisions which are included in the Development Plan, the above proposal would be consistent with proper planning and development and I, therefore, decide TO GRANT PERMISSION therefor under the Local Government (Planning and Development) Acts, 1963/'76 subject to the following conditions imposed for the reasons stated:

Conditions	Reasons for Conditions
1. The development to be carried out in accordance with the plans, particulars and specifications lodged with the application save as required by the other conditions attached hereto.	To ensure that the development will be in accordance with the permission.
2. Prior to commencement of development approval under the building bye laws to be obtained and all conditions of the approval to be observed in the development.	To comply with the provisions of the Sanitary Services Act 1878-1964.
3. The following requirements of the Chief Health Inspector to be complied with in the development: (a) All bathrooms/waterclosets/showers must be located on an external wall and provided with an openable window (2 feet by 2 feet in size) and a permanent fresh air inlet. (b) All habitable rooms must be provided with a permanent fresh air inlet. (c) A suitable local extract system to be provided over cooking equipment in all kitchens. (d) Provision must be made for the storage and disposal of domestic refuse in each flat.	To comply with the relevant health regulations.
4. The following requirements of the Engineering Department (Roads Section) to be complied with in the development. (a) The development to conform to requirements for new developments and to the specifications of the Paving Section of the Corporation and be constructed under the supervision of the Paving Engineer. (b) All houses to be set back 25 feet from back of footpath gates not to open outwards over footpath. Driveway gradients	To achieve a satisfactory standard of development.

Assistant City and County Manager

to whom the appropriate powers have been delegated by Order of the City and County Manager dated day

of 19

not to exceed 1 in 40 for the first 28 feet inside line of boundary. The boundary to consist except for access points of a wall of substantial construction and be at least 18 inches in height.

(d) each dwelling unit to be provided with at least 1 off-street car parking space.

5. That no development under any permission granted pursuant to this decision be commenced until security for the provision and satisfactory completion and maintenance of services, including maintenance until taking in charge by the local authority of roads open space, car parks, public lighting installation, sewers, watermains or drains has been given by:-

(a) Lodgement with the Corporation of an approved insurance company bond in the sum of IR£36,300.

Or  
(b) Lodgement with the Corporation of a sum of IR£19,600 to be applied by the Corporation including any interest accrued thereon at its absolute discretion if such services are not duly provided and maintained to its satisfaction on the provision and completion of such services to standard specification and such lodgement in either case has been acknowledged in writing by the Corporation.

Or  
(c) Lodgement with the Corporation of a letter of guarantee issued by the Construction Industry Eederation in respect of the proposed development in accordance with the guarantee scheme agreed with the Corporation.

6. All open spaces to be levelled, seeded and planted with a suitable species of trees to the requirements of the Parks Department Dublin Corporation.

7. The 81 houses contained in the development to be used as single dwelling units only.

8. That flank screen walls be provided to site Nos. 53, 64, 74 not less than 2 metres in height, rendered and capped to the satisfaction of the Corporation.

To achieve a satisfactory standard of development.

To achieve a satisfactory standard of development

To prevent unauthorised development.

In the interest of visual amenity.

Assistant City and County Manager

Date .....

to whom the appropriate powers have been delegated by Order of the City & County Manager dated.....day of.....

19.....

AN BORD PLEANALA

LOCAL GOVERNMENT (PLANNING AND DEVELOPMENT) ACTS, 1963 AND 1976

Dublin County Borough, Planning Register Reference Number: 983/80 and

Dublin County Council, Planning Register Reference Number: T.A.483

APPEAL by Peter O'Flynn of 35, Fortfield Road, Terenure, Dublin, against the decisions made on the 24th day of April, 1980, by the Right Honourable the Lord Mayor Aldermen and Burgesses of Dublin and the Council of the County of Dublin deciding to grant subject to conditions permission to Saint Annes Estates Limited for development consisting of the erection of 81 two-storey houses and 30 flats in three-storey units on a site at Saint Annes Estate, Kimmage Road West/Fortfield Road, Dublin in accordance with plans and particulars lodged with Dublin Corporation and Dublin County 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

It is considered that subject to compliance with the conditions set out in the Second Schedule hereto, the proposed development would not be seriously injurious to the amenities of the area or otherwise contrary to the proper planning and development thereof.

SECOND SCHEDULE

Column 1 - Conditions	Column 2 - Reasons for Condition
1. 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 Pleanala.	1. 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.

Contd./.....

SECOND SCHEDULE (CONTD.)

Column 1 - Conditions	Column 2 - Reasons for Conditions
<p>2. Before the development is commenced, the developer shall lodge with both the Dublin County Council and Dublin Corporation 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 and Corporation of roads, footpaths, sewers, watermains, drains, public open space, public lighting and other services required in connection with the development, coupled with agreements empowering the said Council and Corporation to apply such security or part thereof for the satisfactory completion or maintenance, as aforesaid of any part of the development. The form and amount of the security in each case shall be as agreed between the planning authority and the developer or, failing such agreement, shall be as directed by An Bord Pleanála.</p> <p>3. All public services to the proposed development including electrical and telephone cables and equipment shall be located underground throughout the entire site.</p> <p>4. Public lighting shall be provided in accordance with a scheme to be agreed with Dublin County Council and Dublin Corporation.</p> <p>5. The areas shown as open spaces shall be levelled, seeded and landscaped to the satisfaction of Dublin County Council and Dublin Corporation and shall be available for use by residents on completion of their dwellings.</p> <p>6. All houses shall have a minimum front garden building line set-back of 25 feet and minimum rear garden depth of 35 feet.</p>	<p>2. To ensure the satisfactory completion of the development.</p> <p>3. In the interests of visual amenity.</p> <p>4. In the interests of amenity and public safety.</p> <p>5. In the interests of proper planning and development.</p> <p>6. In the interests of the proper planning and development of the area.</p> <p>Contd./.....</p>

SECOND SCHEDULE (CONTD.)

Column 1 - Conditions	Column 2 - Reasons for Conditions
<p>7. The section of the appeal site shown as part of the revised busway alignment to the north-west of the laneway at the rear of houses numbered 21 to 33 Fortfield Road and coloured yellow on Drawing No. TP. 2977/1 submitted by the County Council at the oral hearing shall be preserved free from buildings and incorporated into the open space in this area until such time as it may be needed for the busway.</p> <p>8. Houses numbered 78 and 79 in the south-west corner of the site shall be omitted from the development. The section of the estate road adjoining those sites shall be relocated to the north-east to allow for a 5.5 metre clearance between the edge of the proposed busway route and the north-eastern side boundaries of the houses adjoining the appeal site on Wainsfort Drive. The area reserved as the busway route, incorporating the revision mentioned in this condition, shall be preserved free from buildings and included in the open space system until such time as it may be needed for the busway. Details of the revised layout shall be agreed with Dublin County Council before development commences on the south-west corner of the site.</p> <p>9. Flank screen walls shall be provided to sites numbered 53, 64, 74, 63, 73, 77 and 80 and shall be not less than 2 metres in height and suitably rendered and capped.</p> <p>10. Flat blocks numbered 1 to 6 shall be relocated in a southerly direction in order to provide for an additional 15 feet clearance from the main access road at the northern boundary of block No. 1.</p> <p>11. Each dwelling unit shall be provided with one off-street carparking space.</p>	<p>7 and 8. To protect residential amenity and to allow for future road works.</p> <p>9. In the interests of visual amenity.</p> <p>10. In the interests of proper planning and development.</p> <p>11. To achieve a satisfactory standard of development.</p>

*Kenan Donohue*

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

Dated this 24<sup>th</sup> day of May 1981.