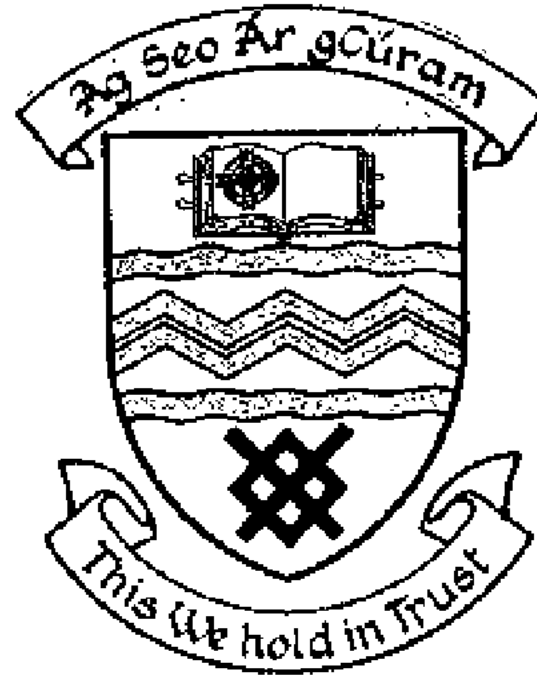


	South Dublin County Council Local Government (Planning & Development) Acts 1963 to 1993 Planning Register (Part 1)	Plan Register No. S99A/0108	
1. Location	Lands bounded by Ballyowen Road and the Outer Ring Road, Lucan.		
2. Development	For 39 detached and semi-detached houses in two stories being phase 2 of an overall development (phase 1 is under construction).		
3. Date of Application	23/02/1999	Date Further Particulars (a) Requested (b) Received	
3a. Type of Application	Permission	1. 2.	1. 2.
4. Submitted by	Name: McCrossan O'Rourke Architects, Address: 12 Richmond Row, Portobello Harbour,		
5. Applicant	Name: Fitzgibbon Bros. Ltd., Address: Willsbrook, Lucan, Co. Dublin.		
6. Decision	O.C.M. No. 0794 Date 22/04/1999	Effect AP GRANT PERMISSION	
7. Grant	O.C.M. No. 1161 Date 03/06/1999	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.	

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McCrossan O'Rourke Architects,
12 Richmond Row,
Portobello Harbour,
Dublin 8.

NOTIFICATION OF GRANT OF Permission

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

Final Grant Order Number 1161	Date of Final Grant 03/06/1999
Decision Order Number 0794	Date of Decision 22/04/1999
Register Reference S99A/0108	Date 23rd February 1999

Applicant Fitzgibbon Bros. Ltd.,

Development For 39 detached and semi-detached houses in two stories
being phase 2 of an overall development (phase 1 is under
construction).

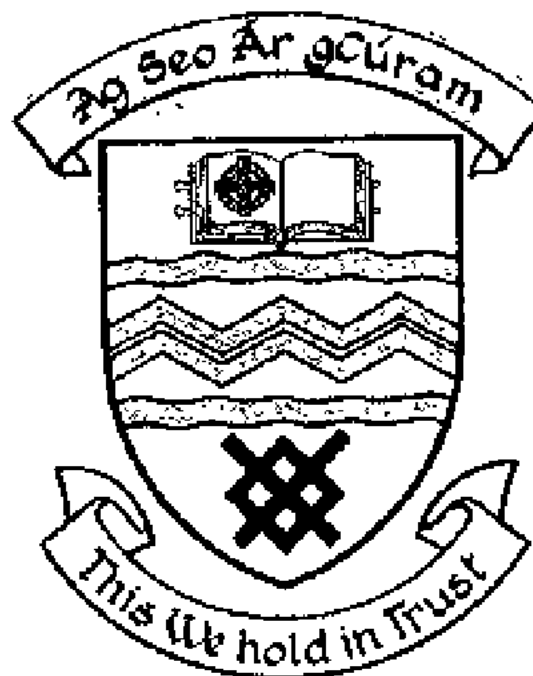
Location Lands bounded by Ballyowen Road and the Outer Ring Road,
Lucan.

Floor Area 5055.00 Sq Metres
Time extension(s) up to and including
Additional Information Requested/Received /

A Permission has been granted for the development described above,
subject to the following (26) Conditions.

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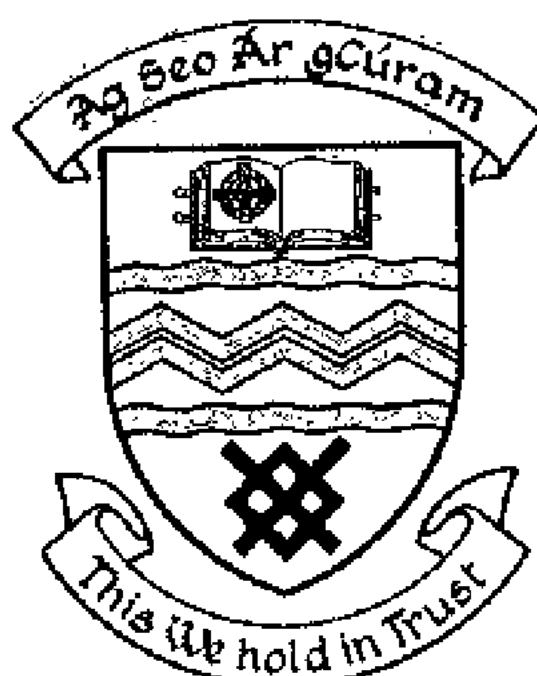
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Conditions and Reasons

- 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 That a financial contribution in the sum of £28,800 (twenty eight thousand eight hundred pounds) 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.
- 3 That all necessary measures be taken by the contractor to prevent the spillage or deposit of clay, rubble or other debris on adjoining roads during the course of the works.
REASON:
To protect the amenities of the area.
- 4 That all public services to the proposed development, including electrical, telephone cables and equipment be located underground throughout the entire site.
REASON:
In the interest of amenity.
- 5 That public lighting be provided as each street is occupied in accordance with a scheme to be approved by the County Council so as to provide street lighting to the standard required by South Dublin County Council.
REASON:
In the interest of amenity and public safety.
- 6 That 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.

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REASON:

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

- 7 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.

- 8 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.

- 9 That an acceptable street naming and house numbering scheme be submitted to and approved by the County Council before any constructional work takes place on the proposed houses.

REASON:

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

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

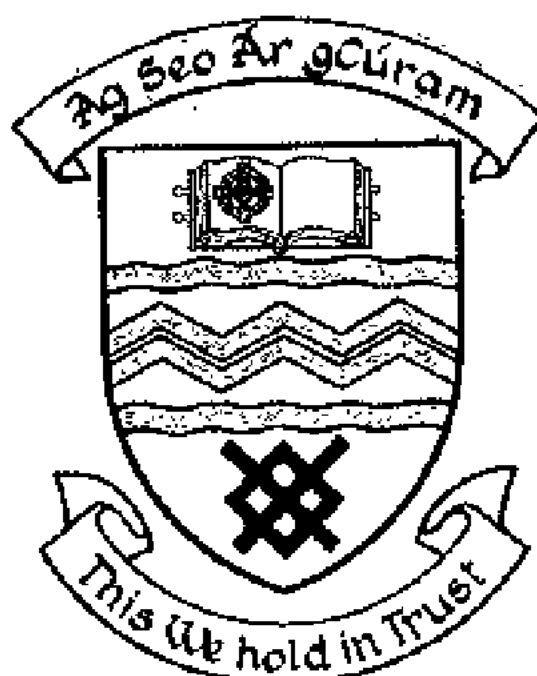
REASON:

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

- 11 Notwithstanding the details submitted the hammerheads at the cul-de-sacs opposite house Nos. 11 and 12/19 as delineated on the site plan received by the Planning Authority on the 23rd February 1999, shall be in accordance with the requirements of the Roads Department, South Dublin County

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Council. A revised site plan with the necessary alterations to the turning bays shown thereon shall be submitted to the Planning Authority for agreement prior to commencement of development.

REASON:

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

- 12 That the central public open space shown on the site layout plan lodged with the Planning Authority on 23rd February 1999 shall be developed as a single unit of open space to the satisfaction of the Planning Authority and shall be retained as open space area for the development in perpetuity.

REASON:

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

- 13 That throughout the entire construction period all trees shown in the submission as to be retained shall be protected by post and rail fencing enclosing the area covered by the crown spreads. The applicant shall agree and carry out a scheme of tree surgery and felling works in accordance with the requirements of the Planning Authority.

REASON:

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

- 14 That the area identified as open space on the site layout plan lodged with the Planning Authority on the 23rd February 1999 shall be fenced off during the construction period and shall not be used for the purposes of site compounds or for the storage of plant, machinery, material or spoil.

REASON:

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

- 15 That prior to the commencement of development the applicant shall submit for the agreement with the Planning Authority, a detailed landscape plan with full works specification to include timescale for implementation, a maintenance programme for a minimum period of eighteen months and a bill of quantities for the open space development. The plan shall include details of grading, topsoiling, seeding, paths, drainage, boundary treatment and tree and shrub planting.

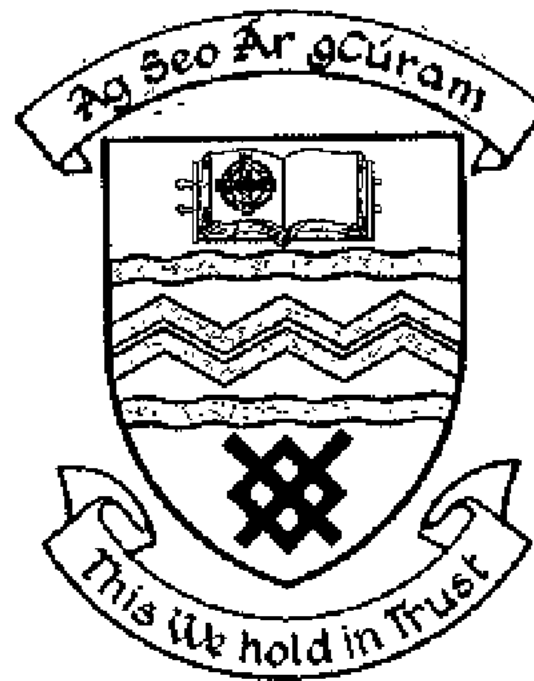
REASON:

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

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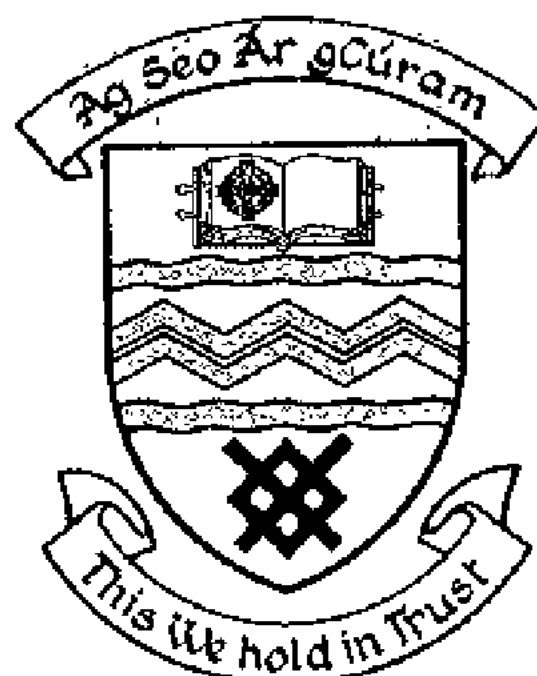


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-
- 16 That prior to the commencement of the development the applicant shall agree a plan and specification to include the timescale for implementation for tree planting for the scheme.
REASON:
In the interest of residential amenity and the proper planning and development of the area.
- 17 That prior to commencement of development the applicant shall submit elevation drawings and details of the 1.5 high railing on low wall to be erected along the site boundaries with the public roads for agreement with the Planning Authority.
REASON:
In the interests of visual amenity.
- 18 That screen walls in block or similar durable materials not less than 2 metres high, suitably capped and rendered, be provided at the necessary locations so as to screen rear gardens from public view. The specific locations and extent of walling must be submitted to and agreed with the Planning Authority before construction. Timber fencing is not acceptable.
REASON:
In the interest of residential amenity.
- 19 Other than where extended kitchen areas adjoin each other, a 1.8m high privacy wall plastered on both sides and capped, shall be erected for a distance of 2 metres from the rear party wall of each attached dwelling.
REASON:
In the interest of residential amenity.
- 20 All bathroom, utility and landing windows shall be fitted with obscure glass and where openings are provided they shall be of the high level type only.
REASON:
In the interests of residential amenity.
- 21 A minimum distance of 2.3 metres shall be provided at the gable end of each pair of dwellings and each dwelling shall have a minimum rear garden depth of 11 metres.
REASON:
In the interest of the proper planning and development of the area.
- 22 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.

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REASON:

In the interest of reducing air pollution.

- 23 That the following requirements of the Environmental Services Department shall be provided for and adhered to in the development:-

- a) no building shall be constructed within 5 metres of a public surface or foul sewer or surface or foul sewer with potential to be taken in charge;
- b) no building shall be constructed within 5 metres of watermains less than 225mm diameter and within 8 metres of watermains greater than 225mm diameter;
- c) no service pipe shall be taken across roads.

REASON:

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

- 24 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 £63,000 (sixty three thousand pounds) 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 £39,000 (thirty nine thousand pounds) 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:

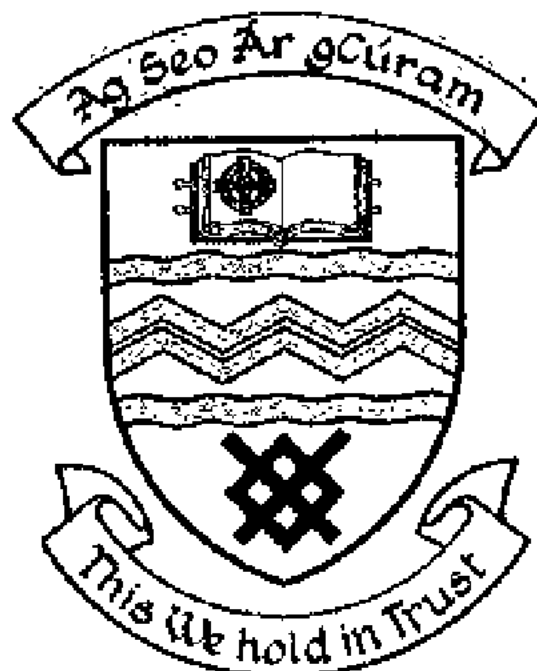
To ensure that a ready sanction may be available to the Council to induce the provision of services and prevent disamenity in the development.

- 25 That a Bond or Cash Lodgement of £30,000 (thirty thousand pounds) shall be lodged with the Planning Authority before

REG. REF. S99A/0108 SOUTH DUBLIN COUNTY COUNCIL
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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.

- 26 Prior to the occupation of the units the front side and rear gardens shall be levelled, graded and seeded and provided with sufficient top soil for vegetation growth.

REASON:

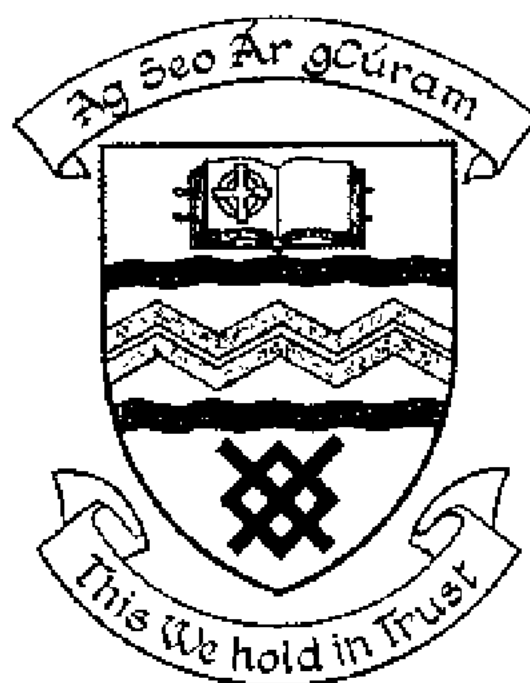
In the interest of residential amenity and the proper planning and development of the area.

- (1) All buildings must be designed and constructed in accordance with the Building Regulations 1991 amended 1994.
- (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.

E. G. O'Connell June 1999
for SENIOR ADMINISTRATIVE OFFICER

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

Decision Order Number 0794	Date of Decision 22/04/1999
Register Reference S99A/0108	Date: 23/02/1999

Applicant Fitzgibbon Bros. Ltd.,

Development For 39 detached and semi-detached houses in two stories being phase 2 of an overall development (phase 1 is under construction).

Location Lands bounded by Ballyowen Road and the Outer Ring Road, Lucan.

Floor Area Sq Metres

Time extension(s) up to and including

Additional Information Requested/Received /

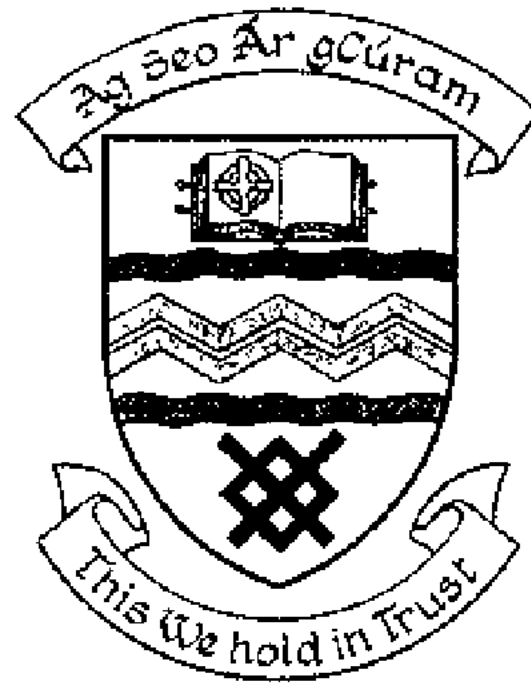
In pursuance of its functions under the above mentioned Acts, the South Dublin County Council, being the Planning Authority for the County Health District of Dublin, did by Order dated as above make a DECISION TO GRANT PERMISSION in respect of the above proposal.

Subject to the conditions (26) on the attached Numbered Pages.
Signed on behalf of the South Dublin County Council.

..... 22/04/1999
for SENIOR ADMINISTRATIVE OFFICER

McCrossan O'Rourke Architects,
12 Richmond Row,
Portobello Harbour,
Dublin 8.

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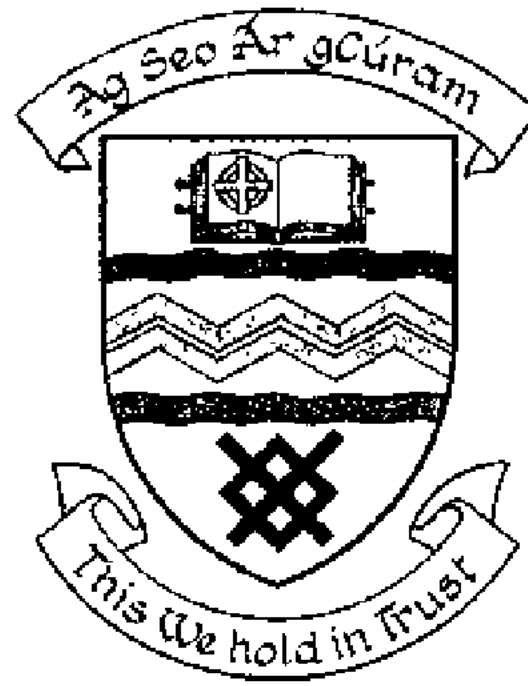
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REG REF. S99A/0108

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 That a financial contribution in the sum of £28,800 (twenty eight thousand eight hundred pounds) 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.
- 3 That all necessary measures be taken by the contractor to prevent the spillage or deposit of clay, rubble or other debris on adjoining roads during the course of the works.
REASON:
To protect the amenities of the area.
- 4 That all public services to the proposed development, including electrical, telephone cables and equipment be located underground throughout the entire site.
REASON:
In the interest of amenity.
- 5 That public lighting be provided as each street is occupied in accordance with a scheme to be approved by the County Council so as to provide street lighting to the standard required by South Dublin County Council.

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REASON:

In the interest of amenity and public safety.

- 6 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.

- 7 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.

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

REASON:

To comply with public health requirements and to ensure adequate standards of workmanship. As the provision of these services by the County Council will facilitate the proposed development it is considered reasonable that the Council should recoup the cost.

- 9 That an acceptable street naming and house numbering scheme be submitted to and approved by the County Council before any constructional work takes place on the proposed houses.

REASON:

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

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- 10 That the developer shall construct and maintain to the Council's standard for taking in charge all the roads, including footpaths, verges, public lighting, open space, sewers, watermains or drains, forming part of the development, until taken in charge by the Council.
REASON:
In the interest of the proper planning and development of the area.
- 11 Notwithstanding the details submitted the hammerheads at the cul-de-sacs opposite house Nos. 11 and 12/19 as delineated on the site plan received by the Planning Authority on the 23rd February 1999, shall be in accordance with the requirements of the Roads Department, South Dublin County Council. A revised site plan with the necessary alterations to the turning bays shown thereon shall be submitted to the Planning Authority for agreement prior to commencement of development.
REASON:
In the interests of public safety and the proper planning and development of the area.
- 12 That the central public open space shown on the site layout plan lodged with the Planning Authority on 23rd February 1999 shall be developed as a single unit of open space to the satisfaction of the Planning Authority and shall be retained as open space area for the development in perpetuity.
REASON:
In the interest of the proper planning and development of the area.
- 13 That throughout the entire construction period all trees shown in the submission as to be retained shall be protected by post and rail fencing enclosing the area covered by the crown spreads. The applicant shall agree and carry out a scheme of tree surgery and felling works in accordance with the requirements of the Planning Authority.
REASON:
In the interest of the proper planning and development of the area.

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- 14 That the area identified as open space on the site layout plan lodged with the Planning Authority on the 23rd February 1999 shall be fenced off during the construction period and shall not be used for the purposes of site compounds or for the storage of plant, machinery, material or spoil.

REASON:

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

- 15 That prior to the commencement of development the applicant shall submit for the agreement with the Planning Authority, a detailed landscape plan with full works specification to include timescale for implementation, a maintenance programme for a minimum period of eighteen months and a bill of quantities for the open space development. The plan shall include details of grading, topsoiling, seeding, paths, drainage, boundary treatment and tree and shrub planting.

REASON:

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

- 16 That prior to the commencement of the development the applicant shall agree a plan and specification to include the timescale for implementation for tree planting for the scheme.

REASON:

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

- 17 That prior to commencement of development the applicant shall submit elevation drawings and details of the 1.5 high railing on low wall to be erected along the site boundaries with the public roads for agreement with the Planning Authority.

REASON:

In the interests of visual amenity.

- 18 That screen walls in block or similar durable materials not less than 2 metres high, suitably capped and rendered, be provided at the necessary locations so as to screen rear gardens from public view. The specific locations and extent of walling must be submitted to and agreed with the Planning

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Authority before construction. Timber fencing is not acceptable.

REASON:

In the interest of residential amenity.

- 19 Other than where extended kitchen areas adjoin each other, a 1.8m high privacy wall plastered on both sides and capped, shall be erected for a distance of 2 metres from the rear party wall of each attached dwelling.

REASON:

In the interest of residential amenity.

- 20 All bathroom, utility and landing windows shall be fitted with obscure glass and where openings are provided they shall be of the high level type only.

REASON:

In the interests of residential amenity.

- 21 A minimum distance of 2.3 metres shall be provided at the gable end of each pair of dwellings and each dwelling shall have a minimum rear garden depth of 11 metres.

REASON:

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

- 22 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:

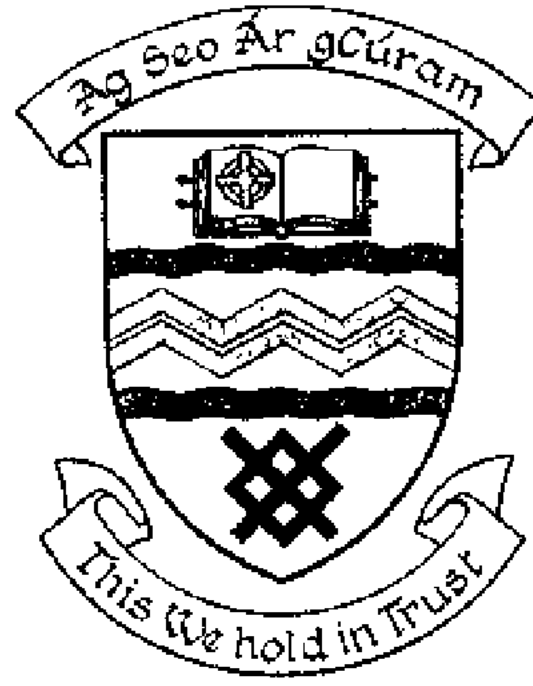
In the interest of reducing air pollution.

- 23 That the following requirements of the Environmental Services Department shall be provided for and adhered to in the development:-

- a) no building shall be constructed within 5 metres of a public surface or foul sewer or surface or foul sewer with potential to be taken in charge;
- b) no building shall be constructed within 5 metres of watermains less than 225mm diameter and within 8 metres of watermains greater than 225mm diameter;
- c) no service pipe shall be taken across roads.

REASON:

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

- 24 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 £63,000 (sixty three thousand pounds) 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 £39,000 (thirty nine thousand pounds) 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.

- 25 That a Bond or Cash Lodgement of £30,000 (thirty 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:

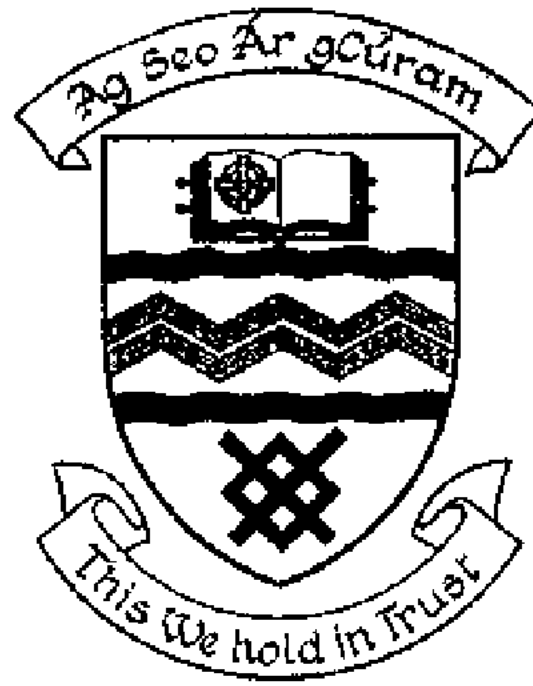
In the interest of the proper planning and development of the area.

- 26 Prior to the occupation of the units the front side and rear gardens shall be levelled, graded and seeded and provided

**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

REG REF. S99A/0108

with sufficient top soil for vegetation growth.

REASON:

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