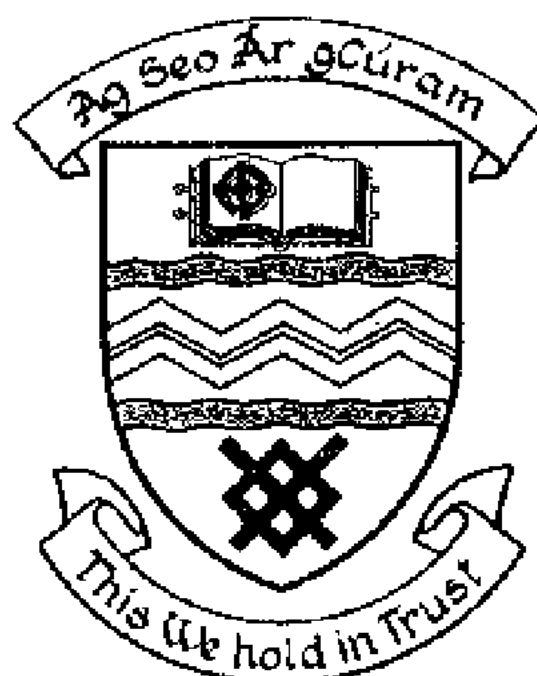


		South Dublin County Council Local Government (Planning & Development) Acts 1963 to 1993 Planning Register (Part 1)		Plan Register No. S99A/0629	
1. Location		Between no.s 1 and 93a Hillcrest Drive, Lucan, Co. Dublin.			
2. Development		Six terraced houses.			
3. Date of Application		10/09/99		Date Further Particulars (a) Requested (b) Received	
3a. Type of Application		Permission		1. 30/09/1999 2.	1. 13/10/1999 2.
4. Submitted by		Name: Magahy & Associates, Address: 16 Carlisle Street, S.C.R.			
5. Applicant		Name: McCabe Construction, Address: Grangewood, Marley Park, Dublin 16.			
6. Decision		O.C.M. No. 2719 Date 09/12/1999		Effect AP GRANT PERMISSION	
7. Grant		O.C.M. No. 433 Date 02/03/2000		Effect AP GRANT PERMISSION	
8. Appeal Lodged		07/01/2000		Written Representations	
9. Appeal Decision		14/02/2000		Appeal Withdrawn	
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.	

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Magahy & Associates,
16 Carlisle Street,
S.C.R.
Dublin 8.

NOTIFICATION OF GRANT OF Permission

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

Final Grant Order Number 433	Date of Final Grant 02/03/2000
Decision Order Number 2719	Date of Decision 09/12/1999
Register Reference S99A/0629	Date 13/10/99

Applicant McCabe Construction,

Development Six terraced houses.

Location Between no.s 1 and 93a Hillcrest Drive, Lucan, Co. Dublin.

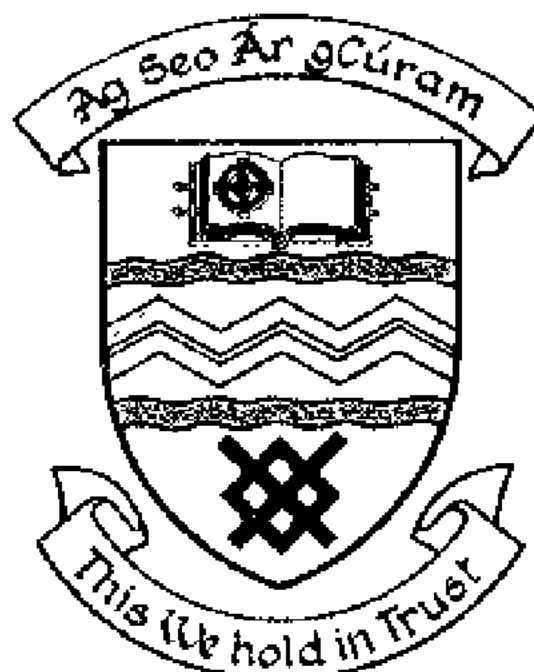
Floor Area 0.00 Sq Metres

Time extension(s) up to and including

Additional Information Requested/Received 30/09/1999 /13/10/1999

A Permission has been granted for the development described above,
subject to the following (25) Conditions.

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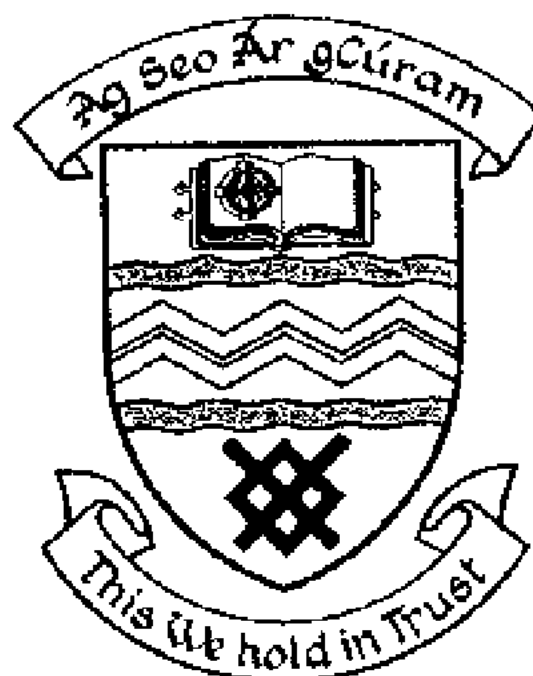
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Conditions and Reasons

- 1 The development to be carried out in its entirety in accordance with the plans, particulars and specifications lodged with the application, 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 The each house shall be used as a single dwelling unit only.
 REASON:
 To ensure that the development will not be out of character with existing residential development in the area.
- 3 Front driveways shall have a minimum depth of 9m.
 REASON:
 In the interests of the proper planning and development of the area.
- 4 The footpath along the site frontage shall be reconstructed and kerbs dished to the satisfaction of the Area Engineer, Roads Maintenance (Palmerstown Depot) at the developers prior expense.
 REASON:
 In the interest of the proper planning and development of the area.
- 5 The utility pole shall be relocated at the developer's expense to a suitable place, if required. This to be determined with the owner of the utility pole prior to the commencement of development.
 REASON:
 In the interests of the proper planning and development of the area.
- 6 A solid capped and rendered boundary wall shall separate the proposed development from the adjoining residential developments. Full details of this wall and the boundary treatment, including details on the proposed height of the boundary wall and finishes, shall be submitted for the written agreement of the Planning Authority prior to the commencement of development.
 REASON:
 In the interest of visual amenity and in order to protect the amenities of adjoining properties.

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- 7 Prior to commencement of development, a specification and plan for street planting shall be submitted for the written agreement of the Planning Authority.

REASON:

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

- 8 The following environmental standards shall be complied with in full:

- (a) During the construction phase, the proposed development shall comply with British Standard 5228 Noise control on construction and open sites Part 1 as well as the Code of Practice.
- (b) During the construction phase of the development, Best Practicable Means shall be employed to minimise air blown dust being emitted from the site. This shall include covering skips and slack heaps, netting of scaffolding, daily washing down of pavements or other public areas, and any other precautions necessary to prevent dust nuisances.
- (c) No heavy construction equipment/machinery (to include pneumatic drills, generators, etc.) shall be operated on or adjacent to the construction site before 08.00 hours on weekdays and 09.00 hours on Saturdays nor after 18.00 hours on weekdays and 13.00 hours on Saturdays, nor at any time on Sundays, Bank Holidays or Public Holidays.

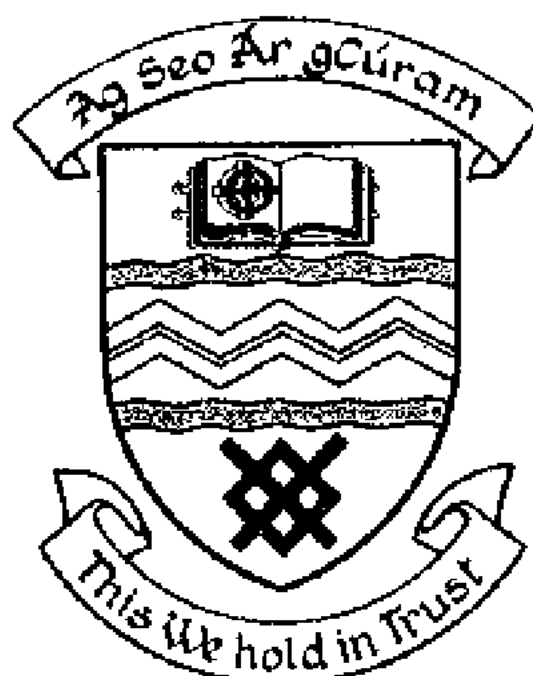
REASON:

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

- 9 That the water supply and drainage arrangements, including the disposal of surface water, be in accordance with the requirements of the County Council as follows:

- (a) The developer shall ensure full and complete separation of foul and surface water systems.
- (b) Separate connections shall be provided for each dwelling. All connections, swabbing, chlorination and tappings of mains shall be carried out by South Dublin County Council personnel at the developer's prior expense.

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- (c) 24 hour storage shall be provided.
- (d) 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.
- (e) No building shall take place within 5m of a foul and surface water sewer.
- (f) The water main layout shall comply with the Building Regulations.
- (g) All watermains greater than 150mm diameter shall be Ductile Iron.
- (h) No dwelling shall be greater than 46m from a hydrant.
- (i) No building shall lie within 5m of watermains less than 225mm diameter and within 8m of watermains greater than 225mm diameter.
- (j) Watermains shall be laid in open space.

REASON:

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

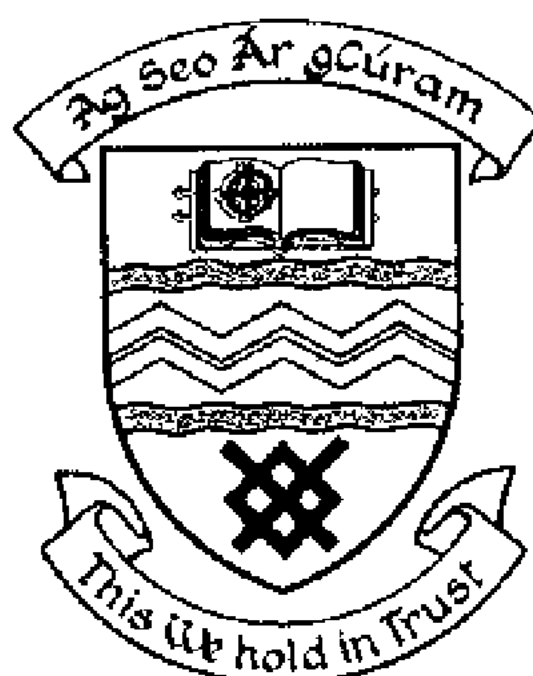
- 10 That all external finishes harmonise in colour and texture with the existing premises in the vicinity. Details of roof tiles/slates shall be agreed with the Planning Authority prior to the commencement of development.

REASON:

In the interest of visual amenity.

- 11 That prior to any work commencing the developer shall submit a revised site layout drawing to provide for a minimum setback of all buildings of 15 metres linear distance from the rear boundary of the site. This shall be achieved by the omission of one house at the western end of the proposed terrace in order to avoid encroachment within the required reservation for public services traversing the site. If required a suitable modified house type may be substituted in lieu of the resulting end of terrace house. Full details of all amendments shall be submitted for the written agreement of the Planning Authority before development

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commences.

REASON:

To comply with the requirements of the Roads Department in the interest of the proper planning and development of the area.

- 12 That notwithstanding the provisions of the Local Government (Planning and Development) Regulations, 1994, planning permissions shall be obtained before any extensions are constructed to the rear of proposed houses. This requirement shall be incorporated into the deeds of each of the proposed dwellinghouses.

REASON:

To enable effective control to be maintained in the interest of the proper planning and development of the area having regard to the required setback of buildings from the adjacent public road.

- 13 That a formal wayleave agreement allowing access to the lands within a 5 metre radius of the public foul and surface water sewers in the south western section of the site shall be drawn up and agreed in writing with South Dublin County Council prior to commencement of the proposed development.

REASON:

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

- 14 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.

- 15 That all public services to the proposed development, including electrical, telephone cables and equipment be located underground throughout the entire site.

REASON:

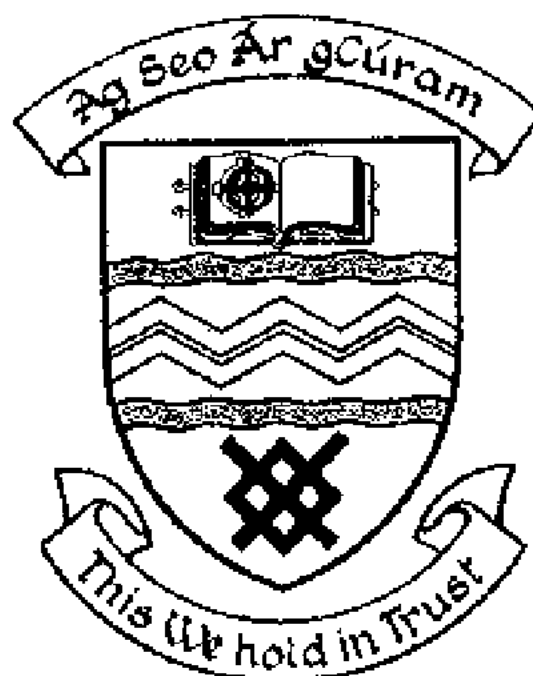
In the interest of amenity.

- 16 That no dwellinghouse be occupied until all the services have been connected thereto and are operational.

REASON:

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

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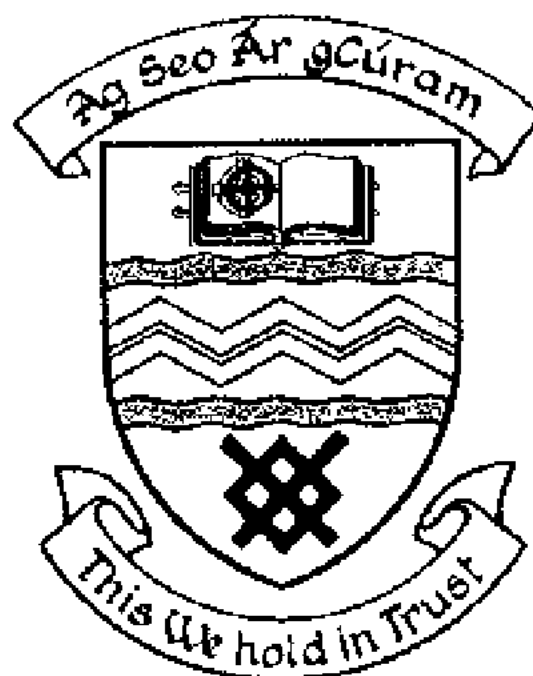
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- 17 That the water supply and drainage arrangements, including the disposal of surface water, be in accordance with the requirements of the County Council.
REASON:
In order to comply with the Sanitary Services Acts, 1878-1964.
- 18 That an acceptable house numbering scheme be submitted to and approved by the South Dublin 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.
- 19 Heating to be provided by the use of either oil, gas, electricity or by smokeless fuels in fireplaces or appliances suitable only for burning solid smokeless fuels.
REASON:
In the interest of reducing air pollution.
- 20 That a financial contribution in the sum of £750 per house (seven hundred and fifty pounds) Eur952 per house (nine hundred and fifty two 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.
- 21 That a financial contribution in the sum of £2,100 per house (two thousand one hundred pounds) Eur2,666 per house (two thousand, six hundred and sixty six Euros) 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 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.

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- 22 That a financial contribution in the sum of £1,000 per house (one thousand pounds) Eur1270 per house (one thousand two hundred and seventy Euros) be paid by the proposer to South Dublin County Council towards the cost of the development and improvement of public open space in the area of the proposed development 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.

- 23 That a financial contribution in the sum of £100 per house (one hundred pounds) Eur127 per house (one hundred and twenty seven Euros) be paid by the proposer to South Dublin County Council towards the cost of the upgrading of Esker Pumping Station; 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.

- 24 That a financial contribution in the sum of £400 per house (four hundred pounds) Eur 508 per house (five hundred and eight Euros) be paid by the proposer to South Dublin County Council towards the cost of the Lucan/Palmerstown Water Supply Improvement Scheme which serves this development; this contribution to be paid before the commencement of development on site.

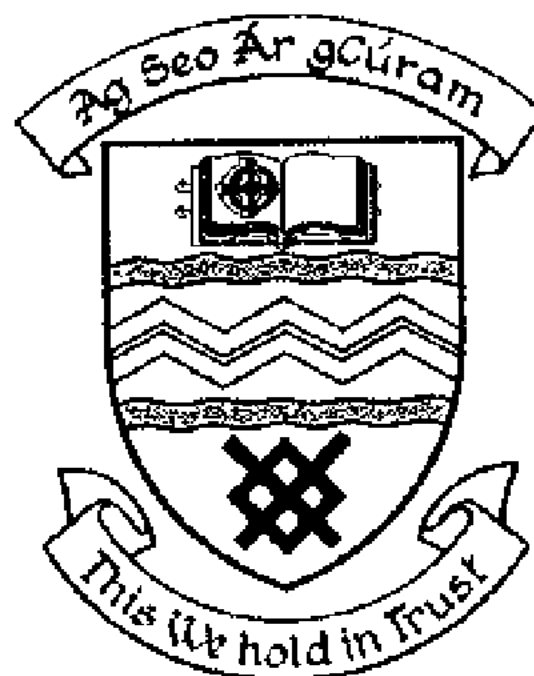
REASON:

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

- 25 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 £40,000 (forty thousand pounds) Eur50,780 (fifty thousand, seven hundred and

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eighty 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 £25,000 (twenty five thousand pounds) Eur31,743 (thirty one thousand, seven hundred and forty three 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:

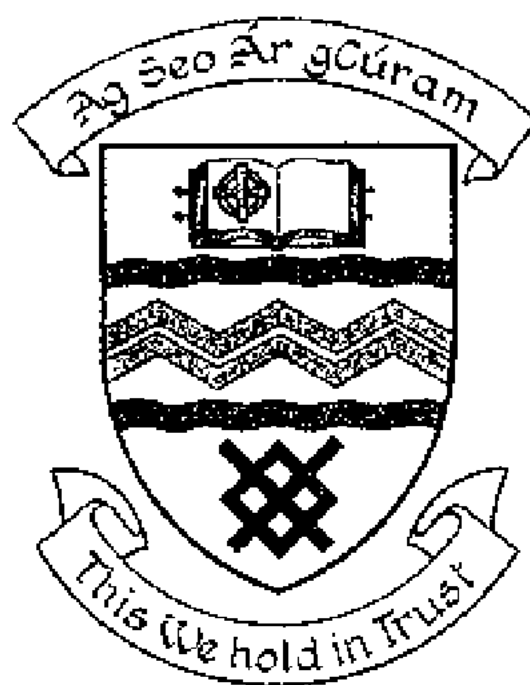
To ensure that a ready sanction may be available to the Council to induce the provision of services and prevent disamenity in the development.

- (1) All buildings must be designed and constructed in accordance with the Building Regulations 1997.
- (2) Building Control Regulations require a Commencement Notice. A copy of the Commencement Notice is attached.
- (3) A Fire Safety Certificate must be obtained from the Building Control Authority, where applicable.
- (4) Free Standing Walls must be designed and constructed in accordance with IS 325: Code of Practice for use of Masonry Part 1 : Structural use of unreinforced Masonry. The Owner must also ensure that the construction of all walls is supervised by a competent person.

Signed on behalf of South Dublin County Council.


02/03/00
 for SENIOR ADMINISTRATIVE OFFICER

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

Decision Order Number 2719	Date of Decision 09/12/1999
Register Reference S99A/0629	Date: 10/09/99

Applicant McCabe Construction,
Development Six terraced houses.
Location Between no.s 1 and 93a Hillcrest Drive, Lucan, Co. Dublin.
Floor Area Sq Metres
Time extension(s) up to and including
Additional Information Requested/Received 30/09/1999 /13/10/1999
Clarification of Additional Information Requested/Received /

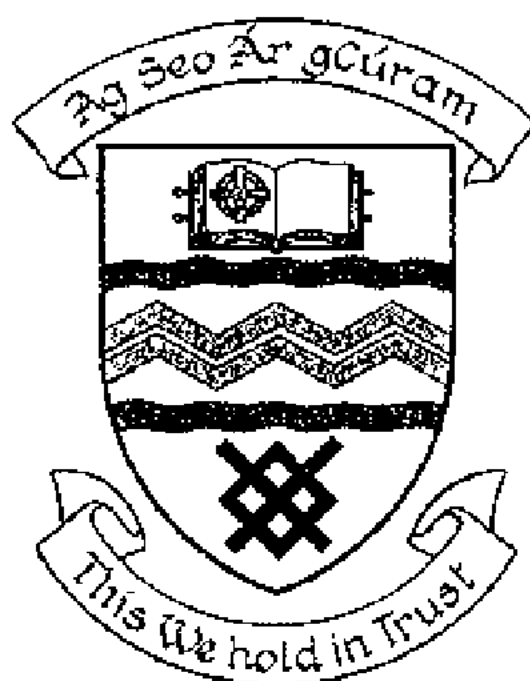
In pursuance of its functions under the above mentioned Acts, the South Dublin County Council, being the Planning Authority for the County Health District of Dublin, did by Order dated as above make a DECISION TO GRANT PERMISSION in respect of the above proposal.

Subject to the conditions (25) on the attached Numbered Pages.
Signed on behalf of the South Dublin County Council.

..... 09/12/99
for SENIOR ADMINISTRATIVE OFFICER

Magahy & Associates,
16 Carlisle Street,
S.C.R.
Dublin 8.

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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, 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 The each house shall be used as a single dwelling unit only.

REASON:

To ensure that the development will not be out of character with existing residential development in the area.

- 3 Front driveways shall have a minimum depth of 9m.

REASON:

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

- 4 The footpath along the site frontage shall be reconstructed and kerbs dished to the satisfaction of the Area Engineer, Roads Maintenance (Palmerstown Depot) at the developers prior expense.

REASON:

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

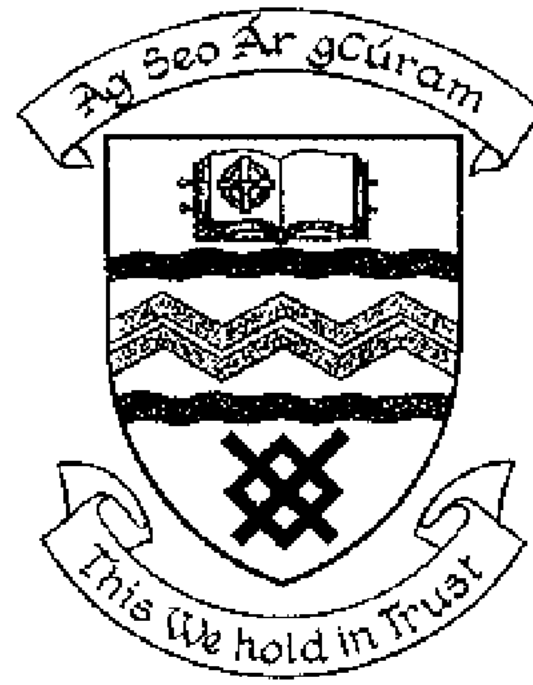
- 5 The utility pole shall be relocated at the developer's expense to a suitable place, if required. This to be determined with the owner of the utility pole prior to the commencement of development.

REASON:

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

- 6 A solid capped and rendered boundary wall shall separate the proposed development from the adjoining residential developments. Full details of this wall and the boundary treatment, including details on the proposed height of the boundary wall and finishes, shall be submitted for the

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REG. REF. S99A/0629

written agreement of the Planning Authority prior to the commencement of development.

REASON:

In the interest of visual amenity and in order to protect the amenities of adjoining properties.

- 7 Prior to commencement of development, a specification and plan for street planting shall be submitted for the written agreement of the Planning Authority.

REASON:

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

- 8 The following environmental standards shall be complied with in full:

- (a) During the construction phase, the proposed development shall comply with British Standard 5228 Noise control on construction and open sites Part 1 as well as the Code of Practice.
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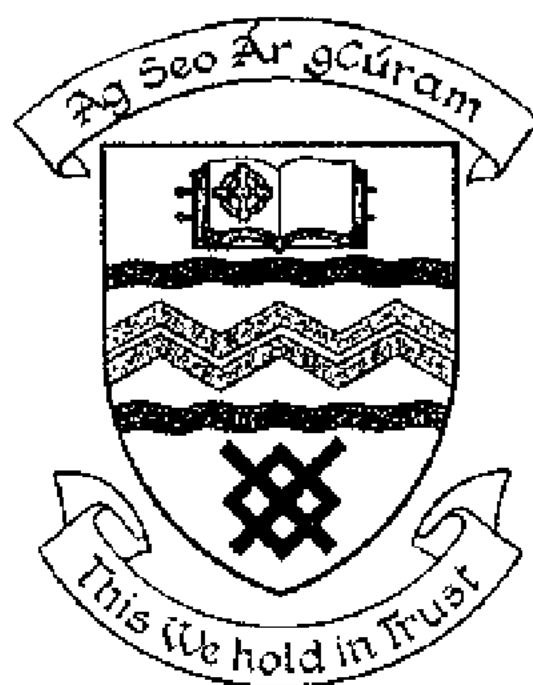
REASON:

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- (a) The developer shall ensure full and complete separation of foul and surface water systems.
- (b) Separate connections shall be provided for each dwelling. All connections, swabbing, chlorination and tappings of mains shall be carried out by South Dublin County Council personnel at the developer's prior expense.
- (c) 24 hour storage shall be provided.
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- (f) The water main layout shall comply with the Building Regulations.
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- (h) No dwelling shall be greater than 46m from a hydrant.
- (i) No building shall lie within 5m of watermains less than 225mm diameter and within 8m of watermains greater than 225mm diameter.
- (j) Watermains shall be laid in open space.

REASON:

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

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REG. REF. S99A/0629

- 10 That all external finishes harmonise in colour and texture with the existing premises in the vicinity. Details of roof tiles/slates shall be agreed with the Planning Authority prior to the commencement of development.

REASON:

In the interest of visual amenity.

- 11 That prior to any work commencing the developer shall submit a revised site layout drawing to provide for a minimum setback of all buildings of 15 metres linear distance from the rear boundary of the site. This shall be achieved by the omission of one house at the western end of the proposed terrace in order to avoid encroachment within the required reservation for public services traversing the site. If required a suitable modified house type may be substituted in lieu of the resulting end of terrace house. Full details of all amendments shall be submitted for the written agreement of the Planning Authority before development commences.

REASON:

To comply with the requirements of the Roads Department in the interest of the proper planning and development of the area.

- 12 That notwithstanding the provisions of the Local Government (Planning and Development) Regulations, 1994, planning permissions shall be obtained before any extensions are constructed to the rear of proposed houses. This requirement shall be incorporated into the deeds of each of the proposed dwellinghouses.

REASON:

To enable effective control to be maintained in the interest of the proper planning and development of the area having regard to the required setback of buildings from the adjacent public road.

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REASON:

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

- 14 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.

- 15 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.

- 16 That no dwellinghouse be occupied until all the services have been connected thereto and are operational.

REASON:

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

- 17 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.

- 18 That an acceptable house numbering scheme be submitted to and approved by the South Dublin 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.

- 19 Heating to be provided by the use of either oil, gas, electricity or by smokeless fuels in fireplaces or appliances suitable only for burning solid smokeless fuels.

**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.

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REG. REF. S99A/0629

REASON:

In the interest of reducing air pollution.

- 20 That a financial contribution in the sum of £750 per house (seven hundred and fifty pounds) Eur952 per house (nine hundred and fifty two 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.

- 21 That a financial contribution in the sum of £2,100 per house (two thousand one hundred pounds) Eur2,666 per house (two thousand, six hundred and sixty six Euros) 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 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.

- 22 That a financial contribution in the sum of £1,000 per house (one thousand pounds) Eur1270 per house (one thousand two hundred and seventy Euros) be paid by the proposer to South Dublin County Council towards the cost of the development and improvement of public open space in the area of the proposed development and which will facilitate the development; this contribution to be paid before the commencement of development on site.

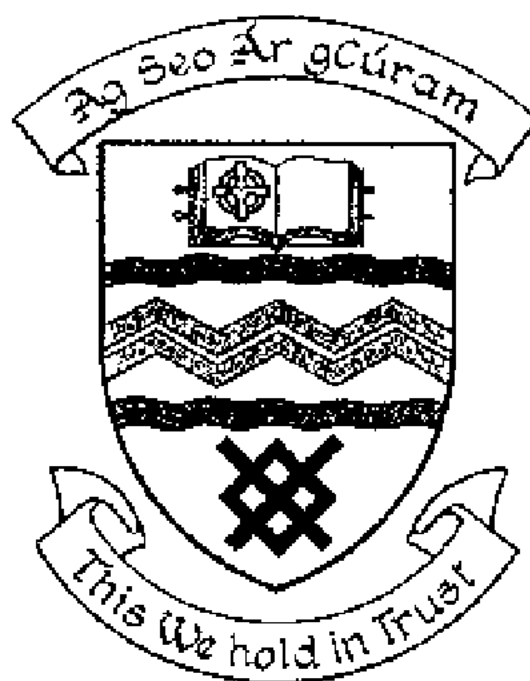
REASON:

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

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development and improvement of amenity lands in the area which will facilitate the proposed development.

- 23 That a financial contribution in the sum of £100 per house (one hundred pounds) Eur127 per house (one hundred and twenty seven Euros) be paid by the proposer to South Dublin County Council towards the cost of the upgrading of Esker Pumping Station; 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.

- 24 That a financial contribution in the sum of £400 per house (four hundred pounds) Eur 508 per house (five hundred and eight Euros) be paid by the proposer to South Dublin County Council towards the cost of the Lucan/Palmerstown Water Supply Improvement Scheme which serves this development; this contribution to be paid before the 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 reasonable that the development should contribute towards the cost of the works.

- 25 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 £40,000 (forty thousand pounds) Eur50,780 (fifty thousand, seven hundred and eighty Euros) until such time as the Roads, Open Spaces, Car Parks, Sewers, Watermains and Drains are taken in charge by the Council.

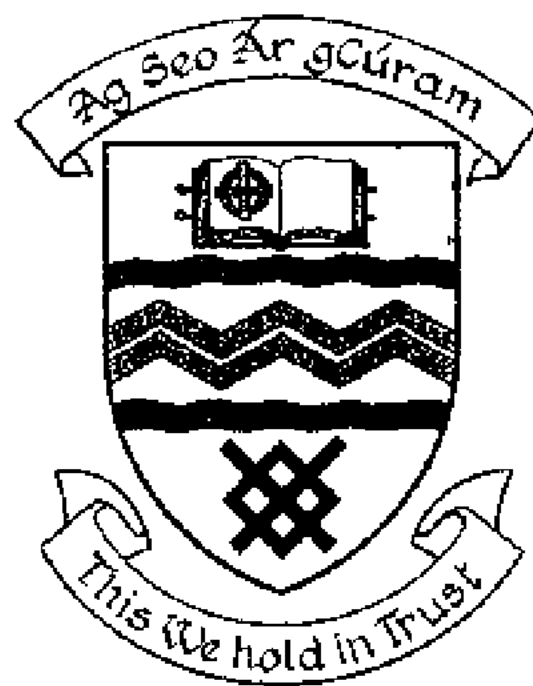
Or./...

- b. Lodgement with the Council of a Cash Sum of £25,000 (twenty five thousand pounds) Eur31,743

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(thirty one thousand, seven hundred and forty three 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.

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

Order Number 2139	Date of Order 30/09/1999
Register Reference S99A/0629	Date 10/09/99

Applicant McCabe Construction,
Development Six terraced houses.
Location Between no.s 1 and 93a Hillcrest Drive, Lucan, Co. Dublin.

Dear Sir/Madam,

An inspection carried out on 29/09/99 has shown that the site notice erected in respect of your planning application does not comply with the requirements of the Local Government (Planning and Development) Regulations, 1994 as notice was lying on the ground, it was not securely erected or fixed in a conspicuous position. Before this application can be considered, you must erect a new 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:

Magahy & Associates,
16 Carlisle Street,
S.C.R.
Dublin 8.

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- (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,

ft
..... 04/10/99
for Senior Administrative Officer.