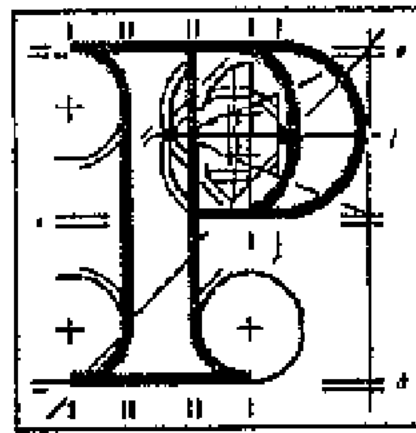


	South Dublin County Council Local Government (Planning & Development) Acts 1963 to 1999 and Planning & Development Act 2000 Planning Register (Part 1)	Plan Register No. S99A/0602	
1. Location	"Riversdale House", Ballyboden Road, Rathfarnham, Dublin 14.		
2. Development	Demolition of existing house and out buildings and derelict gate lodge and the construction of 28 no. 2 bed. apartments in 4 no. two storey and attic blocks with on and off site development works.		
3. Date of Application	30/08/99	Date Further Particulars (a) Requested (b) Received	
3a. Type of Application	Permission	1. 28/10/1999 2. 22/02/20	1. 24/12/1999 2. 24/03/20
4. Submitted by	Name: Frank Elmes & Co., Address: 2 Waldemar Terrace, Main Street,		
5. Applicant	Name: Begley Clarke, Address: Adelaide Court, Albert Road, Glenageary, Co. Dublin.		
6. Decision	O.C.M. No. 0843 Date 19/04/2000	Effect AP GRANT PERMISSION	
7. Grant	O.C.M. No. Date	Effect AP GRANT PERMISSION	
8. Appeal Lodged	15/05/2000	Written Representations	
9. Appeal Decision	12/12/2000	Refuse 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/0602

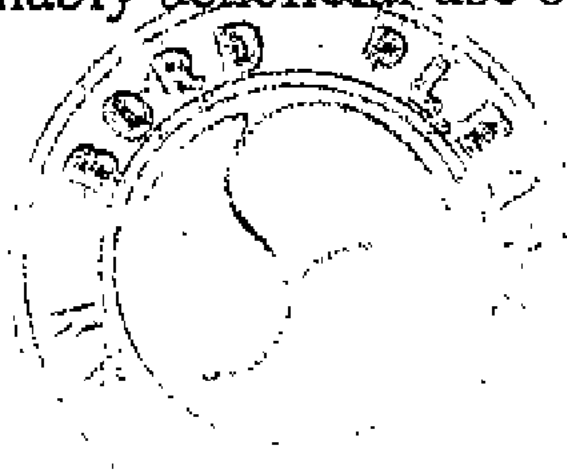
WHEREAS on the 12th day of December, 2000 An Bord Pleanála on an appeal by Tom and Kate Shaw care of O'Briain O'Donnell Architects of Manfield Chambers, 43-44 Lower O'Connell Street, Dublin and by others and by Begley and Clarke care of Frank Elmes and Company of Number 2 Waldemar Terrace, Main Street, Dundrum, Dublin refused permission to the said Begley and Clarke for development comprising the demolition of existing house and outbuildings and derelict gate lodge and the construction of 28 number two bedroom apartments in four number two-storey and attic blocks with on and off site development works at "Riversdale House", Ballyboden Road, Rathfarnham, Dublin:

AND WHEREAS Roy Begley and Gerald Clarke care of Smith Foy and Partners of 59 Fitzwilliam Square, Dublin served a purchase notice in respect of the said lands under section 29(1) of the Local Government (Planning and Development) Act, 1963, on the Council of the County of South Dublin, being the planning authority for the area:

AND WHEREAS the said planning authority was not willing to comply with the said purchase notice:

NOW THEREFORE An Bord Pleanála, in exercise of the powers conferred on it by section 29 of the 1963 Act, hereby directs that the said Roy Begley and Gerald Clarke be notified that the Board does not propose to confirm the said purchase notice for the following reason:

The established existing use of the land for residential purposes is one that conveys reasonable benefit. The land has not, therefore, become incapable of reasonably beneficial use by reason of the refusal decision in PL 06S.119480.



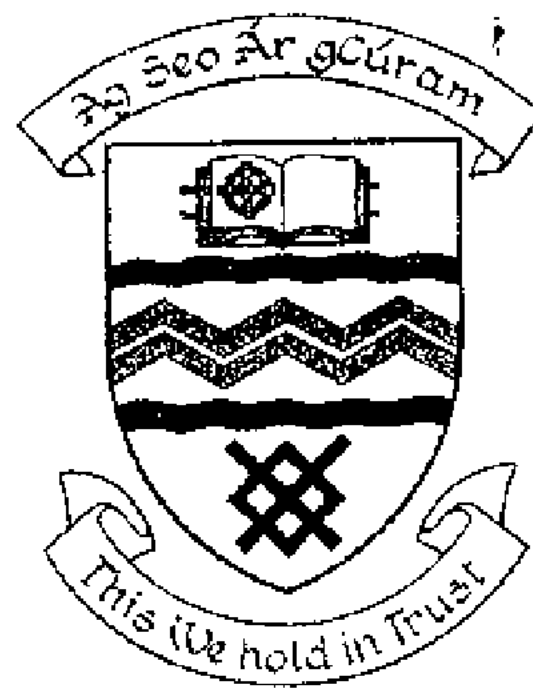
Brian Hunt

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

Dated this 19th day of September 2001.

	South Dublin County Council Local Government (Planning & Development) Acts 1963 to 1993 Planning Register (Part 1)	Plan Register No. S99A/0602	
1. Location	"Riversdale House", Ballyboden Road, Rathfarnham, Dublin 14.		
2. Development	Demolition of existing house and out buildings and derelict gate lodge and the construction of 28 no. 2 bed. apartments in 4 no. two storey and attic blocks with on and off site development works.		
3. Date of Application	30/08/99	Date Further Particulars (a) Requested (b) Received	
3a. Type of Application	Permission	1. 28/10/1999 2. 22/02/20	1. 24/12/1999 2. 24/03/20
4. Submitted by	Name: Frank Elmes & Co., Address: 2 Waldemar Terrace, Main Street,		
5. Applicant	Name: Begley Clarke, Address: Adelaide Court, Albert Road, Glenageary, Co. Dublin.		
6. Decision	O.C.M. No. 0843 Date 19/04/2000	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 CO.
COMHAIRLE CHONTAE ÁTHA CLIATH THEAS



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

Decision Order Number 0843	Date of Decision 19/04/2000
Register Reference S99A/0602	Date: 30/08/99

Applicant Begley Clarke,

Development Demolition of existing house and out buildings and derelict gate lodge and the construction of 28 no. 2 bed. apartments in 4 no. two storey and attic blocks with on and off site development works.

Location "Riversdale House", Ballyboden Road, Rathfarnham, Dublin 14.

Floor Area Sq Metres

Time extension(s) up to and including

Additional Information Requested/Received 28/10/1999 /24/12/1999

Clarification of Additional Information Requested/Received 22/02/2000 / 24/03/2000

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.

.....
for SENIOR ADMINISTRATIVE OFFICER

Frank Elmes & Co.,
2 Waldemar Terrace,
Main Street,
Dundrum,
Dublin 14.

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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 Additional Information received by the Council on 24/12/99 and Clarification of Additional Information received by the Council on 24/03/00, 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 demolition of Riversdale House shall be omitted from the development. The House shall be retained and be properly maintained in a watertight condition in accordance with details to be submitted to and agreed with the Planning Authority prior to commencement of development. No other alterations shall be made to the house without the written agreement of the Planning Authority.
REASON:
To ensure the protection of a Proposed Protected Structure.
- 3 Units 13-24 inclusive as illustrated on Drawing No. RH/99/01 shall be omitted from the development and a revised layout of remaining residential units is to be submitted for the written agreement of the Planning Authority prior to the commencement of development allowing for an appropriate setback from the Proposed Protected Structures on site.
REASON:
To ensure the proper planning and development of the site and the protection of a Proposed Protected Structure.
- 4 The bin and bike store shall be relocated on site in accordance with details to be submitted to and agreed with the Planning Authority prior to the commencement of development so as to ensure that it will not affect the Proposed Protected Structures on site nor prejudice the future development and/or use of the house.
REASON:
To ensure the proper planning and development of the site and the protection of a Proposed Protected Structure.

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- 5 The arched bridge shall be retained and repaired. The specific details of the repair and maintenance of the bridge shall be submitted for the written agreement of the Planning Authority prior to the commencement of development. These details are to include an analysis of materials and methods to be used in its repair and maintenance.

REASON:

To ensure the protection of a Proposed Protected Structure.

- 6 The original gates and piers shall be retained.

REASON:

To ensure the protection of a Proposed Protected Structure.

- 7 That the water supply and drainage arrangements, including the disposal of surface water, be in accordance with the requirements of the South Dublin County Council, which are:

All pipes shall be laid with a minimum cover of 1.2m in roads, footpaths and driveways, and 0.9 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 within 5m of watermains less than 225mm diameter and within 8m of watermains greater than 225mm diameter.

No works to be carried out that would diminish the capacity of the Owendoher River.

All connections, swabbings, chlorination and tappings of mains to be carried out by South Dublin County Council personnel at the applicant's prior expense.

Layout shall be in accordance with Part B of 1997 Building Regulations.

Applicant to provide 24-hour water storage facilities for each unit.

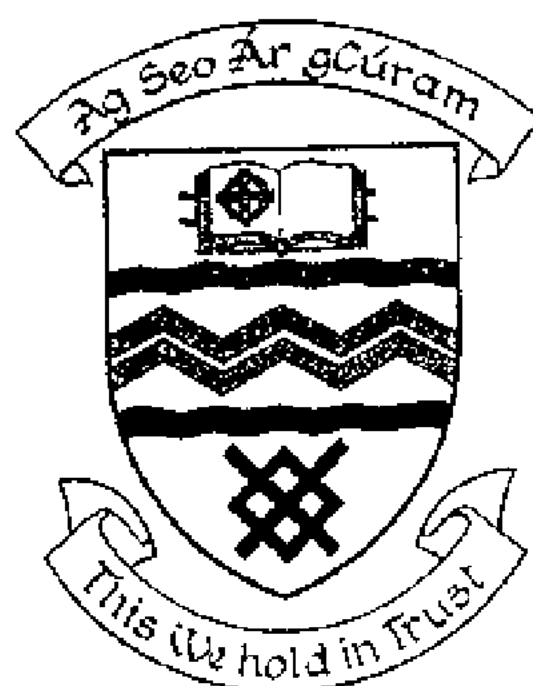
REASON:

In order to comply with the Sanitary Services Acts, 1878 - 1964 and to comply with public health requirements and to ensure adequate standards of workmanship.

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- 8 The development shall provide two (2) no. car parking spaces per residential unit. The layout of the car parking shall be submitted for the written agreement of the Planning Authority prior to the commencement of development. Car parking shall not adversely impact on the Proposed Protected Structures on site.

REASON:

To protect the Proposed Protected Structures and to comply with the requirements of the Roads Department and the South Dublin County Development Plan 1998.

- 9 A tree bond of £20,000 (twenty thousand pounds) EUR 25,394 (twenty five thousand three hundred and ninety four euros) shall be lodged with South Dublin County Council prior to the commencement of works on site to ensure the protection of trees to be retained on site according to the applicant's tree survey. This bond shall cover the following trees in particular: No. 1657, No. 1666, No. 1667, No. 1668, No. 1669, No. 1670, No. 1675, No. 1681, No. 1686 and No. 1687. This bond will be released twelve months after the completion of all site works once it has been ascertained that all trees specified for the retention have been preserved.

REASON:

To ensure the satisfactory completion of the development and the preservation of specific trees.

- 10 The gable elevation identified as 'Public View' on Drawing No. RH/99/02 shall be used only on the eastern gable of the easternmost block (containing units 1, 2, 3 and 4) and the northern gable of the southernmost block (containing units 25, 26, 27 and 28). All other gables are to be the 'Internal View' with obscure glazing being used on all windows.

REASON:

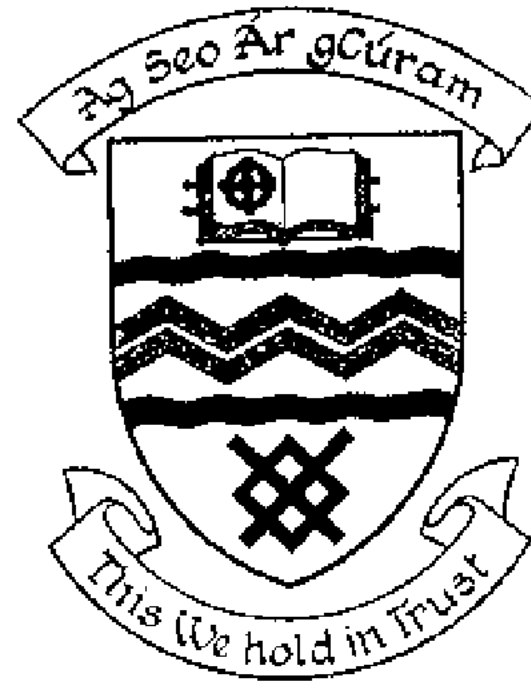
In the interests of residential amenity.

- 11 Balconies shall be omitted from the front elevation attic level. Velux windows may be used in place of the balconies to correspond with velux windows being used on the front elevation as illustrated on Drawing No. RH/99/02.

REASON:

In the interests of visual and residential amenity.

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- 12 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.

- 13 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.

- 14 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.

- 15 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.

- 16 That an acceptable naming and apartment numbering scheme be submitted to and approved by the County Council before any constructional work takes place on the proposed dwellings.

REASON:

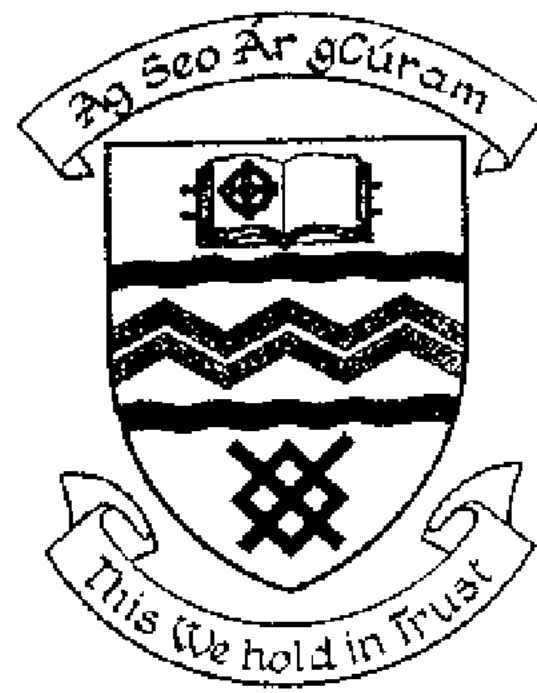
In the interest of the proper planning and development of the area.

- 17 Details and samples of all proposed external facing and roofing material shall be submitted to and approved by the Planning Authority before development commences.

REASON:

In the interest of visual amenity.

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- 18 The trees to be retained on site shall be protected by temporary post and rail fencing to enclose an area at least equivalent to the crown spread. This shall be erected by the developer and inspected by an official from the Parks and Landscape Services Department prior to the commencement of works on site.

REASON:

To protect trees to be retained during construction.

- 19 Full details of proposed boundary treatment including the making good of existing walls, including height, materials and finish, shall be submitted to and agreed with the Planning Authority before development commences. The agreed measures shall be implemented before any of the proposed apartments are first occupied.

REASON:

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

- 20 That a financial contribution in the sum of £750 (seven hundred and fifty pounds) EUR 952 (nine hundred and fifty two euros) PER DWELLING UNIT 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 (two thousand one hundred pounds) EUR 2,666 (two thousand six hundred and sixty six euros) PER DWELLING UNIT 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.

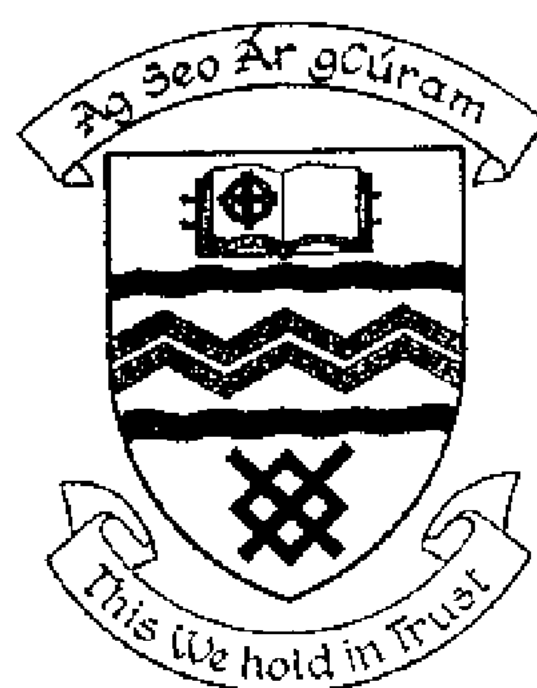
REASON:

It is considered reasonable that the developer should contribute towards the expenditure that was incurred and/or

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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 £675 (six hundred and seventy five pounds) EUR 857 (eight hundred and fifty seven euros) PER DWELLING UNIT be paid by the proposer to South Dublin County Council towards the cost of the Boherboy Water Supply Scheme which serves this development.

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 the works.

- 23 That a financial contribution in the sum of £750 (seven hundred and fifty pounds) EUR 952 (nine hundred and fifty two euros) PER DWELLING UNIT 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.

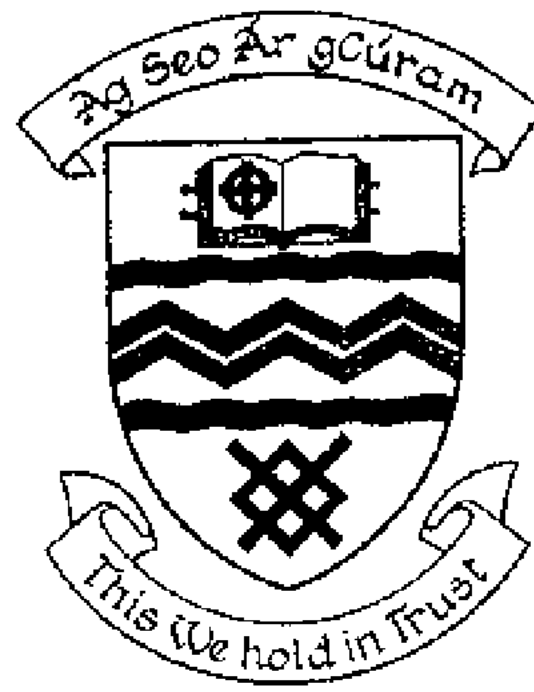
- 24 Before development is commenced under any permission granted pursuant to this decision, the developer shall lodge with South Dublin County Council a cash deposit of £16,000 (sixteen thousand pounds) EUR 20,315 (twenty thousand three hundred and fifteen euros), or a bond of an insurance company or other security to the value of £24,000 (twenty four thousand pounds) EUR 30,473 (thirty thousand four hundred and seventy three euros) EUR to secure the provision and satisfactory completion to taking in charge standard of roads, footpaths, watermains, drains, public open space and other services required in connection with the development.

REASON:

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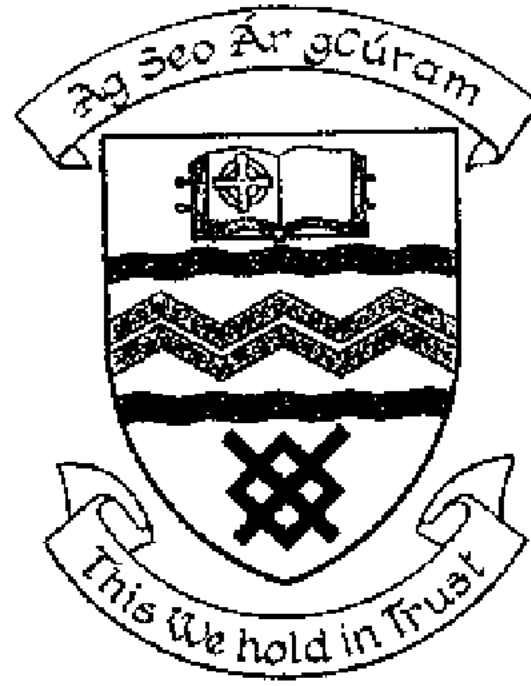
To ensure that a ready sanction may be available to induce the provision of services and prevent disamenity in the development.

- 25 That details of the Management Agreement for the maintenance and Control of the site be submitted and agreed with the Planning Authority prior to the commencement of development.

REASON:

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

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

Decision Order Number 0378	Date of Decision 22/02/2000
Register Reference S99A/0602	Date 30/08/99

Applicant Begley Clarke,
App. Type Permission
Development Demolition of existing house and out buildings and derelict gate lodge and the construction of 28 no. 2 bed. apartments in 4 no. two storey and attic blocks with on and off site development works.

Location "Riversdale House", Ballyboden Road, Rathfarnham, Dublin 14.

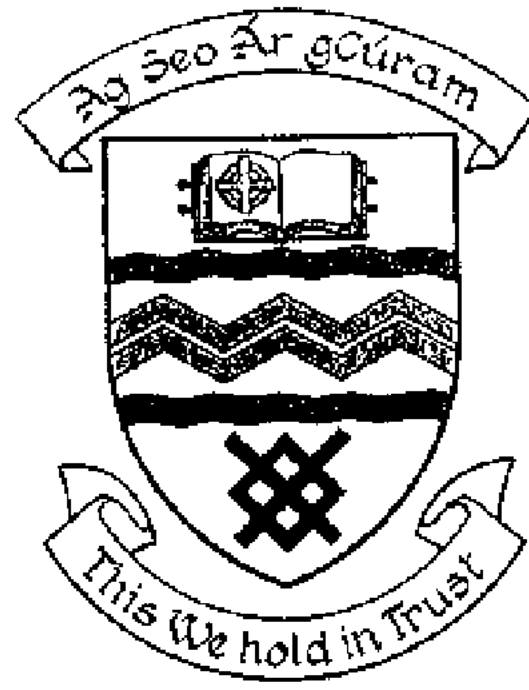
Dear Sir / Madam,

With reference to your planning application, additional information received on 24/12/99 in connection with the above, I wish to inform you that before the application can be considered under the Local Government (Planning and Development) Acts 1963 - 1993, the following Clarification of Additional Information must be submitted in quadruplicate:

- 1 The applicant is requested to consider omitting the demolition of Riversdale House from the proposed development following the proposed addition of the building on the Record of Protected Structures.
- 2 The applicant is requested to consider the maintenance and appropriate repair of the arched bridge on site following the proposed addition of the structure in the Record of Protected Structures. Details of the repair work are to be specified and are to use similar materials and techniques of construction as were used on the bridge originally.

Frank Elmes & Co.,
2 Waldemar Terrace,
Main Street,
Dundrum,
Dublin 14.

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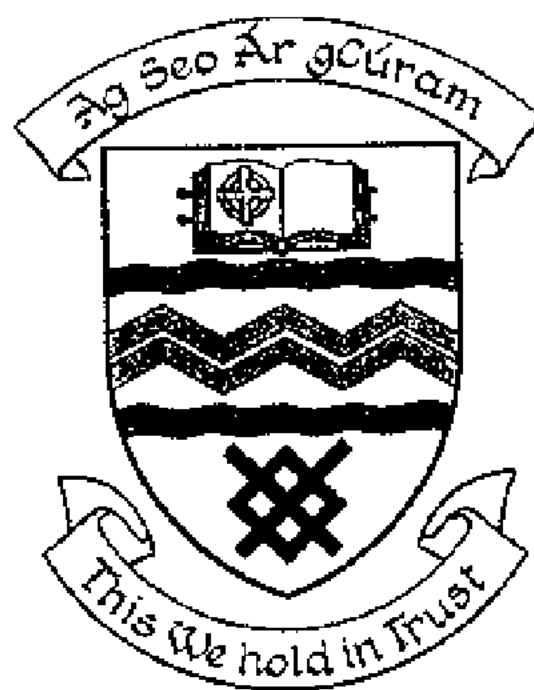
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- 3 The applicant is requested to ensure the maintenance of the original gates and piers on site following the proposed addition of these elements in the Record of Protected Structures.
- 4 In the light of the letter to South Dublin County Council from Duchas, The Heritage Service, dated 10/02/00 which states, inter alia:- "...further research needs to be carried out by you to assess the extent to which the grounds are intrinsic to the special character of the structure", it is considered necessary that the applicant elaborates on this aspect of the Historical Report and Architectural Record submitted as Additional Information on 24/12/99.
- 5 The applicant is requested to submit a revised layout for apartment development on the site ensuring that the structures proposed to be added to the Record of Protected Structures are protected and the setting of Riversdale House is adequately respected. This will result in a reduction in the number of apartments on site. Before submitting a revised layout, the applicant is to ensure that the requirements of the Environmental Services Department, Parks and Landscape Services Department and the South Dublin County Development Plan 1998 are met, including the provision of 2 no. car parking spaces per unit.
- 6 The applicant is requested to submit details of proposed steps to be taken to ensure that Riversdale House is maintained in a watertight condition.
- 7 The applicant is requested to undertake revised public notice procedures and submit a new revised public notice as a result of the proposed addition of Riversdale House and associated features to the Record of Protected Structures and the subsequent revisions required. The applicant is therefore requested to repeat the newspaper and site notice process with a revised notice and submit two (2) no. copies of the page of the newspaper and four (4) copies of the site Notice to the Planning Department.

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Please mark your reply "CLARIFICATION OF ADDITIONAL INFORMATION" and quote the
Planning Reg Ref. No. given above.

Yours faithfully

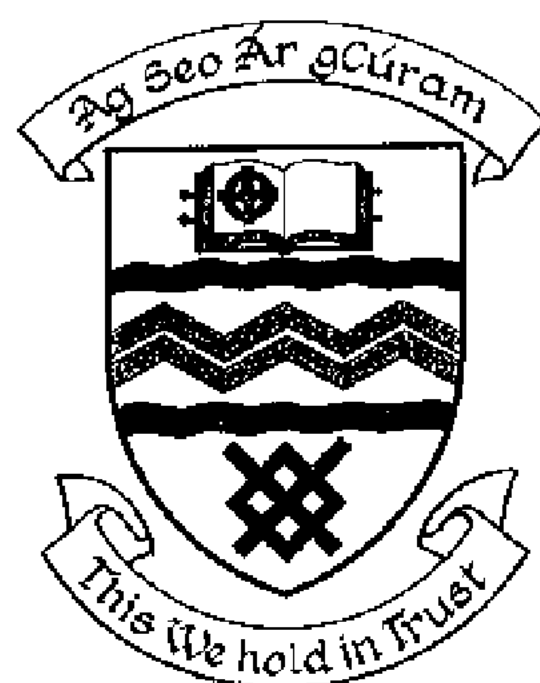
LA
.....
for SENIOR ADMINISTRATIVE OFFICER

22/02/00

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

Decision Order Number 2349	Date of Decision 28/10/1999
Register Reference S99A/0602	Date: 30/08/99

Applicant Begley Clarke,
Development Demolition of existing house and out buildings and derelict gate lodge and the construction of 28 no. 2 bed. apartments in 4 no. two storey and attic blocks with on and off site development works.

Location "Riversdale House", Ballyboden Road, Rathfarnham, Dublin 14.

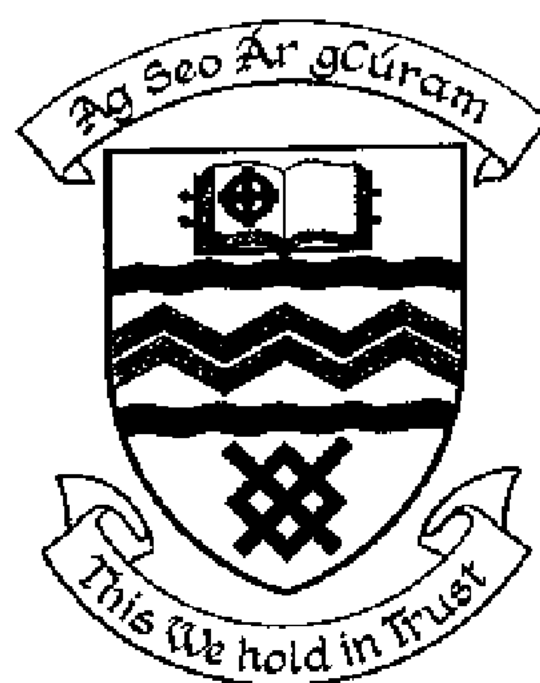
App. Type Permission

Dear Sir/Madam,
With reference to your planning application, received on 30/08/99 in connection with the above, I wish to inform you that before the application can be considered under the Local Government (Planning & Development) Acts 1963-1993, the following **ADDITIONAL INFORMATION** must be submitted in quadruplicate:

- 1 The applicant is requested to submit further details of proposed foul drainage, including pipe sizes, invert, cover and invert levels, up to and including connection to public sewer. The applicant should indicate clearly the proposed point of connection to the public sewer.
- 2 The applicant is requested to submit revised details of the surface water outfall in both plan and section. The applicant is requested to replace the proposed lean mix toe of the retaining wall by a Grade 30 concrete toe, 600 mm in depth. The retaining wall should extend approximately 2m either side of the proposed outfall pipe and each end to be properly anchored into the embankment.
- 3 The applicant is requested to submit details of a revised watermain layout including watermain size, material, sluice and air valves, meter and hydrants, and proposed point of

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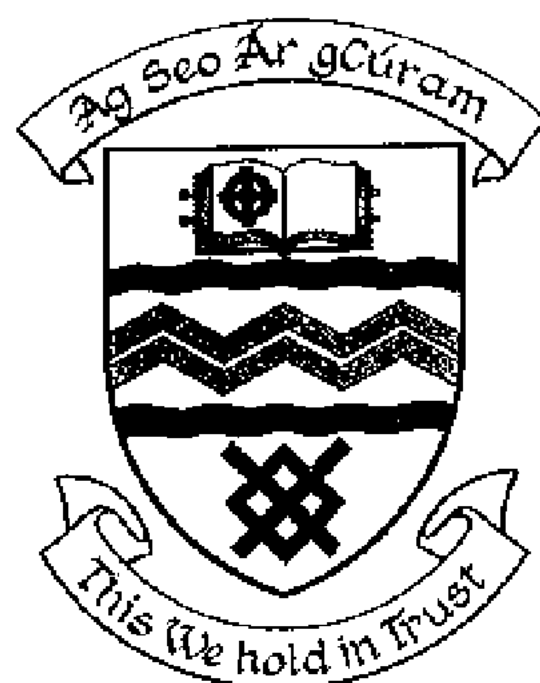
connection to existing watermain. Layout to be in accordance with Part B of 1997 Building Regulations. Watermains to be laid in public open space. No building to lie within 5m of watermains less than 225mm in diameter and within 8m of watermains 225mm or greater in diameter. A hydrant is not to be placed in a car park space as the applicant proposes in Drawing No. 99224-02.

- 4 The applicant is requested to contact the Area Engineer at Deansrath Depot (01) 4570784, for a pressure and flow test on the watermain to which the applicant proposes to connect, in order to determine the availability of water supply for the proposed development. The results of tests to be submitted.
- 5 The applicant is requested to submit a revised parking layout, or revised number of apartments in order to satisfy the Roads Department who require 2 car parking spaces per unit.
- 6 The applicant is requested to submit a revised layout ensuring that the applicable requirements of Sections 3.4.17, 3.4.19 and 3.4.20 of the 1998 South Dublin County Development Plan in relation to open space are met.
- 7 A more comprehensive landscape plan should be submitted and should include full works specification (including timescale for implementation), maintenance programme for a period of at least eighteen (18) months and bill of quantities for the development of the open space. This plan should include grading, topsoiling, seeding, paths, drainage, boundary treatment, planting and street trees planting as necessary. Also to be included is a scheme of tree felling and surgery works based on the applicant's tree survey. These works should be in accordance with the Council's Guidelines for Open Space Development & Taking in Charge which is available from the Parks and Landscape Services Department.
- 8 The applicant is requested to submit a complete and comprehensive history of the original site and grounds. A report should be compiled regarding the history of Riversdale House indicating the original architect, all occupiers and their role in the community, covenants etc. A

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**PLANNING
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full architectural survey should be carried out by a recognised architectural recorder in relation to all buildings and structures on site (i.e. including outhouses, gate lodge, bridge, walls, gates etc).

- 9 The applicant is requested to submit a report on the current structural integrity of all buildings on site, compiled by a suitably qualified structural engineer.
- 10 The applicant is requested to consider submitting a proposal for the linear park facing Ballyboden Road, including the renovation and repair of the original entrance to the site so as to allow the area to be used as public open space.
- 11 The applicant is requested to determine whether or not it is intended to use chimneys on the proposed apartment blocks.
- 12 The applicant is requested to submit details of a Management Agreement for the maintenance and control of the full extent of the site.

Signed on behalf of South Dublin County Council


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for Senior Administrative Officer

28/10/99