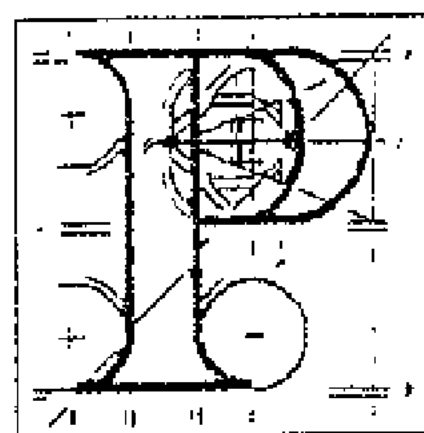


	South Dublin County Council Local Government (Planning & Development) Acts 1963 to 1993 Planning Register (Part 1)	Plan Register No. S99A/0632	
1. Location	Ellensborough, Kiltipper, Tallaght, Co. Dublin.		
2. Development	For 148 No. 2 storey 2,3, and 4 bed semi detached and terraced houses, open spaces and associated site works with access off Kiltipper Road on site of circa 14.1 acres being Phase 4 located west of existing phased development Reg. Ref. S96A/0190, S97A/0550 and S99A/0007.		
3. Date of Application	13/09/99	Date Further Particulars (a) Requested (b) Received	
3a. Type of Application	Permission	1. 23/09/1999 2.	1. 24/09/1999 2.
4. Submitted by	Name: Fenton-Simons, Address: 29 Fitzwilliam Place, Dublin 2.		
5. Applicant	Name: Durkan New Homes Ltd., Address: Sandford House, Sandford Road, Ranelagh, Dublin 6W.		
6. Decision	O.C.M. No. 0053 Date 14/01/2000	Effect AP GRANT PERMISSION	
7. Grant	O.C.M. No. Date	Effect AP GRANT PERMISSION	
8. Appeal Lodged	11/02/2000	Written Representations	
9. Appeal Decision	09/06/2000	Grant Permission	
10. Material Contravention			
11. Enforcement		Compensation	Purchase Notice
12. Revocation or Amendment			
13. E.I.S. Requested		E.I.S. Received	E.I.S. Appeal
14. Registrar		 Date	 Receipt No.

An Bord Pleanála



LOCAL GOVERNMENT (PLANNING AND DEVELOPMENT) ACTS, 1963 TO 1999

County South Dublin

Planning Register Reference Number: S99A/0632

APPEAL by Kiltipper and Kiltalown Residents' Association care of Norman Slack of Kiltipper Road, Tallaght, Dublin against the decision made on the 14th day of January, 2000 by the Council of the County of South Dublin to grant subject to conditions a permission to Durkan New Homes Limited care of Fenton-Simons of 29 Fitzwilliam Place, Dublin for development comprising the construction of 148 number two-storey two, three and four bedroom semi-detached and terraced houses, open spaces and associated site works with access off Kiltipper Road on a site of circa 14.1 acres being phase four located west of existing phased development planning register reference numbers S96A/0190, S97A/0550 and S99A/0007 at Ellensborough, Kiltipper, Tallaght, County Dublin in accordance with plans and particulars lodged with the said Council:

DECISION: Pursuant to the Local Government (Planning and Development) Acts, 1963 to 1999, 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 the Second Schedule hereto, the reasons for the imposition of the said conditions being as set out in the said Second Schedule and the said permission is hereby granted subject to the said conditions.

FIRST SCHEDULE

Having regard to the zoning provisions for the site as set out in the current Development Plan for the area and to the Residential Density Guidelines issued by the Department of the Environment and Local Government to planning authorities in September, 1999, it is considered that, subject to compliance with the conditions set out in the Second Schedule, the proposed development would not seriously injure the amenities of the area and would be in accordance with the proper planning and development of the area.

BA

SECOND SCHEDULE

1. The development shall be carried out in accordance with the plans and particulars lodged with the application as amended by the drawings received by the planning authority on the 8th day of December, 1999, except as may otherwise be required in order to comply with the following conditions.

Reason: In the interest of clarity.

2. Water supply and drainage arrangements, including the disposal of surface water, shall comply with the requirements of the planning authority for such works and services.

Reason: In the interest of public health and to ensure a proper standard of development.

3. All service cables associated with the proposed development (such as electrical, communal television, telephone and public lighting cables) shall be run underground within the site.

Reason: In the interest of orderly development and the visual amenities of the area.

4. Houses numbers 453 to 456 inclusive as shown on Drawing Number SW41 Revision A together with the southern extremities of road 21 and 29 shall be omitted from the proposed development and the residual land shall be used as public open space. Revised drawings showing compliance with the above requirements shall be submitted to the planning authority for written agreement prior to the commencement of development.

Reason: In the interest of residential amenity.

5. Prior to commencement of development, a landscaping scheme shall be submitted to the planning authority for agreement. This scheme shall include details of all existing trees and hedgerows on the site, specifying those proposed for retention, together with measures for their protection during the period in which the development is carried out. The site shall be landscaped in accordance with the agreed scheme, which shall also include a timescale for implementation.

Reason: In the interest of visual amenity.

BA

6. Public lighting shall be provided in accordance with a scheme, details of which shall be submitted to the planning authority for agreement prior to the commencement of development.

Reason: In the interest of amenity and public safety.

7. Prior to commencement of development, proposals for an estate/street name, house numbering scheme and associated signage shall be submitted to the planning authority for agreement.

Reason: In the interest of orderly development.

8. The internal road network serving the proposed development, including turning bays, junctions, parking areas, footpaths and kerbs shall be in accordance with the detailed requirements of the planning authority for such works.

Reason: In the interest of amenities and public safety.

9. (1) Screen walls shall be provided at such locations as may be required by the planning authority to screen rear gardens from public view. Such walls shall be two metres in height, shall be in brick or concrete block or similar durable materials and shall be suitably capped. Blockwork shall be rendered on the side facing public areas.
- (2) The southern and western boundaries of the site shall consist in part of screen walls and where adjoining public spaces shall be of low wall with railings. Prior to commencement of construction of the houses, details of the layout, the materials, and external finishes of the walls shall be submitted to the planning authority for agreement.

Reason: In the interest of visual and residential amenity.

10. Front boundary walls shall not be less than 600 millimetres in height and shall also be suitably capped and rendered on both sides.

Reason: In the interest of visual and residential amenity.

11. Land required by the planning authority for road improvements along the boundary of the Kiltipper Road shall be reserved free from development and shall be marked out on site in consultation with the planning authority.

Reason: In the interest of orderly development.

12. No house shall be occupied in this development before the distributor road from Kiltipper Road to Firhouse Road West/Cookstown Road roundabout is constructed.

Reason: In the interest of the proper planning and development of the area.

13. Prior to commencement of development, the developer shall lodge with the planning authority 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 planning authority of roads, footpaths, watermains, drains, public open space and other services required in connection with the development, coupled with an agreement empowering the planning authority to apply such security or part thereof to the satisfactory completion or maintenance of any part of the development. The form and amount of the security shall be as agreed between the planning authority and the developer or, in default of agreement, shall be determined by An Bord Pleanála.

Reason: To ensure the satisfactory completion of the development.

14. The developer shall pay a sum of money to the planning authority as a contribution towards expenditure that was and/or that is proposed to be incurred by the planning authority in respect of works facilitating the proposed development. The amount of the contribution and the arrangements for payment shall be agreed between the developer and the planning authority or, in default of agreement, shall be determined by An Bord Pleanála.

In the case of expenditure that is proposed to be incurred, the requirement to pay this contribution is subject to the provisions of section 26(2)(h) of the Local Government (Planning and Development) Act, 1963 generally, and in particular, the specified period for the purposes of paragraph (h) shall be the period of seven years from the date of this order.

Reason: It is considered reasonable that the developer should contribute towards the expenditure that was and/or that is proposed to be incurred by the planning authority in respect of works facilitating the proposed development.

Brian Hunt

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

Dated this

9th day of June 2000.

	South Dublin County Council Local Government (Planning & Development) Acts 1963 to 1993 Planning Register (Part 1)	Plan Register No. S99A/0632	
1. Location	Ellensborough, Kiltipper, Tallaght, Co. Dublin.		
2. Development	For 148 No. 2 storey 2,3, and 4 bed semi detached and terraced houses, open spaces and associated site works with access off Kiltipper Road on site of circa 14.1 acres being Phase 4 located west of existing phased development Reg. Ref. S96A/0190, S97A/0550 and S99A/0007.		
3. Date of Application	13/09/99	Date Further Particulars (a) Requested (b) Received	
3a. Type of Application	Permission	1. 23/09/1999 2.	1. 24/09/1999 2.
4. Submitted by	Name: Fenton-Simons, Address: 29 Fitzwilliam Place, Dublin 2.		
5. Applicant	Name: Durkan New Homes Ltd., Address: Sandford House, Sandford Road, Ranelagh, Dublin 6W.		
6. Decision	O.C.M. No. 0053 Date 14/01/2000	Effect AP GRANT PERMISSION	
7. Grant	O.C.M. No. Date	Effect AP GRANT PERMISSION	
8. Appeal Lodged			
9. Appeal Decision			
10. Material Contravention			
11. Enforcement		Compensation	Purchase Notice
12. Revocation or Amendment			
13. E.I.S. Requested		E.I.S. Received	E.I.S. Appeal
14. Registrar	 Date	 Receipt No.	

SOUTH DUBLIN COUNTY COUNCIL
COMHAIRLE CHONTAE ÁTHA CLIATH THEAS



Bosca 4122,
Lár an Bhaile, Tamhlacht,
Baile Átha Cliath 24.

Telefon: 01-414 9000
Facs: 01-414 9104

**PLANNING
DEPARTMENT**
P.O. Box 4122,
Town Centre, Tallaght,
Dublin 24.

Telephone: 01-414 9000
Fax: 01-414 9104

NOTIFICATION OF DECISION TO GRANT PERMISSION
LOCAL GOVERNMENT (PLANNING AND DEVELOPMENT) ACTS, 1963 TO 1993

Decision Order Number 0053	Date of Decision 14/01/2000 <i>64</i>
Register Reference S99A/0632	Date: 13/09/99

Applicant Durkan New Homes Ltd.,

Development For 148 No. 2 storey 2,3, and 4 bed semi detached and terraced houses, open spaces and associated site works with access off Kiltipper Road on site of circa 14.1 acres being Phase 4 located west of existing phased development Reg. Ref. S96A/0190, S97A/0550 and S99A/0007.

Location Ellensborough, Kiltipper, Tallaght, Co. Dublin.

Floor Area Sq Metres

Time extension(s) up to and including 14/01/2000

Additional Information Requested/Received 23/09/1999 /24/09/1999

Clarification of Additional Information Requested/Received /

In pursuance of its functions under the above mentioned Acts, the South 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 in respect of the above proposal.

Subject to the conditions (28) on the attached Numbered Pages.
Signed on behalf of the South Dublin County Council.

14
..... 14/01/00
for SENIOR ADMINISTRATIVE OFFICER

Fenton-Simons,
29 Fitzwilliam Place,
Dublin 2.

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Bosca 4122,
Lár an Bhaile, Tamhlacht,
Baile Átha Cliath 24.

Telefon: 01-414 9000
Facs: 01-414 9104



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DEPARTMENT**
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Dublin 24.

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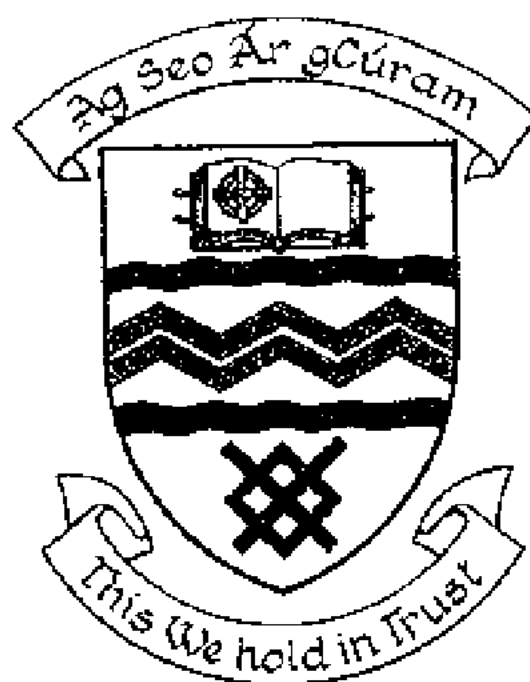
Conditions and Reasons

- 1 The development to be carried out in its entirety in accordance with the plans, particulars and specifications lodged with the application as amended by unsolicited additional information received by the Council on 8th December, 1999, save as may be required by the other conditions attached hereto.
REASON:
To ensure that the development shall be in accordance with the permission and that effective control be maintained.
- 2 That each proposed house be used as a single dwelling unit.
REASON:
To prevent unauthorised development.
- 3 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.
REASON:
To protect the amenities of the area.
- 4 That all public services to the proposed development, including electrical, telephone cables and equipment be located underground throughout the entire site.
REASON:
In the interest of amenity.
- 5 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 South Dublin County Council.
REASON:
In the interest of amenity and public safety.
- 6 That no dwellinghouse be occupied until all the services have been connected thereto and are operational.
REASON:

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Facs: 01-414 9104



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

- 7 That the area shown as open space be levelled, soiled and seeded and landscaped to the satisfaction of the County Council and to be available for use by residents on completion of their dwellings.

REASON:

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

- 8 That the water supply and drainage arrangements, including the disposal of surface water, be in accordance with the requirements of the County Council.

REASON:

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

- 9 That all watermain tapplings, branch connections, swabbing and chlorination be carried out by the County Council's, Environmental Services Department and that the cost thereof be paid to South Dublin County Council before any development commences.

REASON:

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.

- 10 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.

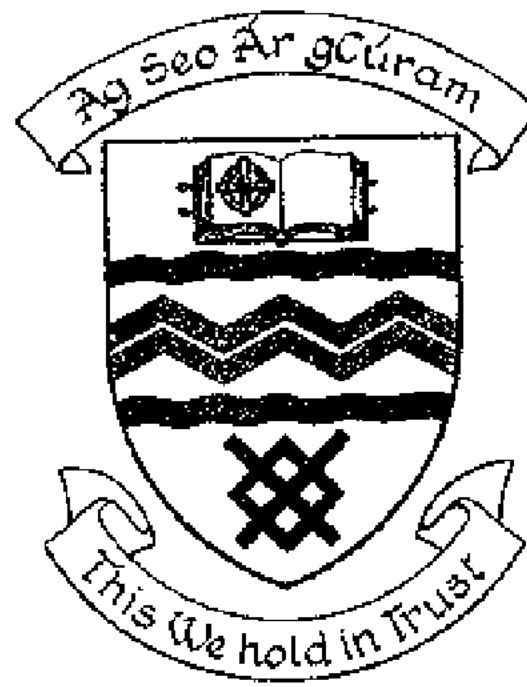
REASON:

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

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Facs: 01-414 9104



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- 11 That the developer shall construct and maintain to the Council's standard for taking in charge all the roads, including footpaths, verges, public lighting, open space, sewers, watermains or drains, forming part of the development, until taken in charge by the Council.

REASON:

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

- 12 That the areas shown and conditioned as open space be fenced off during construction work and shall not be used for the purpose of site compounds or for the storage of plant, materials or spoil.

REASON:

To protect the amenities of the area.

- 13 That no advertising sign or structure be erected except those which are exempted development, without prior approval of Planning Authority or An Bord Pleanála on appeal.

REASON:

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

- 14 A detailed landscape plan with full works specification (including timescale for implementation), maintenance programme for a period of at least eighteen months and bill of quantities for the development of open space, shall be submitted and agreed with the Planning Authority prior to the commencement of development. This plan shall include grading, topsoiling, seeding, paths, drainage, boundary treatment, planting and street tree planting as necessary. These works are to be in accordance with South Dublin County Council's Guidelines for Open Space Development & Taking in Charge available from the Parks and Landscape Services Department.

REASON:

In the interests of the proper planning and development of the area.

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Facs: 01-414 9104

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15 The requirements of the Environmental Services Department are to be strictly adhered to in the development. These requirements are:-

- (i) Prior to the commencement of development the applicant is to submit plans and receive written agreement from the Planning Department in respect of a detailed proposed watermain layout indicating watermain sizes, valve, meter and hydrant layout, proposed point of connection to existing watermains. Layout to comply with Building Regulations.
- (ii) The applicant is to ensure that:
 - a) All watermains greater than 150mm diameter shall be Ductile Iron.
 - b) No dwelling shall be greater than 46m from a hydrant.
 - c) Watermains shall be laid in public open space or similar.
 - d) No building shall lie within 5m of watermains less than 225mm diameter and within 8m of watermains greater than 225mm diameter.

All pipes shall be laid with a minimum cover of 1.2m in roads, footpaths and driveways, and 0.9m in open space. Where it is not possible to achieve these minimum covers, pipes shall be bedded and surrounded in C20 concrete 150mm thick.

Applicant to ensure full and complete separation of foul and surface water systems.

No building shall be within 5m of public sewer with potential to be taken in charge.

Separate water connections are required for each dwelling. The applicant shall provide 24 hour storage facilities.

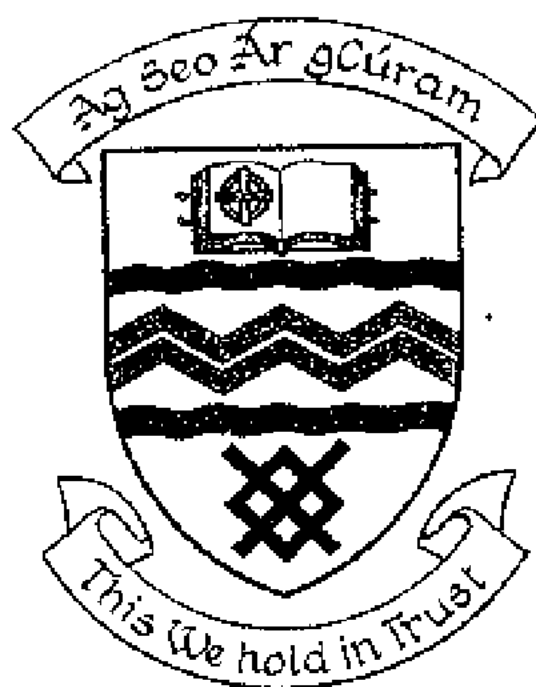
REASON:

In order to comply with public health.

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- 16 Prior to the commencement of development, the applicant is requested to ensure that all terraced housing have a 9-metre driveway and submit revised drawings/plans in this regard for written agreement.

REASON:

In order to comply with Roads Standards.

- 17 The applicant shall repeat the extremity treatment of Road No. 28 for Road No. 23. Revised drawings are to be submitted for agreement prior to the commencement of development.

REASON:

In order to comply with Roads Standards.

- 18 House No's. 453 to 456 inclusive are to be omitted, the southern extremity of Road 29 and 21 above the necessary access to house No's. 441 to 452 are to be omitted and the resulting area is to be allocated as public open space. The landscape plan will have to be amended to reflect this additional space. Revised drawings are to be submitted prior to the commencement of development for written agreement.

REASON:

In order to meet the Development Plan requirements for open space provision and in the interests of residential amenity and the proper planning and development of the area.

- 19 Prior to the commencement of development the applicant is to submit details for agreement of the proposed boundary treatment of the proposed open space abutting Road 23 so as to give a 'barrier' in road safety terms.

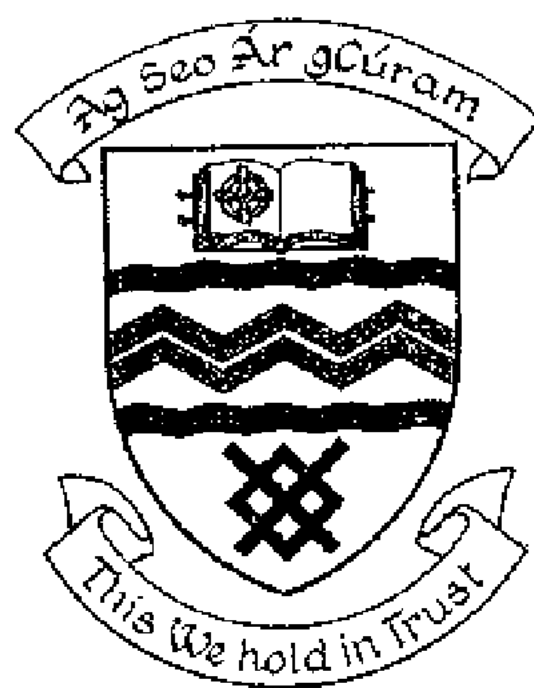
REASON:

In the interests of safety and the proper planning and development of the area.

- 20 Prior to the commencement of development the applicant is to submit details of the proposed treatment of the southern and western boundaries of the site for written agreement. This should consist in part of screen walls and where practicable of low walls surmounted by railings to allow views out of the site.

REASON:

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In the interests of visual amenity and the proper planning and development of the area.

- 21 The necessary lands shall be reserved for the improvement of Kiltipper Road. Prior to the commencement of development the applicant is to submit full details for written agreement of the boundary treatment along the Kiltipper Road improvement line and details of the proposed footpath, grass margin, kerb, drainage and public lighting along with confirmation that these items are to be provided at the applicant's expense.

REASON:

In the interests of visual amenity and the proper planning and development of the area.

- 22 No house is to be occupied in this development before the distributor road from Kiltipper Road to Firhouse Road West/Cookstown Road roundabout is constructed.

REASON:

In the interests of the proper planning and development of the area.

- 23 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. The specific locations and extent of walling must be fully discussed and agreed with the County Council before construction. Timber fencing is not acceptable.

REASON:

In the interest of visual amenity.

- 24 That a financial contribution in the sum of £2,100 (two thousand one hundred pounds) EUR 2,666 (two thousand six hundred and sixty six euros) PER HOUSE shall be paid by the proposer to South Dublin County Council towards the cost of roads improvements and traffic management in the area of the proposed development and which facilitates this development; this contribution to be paid before the commencement of development on the site.

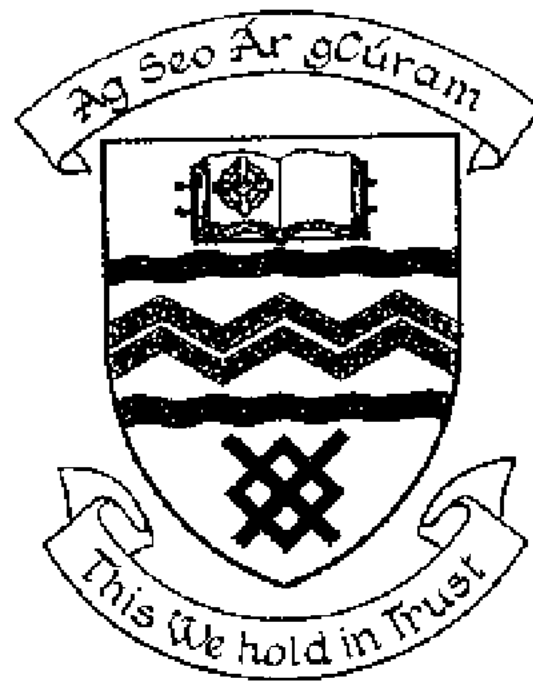
REASON:

It is considered reasonable that the developer should

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contribute towards the expenditure that was incurred and/or that is proposed to be incurred by the Council on road improvement works and traffic management schemes facilitating the proposed development.

- 25 That a financial contribution in the sum of £500 (five hundred pounds) EUR 634 (six hundred and thirty four euros) PER HOUSE be paid by the proposer to South Dublin County Council towards the cost of the development and improvement of public open space in Dodder Valley Linear Park and which will facilitate the development; this contribution to be paid before the commencement of development on site.

REASON:

It is considered reasonable that the developer should contribute towards the expenditure that was incurred and/or that is proposed to be incurred by the Council on the development and improvement of amenity lands in the area which will facilitate the proposed development.

- 26 That a financial contribution in the sum of £85,440 (eighty five thousand four hundred and forty pounds) EUR 108,486 (one hundred and eighty thousand four hundred and eighty six euros) be paid by the proposer to South 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.

REASON:

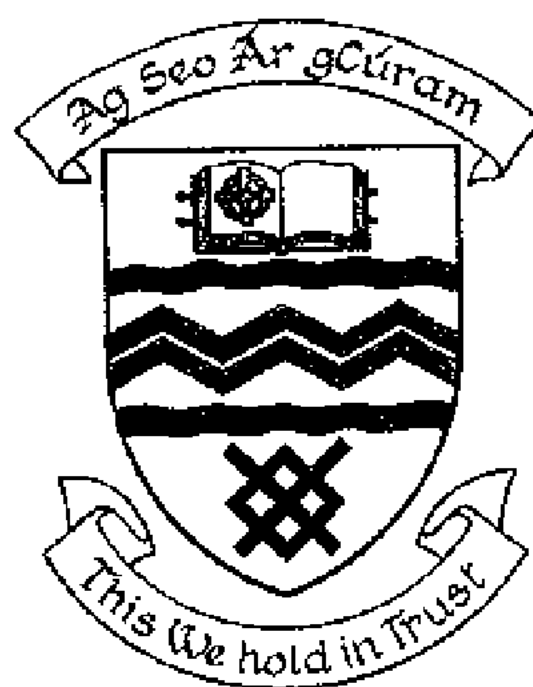
The provision of such services in the area by the Council will facilitate the proposed development. It is considered reasonable that the developer should contribute towards the cost of providing the services.

- 27 That a financial contribution in the sum of £800 (eight hundred pounds) EUR 1,015 (one thousand and fifteen euros) PER HOUSE be paid by the proposer to South Dublin County Council towards the cost of the Boher Boy Water Supply Scheme which facilitates this development; this contribution to be paid before commencement of development on site.

REASON:

The provision of such services in the area by the Council will facilitate the proposed development. It is considered

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Telefon: 01-414 9000
Facs: 01-414 9104

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reasonable that the developer should contribute towards the cost of the works.

- 28 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 for Roads, Open Spaces, Car Parks, Sewers, Watermains and Drains, has been given by:-

a. Lodgement with the Council of an approved Insurance Company Bond in the sum of £400,000 (four hundred thousand pounds) EUR 507,000 (five hundred and seven thousand euros) until such time as the Roads, Open Spaces, Car Parks, Sewers, Watermains and Drains are taken in charge by the Council.

Or./...

b. Lodgement with the Council of a Cash Sum of £240,000 (two hundred and forty thousand pounds) EUR 304,700 (three hundred and four thousand seven hundred euros) 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 specifications.

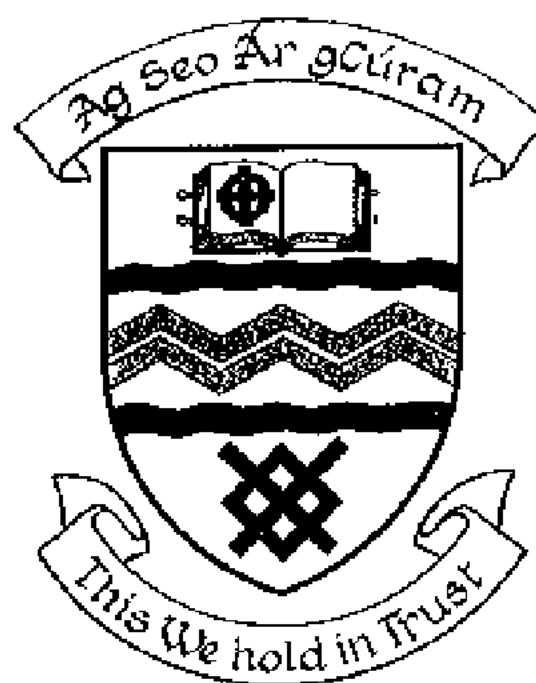
Or./...

c. Lodgement with the Planning Authority of a letter of guarantee issued by the Construction Industry Federation in respect of the proposed development, in accordance with the guarantee scheme agreed with Planning Authority.

REASON:

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

SOUTH DUBLIN COUNTY COUNCIL
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Lár an Bhaile, Tamhlacht,
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LOCAL GOVERNMENT (PLANNING AND DEVELOPMENT) ACTS, 1963 TO 1993

Decision Order Number 2565	Date of Decision 23/11/1999 <i>LM</i>
Register Reference S99A/0632	Date 13/09/99

Applicant Durkan New Homes Ltd.,
App. Type Permission
Development For 148 No. 2 storey 2,3, and 4 bed semi detached and terraced houses, open spaces and associated site works with access off Kiltipper Road on site of circa 14.1 acres being Phase 4 located west of existing phased development Reg. Ref. S96A/0190, S97A/0550 and S99A/0007.
Location Ellensborough, Kiltipper, Tallaght, Co. Dublin.

Dear Sir / Madam,

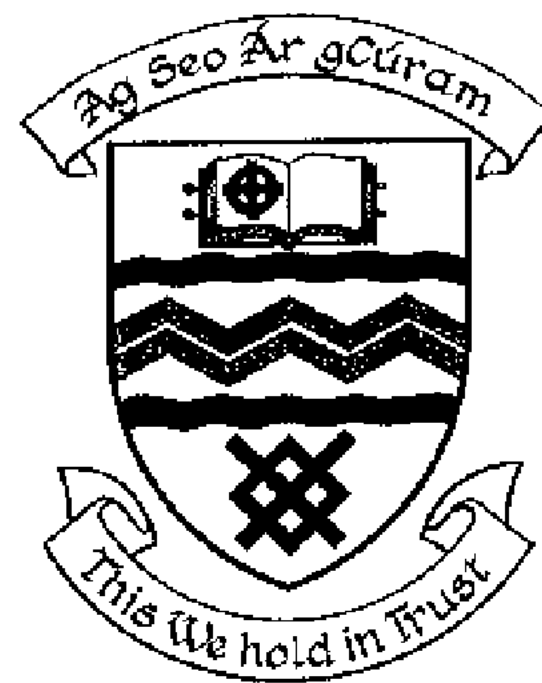
In accordance with Section 26 (4a) of the Local Government (Planning and Development) Act 1963 as amended by Section 39 (f) of the Local Government (Planning and Development) Act 1976 the period for considering this application has been extended, up to and including 14/01/2000

Yours faithfully

LM
..... 24/11/99
for SENIOR ADMINISTRATIVE OFFICER

Fenton-Simons,
29 Fitzwilliam Place,
Dublin 2.

SOUTH DUBLIN COUNTY COUNCIL
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Lár an Bhaile, Tamhlacht,
Baile Átha Cliath 24.

Telefon: 01-414 9000
Facs: 01-414 9104

**PLANNING
DEPARTMENT**
P.O. Box 4122,
Town Centre, Tallaght,
Dublin 24.

Telephone: 01-414 9000
Fax: 01-414 9104

LOCAL GOVERNMENT (PLANNING AND DEVELOPMENT) ACTS, 1963 TO 1993

Order Number 2071	Date of Order 23/09/1999
Register Reference S99A/0632	Date 13/09/99

Applicant Durkan New Homes Ltd.,

Development For 148 No. 2 storey 2,3, and 4 bed semi detached and terraced houses, open spaces and associated site works with access off Kiltipper Road on site of circa 14.1 acres being Phase 4 located west of existing phased development Reg. Ref. S96A/0190, S97A/0550 and S99A/0007.

Location Ellensborough, Kiltipper, Tallaght, Co. Dublin.

Dear Sir/Madam,

An inspection carried out on 21/09/99 has shown that a site notice was not erected in respect of your planning application. Before this application can be considered, you must erect a notice on the site or structure, and submit the following to this Department:

- (a) two copies of the text of the notice
- (b) two plans showing the position of the notice on the land or structure
- (c) a statement of the date on which the notice is erected

The notice must be maintained in position for at least one month and must fulfill the following conditions:-

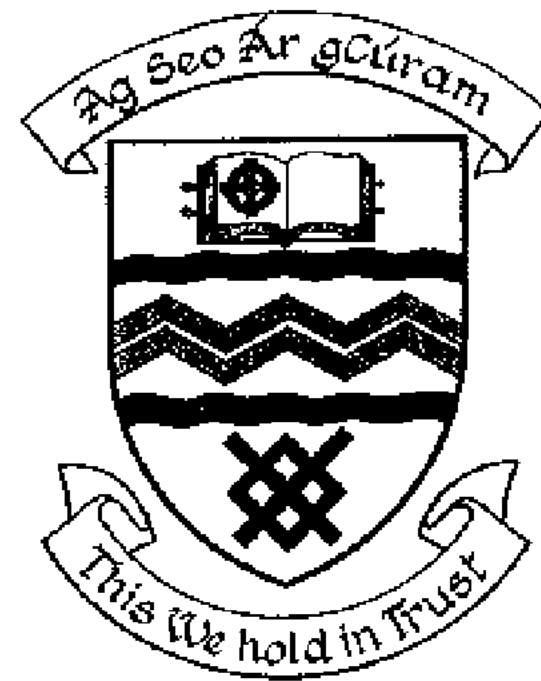
1. Must be durable material
2. Must be securely erected in a conspicuous position easily visible and legible by persons using the public road
3. Must be headed "Application to Planning Authority".
4. Must state:

Fenton-Simons,
29 Fitzwilliam Place,
Dublin 2.

SOUTH DUBLIN COUNTY COUNCIL
COMHAIRLE CHONTAE ÁTHA CLIATH THEAS

Bosca 4122,
Lár an Bhaile, Tamhlacht,
Baile Átha Cliath 24.

Telefon: 01-414 9000
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REG REF. S99A/0632

- (a) Applicant's name
- (b) whether application is for Permission, Outline Permission, or Approval.
- (c) nature and extent of development including number of dwellings (if any)
- (d) that the application may be inspected at the Planning Department, South Dublin County Council, Town Centre, Tallaght, Dublin 24.

No further consideration will be given to this application until you comply with these requirements.

Yours faithfully,

.....
for Senior Administrative Officer. 23/09/99