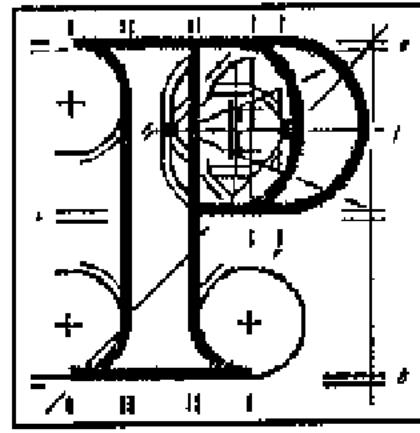


	South Dublin County Council Local Government (Planning & Development) Acts 1963 to 1993 Planning Register (Part 1)		Plan Register No. S99A/0186	
1. Location	Site adjoining 'Rathinree', Esker Lane, Ballydowd, Lucan, Co. Dublin.			
2. Development	Erection of 21 no. apartments and 9 no. duplex units comprising 3 no. 2 storey blocks with accommodation in roof space and using access off Esker Lane.			
3. Date of Application	26/03/99	Date Further Particulars (a) Requested (b) Received		
3a. Type of Application	Permission	1. 24/05/1999 2.	1. 09/07/1999 2.	
4. Submitted by	Name: Oliver Ganly Architect, Address: St. Anthony's, Ballydowd,			
5. Applicant	Name: E. & N. Hickey, Address: 'Rathinree', Esker Lane, Ballydowd, Lucan, Co. Dublin.			
6. Decision	O.C.M. No. 1945 Date 07/09/1999	Effect AP GRANT PERMISSION		
7. Grant	O.C.M. No. Date	Effect AP GRANT PERMISSION		
8. Appeal Lodged	05/10/1999	Written Representations		
9. Appeal Decision	04/05/2000	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/0186

APPEAL by Timothy Griffin and others of 25 Beech Grove, Lucan, County Dublin and by Andrew Fogarty and others of 17 Woodville Grove, Lucan, County Dublin against the decision made on the 7th day of September, 1999 by the Council of the County of South Dublin to grant subject to conditions a permission to E. and N. Hickey care of Oliver J. Ganly of Saint Anthony's, Ballydowd, Lucan, County Dublin for development comprising the construction of 21 number apartments and nine number duplex units comprising three number two-storey blocks with accommodation in roof space and using access off Esker Lane on lands adjoining "Rathinree", Esker Lane, Ballydowd, Lucan, 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 of the current development plan for the area and the pattern of development in the vicinity, 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 or of property in the vicinity, would be acceptable in terms of traffic safety and convenience and would be in accordance with the proper planning and development of the area.

SECOND SCHEDULE

1. (1) The development shall be carried out in accordance with the plans and particulars lodged with the application, as amended by the documentation received by the planning authority on the 9th day of July, 1999, except as may otherwise be required in order to comply with the following conditions.

7. A solid wall or obscure glazed structure (not less than 1.8 metres in height) shall be erected at the southern end of the first floor access deck in Block 1 of the proposed development to a specification and finish to be agreed with the planning authority.

Reason: In the interest of residential amenity.

8. 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.

9. 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.

10. 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.

11. Prior to commencement of development, a management scheme providing adequate measures relating to the future maintenance of private open spaces, roads and communal areas in a satisfactory manner shall be submitted to the planning authority for agreement.

Reason: In the interest of residential amenity.

12. 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.

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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 1945	Date of Decision 07/09/1999
Register Reference S99A/0186	Date: 26/03/99

Applicant E. & N. Hickey,

Development Erection of 21 no. apartments and 9 no. duplex units comprising 3 no. 2 storey blocks with accommodation in roof space and using access off Esker Lane.

Location Site adjoining 'Rathinree', Esker Lane, Ballydowd, Lucan, Co. Dublin.

Floor Area Sq Metres

Time extension(s) up to and including

Additional Information Requested/Received 24/05/1999 /09/07/1999

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

..... 07/09/99
for SENIOR ADMINISTRATIVE OFFICER

Oliver Ganly Architect,
St. Anthony's,
Ballydowd,
Lucan,
Co. Dublin.

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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 on 09/07/99, 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 the water supply and drainage arrangements, including the disposal of surface water, be in accordance with the requirements of the County Council. In this regard the developer shall submit for the approval of the Area Engineer, Deansrath Depot a watermain layout drawing indicating proposed watermain sizes, valve, meter and hydrant layout and proposed points of connection to the existing watermain, prior to commencement of development.

REASON:

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

- 3 That as part of the development the developer shall carry out the upgrading of Esker Lane from the bottom of the pedestrian outbound ramp to site entrance providing for:-

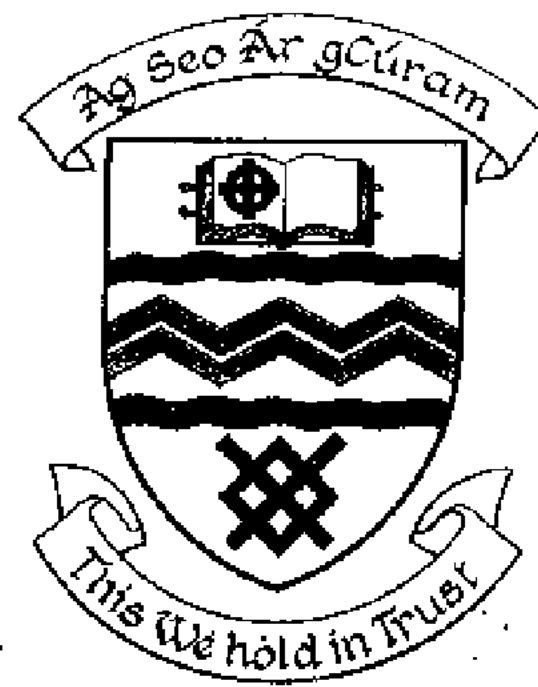
- (a) a 5.5 wide road (strengthening and surfacing works to be agreed in writing before works commence);
- (b) the piping of the open ditch with pipes of adequate size/strength to the satisfaction of the Environmental Services Department and Area Engineer Road Maintenance Section, South Dublin County Council;
- (c) a 1.8m wide footpath on the west side and kerblines on the east side (the piers at existing house entrance may need to be relocated);
- (d) road gullies to be provided at not greater than 40 metres apart and manholes, not greater than 80 metres apart.

REASON:

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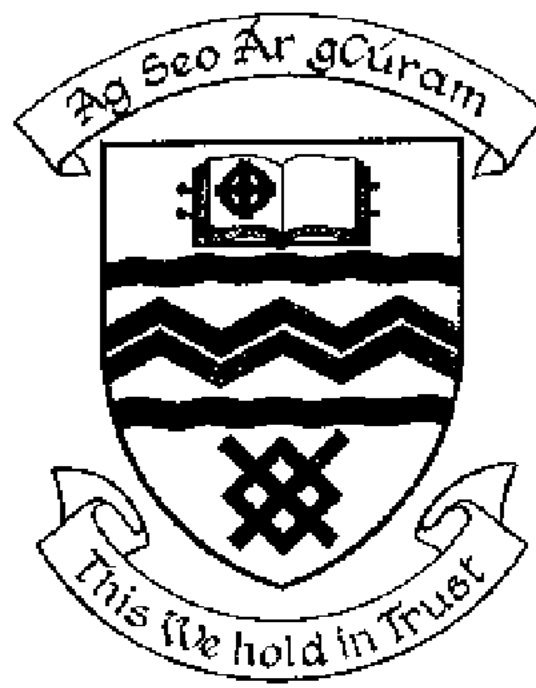
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To comply with the requirements of the Roads Department,
South Dublin County Council.

- 4 That prior to development commencing the developer shall submit details of a scheme of tree felling and surgery works based on the tree survey submitted as part of the application. Post and rail fencing to the requirements of the Parks and Landscaping Services Department shall be erected to protect trees to be retained.
REASON:
In the interest of amenity.
- 5 That the exact location of the water main and foul and surface water sewers shall be marked out on site and agreed with Parks and Landscaping Services Department, South Dublin County Council, prior to the commencement of works.
REASON:
To minimise the impact of the development on existing trees to be retained in the interest of amenity.
- 6 That prior to the commencement of development full details of the proposed open space and site boundary treatments shall be submitted for the written agreement of the Planning Authority.
REASON:
In the interest of amenity.
- 7 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.
- 8 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.
- 9 That no dwellinghouse be occupied until all the services have been connected thereto and are operational.

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REASON:

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

- 10 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.

- 11 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.

- 12 That an acceptable development naming and apartment numbering scheme be submitted to and approved by the County Council before any constructional work takes place on the proposed apartments/units.

REASON:

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

- 13 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.

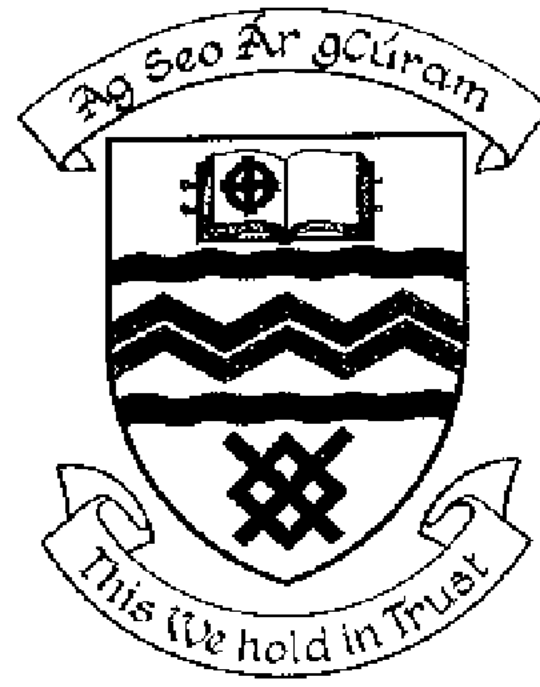
REASON:

To protect the amenities of the area.

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- 14 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.

- 15 That a financial contribution in the sum of £600 (six hundred pounds) PER APARTMENT/DUPLEX 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.

- 16 That a financial contribution in the sum of £2,100 (two thousand one hundred pounds) PER APARTMENT/DUPLEX 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:

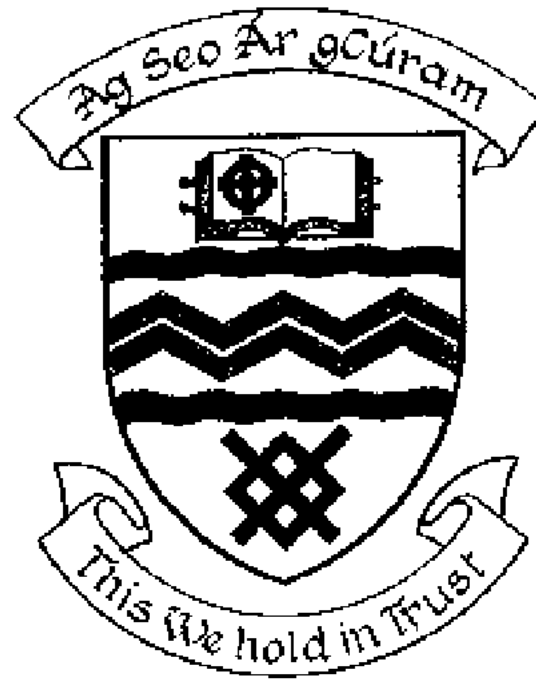
It is considered reasonable that the developer should contribute towards the expenditure that was incurred and/or that is proposed to be incurred by the Council on road improvement works and traffic management schemes facilitating the proposed development.

- 17 That a Bond or Cash Lodgement of £20,000 (twenty thousand pounds) shall be lodged with the Planning Authority before development commences to ensure the protection of trees on the site and to repair any damage caused during the construction period.

REASON:

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

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18 That a financial contribution in the sum of £500 (five hundred pounds) PER APARTMENT/DUPLEX UNIT be paid by the proposer to South Dublin County Council towards the cost of the development and improvement of Class 1 public open space at Willsbrook 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.

19 That a financial contribution in the sum of £50 (fifty pounds) PER APARTMENT/DUPLEX UNIT be paid by the proposer to South Dublin County Council towards the cost of remedial works to the Griffeen River which will facilitate 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 developer should contribute towards the cost of the works.

20 That a financial contribution in the sum of £100 (one hundred pounds) PER APARTMENT/DUPLEX UNIT 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.

21 That a financial contribution in the sum of £400 (four hundred pounds) PER APARTMENT/DUPLEX UNIT be paid by the proposer to South Dublin County Council towards the cost of Lucan/Palmerstown High Level Water Supply Scheme which will facilitate this development; this contribution to be paid before the commencement of development on site.

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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.

- 22 That no development under any permission granted pursuant to this decision be commenced until security for the provision and satisfactory completion of services, kerbs, grass margin and footpath fronting the site has been given by lodgement with the Council of an approved Insurance Company Bond in the sum of £140,000 (one hundred and forty thousand pounds) or lodgement with the Council of a cash sum of £85,000 (eighty five thousand pounds).

REASON:

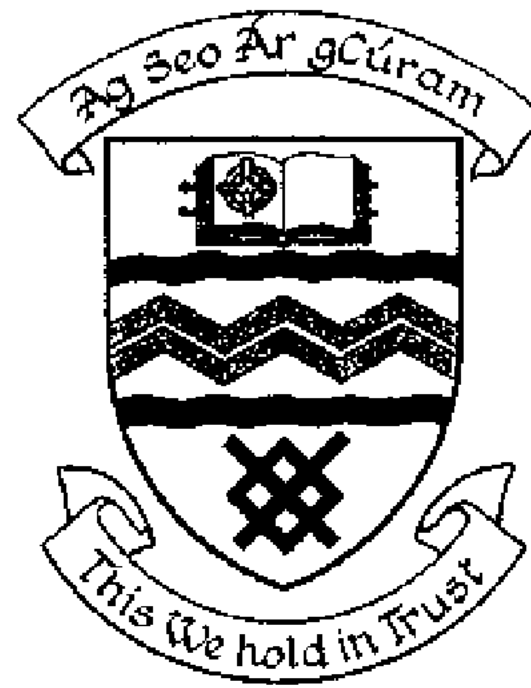
To ensure that a ready sanction may be available to induce the provision of services and prevent disamenity in the development.

	South Dublin County Council Local Government (Planning & Development) Acts 1963 to 1993 Planning Register (Part 1)	Plan Register No. S99A/0186
1. Location	Site adjoining 'Rathinree', Esker Lane, Ballydowd, Lucan, Co. Dublin.	
2. Development	Erection of 21 no. apartments and 9 no. duplex units comprising 3 no. 2 storey blocks with accommodation in roof space and using access off Esker Lane.	
3. Date of Application	26/03/1999	Date Further Particulars (a) Requested (b) Received
3a. Type of Application	Permission	1. 24/05/1999 2. 1. 2.
4. Submitted by	Name: Oliver Ganly Architect, Address: St. Anthony's, Ballydowd,	
5. Applicant	Name: E. & N. Hickey, Address: 'Rathinree', Esker Lane, Ballydowd, Lucan, Co. Dublin.	
6. Decision	O.C.M. No. 1079 Date 24/05/1999	Effect FI REQUEST ADDITIONAL INFORMATION
7. Grant	O.C.M. No. Date	Effect FI REQUEST ADDITIONAL INFORMATION
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.

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

Decision Order Number 1079	Date of Decision 24/05/1999
Register Reference S99A/0186	Date: 26/03/1999

Applicant Development E. & N. Hickey,
Erection of 21 no. apartments and 9 no. duplex units
comprising 3 no. 2 storey blocks with accommodation in roof
space and using access off Esker Lane.

Location Site adjoining 'Rathinree', Esker Lane, Ballydowd, Lucan,
Co. Dublin.

App. Type Permission

Dear Sir/Madam,

With reference to your planning application, received on 26/03/1999 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 advised that the foul and surface water sewers into which connection is proposed have not been taken in charge. Written evidence of consent to connect to same is required.
- 2 The applicant is requested to submit the following details:
 - (a) Full details of the foul and surface water drainage including pipe sizes, cover and invert levels up to and including connection to the sewers;
 - (b) Details of surface water drainage of entrance roadway;
 - (c) Watermain layout drawing indicating proposed watermain sizes, valve and hydrant layout, proposed points of connections to existing watermains.
- 3 The applicant is requested to submit a detailed tree and vegetation survey indicating the location, species age,

Oliver Ganly Architect,
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Ballydowd,
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condition, crown spread and height of trees. Information should be given on the proposals for removal/retention of these trees and measures to protect them during the course of the development.

- 4 The applicant is requested to submit a detailed landscaping plan with plans of proposed treatment along the site boundaries where the development adjoins Esker Lane, private boundaries, school lands and the open space at Beech Grove Estate. The details should include measures to protect existing vegetative screens and new proposed walls and railings. A full works specification should be submitted in support.
- 5 The applicant is requested to submit the floor plans for block 2.
- 6 In the opinion of the Planning Authority the close proximity of proposed external stairs to adjoining property is likely to result in an unacceptable reduction in residential amenity. The applicant is requested to submit a revised site layout to provide for an adequate degree of separation to safeguard residential amenity, having regard to the zoning objective which is 'A' "to protect and/or improve residential amenity".

NOTE: The applicant should examine the possibility of draining the surface water to outfall at the pedestrian bridge entrance to site.

Signed on behalf of South Dublin County Council

AA
.....
for Senior Administrative Officer

24/05/1999