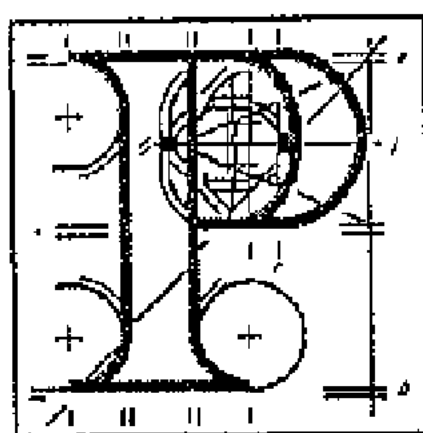


	South Dublin County Council Local Government (Planning & Development) Acts 1963 to 1993 Planning Register (Part 1)	Plan Register No. S99A/0304	
1. Location	Nos 1 & 2 Fox and Geese, Dublin 22.		
2. Development	4,982 Sq. Metres of tele-marketing/information technology/ software development/data processing/offices in one 2- storey, one 3-storey and one 4-storey block together with basement and surface car parking, totalling 202 spaces on a 1.36 acre site.		
3. Date of Application	11/05/99	Date Further Particulars (a) Requested (b) Received	
3a. Type of Application	Permission	1. 08/07/1999 2. 28/10/19	1. 30/08/1999 2. 16/12/19
4. Submitted by	Name: Horan Keogan Ryan, Address: Park Court, 40 Main Street,		
5. Applicant	Name: Mark Elliott, Address: 10 Main Street, Dundrum, Dublin 14.		
6. Decision	O.C.M. No. 0507 Date 13/03/2000	Effect AP GRANT PERMISSION	
7. Grant	O.C.M. No. Date	Effect AP GRANT PERMISSION	
8. Appeal Lodged	27/03/2000	Written Representations	
9. Appeal Decision	26/09/2000	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/0304

APPEAL by S. and Norah C. Carlson of Mount Carmel, Fox and Geese, Dublin and by others and by Mark Elliott care of Horan Keogan Ryan of Carnegie House, Library Road, Dun Laoghaire, County Dublin against the decision made on the 13th day of March, 2000 by the Council of the County of South Dublin to grant subject to conditions a permission to the said Mark Elliott for development comprising 3,339.96 square metres of tele-marketing/information technology/software development/data processing/offices in one two-storey and one three-storey block together with surface car parking totalling 132 spaces together with the demolition of two existing houses at Numbers 1 and 2 Fox and Geese, Dublin:

DECISION: Pursuant to the Local Government (Planning and Development) Acts, 1963 to 1999, permission is hereby refused for the said development for the reasons set out in the Schedule hereto.

SCHEDULE

1. Having regard to the substandard nature of Club Road and Robinhood Road and to the restricted sightlines at the junction of those roads, it is considered that the traffic movements generated by the proposed development would endanger public safety by reason of traffic hazard.
2. The proposed development would be premature pending the determination of an improved road layout in the Robinhood Road area or in the Naas Road area in the vicinity of the site.



Brian Hunt

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

Dated this *26th* day of *September* 2000.

	South Dublin County Council Local Government (Planning & Development) Acts 1963 to 1993 Planning Register (Part 1)	Plan Register No. S99A/0304	
1. Location	Nos 1 & 2 Fox and Geese, Dublin 22.		
2. Development	4,982 Sq. Metres of tele-marketing/information technology/ software development/data processing/offices in one 2- storey, one 3-storey and one 4-storey block together with basement and surface car parking, totalling 202 spaces on a 1.36 acre site.		
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3a. Type of Application	Permission	1. 08/07/1999 2. 28/10/19	1. 30/08/1999 2. 16/12/19
4. Submitted by	Name: Horan Keogan Ryan, Address: Park Court, 40 Main Street,		
5. Applicant	Name: Mark Elliott, Address: 10 Main Street, Dundrum, Dublin 14.		
6. Decision	O.C.M. No. 0507 Date 13/03/2000	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 0507	Date of Decision 13/03/2000
Register Reference S99A/0304	Date: 11/05/99

Applicant Mark Elliott,

Development 4,982 Sq. Metres of tele-marketing/information technology/
software development/data processing/offices in one 2-
storey, one 3-storey and one 4-storey block together with
basement and surface car parking, totalling 202 spaces on a
1.36 acre site.

Location Nos 1 & 2 Fox and Geese, Dublin 22.

Floor Area Sq Metres

Time extension(s) up to and including 14/03/2000

Additional Information Requested/Received 08/07/1999 /30/08/1999

Clarification of Additional Information Requested/Received 28/10/1999 / 16/12/
1999

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 (23) on the attached Numbered Pages.
Signed on behalf of the South Dublin County Council.

..... 13/03/00
for SENIOR ADMINISTRATIVE OFFICER

Horan Keogan Ryan,
Park Court,
40 Main Street,
Blackrock,
Co. Dublin.

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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,
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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 on 20/05/99 and 03/03/00, Additional Information received on 30/08/99 and Clarification of Additional Information received on 16/12/99, 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 prior to commencement of development the requirements of the Chief Fire Officer be ascertained and strictly adhered to in the development.
REASON:
In the interest of safety and the avoidance of fire hazard.
- 3 The following requirements of the Supervising Environmental Health Officer shall be strictly adhered to in the development:-
 - (i) All offices shall have adequate ventilation to the external air;
 - (ii) All internal toilets shall have a system of mechanical extract ventilation;
 - (iii) All internal lobbies to toilets shall have a system of mechanical supply ventilation;
 - (iv) A drinking water supply point shall be provided in each office. The water supply shall be taken direct from the rising main;
 - (v) Adequate number of sanitary accommodation shall be provided to cater for the proposed number of male and female employees in each office.
REASON:
In the interests of public health.
- 4 That the water supply and drainage arrangements, including the disposal of surface water, be in accordance with the

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Baile Átha Cliath 24.

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



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

Telephone: 01-414 9000
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requirements of the South Dublin County Council.

REASON:

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

- 5 That no industrial effluent be permitted without prior
approval from Planning Authority.

REASON:

In the interest of health.

- 6 That the area between the building and roads must not be
used for truck parking or other storage or display purposes,
but must be reserved for car parking and landscaping as
shown on lodged plans.

REASON:

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

- 7 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.

- 8 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.

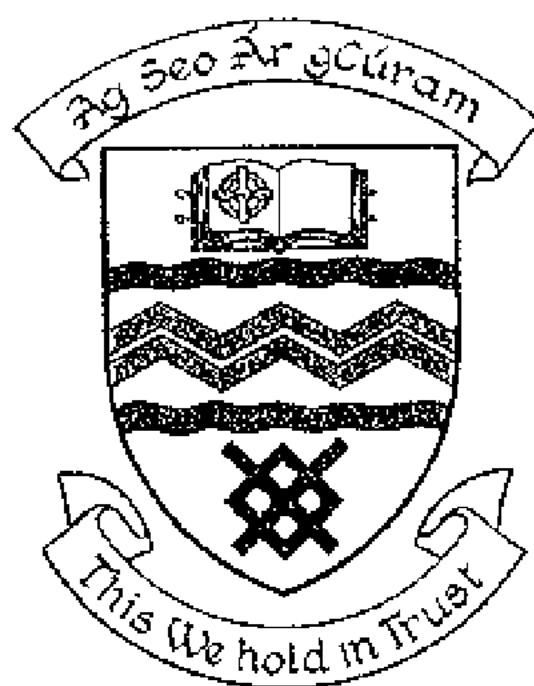
- 9 That all public services to the proposed development,
including electrical, telephone cables and equipment be
located underground throughout the entire site.

REASON:

In the interest of amenity.

- 10 During the construction phase no heavy construction
equipment/machinery (to include pneumatic drills,
construction vehicles, generators, etc.), shall be operated
on or adjacent to the construction site before 08:00hrs. on

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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

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weekdays and 09:00hrs. on Saturdays nor after 18:00hrs on weekdays and 13:00hrs. on Saturdays, nor at any time on Sundays, Bank Holidays or Public Holidays.

REASON:

In the interest of residential amenity.

- 11 In the construction phase there shall be compliance with B.S.5228 Noise Control on Construction and Open Sites.

REASON:

In the interest of residential amenity.

- 12 During the construction phase of the development, Best Practicable Means shall be employed to minimise air blown dust 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.

REASON:

In the interest of residential amenity.

- 13 The developer shall ensure that the external lighting system is designed to minimise glare and spillage.

REASON:

In the interest of amenity and road safety.

- 14 All first floor windows in the south east side elevation of the two storey building shall be glazed with obscured glass.

REASON:

In the interest of residential amenity.

- 15 Full details and samples of the proposed external facing and roofing materials shall be submitted to and agreed by the Planning Authority before development commences.

REASON:

In the interest of visual amenity.

- 16 The applicant shall comply with the following requirements of the Environmental Services Department:-

- (i) As regards drainage all pipes shall be laid with a minimum cover of 1.2 metres in roads, footpaths and driveways and 0.9 metres in open space. Where it is not possible to achieve these minimum covers, pipes shall be bedded and surrounded in C20 concrete 150mm

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Bosca 4122,
Lár an Bhaile, Tamhlacht,
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Telefon: 01-414 9000
Facs: 01-414 9104



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- thick.
- (ii) The applicant shall ensure complete and full separation of foul and surface water drainage systems.
 - (iii) The applicant proposes to divert a 750mm foul sewer. This diversion shall be carried out by South Dublin County Council personnel at the applicants' prior expense. (contact Area Engineer, Deansrath Depot).
 - (iv) As regards water supply a separate connection is required for the development.
 - (v) The applicant shall provide facilities for the 24 hour storage of water.
 - (vi) Water metering arrangements shall be in accordance with South Dublin County Councils' requirements.
 - (vii) The applicant may need to install balancing tanks and booster pumps on the rising main to the top of the 3 storey block.
 - (viii) The watermain layout shall be approved by the Chief Fire Officer and shall comply with Part B of the Building Regulations 1997.

REASON:

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

- 17 That all watermain tappings, 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.

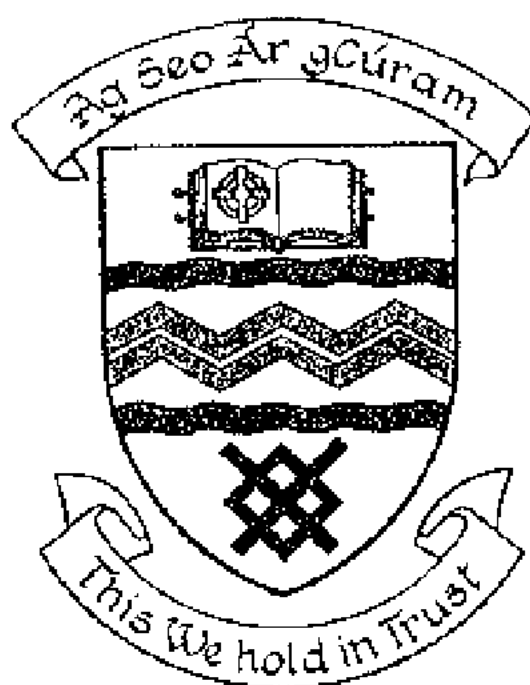
- 18 Details of the proposed occupier(s) of the premises and the nature of the use to which they put the premises and any proposed subdivision of the premises shall be submitted to and agreed by the Planning Authority before the occupier(s) take up occupation or subdivision occurs.

REASON:

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Lár an Bhaile, Tamhlacht,
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Facs: 01-414 9104



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P.O. Box 4122,
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In the interests of the proper planning and development of the area.

- 19 The access shall be constructed to the satisfaction of the Area Engineer, Roads Maintenance.

REASON:

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

- 20 Surface water shall be drained to the Robinhood Stream as indicated in unsolicited additional information received on 03/03/00. Full details of this shall be submitted to and agreed with the Environmental Services Department before development commences.

REASON:

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

- 21 That a financial contribution in the sum of £24,914 (twenty four thousand nine hundred and fourteen pounds) EUR 31,634 (thirty one thousand six hundred and thirty four 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:

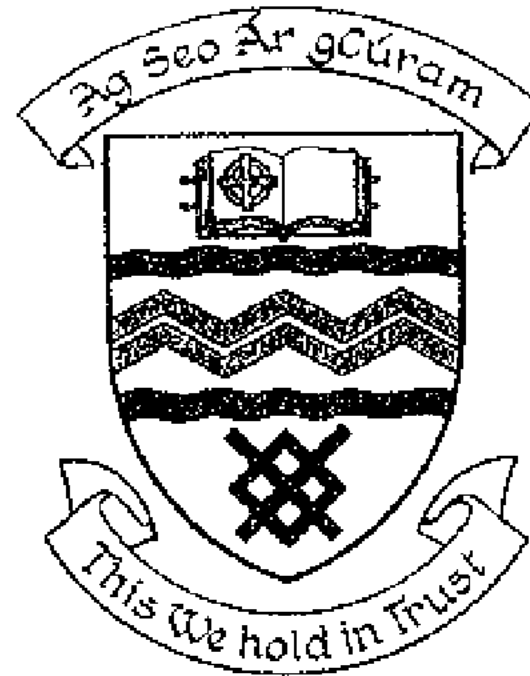
The provision of such services in the area by the Council will facilitate the proposed development. It is considered reasonable that the developer should contribute towards the cost of providing the services.

- 22 That a financial contribution in the sum of £64,805 (sixty four thousand eight hundred and six pounds) EUR 82,286 (eighty two thousand two hundred and eighty 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

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Lár an Bhaile, Tamhlacht,
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Facs: 01-414 9104

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Town Centre, Tallaght,
Dublin 24.

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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.

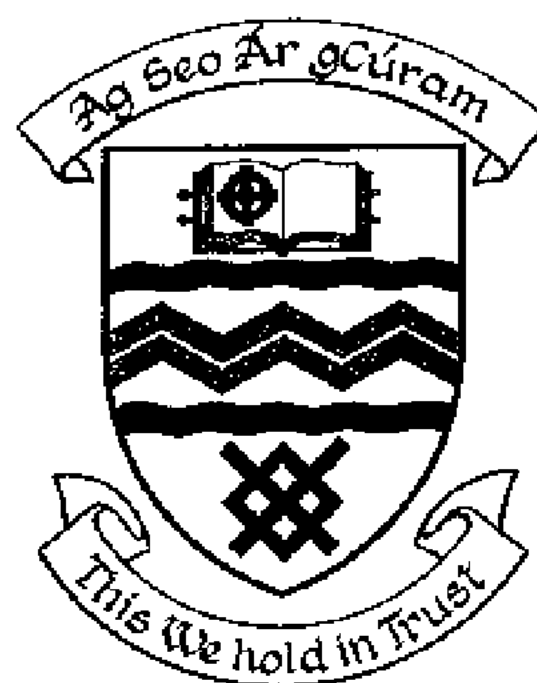
- 23 Before development is commenced under any permission granted pursuant to this decision, the developer shall lodge with South Dublin County Council a cash deposit, a bond of an insurance company or other security to the value of £10,000 (ten thousand pounds) EUR 12,700 (twelve thousand seven hundred euros) 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:

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

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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

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

Decision Order Number 0288	Date of Decision 14/02/2000
Register Reference S99A/0304	Date 11/05/99

Applicant Mark Elliott,
App. Type Permission
Development 4,982 Sq. Metres of tele-marketing/information technology/
software development/data processing/offices in one 2-
storey, one 3-storey and one 4-storey block together with
basement and surface car parking, totalling 202 spaces on a
1.36 acre site.

Location Nos 1 & 2 Fox and Geese, Dublin 22.

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 14/03/2000

Yours faithfully

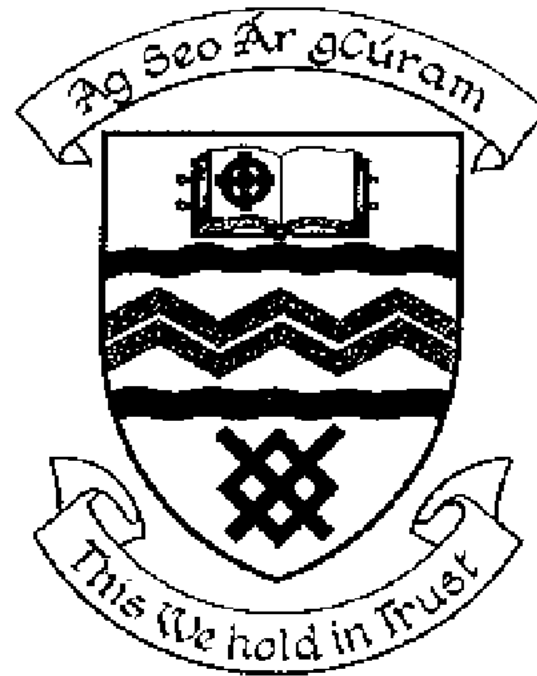
..... 14/02/00
for SENIOR ADMINISTRATIVE OFFICER

Horan Keogan Ryan,
Park Court,
40 Main Street,
Blackrock,
Co. Dublin.

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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

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

Decision Order Number 1434	Date of Decision 08/07/1999
Register Reference S99A/0304	Date: 11/05/99

Applicant Mark Elliott,
Development 4,982 Sq. Metres of tele-marketing/information technology/
software development/data processing/offices in one 2-
storey, one 3-storey and one 4-storey block together with
basement and surface car parking, totalling 202 spaces on a
1.36 acre site.

Location Nos 1 & 2 Fox and Geese, Dublin 22.

App. Type Permission

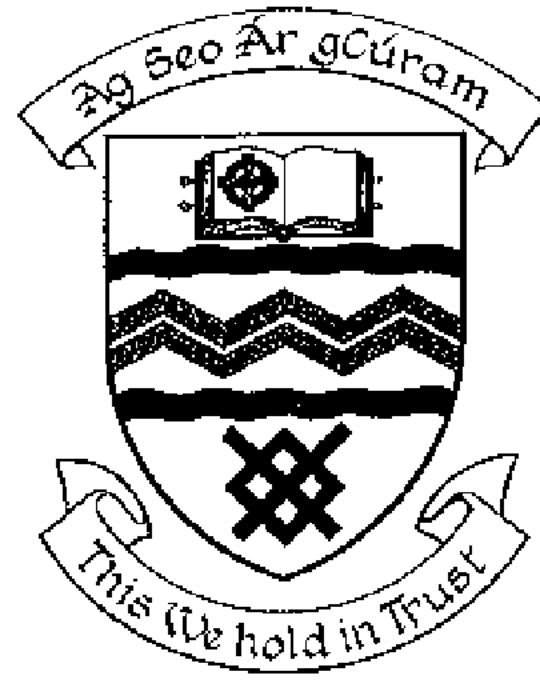
Dear Sir/Madam,

With reference to your planning application, received on 11/05/99 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 revised site layout plans showing the position of the nearest house in Club Road and the Electrolux premises.
- 2 The applicant is requested to submit revised plans showing the size of the development reduced approximately to 60% of its present size i.e. to a car parking requirement of 120 cars as further development could only be considered when Club Road is improved.
- 3 The applicant is requested to submit revised plans indicating Block 3 set back approximately 20 metres from the boundary with the Naas Road so as to allow for sufficient landscaping and parking space between the building and the road, to improve the visual effect of the building on the locality and to reflect the emerging building line in the area.

Horan Keogan Ryan,
Park Court,
40 Main Street,
Blackrock,
Co. Dublin.

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COMHAIRLE CHONTAE ÁTHA CLIATH THEAS**



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

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

Bosca 4122,
Lár an Bhaile, Tamhlacht,
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Telefon: 01-414 9000
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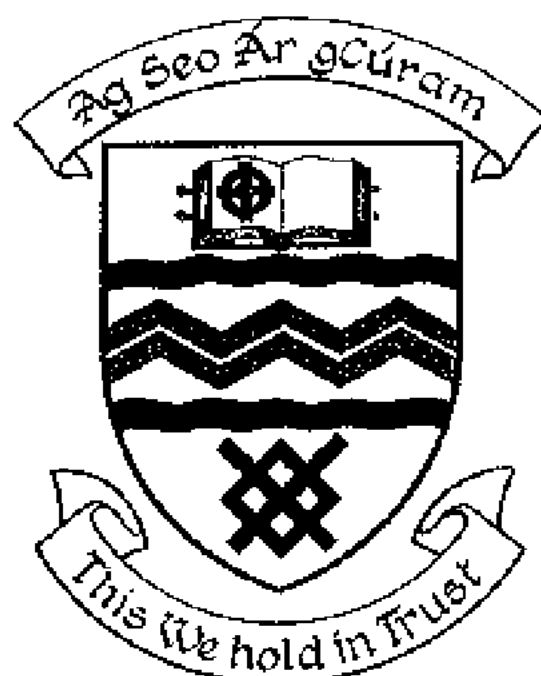
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- 4 The revised plans should also provide for:-
- (i) the access to the basement car park moved further away from the nearest house in Club Road;
 - (ii) measures to ensure no undue overlooking of the houses and gardens on club road. In this regard cross sections of the site and the nearest houses should be included to demonstrate the impact;
 - (iii) The existing Ash tree in the north west corner of the main part of the site to be retained unless the applicant provides evidence that the condition or stability of the tree is such that retention is not warranted.
- 5 The applicant is requested to submit plans of proposed landscaping, the proposed boundary treatment of the visitor parking area, and the proposed treatment of the pedestrian only access at the north western end of Club Road. The applicant is requested to clarify that unimpeded public pedestrian access is intended along Club Road and through the pedestrian access to the Naas Road as at present.
- 6 The applicant is requested to clarify whether the address of the site is No. 1 and No. 2 Fox and Geese Dublin 22 as stated in the application or whether the address is No. 1 and No. 2 Fox and Geese, Dublin 12. Given the extent of the required changes to the proposed development, the applicant is requested to re-advertise the proposal, by site notice and in a relevant newspaper, and to submit evidence of same. The revised notices should also refer to the proposal to demolish 2 no. houses.
- 7 The applicant is requested to clarify the intended situation as regards existing pole mounted cables at the site.
- 8 The applicant is requested to submit revised foul drainage layout plans which ensure the following:-
- 1) From the connection from Block 3, the foul sewer must be upgraded to a 225mm diameter;
 - 2) Gradients are to be given on suspended drains from Blocks 1 & 2. Cover and Invert levels are to be given for all manholes up to and including connection to public sewer;
 - 3) Details are to be submitted of the proposed method of protection of the suspended drains.

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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,
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Telephone: 01-414 9000
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- 9 The applicant is requested to submit revised details/plans in respect of surface water drainage as follows:-
- 1) Gradients are to be given on suspended drains. Cover and Invert levels are to be provided on all manholes up to and including connection to the public sewer;
 - 2) Details are to be submitted of the proposed method of protection of the suspended drains.
- 10 The applicant is requested to submit a detailed proposed watermain layout indicating watermain sizes, valve, meter and hydrant layout, proposed point of connection to existing watermains.

The applicant shall ensure that:-

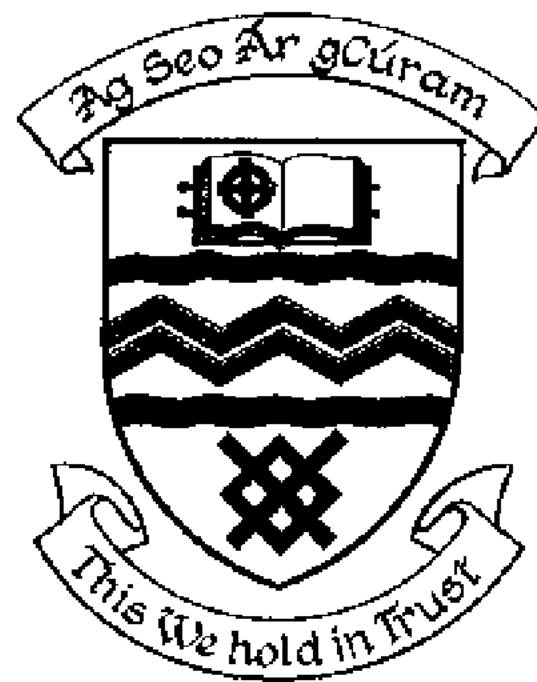
- 1) Watermains shall be laid in accessible open areas;
- 2) No building shall lie within 5m of watermains less than 225mm diameter and within 8m of watermains greater than 225mm diameter.

Signed on behalf of South Dublin County Council

fit
.....
for Senior Administrative Officer

09/07/99

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

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

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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

Decision Order Number 2353	Date of Decision 28/10/1999
Register Reference S99A/0304	Date 11/05/99

Applicant Mark Elliott,
App. Type Permission
Development 4,982 Sq. Metres of tele-marketing/information technology/
software development/data processing/offices in one 2-
storey, one 3-storey and one 4-storey block together with
basement and surface car parking, totalling 202 spaces on a
1.36 acre site.

Location Nos 1 & 2 Fox and Geese, Dublin 22.

Dear Sir / Madam,

With reference to your planning application, additional information 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 and Development) Acts 1963 - 1993, the following Clarification of Additional Information must be submitted in quadruplicate:

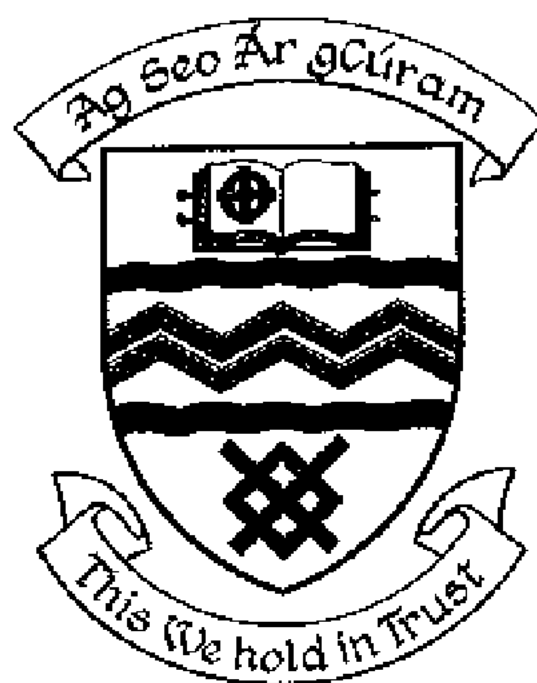
- 1 In respect of Item 2 of the request for Additional Information a reduction of the proposed to 67% of its original proposed size does not sufficiently meet the requirement of reducing the development to 60% of its original proposed size. The applicant is requested to submit revised plans showing the development reduced to 60-62% of its original proposed size.
- 2 In respect of Item No. 3 of the request for Additional Information the applicant is requested to submit revised plans indicating a further set back of Block 2 up to 20

Horan Keogan Ryan,
Park Court,
40 Main Street,
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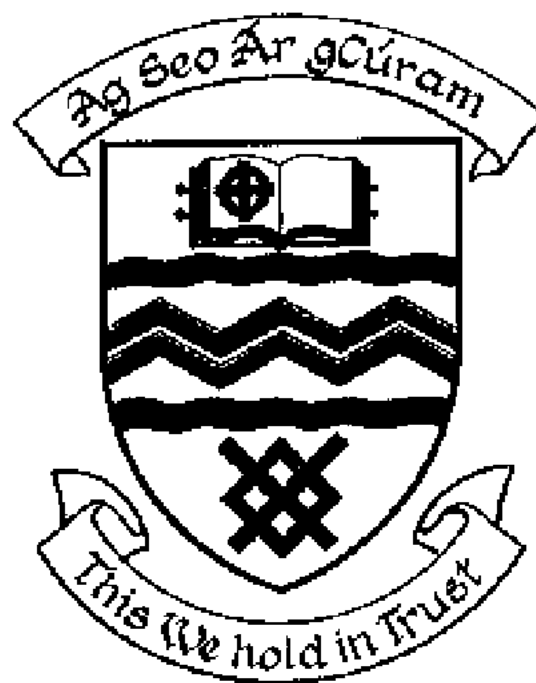
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REG REF. S99A/0304

- metres from the Naas Road so as to allow for more landscaping along the Naas Road frontage.
- 3 In respect of Item No. 8 of the request for Additional Information dated 11th of May 1999 (foul drainage)
- (a) The applicant is requested to submit an amended design of the diverted foul sewer ensuring that a 5 metre distance is achieved between the proposed development and the foul sewer along the complete length of the diverted sewer.
 - (b) The applicant is requested to submit an amended design of the diverted foul ensuring that a bend of no greater than 30 degrees is used.
 - (c) The applicant is requested to demonstrate that there is no loss in capacity in the proposed diverted foul sewer.
- 4 In respect of Item No. 9 of the request for Additional Information dated 11th of May 1999 (Surface Water Drainage)
- (a) The applicant is requested to submit a design showing a gradient from the last manhole to the public sewer.
 - (b) The applicant is requested to submit details of the surface water design drainage design.
- 5 In respect of Item No. 9 of the request for Additional Information dated 11th of May 1999 (Water Supply).
- (a) The applicant is requested to submit a detailed watermain layout indicating watermain sizes, valves, meter and hydrant layout for the entire development.

NOTE: The applicant is advised that the proposed development should not be located within 5 metres of a watermain less than 225mm in diameter and within 8 metres of a watermain which is greater than 225mm in diameter. No part of the development shall be over 46m from a hydrant and water mains shall be laid in easily accessible open areas.

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

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

Yours faithfully

MA

.....
for SENIOR ADMINISTRATIVE OFFICER

28/10/99