

COMHAIRLE CHONTAE ÁTHA CLIATH

File Reference	LOCAL GOVERNMENT (PLANNING AND DEVELOPMENT) ACT 1963 & 1976 PLANNING REGISTER		REGISTER REFERENCE TA.483
1. LOCATION	St. Anne's Estate, Kimmage Road, West, S		
2. PROPOSAL	81 houses & 30 flats		
3. TYPE & DATE OF APPLICATION	TYPE P.	Date Received 13 ¹ / ₂ 3.80	Date Further Particulars (a) Requested 1. 2. (b) Received 1. 2.
4. SUBMITTED BY	Name Robert Creedon & Assoc., Address Ulster Bank Chambers, Main Street, Blackrock		
5. APPLICANT	Name St. Annes Estates Ltd., Address 11 Newmarket, Dublin 8		
6. DECISION	O.C.M. No. Date	PA/815/80 24th April 1980	Notified 24th April 1980 Effect To grant permission.
7. GRANT	O.C.M. No. Date		Notified Effect
8. APPEAL	Notified Type	19th May 1980 3rd Party	Decision PERMISSION GRANTED BY AN BORD PLEANALA, Effect 27TH May, 1981
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.			
16.			
Prepared by		Copy issued by.....Registrar.	
Checked by		Date.....	
Grid Ref.	O.S. Sheet	Co. Accts. Receipt No.....	

PL 29/5/49612.

6/5/49613.

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

<u>Column 1 - Conditions</u>	<u>Column 2 - Reasons for Conditions</u>
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>

Contd./.....

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 27th day of May 1981.

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: Robert Creedon & Assoc.,
Architects,
Ulster Bank Chambers,
Main Street, Blackrock, Co. Dublin.
Applicant St. Anne's Estates Ltd.

Decision Order
Number and Date PA/815/80, 24.7.80
Register Reference No. TA.483
Planning Control No. 7448
Application Received on 13/3/80.

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 81 No. two-storey houses and 30 No. three-bedroom flats in three-storey blocks
at St. Anne's Estate, Kimmage Road West,

SUBJECT TO THE FOLLOWING CONDITIONS:

CONDITIONS	REASONS FOR CONDITIONS
<p>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.</p> <p>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.</p> <p>3. That the proposed house be used as a single dwelling unit.</p> <p>4. That a financial contribution in the sum of <u>£8,400.</u> 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.</p>	<p>1. To ensure that the development shall be in accordance with the permission and that effective control be maintained.</p> <p>2. In order to comply with the Sanitary Services Acts, 1878 - 1964.</p> <p>3. To prevent unauthorised development.</p> <p>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.</p>

(Contd)

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

for Principal Officer

Date: 24th April, 1980.

IMPORTANT: Turn overleaf for further information.

CONDITIONS	REASONS FOR CONDITIONS
<p>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:</p> <p>(a) Lodgment with the Council of an approved Insurance Company Bond in the sum of £25,000.</p> <p>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 style="text-align: right;">Or/</p> <p>(b) Lodgement with the Council of £15,000. 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.</p> <p style="text-align: right;">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>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.</p>

(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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To: Robert Creedon & Associates,
Architects,
Ulster Bank Chambers,
Main Street, Blackrock, Co. Dublin,
Applicant St. Anne's Estates Ltd.

Decision Order
Number and Date PA/815/80, 24/4/80.
Register Reference No. TA.483
Planning Control No. 7448
Application Received on 13/3/80.

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 81 No. two-storey houses and 30 No. three-bedroom flats in three-storey blocks at

St. Anne's Estate, Kimmage Road West,

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.

The applicants must ensure that any proposed structures are adequately and satisfactorily located in relation to existing drainage services traversing the site to the requirements of the County Council. These matters must be the

subject of consultation and agreement with the Sanitary Services Department.

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

MB
for Principal Officer

Date: 24th April, 1980.

(Contd)

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To: **Robert Creedon & Associates,**
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Main Street, Blackrock, Co. Dublin.

Decision Order
Number and Date **PA/815/80, 24/4/80.**

Register Reference No. **TA.483**

Planning Control No. **7448**

Application Received on **13/3/80**

Applicant **St. Anna's Estates 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 81 No. two-storey houses and 30 No. three-bedroom flats in three-storey blocks
at St. Anna's Estate, Kimmage Road West,

SUBJECT TO THE FOLLOWING CONDITIONS:

CONDITIONS	REASONS FOR CONDITIONS
20. Front gages are not to open outwards over footpath. Driveway gradients not to exceed 1 in 40 for first 20 feet inside line of boundary. The boundary to consist, except for access points, of a wall of substantial construction and be at least 18' in height.	20. In the interest of the proper planning and development of the area.
21. That off-street carparking be provided to the standards required by the County Development Plan 1972, particularly in relation to the flat development. A detailed layout showing compliance with this be submitted to the Council prior to completion of dwellings.	21. In the interest of the proper planning and development of the area.

Signed on behalf of the Dublin County Council:

DB
for Principal Officer

Date: **24th April, 1980.**

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