

COMHAIRLE CHONTAE ÁTHA CLIATH

Record of Executive Business and Manager's Orders

L.D.

FINGAL

FINANCIAL CONTRIBUTION :-
AMOUNT £ 9120
f-works 1420
planning

Proposed residential development of 12 houses at Riverside Villa, Watery Lane, Clondalkin for Mrs. Monica Fagan. By order P/4269/91 dated 11th September, 1991 the Council made a decision to grant permission for this proposal. On Appeal, An Bord Pleanála made the following order on 25th March, 1992:-

PL6/5/86940

Seamly
20,000
12,000

AN BORD PLEANALA

LOCAL GOVERNMENT (PLANNING AND DEVELOPMENT) ACTS, 1963 TO 1990

County Dublin

Planning Register Reference Number: 91A/1182

CN-9634

APPEAL by Gerard O'Neill care of Charles Hulgraine or Saint Mochtas, 6 Orchard Avenue, Clonsilla, Dublin and by Monica Fagan care of Dara Estates Limited of Parkview House, 65 Crumlin Road, Dublin against the decision made on the 11th day of September, 1991 by the Council of the County of Dublin to grant subject to conditions a permission to the said Monica Fagan for development comprising the construction of twelve houses on lands at Riverside Villa, Watery Lane, Clondalkin, 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 1990, 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

It is considered that the proposed development would be consistent with the established pattern of residential development in the area and that, subject to compliance with the conditions set out in the Second Schedule hereto, it would otherwise accord with the proper planning and development of the area.

SECOND SCHEDULE

1. The development shall be carried out in its entirety in accordance with the plans, particulars and specifications lodged with the application save as may be amended by any of the further conditions attached hereto.

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

2. Each house shall have a minimum front garden depth of 7.7 metres and rear garden depth of 10.7 metres.

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

COMHAIRLE CHONTAE ÁTHA CLIATH**Record of Executive Business and Manager's Orders**

PL 6/5/86940

SECOND SCHEDULE (CONTD.)

3. A minimum of 2.3 metres shall be provided between each pair of houses.
- Reason:** In the interest of the proper planning and development of the area.
4. Screen walls shall be provided at such locations as may be required by the planning authority to screen rear gardens from public view. Such walls shall be 2 metres high maximum, shall be in brick or block or similar durable materials and shall be suitably capped and rendered.
- Reason:** In the interest of visual and residential amenity.
5. The proposed boundary wall to the front of Riverside Villa shall have a maximum height of 1 metre. The wall shall be suitably capped and rendered and the piers shall be brick of a colour to be agreed with the planning authority.
- Reason:** In the interest of visual amenity.
6. The area shown as open space shall be levelled, soiled, seeded and landscaped to the satisfaction of the planning authority in accordance with a landscaping plan to be submitted to the planning authority prior to commencement of development and shall be made available for use by the residents on completion of their dwellings. The open space areas shall 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:** In the interest of amenity and orderly development.
7. The existing hedge and trees shall be maintained along the eastern boundary of the site and additional planting, details of which shall be agreed with the planning authority prior to commencement of development, shall be provided to reinforce the existing hedge and trees.
- Reason:** In the interest of amenity.
8. A scheme of street tree planting shall be submitted to and agreed with the planning authority prior to the commencement of development.
- Reason:** In the interest of amenity.

COMHAIRLE CHONTAE ÁTHA CLIATH**Record of Executive Business and Manager's Orders**

PL 6/5/86940

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SECOND SCHEDULE (CONTD.)

9. Water supply and drainage arrangements, including disposal of surface water, shall comply with the standards of Dublin County Council for such works and services.
Reason: In the interest of public health, and to ensure a proper standard of development.
10. All public services for the development including electrical, communal television and telephone cables, shall be located underground throughout the site.
Reason: In the interest of visual amenity.
11. Public lighting shall be provided in accordance with a scheme which shall accord with the detailed requirements of the planning authority.
Reason: In the interest of amenity and public safety.
12. Box culvert details shall be agreed with the planning authority prior to commencement of development.
Reason: In the interest of the proper planning and development of the area.
13. The estate road and turning circle shall comply with the requirements of the planning authority.
Reason: In the interest of the proper planning and development of the area.
14. The proposed bollards on the original entrance shall be placed behind the line of the adjoining landowners gate.
Reason: In the interest of the proper planning and development of the area.
15. The land required by Dublin County Council for the widening of Watery Lane shall be reserved free from development and shall be marked out on site in consultation with the planning authority prior to commencement of development.
Reason: In the interest of the proper planning and development of the area.

COMHAIRLE CHONTAE ÁTHA CLIATH**Record of Executive Business and Manager's Orders**

-4-

PL 6/5/86940SECOND SCHEDULE (CONTD.)

16. Before development is commenced, the developer shall lodge with Dublin County Council a cash deposit, a bond of an insurance company, or other security to secure the provision and satisfactory completion and maintenance until taken in charge by the said Council of roads, footpaths, watermains, drains, public open space and other services required in connection with the development, coupled with an agreement empowering the said Council to apply such security or part thereof for the satisfactory completion or maintenance, as aforesaid, of any part of the services. The form and amount of the security shall be as agreed between the Council and the developer or, failing such agreement, shall be determined by An Bord Pleanála.

Reason: To ensure the satisfactory completion of the development.

17. The developer shall pay a sum of money equivalent to the value of £1,420 (one thousand four hundred and twenty pounds) per house as at the 1st January, 1991 (the sum to be updated to the value pertaining at the time of payment by reference to the changes in the Wholesale Price Index - Building and Construction (Capital Goods), published by the Central Statistics Office) to Dublin County Council as a contribution towards the expenditure that is proposed to be incurred by the Council in respect of works (comprising road improvements and traffic management works in the local area) facilitating the proposed development.

The arrangements for payment of the contribution shall be as agreed upon between the developer and the Corporation or, in default of agreement, shall be as determined by An Bord Pleanála.

The requirement to pay this contribution is subject to the stipulations set out in sub-paragraphs (i), (ii) and (iii) of Section 26 (2) (h) of the Local Government (Planning and Development) Act, 1963 and for the purposes of the said sub-paragraphs (i) and (ii) the specified period shall be the period of seven years commencing on the date of this order.

Reason: It is considered reasonable that the developer should contribute towards the expenditure that is proposed to be incurred by the Council in respect of works facilitating the proposed development.

COMHAIRLE CHONTAE ÁTHA CLIATH**Record of Executive Business and Manager's Orders**

-5-

PL 6/5/86940

SECOND SCHEDULE (CONTD.)

18. Prior to the commencement of development the developer shall pay a sum of money equivalent to the value of £9,120 (nine thousand one hundred and twenty pounds) as at the date of this order (the sum to be updated to the value pertaining at the time of payment by reference to the changes in the Wholesale Price Index - Building and Construction (Capital Goods), published by the Central Statistics Office) to Dublin County Council as a contribution towards the expenditure that was incurred by the Council within the last seven years in the provision of water supplies and sewerage facilities that have facilitated the proposed development.

Reason: It is considered reasonable that the developer should contribute towards the expenditure that was incurred by the Council in the provision of services that have facilitated the proposed development.

Dennis A. Murphy

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

Dated this 25th day of *March*, 1992.




COMHAIRLE CHONTAE ÁTHA CLIATH

Record of Executive Business and Manager's Orders

- 6 -

PL 6/5/86940

With regard to Condition No.16 the security is assessed at a bond or letter of guarantee in the sum of £20,000 or a cash lodgement in the sum of £12,000.

Order Noted: <u>L.D.</u>	
Dated: <u>7th APRIL 1922</u> <u>1922</u>	<u>ASST. COUNTY MANAGER</u>
to whom the appropriate powers have been delegated by order of the Dublin City and County Manager.	
Dated <u>12th</u> day of <u>MARCH</u> 19 <u>22</u>	

DECISIONS

APPEALS CHECK LIST

REG. REF. NO. 91A 1182

1	ENTERED IN OBJECTORS REGISTER	✓
2	ENTERED IN BLUE FOLDER	✓
3	ENTERED IN APPEALS REGISTER	✓
4	ENTERED IN PLANAPS: I.E.:	
	Appeal Decision: <i>A.P.</i>	✓
	Appeal Date:	✓
5	COPY OF DECISION FOR WEBB LIST (LAURA/MARY)	✓
6	DECISION CIRCULATED TO LISTED PERSONS	✓
6	TO BONDS & CONTRIBUTIONS FOR FINANCIAL ASSESSMENT	
7	TO L. DOYLE FOR NOTING	

CHANGE STATUS IN PLANAPS:

REFUSAL:.....55
 GRANT:.....62
 WITHDRAWN:.....54
 CONDITIONS:.....53

Dublin County Council Comhairle Chontae Atha Cliath Planning Department

S
27 MAR 1992



Bloc 2, Ionad Bheatha na hEireann,
Bloc 2, Irish Life Centre,
Sraid na Mainisteach lacht,
Lower Abbey Street,
Baile Atha Cliath 1,
Dublin 1.
Telephone (01) 724755
Fax (01) 724896

An Bord Pleanála,
Floor 3,
Blocks 6 & 7,
Irish Life Centre,
Lower Abbey St.,
Dublin 1.

Our Ref: 91A/1182

Your Ref.: PL6/5/86940

27 MARCH 1992

Duke

Re: Proposed residential development of 12 houses at Riverside Villa, Watery Lane, Clondalkin for Mrs. Monica Fagan.

Dear Sir/Madam,

I refer to your letter dated 12th November, 1991; 20th November, 1991 & 7th January, 1992, enclosing correspondence with regard to the above appeal. *add 2 other letters,*

The Planning Authority's comments are as follows:-

According to the 1983 County Development Plan the lands subject of this application are zoned 'P' to preserve and provide for open space and recreational amenity. In such circumstances where permission is granted for residential development on such zoned lands, an increased area of public open space is required in order to ensure that the objectives of the County Development Plan are complied with. It has been the policy of the Parks Department to create a linear parkway system alongside the River Camac, which will link Riversdale Estate via the site to Clondalkin Village. It should be noted that agreement has been reached in principle with the owners of Orchard House to facilitate this linkage through the ground as shown on the County Development Plan. By virtue of a public right of way, access can be gained beside Clondalkin Paper Mills to the historic mill race and pond which lead via an extension of the linear park to the Regional Parkland at Corkagh Demesne. The enclosed drawing shows the route of the linear parkway system which is substantially within the ownership of Dublin County Council. This application for housing at Riverside villa is a further opportunity to fulfil the recreational objectives for Clondalkin village as expressed in Drawing No. 13 of the 1983 County Development Plan. *it is*

Yours faithfully,

for Principal Officer.

J. J. [unclear]

COMHAIRLE CHONTAE ATHA CLIATH

TO: R. Brady,
Bonds & Contributions

REG. REF., 91A/1182

RE: Proposed residential development of 12 houses at Riverside Villa,
Watery Lane, Clondalkin for Mrs. Monica Fagan.

I attach for your observations memo/letter dated 12th November, 1991;
20th November, 1991 & 7th January, 1992 from An Bord Pleanala.

Please reply before: 30th January, 1992

S.
for Principal Officer

DATED: 16 January 1992

OBSERVATIONS:

Refer: Condition no 251 to Roads Dept.

Re Condition no 4: 19120 This Contribution
is assessed at the rate of
£6000 per acre. The area of
the site is measured by the Council
at 1.52 acres.
This rate of the rate for such
proposes and is applicable
to any part of the Council's administrative
area (while the Public Water
Supply and Public Sewerage
are being provided)

Signature of person making observations: R. Brady

Countersigned: _____
(S.E.D.C.)

DATE: 28/1/92
Jan. 28/1

DATE: _____



Bosca 174
P. O. Box 174
5 Rae Gardiner,
5 Gardiner Row,
Baile Atha Cliath 1.
Dublin 1.
Telephone. (01)727777
Fax. (01)727530

Mr. D. Drumgoole,
Senior Administrative Officer,
Planning Department,
Dublin County Council.

Our Ref.

Your Ref.

Date 23.12.1991

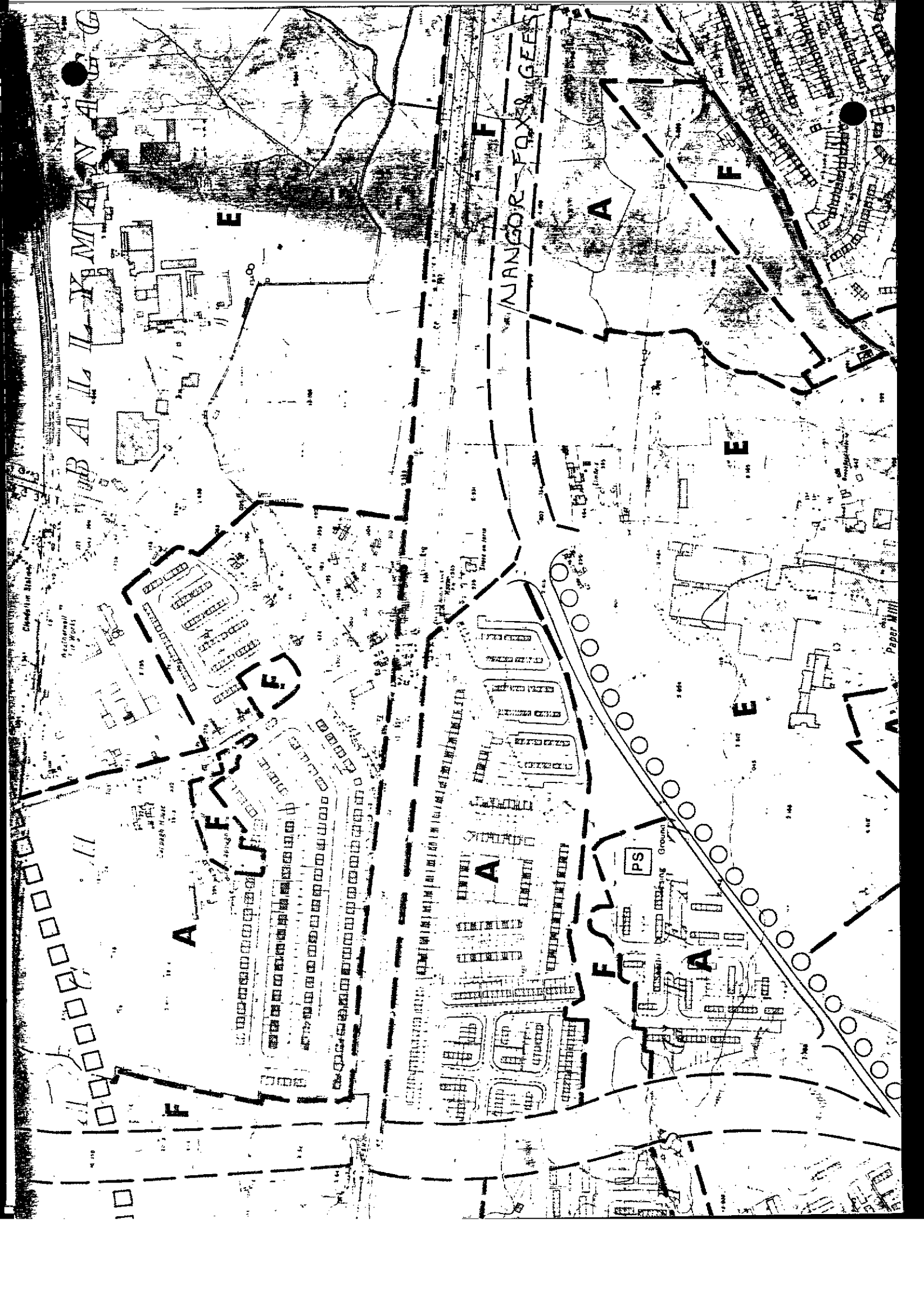
RE: Residential Development at Riverside Villa, Watery Lane,
Clondalkin. Reg. Ref. 91A/1182. Appeal to An Bord
Pleanala.

With reference to the appeal against the grant of permission, the
Parks Department's comments are:

1. According to the 1983 County Development Plan the lands
subject of this application are zoned 'F' to preserve and
provide for open space and recreational amenity. In such
circumstances where permission is granted for residential
development on such zoned lands, an increased area of
public open space is required in order to ensure that the
objectives of the County Development Plan are complied
with. It has been the policy of the Parks Department to
create a linear parkway system alongside the River Camac,
which will link Riversdale Estate via the site to
Clondalkin Village. It should be noted that agreement has
been reached in principle with the owners of Orchard House
to facilitate this linkage through the ground as shown on
the County Development Plan. By virtue of a public right
of way, access can be gained beside Clondalkin Paper Mills
to the historic mill race and pond which lead via an
extension of the linear park to the Regional Parkland at
Corkagh Demesne. The enclosed drawing shows the route of
the linear parkway system which is substantially within the
ownership of Dublin County Council. This application for
housing at Riverside Villa is a further opportunity to
fulfil the recreational objectives for Clondalkin Village
as expressed in drawing No. 13 of the 1983 County Develop-
ment Plan. It is recommended that the grant of permission
by Dublin County Council and accompanying planning
conditions are confirmed on appeal by An Bord Pleanala.



SENIOR PARKS SUPERINTENDENT



Sub A Ls Lx M Lx N A L G

NANGOR FOX & GEES

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PS

A

F

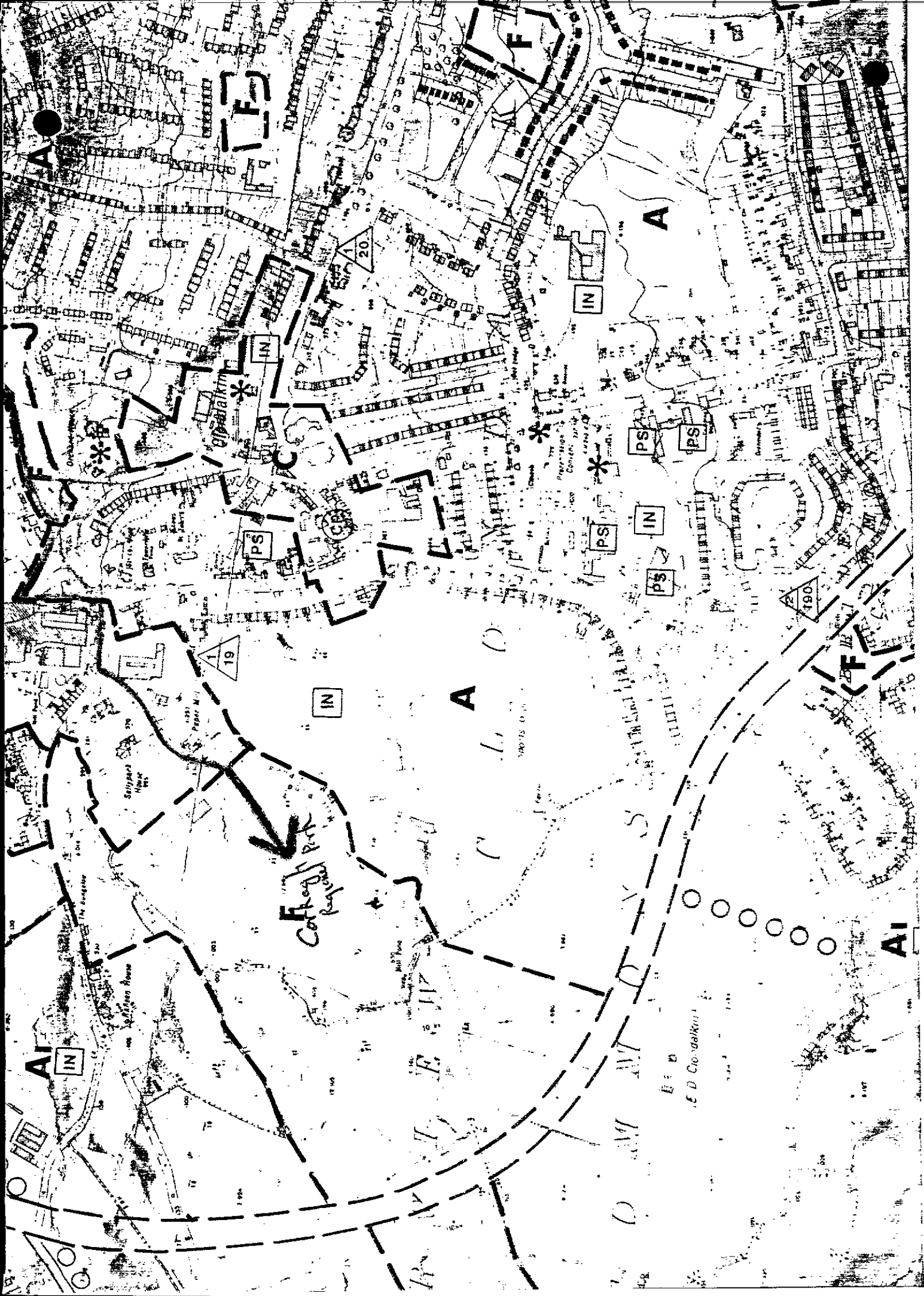
E

E

Paper Mill

Ground

10



College of Arts

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PS

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Mr. John Henry,
Senior Engineer,
Roads Department,
Dublin County Council.

Our Ref: 91A/1182

16 January 1992

RE: Proposed residential development of 12 houses at Riverside
Villa, Water Lane, Clondalkin for Mrs. Monica Fagan.

I refer to the above decision made by the County Council on 11th September, 1991, copy enclosed herewith, and to Condition No. 24 that requires a financial contribution in the sum of £1,420.00, towards the cost of road improvements and traffic management in the area.

This application is the subject to a third party appeal to An Bord Pleanala in respect of the above decision.

By letter dated 20th November, 1991, copy attached, An Bord Pleanala have requested that the Planning Authority submit a detailed report in support of the contribution which is the subject of the appeal.

Would you please arrange to let me have your observations in this regard as soon as possible.

PLEASE MARK YOUR REPLY FOR THE ATTENTION OF MR. L. DOYLE, APPEALS.

L. D.
for Principal Officer

Mr. John Henry,
Senior Engineer,
Roads Department,
Dublin County Council.

Our Ref: 91A/1182

16 January 1992

RE: Proposed residential development of 12 houses at Riverside
Villa, Water Lane, Clondalkin for Mrs. Monica Fagan.

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By letter dated 20th November, 1991, copy attached, An Bord Pleanala have requested that the Planning Authority submit a detailed report in support of the contribution which is the subject of the appeal.

Would you please arrange to let me have your observations in this regard as soon as possible.

PLEASE MARK YOUR REPLY FOR THE ATTENTION OF MR. L. DOYLE, APPEALS.

L. D.
for Principal Officer

Michael Lynch,
Senior Parks Superintendent,
Parks Department.

Our Ref: 91A/1182

16 January 1992

Re: Proposed residential development of 12 houses at Riverside
Villa, Water Lane, Clondalkin for Mrs. Monica Fagan.

Dear Sir,

I attach copy of grounds of appeal and Planning Officers report
in regard to the above.

I should be most obliged to received your comments on same before
30th January, 1992.

PLEASE MARK YOUR REPLY FOR THE ATTENTION OF LES DOYLE

Yours faithfully,

L. D.
for Principal Officer.

Barry Morris,
Senior Engineer,
Sanitary Services Department.

Our Ref: 91A/1182

16 January 1992

Re: Proposed residential development of 12 houses at Riverside
Villa, Water Lane, Clondalkin for Mrs. Monica Fagan.

Dear Sir,

I attach copy of grounds of appeal and Planning Officers report
in regard to the above.

I should be most obliged to received your comments on same before
30th January, 1992.

PLEASE MARK YOUR REPLY FOR THE ATTENTION OF LES DOYLE

Yours faithfully,

L. J.
for Principal Officer.

COMHAIRLE CHONTAE ATHA CLIATH

Appeals

TO: ~~N.R. Orendorast~~
~~S.E.D.C.~~

REG. REF. 91A/1182

RE: Proposed residential development of 12 houses at Riverside Villa, Watery Lane, Clondalkin for Mrs. Monica Fagan.

I attach for your observations memo/letter dated 12th November, 1991 from An Bord Pleanala.

Please reply before: ~~12th~~ ²⁹ December, 1991

S.M.M.
for Principal Officer

DATED: ~~29 November 1991~~

OBSERVATIONS:

6/12/91

3rd. Party Appeal - no comment pending
comments of 1st. Party with 20/11

Further letter rec'd: 20/11

Refer to S.S. + Rel. Exp. brought out 20/12

Further letter at 7/1/92 ABP.

Noted with 19/1

Signature of person making observations: _____

Countersigned: _____
(S.E.D.C.)

DATE: _____ DATE: _____

Our Ref: PL 6/5/86940
P.A. Reg. Ref: 91A/1182

E.H. J.C.

Principal Officer,
Dublin County Council,
Planning Department,
Block 2,
Irish Life Centre,
Dublin 1.

Date: 25 MAR 1992

Appeal re: Construction of twelve houses on lands
at Riverside Villa, Watery Lane, Clondalkin, County
Dublin.

Dear Sir,

An order has been made by An Bord Pleanála
determining the above-mentioned appeal under the
Local Government (Planning and Development) Acts,
1963 to 1990. A copy of the order is enclosed.

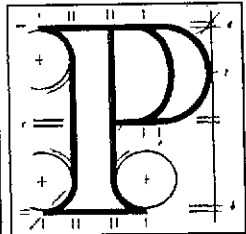
Yours faithfully,

Norma O'Connor
Norma O'Connor

Encl.

BP 352

An Bord Pleanála



Floor 3 Blocks 6 & 7
Irish Life Centre
Lower Abbey Street
Dublin 1
tel (01) 728011

DUBLIN COUNTY COUNCIL
PLANNING DEPT.
RECEIVED
26 MAR 1992

AN BORD PLEANÁLA

LOCAL GOVERNMENT (PLANNING AND DEVELOPMENT) ACTS, 1963 TO 1990

County Dublin

Planning Register Reference Number: 91A/1182

APPEAL by Gerard O'Neill care of Charles Hulgraine of Saint Mochtas, 6 Orchard Avenue, Clonsilla, Dublin and by Monica Fagan care of Dara Estates Limited of Parkview House, 65 Crumlin Road, Dublin against the decision made on the 11th day of September, 1991 by the Council of the County of Dublin to grant subject to conditions a permission to the said Monica Fagan for development comprising the construction of twelve houses on lands at Riverside Villa, Watery Lane, Clondalkin, 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 1990, 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

It is considered that the proposed development would be consistent with the established pattern of residential development in the area and that, subject to compliance with the conditions set out in the Second Schedule hereto, it would otherwise accord with the proper planning and development of the area.

SECOND SCHEDULE

1. The development shall be carried out in its entirety in accordance with the plans, particulars and specifications lodged with the application save as may be amended by any of the further conditions attached hereto.

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

2. Each house shall have a minimum front garden depth of 7.7 metres and rear garden depth of 10.7 metres.

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

SECOND SCHEDULE (CONTD.)

9. Water supply and drainage arrangements, including disposal of surface water, shall comply with the standards of Dublin County Council for such works and services.

Reason: In the interest of public health, and to ensure a proper standard of development.

10. All public services for the development including electrical, communal television and telephone cables, shall be located underground throughout the site.

Reason: In the interest of visual amenity.

11. Public lighting shall be provided in accordance with a scheme which shall accord with the detailed requirements of the planning authority.

Reason: In the interest of amenity and public safety.

12. Box culvert details shall be agreed with the planning authority prior to commencement of development.

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

13. The estate road and turning circle shall comply with the requirements of the planning authority.

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

14. The proposed bollards on the original entrance shall be placed behind the line of the adjoining landowners gate.

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

15. The land required by Dublin County Council for the widening of Watery Lane shall be reserved free from development and shall be marked out on site in consultation with the planning authority prior to commencement of development.

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

SECOND SCHEDULE (CONTD.)

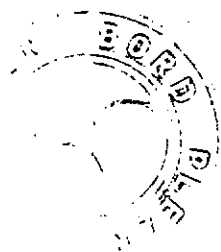
18. Prior to the commencement of development the developer shall pay a sum of money equivalent to the value of £9,120 (nine thousand one hundred and twenty pounds) as at the date of this order (the sum to be updated to the value pertaining at the time of payment by reference to the changes in the Wholesale Price Index - Building and Construction (Capital Goods), published by the Central Statistics Office) to Dublin County Council as a contribution towards the expenditure that was incurred by the Council within the last seven years in the provision of water supplies and sewerage facilities that have facilitated the proposed development.

Reason: It is considered reasonable that the developer should contribute towards the expenditure that was incurred by the Council in the provision of services that have facilitated the proposed development.

David A. Murphy

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

Dated this 25th day of March, 1992.



An Bord Pleanála,
Floor 3,
Blocks 6 & 7,
Irish Life Centre,
Lower Abbey St.,
Dublin 1.

Our Ref: 91A/1182
Your Ref.: PL6/5/86940
13 February 1992

Re: Proposed residential development of 12 houses at Riverside
Villa, Watery Lane, Clondalkin for Mrs. Monica Fagan.

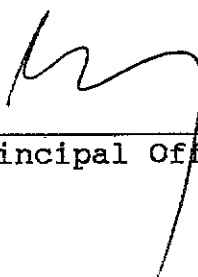
Dear Sir/Madam,

I refer to your letter dated 12th November, 1991; 20th November, 1991 & 7th January, 1992, enclosing correspondence with regard to the above appeal.

The Planning Authority's comments are as follows:-

Condition No. 4: £9120. This contribution is assessed at the rate of £6,000. per acre. The area of the site measures at 1.52 acres. This rate is the rate for such proposals and is applicable throughout the Council's administrative area. (While public water supply and public foul sewerage are being available of.).

Yours faithfully,



for Principal Officer.

Our Ref: PL 6/5/86940
P.A. Reg. Ref: 91A/1182

The Secretary,
Dublin County Council,
Planning Department,
Block 2,
Irish Life Centre.

Date: 11th February 1992.

13. FEB 92

Appeal re: Erection of 12 houses at Riverside
Villa, Watery Lane, Clondalkin, Dublin 22.

Dear Sir/Madam,

Enclosed for your information is a copy of a letter
received by the Board in relation to the
above-mentioned appeal.

Please quote the above appeal reference number in
any further correspondence.

Yours faithfully,

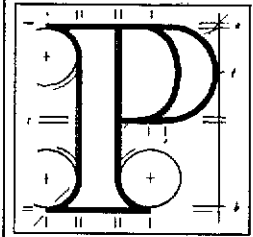
Suzanne Lacey
Suzanne Lacey



Encl.

BP 555

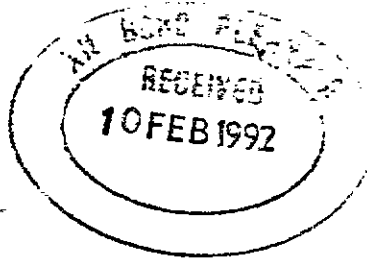
pk
An Bord Pleanála



Floor 3 Blocks 6 & 7
Irish Life Centre
Lower Abbey Street
Dublin 1
tel (01) 728011

Charles Hulgraine Architect and Design Consultant

St. Mochtas,
6 Orchard Avenue,
Clonsilla,
Dublin 15.
Telephone 202552



An Bord Pleanála
Irish Life Centre
Lower Abbey Street
Dublin 1.

ref:

date: 4/2/1992

RE: Erection of 12 houses at Riverside Villa, Watery

Lane, Clondalkin, Dublin 22

For Monica Fagan

PL 6/5/86940

Dear Sir,

In response to the letter by the Applicant's Planning Consultant dated 14th January 1992 we note the undertaking by the applicant to "relocate the proposed bollards behind the line of Mr. O'Neill's gate". so as not to interfere with the established use of this bridge and entry to my client's lands and we ask you to include this stipulation as a condition in any permission you might give, particularly as we have gone to a lot of trouble to successfully prove our point.


Please also note our earlier remarks regarding any boundary walls abutting E zoned lands.

Yours faithfully,

CHARLES HULGRAINE
ARCHITECTS

6 Orchard Ave., Clonsilla

Dublin 15. - Phone 202552

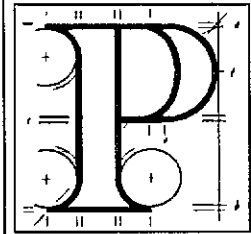

CHARLES HULGRAINE MIAS ARCHITECT

Our Ref: PL 6/5/86940
P.A. Reg. Ref: 91A/1182

The Secretary,
Dublin County Council,
Planning Department,
Block 2,
Irish Life Centre.

Handwritten initials

65
pa
An Bord Pleanála



Floor 3 Blocks 6 & 7
Irish Life Centre
Lower Abbey Street
Dublin 1
tel (01) 728011

Date: 29th January 1992.

Appeal re: Erection of 12 houses at Riverside
Villa, Watery Lane, Clondalkin, Dublin 22.

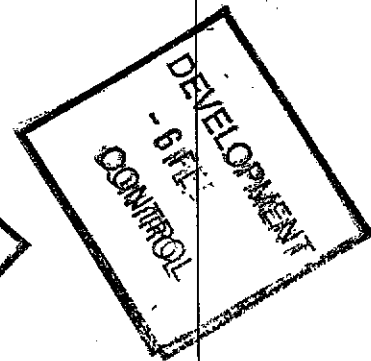
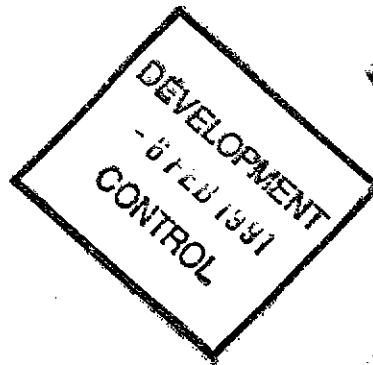
Dear Sir/Madam,

Enclosed for your information is a copy of a letter
received by the Board in relation to the
above-mentioned appeal.

Please quote the above appeal reference number in
any further correspondence.

Yours faithfully,

Suzanne Lacey
Suzanne Lacey



Encl.

BP 555

31 JAN 92



Dara Estates Ltd. M.I.A.V.I.

Directors:

LEONARD S. McSTAY (Chairman)
B.E. C. ENG. M.I.E.I. M.I.A.V.I.
MARGARET M. McSTAY (Secretary)

AUCTIONEERS : ESTATE AGENTS : SURVEYORS :
PROPERTY AND PLANNING CONSULTANTS

Parkview House,
65, Crumlin Road,
Dublin 12.
Telephone: 532044

14 January, 1992

An Bord Pleanála
Blocks 6 & 7
Irish Life Centre
Lower Abbey Street
Dublin 1

re: Proposed residential development of
12 houses at Riverside Villa, Watery
Lane, Clondalkin - Your ref. PL6/5/86940
Reg.Ref. 91A/1182 - Our Client Monica
Fagan.

Dear Sirs,

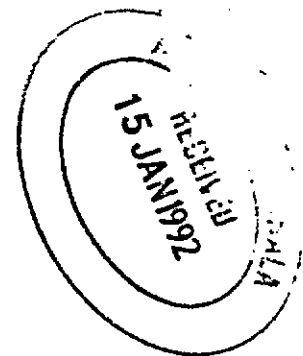
We are in receipt of your letter of January 7th, 1992 together with enclosures and would comment as follows:

Mr Gerard O'Neill in a letter to our client Monica Fagan (copy enclosed) stated that "the blocking up of our entrance is our only objection" to the proposed development.

As stated in our letter of November 25th, 1991 to An Bord, Mrs Fagan is willing to relocate the proposed bollards behind the line of Mr O'Neill's gate in order to facilitate entrance to his lands. Mrs Fagan is not at present interfering, and will not interfere in future, with Mr O'Neill's right of way. Consequently, we would hope that this matter, which is essentially one of title and not related to planning matters, does not further delay our appeal and would ask An Bord to adjudicate at an early date on the basis of the documents lodged.

Yours faithfully,

Leonard S McStay, BE., C.Eng., MIEI.



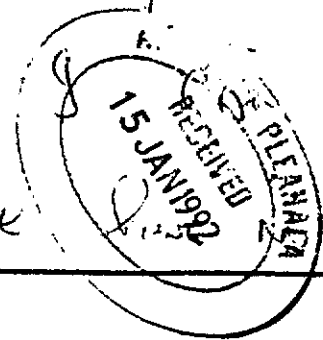
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Brookfield House, Clonsilla, Dublin 22 - Tel. 574826

Mrs Fagan / Denis

Called + attempted to ring
you several times regarding your
blocking up of our address in
plans submitted to County Council.
My architect has advised me
that today is last day to appeal
to Bord Pleanála and as you are
not contactable so as to
determine your intentions we



option. But to appeal to Board Planning.

I must stress that
the blocking up of our entrance
is our only objection & you
might contact me as soon as
possible to put matter right.

Yours sincerely
Gerald J. Well

Our Ref: PL 6/5/86940
P.A. Reg. Ref: 91A/1182

The Secretary,
Dublin County Council,
Planning Department,
Block 2,
Irish Life Centre.

Date: 7th January 1992.

Appeal re: Erection of 12 houses at Riverside Villa,
Watery Lane, Clondalkin, Dublin 22.

Dear Sir/Madam,

Enclosed for your information is a copy of correspondence received in relation to the above-mentioned appeal. While it is not necessary for you to furnish any comments on the correspondence, you may do so if you wish. Any such comments should be forwarded within fourteen days from the date of this letter to ensure that they will be taken into consideration in the determination of the appeal.

Please quote the above appeal reference number in any further correspondence.

Yours sincerely,

Suzanne Lacey
Suzanne Lacey

BP 553A



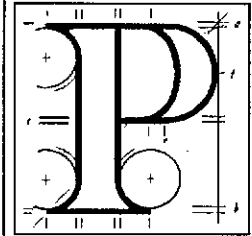
JAN 92

NRO

Put

R.J.
13/11

An Bord Pleanála



Floor 3 Blocks 6 & 7
Irish Life Centre
Lower Abbey Street
Dublin 1
tel (01) 728011

ob5

Charles Hulgraine Architect and Design Consultant

St. Mochtas,
6 Orchard Avenue,
Clonsilla,
Dublin 15.
Telephone 202552

An Bord Pleanála
Irish Life Centre
Lower Abbey Street
Dublin 1.

ref: date: 20/12/1991

RE: 12 Houses at Riverside Villa
Watery Lane, Clondalkin, Dublin 22
by Monica Fagan.

REG. REF.: PL 6/5/86940

OUR CLIENT: Gerard O'Neill

Dear Sir,

We are in receipt of your letter and enclosures of 20th November 1991 and have no particular comment to make other than our concern that all boundary walls abutting the E zone are of substantial construction and height.

With regard to your letter and enclosure of 4th December 1991 we comment as follows:

My client has no wish to unnecessarily entangle the Bord in the legality of the right of way enjoyed by Mr. O'Neill as outlined in our letter of 4/11/1991, but once again we reiterate that if the permission is granted in its current form i.e. position of bollards, it will result in later controversy. My client has consulted with Peter Cusack, solicitor and I enclose a letter from him dated 17th December 1991 in response to the comment regarding non registration of easements and rights of way on the relevant Land Registry Folio. I further enclose Declarations from Gerard O'Neill and Peter Cusack, solicitor respectively who both have intimate knowledge on the historical use of the entry and bridge thereby establishing beyond any doubt the O'Neill's uncontested right to use this access. Brookfield House and lands have been owned by the O'Neills' since 1923 and this entry has been used since then to ferry people, goods and lorries associated with the business of Brookfield House including the delivery and supply of milk in the Clondalkin area.

As far as can be ascertained the late Mr. Fagan married Monica Fagan and became effective owner of these lands approximately 30 years ago only, long after the right of way had been established and I am informed that there was no formal "neighbourly accommodation" granted prior to 1970, as obviously none would have been necessary.

It is further stated that the entry had not been used since 1970. Solicitors correspondence, culminated in a court case in 1986 when Mrs. Fagan brought Mr. David McGuirk (then leasing from O'Neills) of Monestary Walk, Clondalkin to Court for knocking down a gate pier which formed the O'Neills' entry to Brookfield House. It is

23 DEC 1991

It is clear therefore that the O'Neill's access at this point was in use both well before and after 1970 and it is misleading to state otherwise.

It is not clear from the 2nd last paragraph of this letter if Mrs. Fagan is willing to now change the position of the bollards as submitted to a new position at Mrs. Fagan's gate so as not to obstruct Mr. O'Neill's gate and the bridge right of way. My client would favour this action if now proposed. We would point out however that it would not be prudent to encourage pedestrian traffic via this right of way to the proposed development as this would clash with Mr. O'Neill's vehicular use of the right of way.

We respect Mrs. Fagan's right to oppose any future or intended application on Mr. O'Neill's land and remind her that we are in no way opposed to the principle of her development as lodged to Dublin County Council. We are anxious however to clear up the business of the entry and its dimension in terms of the future development of Mr. O'Neill's lands as it is conceivable that Mrs. Fagan could sell her property to others.

Yours faithfully,

CHARLES HULGRAINE

ARCHITECTS

6 Orchard Ave., Clonsilla

Dublin 15. Phone 202552

Charles Hulgraine
CHARLES HULGRAINE MIAS ARCHITECT.

MS
REC
23 DEC 1971

PETER J. CUSACK & CO.
(Incorporating Peter J. Flynn & Co.)
SOLICITORS + COMMISSIONERS FOR OATHS

ORCHARD ROAD
CLONDALKIN, DUBLIN 22
TELEPHONE 574764 - 574823 - 574824
TELEFAX 574890

17th December, 1991.

Charles Hulgraine Esq.,
Architect,
6, Orchard Avenue,
Clonsilla,
Dublin 15.

YOUR REF:

OUR REF: PJC/GB

Our Mutual Clients, Sheila & Gerard O'Neill.
Premises, Brookfield House, Ninth Lock Road, Clondalkin.

Dear Mr. Hulgraine,

As I think you are aware I act for Mrs. Sheila O'Neill and her son Gerard both of Brookfield House, Clondalkin, Dublin 22.

Mr. O'Neill has drawn by attention to the pending Planning Application before An Bord Pleanala by Mrs. Fagan who owns the adjoining property.

I think you already have the two Declarations made by Gerard O'Neill and by myself with the photographs exhibited.

As I understand that An Bord Pleanala and the County Council require the access across the bridge shared by the O'Neills and the Fagans to be blocked off if the Planning Permission is to ^{be} granted for the proposed development in Fagan's property.

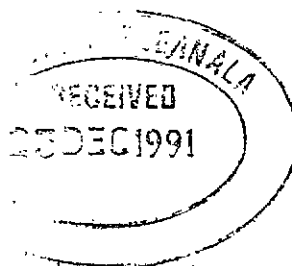
It would appear to me that a common sense way of dealing with this matter is for the gateway immediately leading into Fagan's property be blocked off and this would leave the O'Neill family with free egress and access from and to O'Neill's property across the bridge through their separate gate.

I have no doubt whatsoever but that the O'Neill family have for many years been using this gateway for gaining access to and egress from their property and that they have an established right of way over this portion of ground and the bridge, and if the bridge was to be blocked off that this would be an infringement of their right of way and that they would have a good cause of action to bring in Court to re-establish same. The fact that the right of way is not registered in the Land Registry does not detract in any manner or form from the right of way established by the O'Neills.

Needless to say if you require any further information do not hesitate to contact me.

Yours sincerely,

Peter J. Cusack & Co.,



I, GERARD O'NEILL of Brookfield House, Ninth Lock Road, Clondalkin, in the County of Dublin, aged eighteen years and upwards do solemnly and sincerely declare as follows:

My mother, SHEILA O'NEILL of Brookfield House, aforesaid is beneficially entitled to the lands and premises known as Brookfield House, Ninth Lock Road, Clondalkin, in the County of Dublin.

I say that one of the entrances to Brookfield House, is situate off the roadway now known as St. Killian's Road, and formerly known as Watery Lane, Clondalkin, in the County of Dublin, and is shown and depicted in the photograph attached hereto and upon which marked with the letter "A" I have signed my name prior to the swearing hereof.

I say that the said gateway has been used by my mother and members of her family and her predecessors for upwards of sixty years for gaining access and egress to and from the said property known as Brookfield House, Clondalkin, with and without vehicles.

I make this solemn Declaration conscientiously believing same to be true from facts within my own knowledge and where not directly within my own knowledge I verily believe same to be true and I make this Declaration by virtue of the Statutory Declarations Act 1938.

Gerard O'Neill

Declared before me this *4th* day
of *December* 1991, at, *Near Road*
Clondalkin, Dublin

before me a Commissioner for Oaths and

I know the Deponent.

David Tansley
COMMISSIONER FOR OATHS





23 DEC 1951

I, PETER J. CUSACK, Solicitor of Orchard Road, Clondalkin, in the County of Dublin, aged eighteen years and upwards do solemnly and sincerely declare as follows;

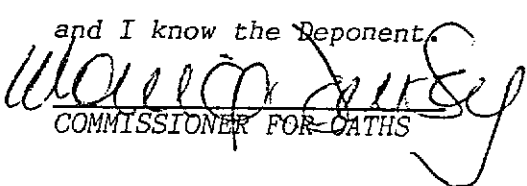
The lands and premises to which Declaration refer are the lands and premises known as Brookfield House, Ninth Lock Road, Clondalkin, in the County of Dublin, and I have been familiar with said lands and premises for upwards of 35 years.

I beg to refer to a photo-graph of a gateway giving access to and egress from Brookfield House and I say that this gateway is situate off the roadway formerly known as Watery Lane and now known as St. Killian's Road, Clondalkin, in the County of Dublin.

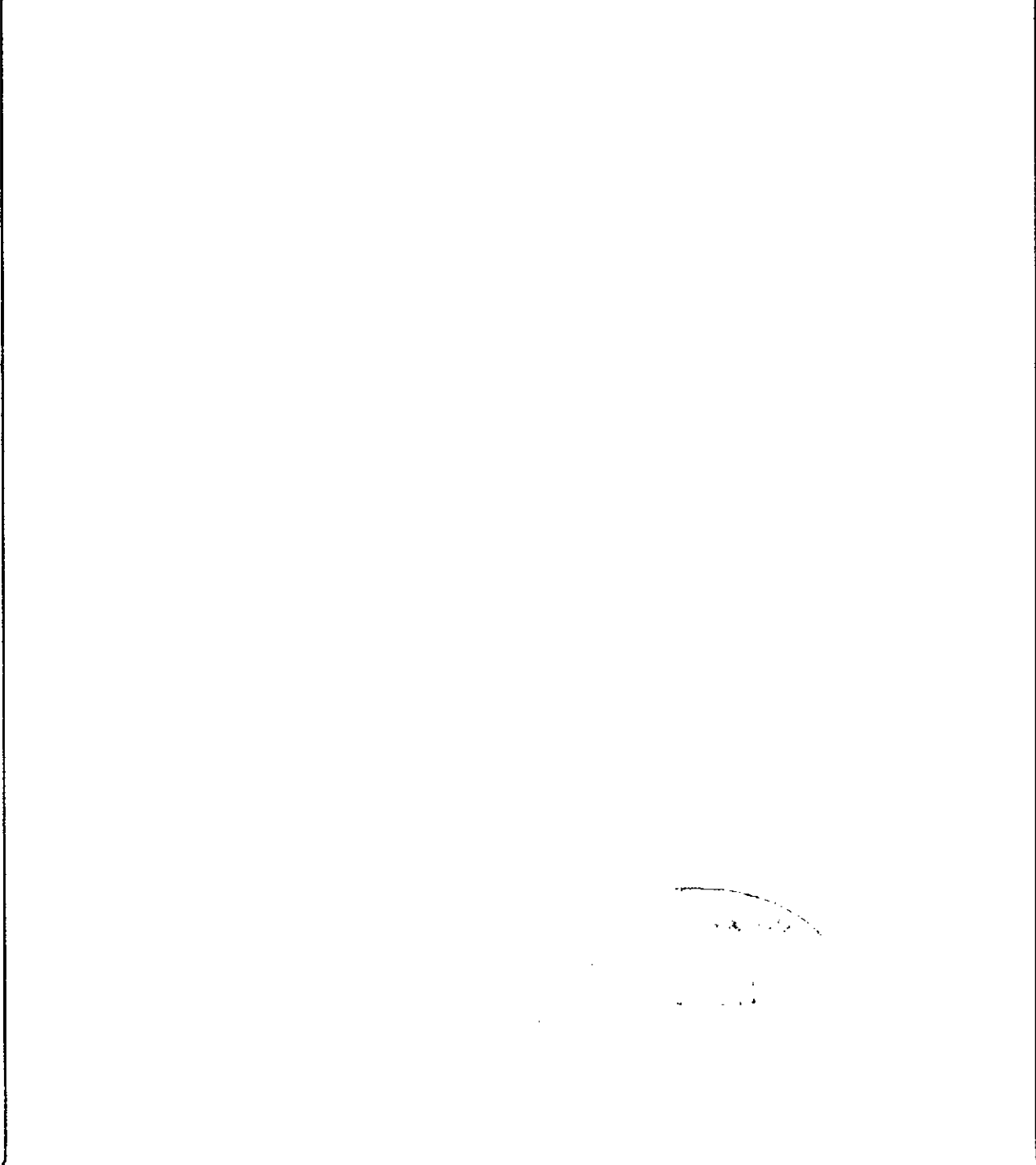
I say that this gateway has been used for upwards of 35 years by members of the O'Neill family who are beneficially entitled to said lands and premises for upwards to 35 years.

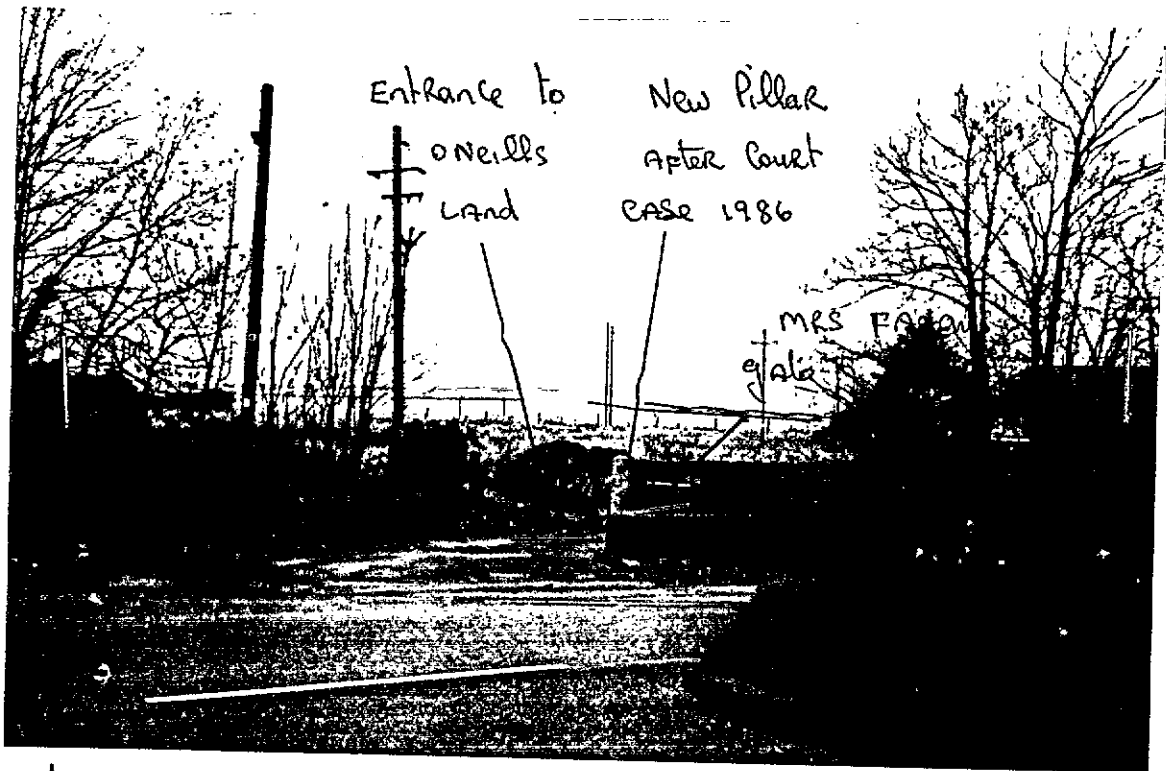
I make this Solemn Declaration conscientiously believing same to be true from facts within my own knowledge and by virtue of the Statutory Declarations Act 1938.



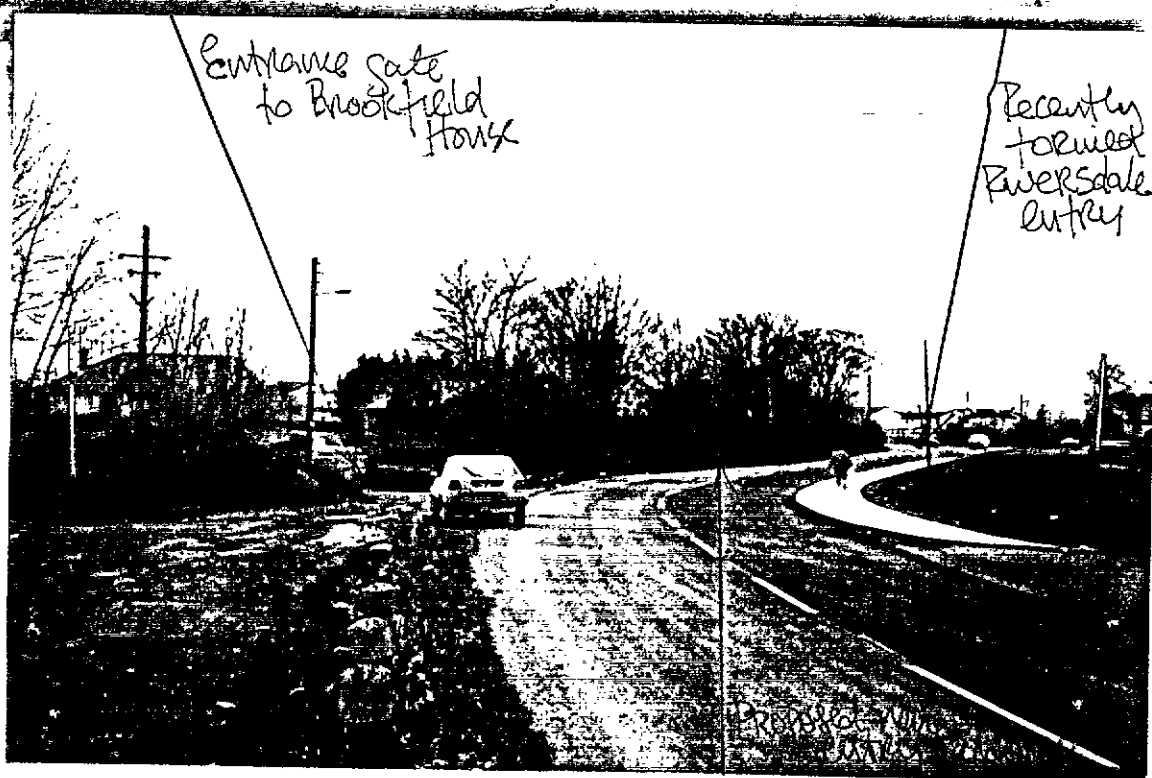
Declared before me this 5th day of
December, 1991, at, New Road,
Clondalkin, in the County of Dublin
before me a Commissioner for Oaths
and I know the Deponent.

COMMISSIONER FOR OATHS







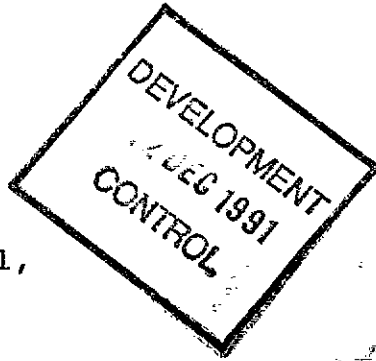
View to right of way + bridge.
Access to Brookfield House.



View along Watery Lane

Our Ref: PL 6/5/86940
P.A. Reg. Ref: 91A/1182

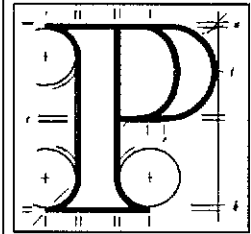
DRP
pu



Handwritten initials and a date stamp: 6 DEC 91

The Secretary,
Dublin County Council,
Planning Department,
Block 2,
Irish Life Centre.

An Bord Pleanála



Floor 3 Blocks 6 & 7
Irish Life Centre
Lower Abbey Street
Dublin 1
tel (01) 728011

Date: 4th December 1991.

Appeal re: Erection of 12 houses at Riverside Villa,
Watery Lane, Clondalkin, Dublin 22.

Dear Sir/Madam,

Enclosed for your information is a copy of correspondence received in relation to the above-mentioned appeal. While it is not necessary for you to furnish any comments on the correspondence, you may do so if you wish. Any such comments should be forwarded within fourteen days from the date of this letter to ensure that they will be taken into consideration in the determination of the appeal.

Please quote the above appeal reference number in any further correspondence.

Yours sincerely,

Suzanne Lacey
Suzanne Lacey

BP 553A



Dara Estates Ltd. M.I.A.V.I.

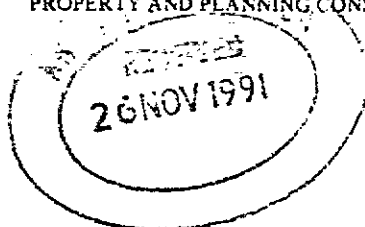
Directors:

LEONARD S. McSTAY (Chairman)
B.E. C. ENG. M.I.E.I. M.I.A.V.I.
MARGARET M. McSTAY (Secretary)

AUCTIONEERS, ESTATE AGENTS, SURVEYORS,
PROPERTY AND PLANNING CONSULTANTS

Parkview House,
65, Crumlin Road,
Dublin 12.
Telephone: 532044

An Bord Pleanála
Blocks 6 & 7
Irish Life Centre
Lower Abbey Street
Dublin 1



25 November, 1991.

re: Proposed residential development of 12 houses
at Riverside Villa, Watery Lane, Clondalkin -
Your ref. PL 6/5/8694.P.A. Reg.Ref.91A/1182 -
Our client Monica Fagan.

Dear Sirs,

With reference to your letter of November 12th, 1991, enclosing copy of appeal by Charles Hulgraine on behalf of Gerard O'Neill, we wish to reply as follows:

Title:

The portion of the site that includes the existing access across the Camac River to Riverside Villa is included in Land Registry Folio No. 5831 County Dublin (copy enclosed). Since the death of her husband, this title now rests with our client, Monica Fagan. No rights of way or other easements are registered on this title. The right of way claimed by Mr O'Neill is in fact a neighbourly accommodation given to him by the late Mr Fagan prior to 1970 to enable him to bring cattle across Mr Fagan's land onto his (Mr O'Neill's) property. Since 1970 until recent months this access gate had remained unused and was in fact blocked by earth until a JCB was brought in to free it. This occurred after our client's application was lodged.

As you can see from copy of letter sent initially by Mr O'Neill to Mrs Fagan (enclosed), the objection was lodged only because Mr O'Neill had failed to make contact with Mrs Fagan (who was in hospital at the time).

Usage:

As stated, the nature of the access across Mr Fagan's land was granted solely to Mr O'Neill for an agricultural purpose carried out only by Mr O'Neill. The existing bridge (owned by our client) would only be suitable for such a purpose or for domestic access and, irrespective of title or right of way considerations, any proposals to extend the usage for industrial or related purposes would be vigorously opposed by Mrs Fagan and almost certainly by the Planning Authority (Roads Dept.).

Continued over/page 2.....

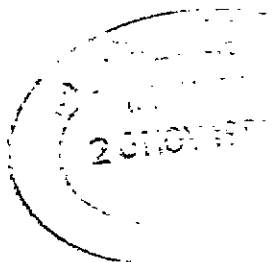
In our application we have shown this existing entrance to be used to provide pedestrian access across the open space to the proposed development. By repositioning the bollards behind the line of Mr O'Neill's gate in the boundary wall his continued access across Mrs Fagan's land for agricultural purposes can be maintained. Our client is not opposed to the continuance of this neighbourly accommodation provided such access does not militate against the outcome of her application at present being considered by An Bord.

Because this matter is primarily a legal one between adjoining property owners, we feel that Mr O'Neill's appeal should be considered invalid and should not interfere with An Bord's decision regarding the appeal lodged by us on Mrs Fagan's behalf on 12th November, 1991.

Yours faithfully,

Leonard McStay

Leonard S McStay, B.E., C.Eng., M.I.E.I.

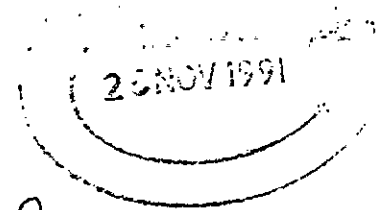


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Mrs Fagan / Denis



Called + attempted to ring

you several times regarding your

blocking up of our entrance in

plans submitted to County Council.

My architect has advised me

that today is last day to appeal

to Bord Pleanála and as you are

not contactable so as I can

determine your intentions we have no

option But to appeal to Board Plawala

I must stress that

the blocking up of our entrance

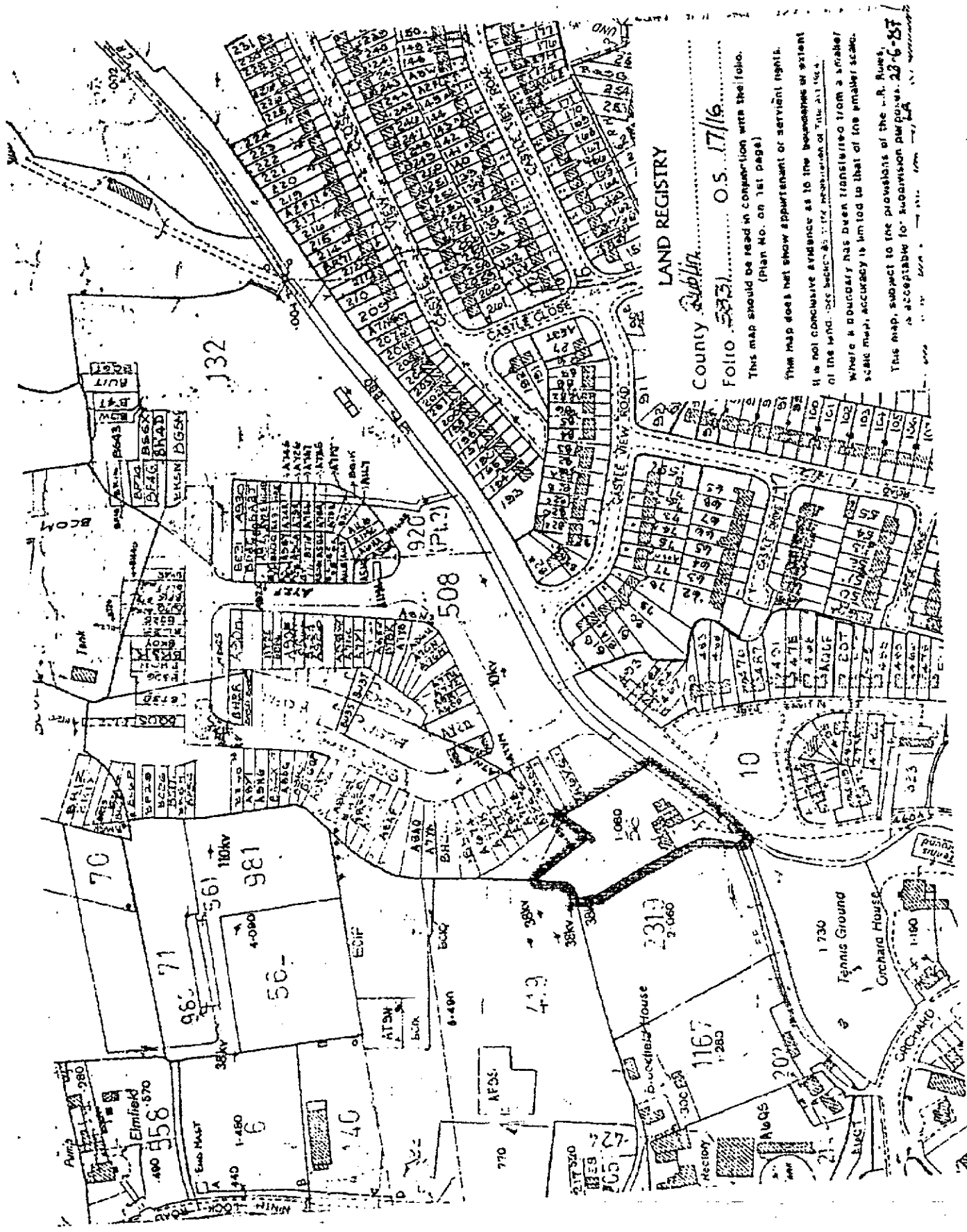
is our only objective & you

might contact me as soon as

possible to put matter right.

Grand Overall





LAND REGISTRY

County *Suburbia* O.S. 17/16
 Folio 533

This map should be read in conjunction with the folio.
 (Plan No. on 1st page)

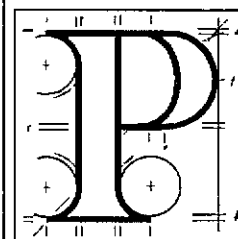
This map does not show apartment or servient rights.
 It is not conclusive evidence as to the boundaries or extent
 of the land. See Section 85 of the Registration of Title Act 1925
 where a boundary has been transferred from a smaller
 scale map, accuracy is limited to that of the smaller scale.
 This map, subject to the provisions of the L.R. Rules,
 is acceptable for submission purposes. 23-6-57

Handwritten initials/signature

Handwritten: 25/11

The Secretary,
Dublin County Council,
Planning Department,
Block 2,
Irish Life Centre.

An Bord Pleanála



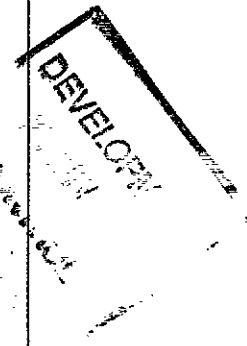
Floor 3 Blocks 6 & 7
Irish Life Centre
Lower Abbey Street
Dublin 1
tel (01) 728011

Date: 20th November 1991.

Appeal re: Erection of 12 houses at Riverside Villa,
Watery Lane, Clondalkin, Dublin 22.

Dear Sir/Madam,

Enclosed for your information is a copy of correspondence received in relation to the above-mentioned appeal. While it is not necessary for you to furnish any comments on the correspondence, you may do so if you wish. Any such comments should be forwarded within fourteen days from the date of this letter to ensure that they will be taken into consideration in the determination of the appeal.



The Board notes that the above appeal relates (inter alia) to contribution conditions. In this regard, and in order to facilitate the Board in its consideration of the appeal, I am to request you to forward the following information (as appropriate) in relation to the conditions proposed to be imposed:-

Handwritten: OGS

- (1) The approach to and the basis for the calculation of the contributions.
- (2) In the case of a parking contribution - the location of parking spaces which would facilitate the proposed development together with an indication as to when they were, or will be, provided.
- (3) In the case of change of use - what allowance, if any, has been made in the calculation of the contributions to allow for the demand for services or parking under the previous use.
- (4) Any other relevant comments or information.

Handwritten: Bands & chd.

Handwritten: SEDC

Handwritten: Parks

Please quote the above appeal reference number in any further correspondence.

Yours sincerely,

Handwritten signature: Kevin Carleton
Kevin Carleton
Executive Officer

BP 553A/006



Dara Estates Ltd. M.I.A.V.I.

Directors:

LEONARD S. McSTAY (Chairman)
B.E. C. ENG. M.I.E.L. M.I.A.V.I.
MARGARET M. McSTAY (Secretary)

AUCTIONEERS, ESTATE AGENTS, SURVEYORS,
PROPERTY AND PLANNING CONSULTANTS

Parkview House,
65, Crumlin Road,
Dublin 12.
Telephone: 532044

An Bord Pleanála
Blocks 6 & 7
Irish Life Centre
Lower Abbey Street
Dublin 1

re: Proposed residential development
of 12 houses at Riverside Villa,
Watery Lane, Clondalkin - Reg.Ref.
91A/1182.

Dear Sirs,

Further to our letter of October 9, 1991 (copy enclosed), the following are the detailed grounds of appeal against conditions No. 04, 15 and 24 of the Notification of Decision to Grant Permission dated September 12th, 1991 (Decision Order No. P/4269/91).

(1) Financial Contributions

Under conditions No.4 and 24 the applicant has been conditioned to provide the following contributions for 8houses:

$£9,120 + 8(1,420) = £20,480$

(Public services)(roads) i.e. £2,560 per house.

We have estimated the cost of constructing the bridge over the River Camac at £35,000, i.e. £4,375 per house.

The estimated costs of site development works is £5,000 per house.

This gives a total cost of £11,935 per house for site development, bridge construction and contributions as levied.

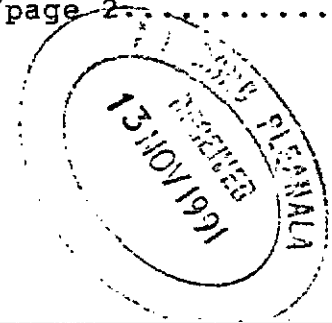
As only 3 bed. houses have been included in the "Decision to Grant" the following costings emerge:

Projected selling price = £49,500 per house.

. . . Site development works plus imposed charges are almost 25% of the total price.

In our opinion this is excessive and makes the whole development uneconomic. Therefore the elimination or substantial reduction of these imposed charges is sought so that the development may become financially viable.

Continued over/page 2.....



(2) Reduction in No. of Houses (Condition No. 15):

The elimination of 4 no. "A" type houses under the above condition results in the "layout as granted" as shown on Drg. No. 3 enclosed. This means that the percentage of open space that it is required to provide under the conditions of the "Decision to Grant" is now 44% of the gross site area.

Our original proposal shown as the "layout as lodged" on Drg. No. 2 provides 30% of gross site area as open space.

Based on Dublin Co. Council standards for Public Open Space as stated in Clause 3.5.5 of the written statement in the Dublin County Draft Development Plan 1991, the requirement is for the provision of 2 hectares per 1,000 population, where population is calculated on the basis of 3.5 persons per private dwelling-house. Applying this standard, the requirements for 12 houses are as follows:

$$3.5 \times 12 = 42 \text{ persons}$$

$$\text{Area required} = \frac{20,000 \times 42}{1,000} = 840 \text{ sq. metres.}$$

Our layout as lodged provided 1541 metres or 1.83 times the requirement under Clause 3.5.5.

Based on the "layout as granted" (See Drg.No.3) the open space requirement has now increased to 44% of gross site area as stated previously. This means that the conditions now require 2177 sq. metres of open space to be provided, which is equivalent to 2.59 times the requirements of the standard set in Clause 3.5.5.

We consider this to be excessive and unfair.

(3) Zoning:

All the applicant's site is now zoned residential as shown on the extract from sheet No. 18 of the Dublin Co. Council Draft Development Plan 1991. Yet the "Decision to Grant" is such as to preclude development on an economic basis of the applicant's site by reason of the reduced number of houses, excessive charges (see conditions No. 4 and 24) and the excessive open space requirement (Condition No. 15).

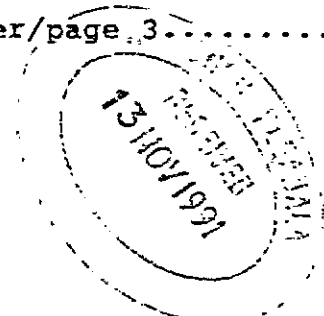
(4) Reason given for reduction in number of houses

a) houses backing onto open space

It is not accepted that the reason in this condition is a valid Planning consideration. It is not a condition of any policy statement of an existing or proposed County Development Plan.

Numerous examples of houses backing onto open space occur all over the County, and, even in the immediate area of this site, three such examples are indicated at A,B,C on Drg.No. 4 enclosed.

Continued over/page 3.....



It was proposed as part of our application to provide a 2.4 m. high rear boundary wall to the 4 no. A Type houses backing onto the open space. It is our further intention to protect these houses with landscaped screening, a fact which the Planning Department seem to have ignored in considering the application.

(b) Zoning

All of the applicant's lands are now zoned "A" under the Draft Development Plan. Provision is made for the continuation of the "F" zoning at this location on the opposite side of Watery Lane (see extract from Sheet No. 18).

(c) Camac River

It is our opinion that the provision of any type of 'linear park' along the Camac River at this location would not be possible given the existing break at the entrance road to Riversdale Estate, the existing and approved breaks at Riverside Villa and the zoning of the adjoining lands for industrial and related uses. Under our proposal access to the river bank has been maintained at all points on the Riverside Villa side of the Camac.

It should also be noted that the existing small area of passive open space to the left of the entrance road to Riversdale Estate (outlined red on Drg. No. 4) is steeply banked down towards the river and could only be used for access along the river bank. It would be unsuitable for any kind of field activity and could, in fact, be potentially dangerous for children if used for such a purpose.

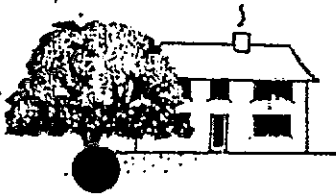
(5) In general, the layout granted by Dublin Co. Council (ref. Drg. No. 3) is, in our opinion, out of proportion, would be uneconomic to construct, would create an isolated group of houses separated from Watery Lane by a large tract of open land and would not be in the interest of proper planning and development for the area.

Yours faithfully,

Leonard S McStay

Leonard S McStay, BE., C.Eng., MIEI.

DATED 12 November, 1991.



dara Estates Ltd. M.I.A.V.I.

Directors:

LEONARD S. McSTAY (Chairman)
B.E. C. ENG. M.I.E.I. M.I.A.V.I.
MARGARET M. McSTAY (Secretary)

AUCTIONEERS · ESTATE AGENTS · SURVEYORS ·
PROPERTY AND PLANNING CONSULTANTS

Parkview House,
65, Crumlin Road,
Dublin 12.
Telephone: 532044

October 9, 1991

An Bord Pleanála
Blocks 6 & 7
Irish Life Centre
Lower Abbey Street
Dublin 1

re: Proposed residential development of
12 houses at Riverside Villa, Watery
Lane, Clondalkin - Register Ref.
91A/1182.

Dear Sirs,

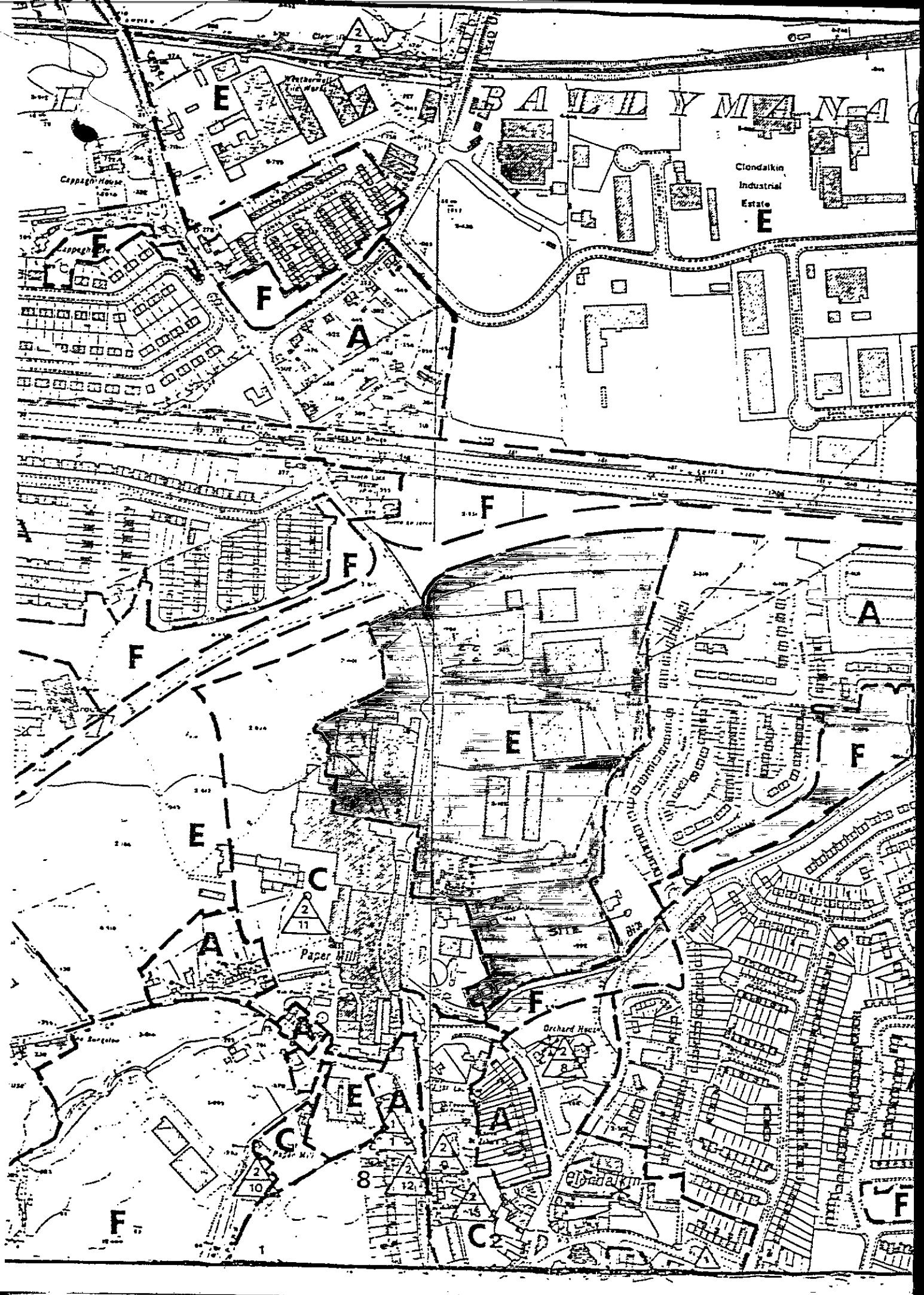
On behalf of our client, Mrs Monica Fagan (the applicant), we now appeal against Conditions No. 04, 15 and 24 of the Notification of Decision to Grant Permission dated September 12th, 1991 (Decision Order No. P/4269/91).

Detailed grounds of appeal will be lodged by us at an early date. Enclosed please find cheque in the amount of £100 in respect of this appeal.

Yours faithfully,

Leonard McStay

Leonard S McStay, BE., C.Eng., MIEI.



BALLYMENA ROAD

Clondalkin Industrial Estate

Cappagh House

Paper Mill

Orchard House

Clondalkin

E
F
A

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C

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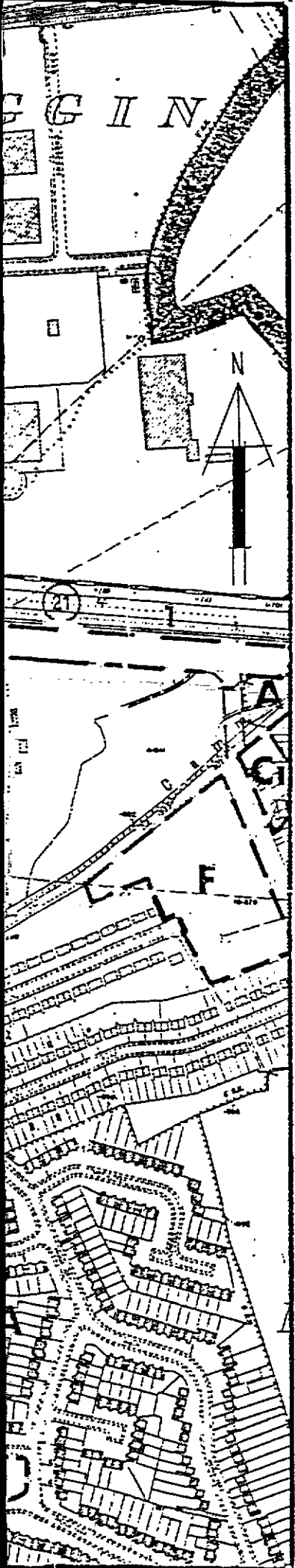
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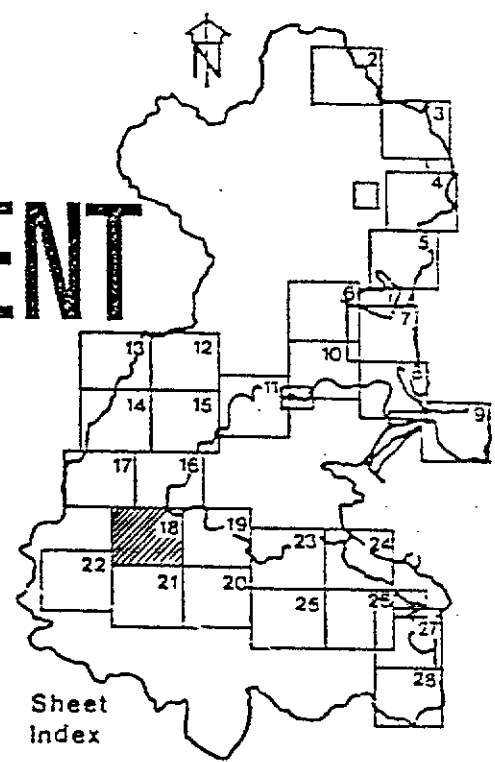
8



DUBLIN COUNTY

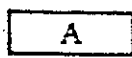
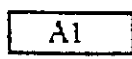
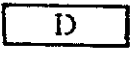
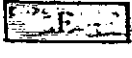
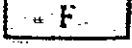
DRAWING NO. 1
Scale 1:5000

DRAFT DEVELOPMENT PLAN 1991

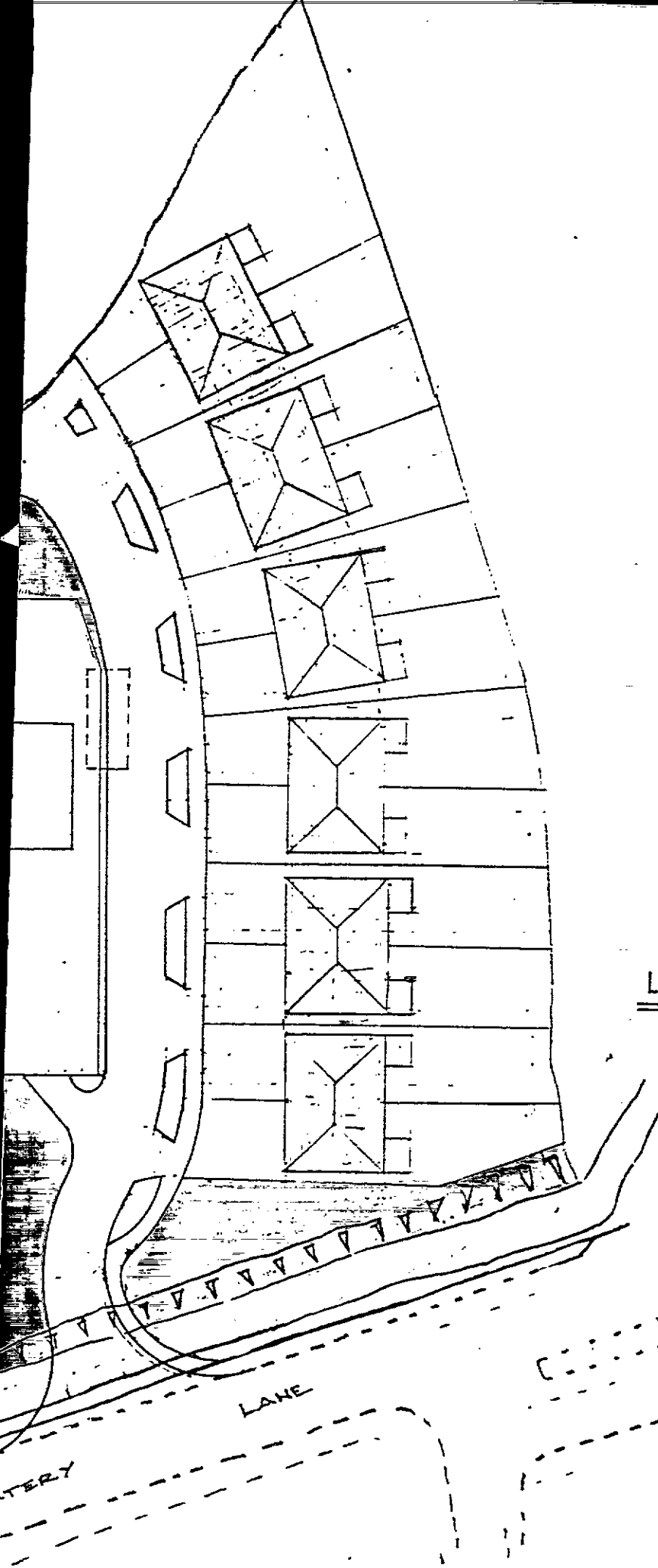


Sheet Index

USE ZONING OBJECTIVES

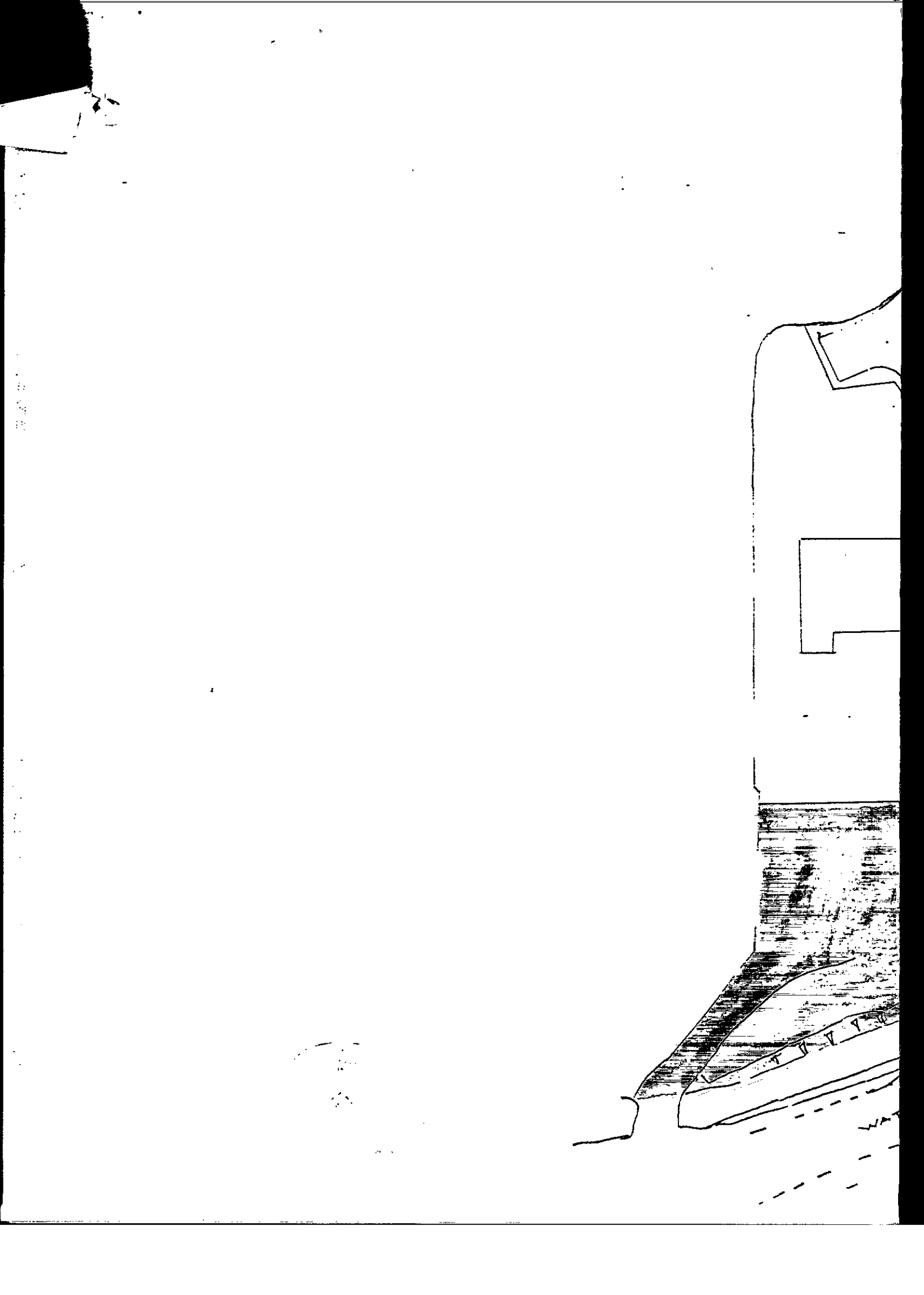
- | | | |
|--------------|---|---|
| Objective A | To protect and improve residential amenity. |  |
| Objective A1 | To provide for new residential communities in accordance with approved action area plans. |  |
| Objective D | To provide for major town centre activities. |  |
| Objective E | To provide for industrial and related uses. |  |
| Objective F | To preserve and provide for open space and recreational amenities. |  |

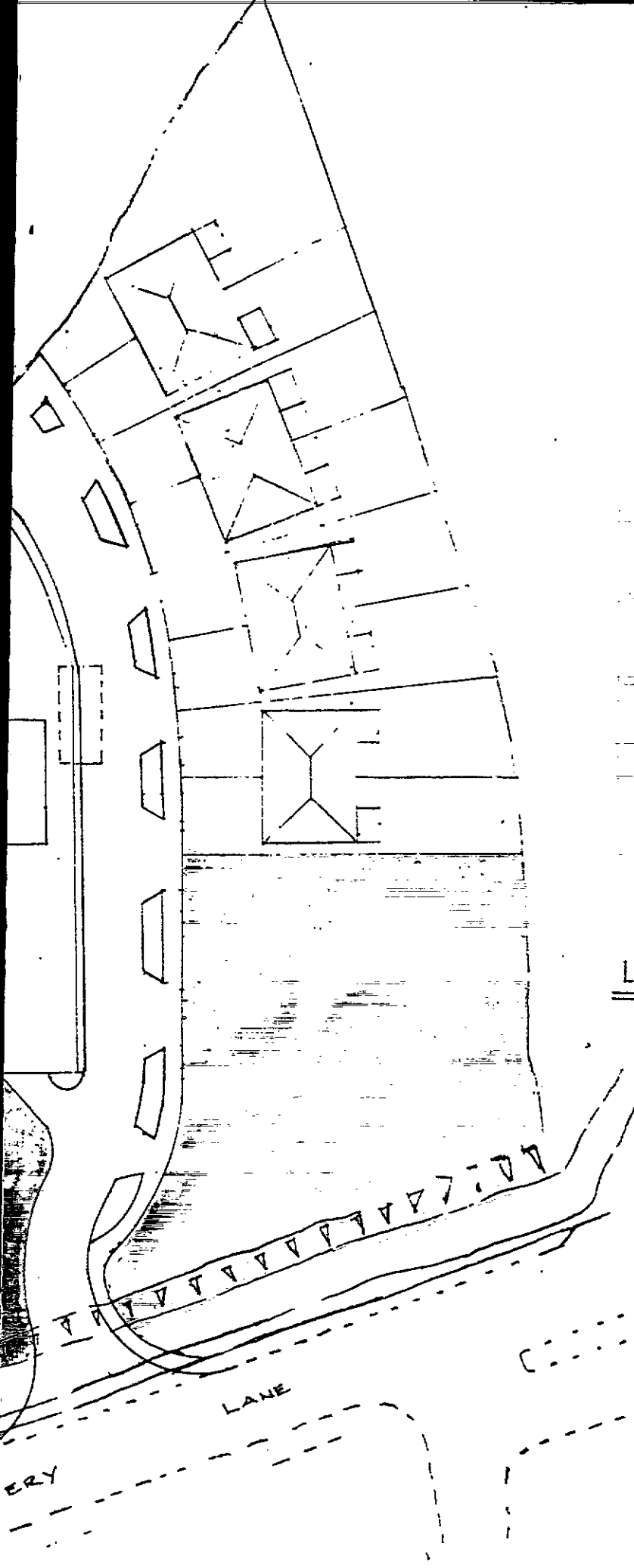
RECEIVED
13 NOV 1951



LAYOUT AS LODGED

DRAWING NO. 2
Scale 1:500



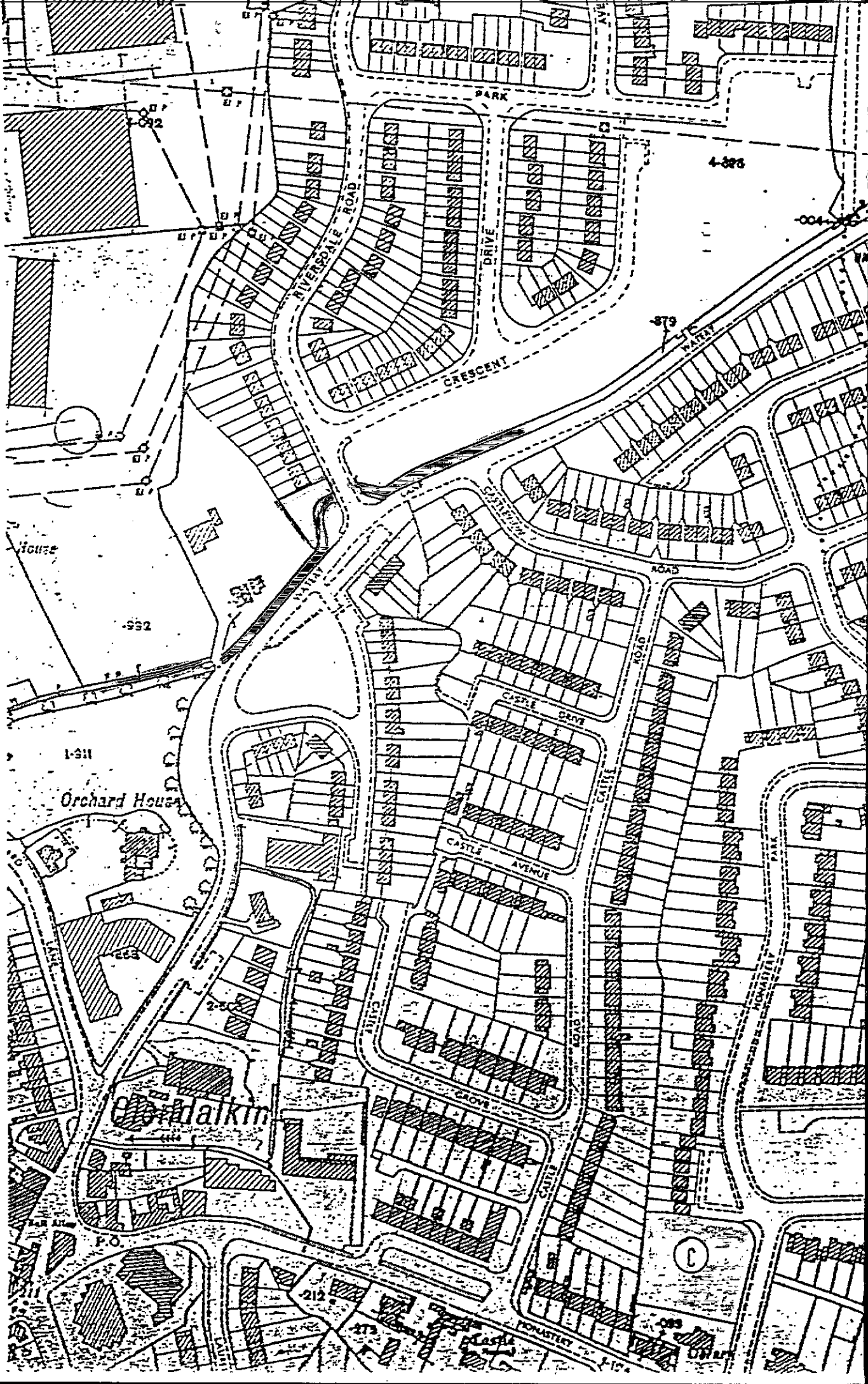


LAYOUT AS GRANTED

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LANE

DRAWING NO. 3
Scale 1:500



PARK

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ST3

CRESCENT

House

932

1-311

Orchard House

CASTLE DRIVE

CASTLE AVENUE

ROAD

CASTLE

GROVE

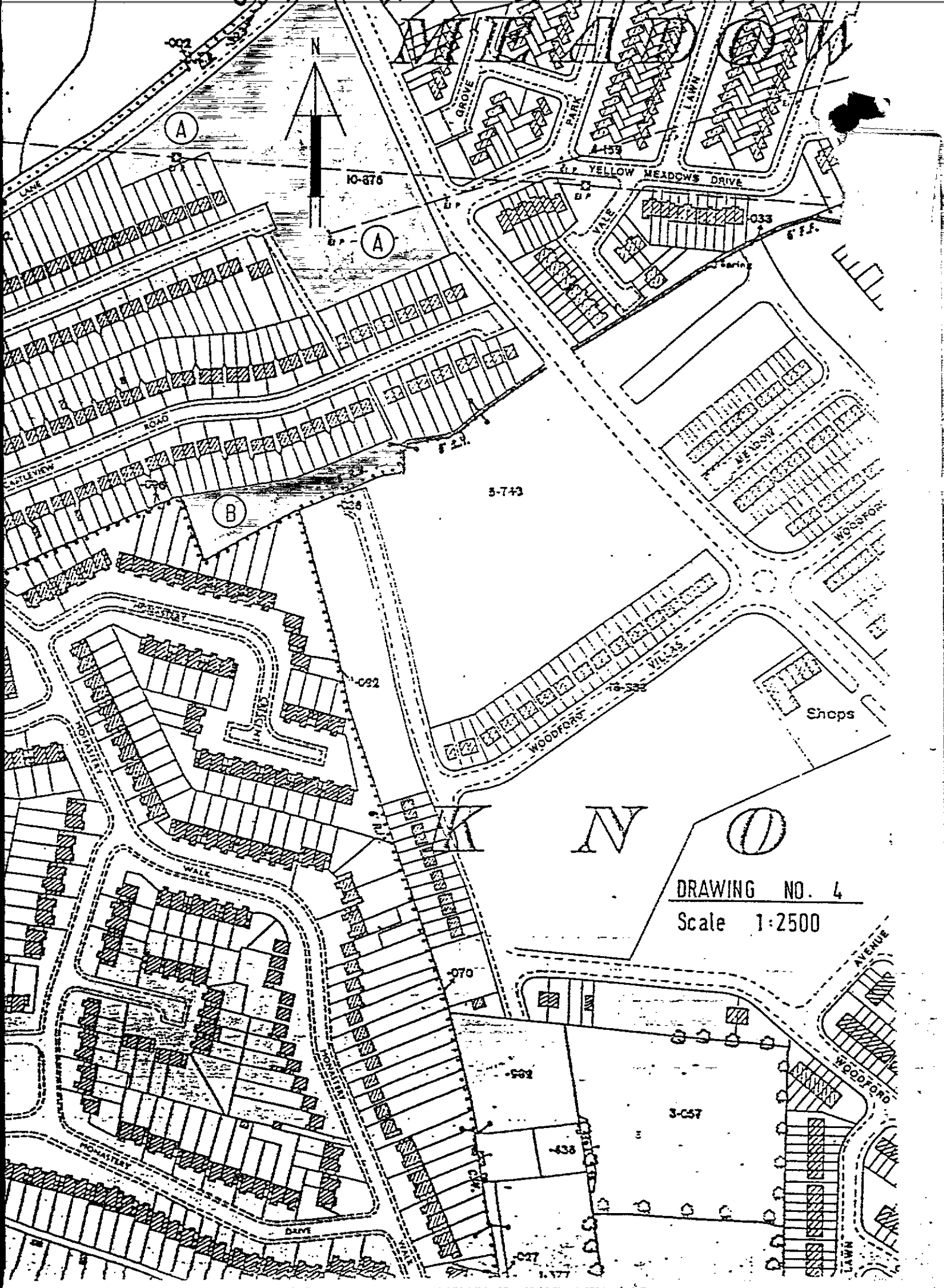
CASTLE

FOUNTAIN

212

FOUNTAIN

C



10-876

5-743

DRAWING NO. 4

Scale 1:2500

Shops

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WOODFORD AVENUE

WOODFORD

WOODFORD

WOODFORD

LAWN

YELLOW MEADOWS DRIVE

GROVE

PARK

LAWN

LANE

ARTVIEW ROAD

WOODFORD VILLAGES

WOODFORD

WOODFORD

WOODFORD

WOODFORD

WOODFORD

WOODFORD

WOODFORD

WOODFORD

WOODFORD

Our Ref: PL 6/5/86940
P.A. Reg. Ref: 91A/1182

The Secretary,
Dublin County Council,
Planning Department,
Block 2,
Irish Life Centre.

Date: 12th November 1991.

Appeal re: Erection of 12 houses at Riverside Villa,
Watery Lane, Clondalkin, Dublin 22.

Dear Sir/Madam,

Enclosed for your information is a copy of
correspondence received in relation to the
above-mentioned appeal. While it is not necessary for
you to furnish any comments on the correspondence, you
may do so if you wish. Any such comments should be
forwarded within fourteen days from the date of this
letter to ensure that they will be taken into
consideration in the determination of the appeal.

Please quote the above appeal reference number in any
further correspondence.

Yours sincerely,

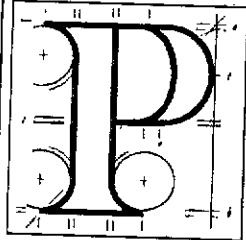
Suzanne Lacey
Suzanne Lacey

BP 553A

RL
15/11

14 NOV 91

An Bord Pleanála



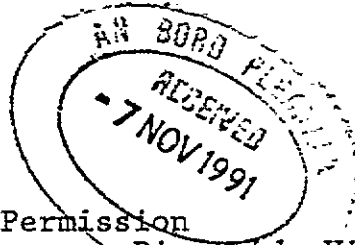
Floor 3 Blocks 6 & 7
Irish Life Centre
Lower Abbey Street
Dublin 1
tel (01) 728011

DEVELOPMENT
15 NOV 1991
CONTROL

965

Charles Hulgraine Architect and Design Consultant

An Bord Pleanála
Irish Life Centre
Lower Abbey Street
Dublin 1.



St. Mochtas,
6 Orchard Avenue,
Clonsilla,
Dublin 15.
Telephone 202552

RE: Decision to Grant Permission
Erection of 12 houses at Riverside Villa,
Watery Lane, -Clondalkin, Dublin-22 by
Monica Fagan.

ref:

date: 4/11/91

YOUR REF: 6/5/86940

OUR CLIENT: Gerard O'Neill

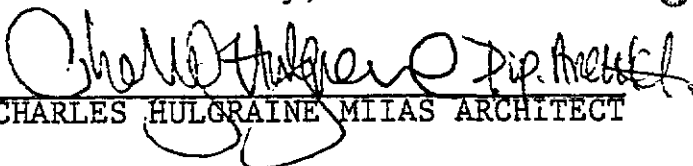
Dear Sir,

The grounds of appeal on which our appeal was lodged is as follows:

Gerard O'Neill is owner of lands known as Brookfield House, Clondalkin which is immediately adjacent to the site of the proposal. Mr. O'Neill currently enjoys the use of an established entrance (the gates of which are clearly visible) to his lands at the position now intended to be blocked off by what is described on the plans lodged as "bollards". Mr. O'Neill is obviously aghast at this and the cavalier assertion of the applicant who at no stage consulted with him about either the development proposed or the established entrance known to both parties. It was against this time ultimatum and the non availability of the applicant that Mr. O'Neill has lodged this appeal.

It should be noted that Mr. O'Neill's lands are currently zoned for "industrial and related uses" and that he is anxious not to relinquish any potential points of entry for future development as this would be in the interests of the proper Planning and Development of the area. It is clear however that as Mr. O'Neill's established entry is to be retained as a future option that this may affect the Bord's attitude to the nearby entry now proposed to the subject development and transcends the obvious legal implications of the applicant's intended action. Mrs. Fagan should now prove to the Bord that she has legal Title to block my client's entrance as the planning implications for Mr. O'Neill's considerable holding will be controversial in the future. If Title cannot now be proven to block this entry, we believe it would not be safe for the Bord to uphold this Decision.

Yours faithfully,

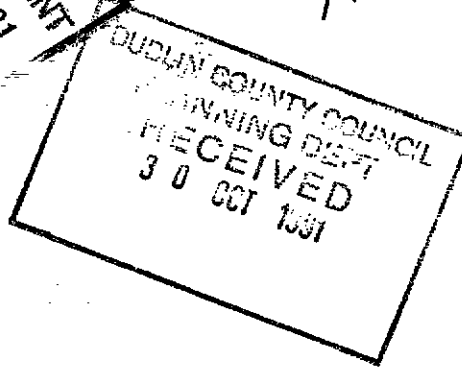
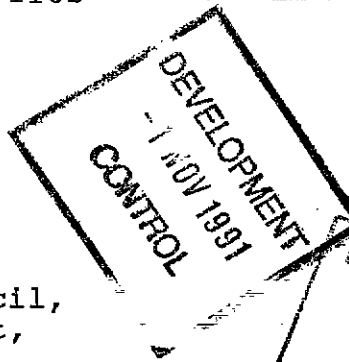

CHARLES HULGRAINE MIAS ARCHITECT

CHARLES HULGRAINE

ARCHITECTS

6 Orchard Ave. Clonsilla
Dublin 15. - Phone 202552

Our Ref: PL 6/5/86940
P.A. Reg. Ref: 91A/1182



PK
1/11

The Secretary,
Dublin County Council,
Planning Department,
Block 2,
Irish Life Centre.

Date: 25th October 1991.

Planning authority decision re: proposed Erection
of 12 houses at Riverside Villa, Watery Lane,
Clondalkin, Dublin 22.

Dear Sir/Madam,

Enclosed is a copy of an appeal under the Local
Government (Planning and Development) Acts, 1963 to
1990, in relation to the above-mentioned decision.

Any observations which you wish to make on the
appeal should be conveyed, in writing, to the Board
without delay.

As you are aware, the planning authority's decision
in the matter is already the subject of an appeal to
the Board.

Please quote the above appeal reference number in
any further correspondence.

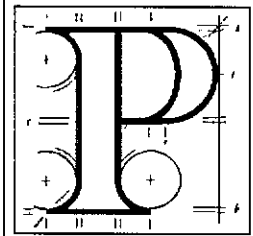
Yours faithfully,

Suzanne Lacey
Suzanne Lacey

Encl.

BP 004

An Bord Pleanála



Floor 3 Blocks 6 & 7
Irish Life Centre
Lower Abbey Street
Dublin 1
tel (01) 728011



Dara Estates Ltd. M.I.A.V.I.

Directors:

LEONARD S. McSTAY (Chairman)
B.E. C. ENG. M.I.E.I. M.I.A.V.I.
MARGARET M. McSTAY (Secretary)

AUCTIONEERS ESTATE AGENTS SURVEYORS
PROPERTY AND PLANNING CONSULTANTS

Parkview House,
65, Crumlin Road,
Dublin 12.
Telephone: 532044

October 9, 1991

An Bord Pleanála
Blocks 6 & 7
Irish Life Centre
Lower Abbey Street
Dublin 1

re: Proposed residential development of
12 houses at Riverside Villa, Watery
Lane, Clondalkin - Register Ref.
91A/1182.

Dear Sirs,

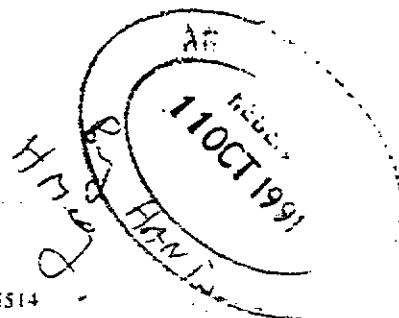
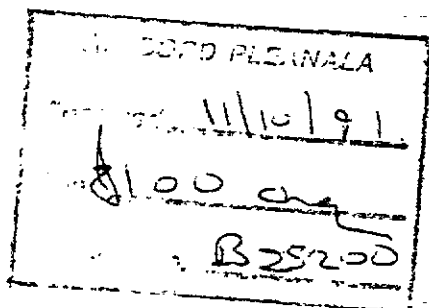
On behalf of our client, Mrs Monica Fagan (the applicant), we now appeal against Conditions No. 04, 15 and 24 of the Notification of Decision to Grant Permission dated September 12th, 1991 (Decision Order No. P/4269/91).

Detailed grounds of appeal will be lodged by us at an early date. Enclosed please find cheque in the amount of £100 in respect of this appeal.

Yours faithfully,

Leonard McStay

Leonard S McStay, BE., C.Eng., M.I.E.I.



COMHAIRLE CHONTAE ATHA CLIATH

Tel.: 724755
Ext. 268/269

Planning Department,
Irish Life Centre,
Lr. Abbey Street,
Dublin 1.

Your Ref.: PL6/5/86940
Our Ref.: 9M-1182

14-10-'91

An Bord Pleanála,
Blocks 6 and 7,
Irish Life Centre,
Lr. Abbey Street,
Dublin 1.

LOCAL GOVERNMENT (PLANNING AND DEVELOPMENT) ACTS, 1963 TO 1983

Proposal: 12 Houses at Riverside Villa,
Watery Lane, Clondalkin, Dublin 22.

Applicant: Mrs Monica Fagan.

Dear Sir,

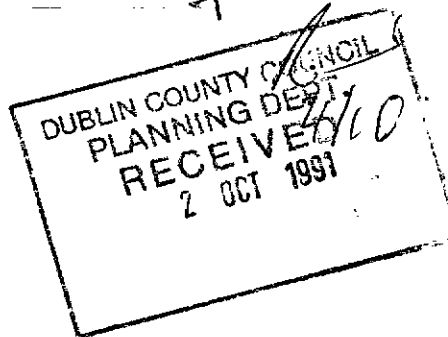
With reference to your letter dated 30.09.91 I enclose herewith:-

- (1) & (2) A copy of the application which indicated the applicant's interest in the land or structure.
- (3) A copy of the public notice given, i.e. IRISH PRESS 09.09.91
- (4) The plan(s) received from the applicant on 16.07.91
- (6) & (7) A certified copy of Manager's Order P/4269/91
DATED, 11.09.91 together with technical reports in connection with the application.
- (8) HISTORY FILE; FOR 9M 40 see PL 6/5/85538

Yours faithfully,

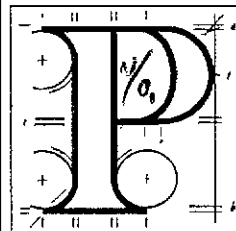
M. Murtagh.
for Principal Officer.
Encls.

Our Ref: PL 6/5/86940
Your Ref: 91A/1182



The Secretary,
Dublin County Council,
Planning Department,
Block 2,
Irish Life Centre.

An Bord Pleanála



Floor 3 Blocks 6 & 7
Irish Life Centre
Lower Abbey Street
Dublin 1
tel (01) 728011

Date: 30th September 1991.

Planning authority decision re: Erection of 12 houses at Riverside Villa, Watery Lane, Clondalkin, Dublin 22.

Dear Sir/Madam,

Enclosed is a copy of an appeal under the Local Government (Planning and Development) Acts, 1963 to 1990, in relation to the above-mentioned decision. So that consideration of the appeal may proceed, you are requested to forward to the Board within two weeks:

- (1) The application made to the planning authority.
- (2) Particulars of the applicant's interest in the land or structure, as supplied to the planning authority.
- (3) A copy of the public notice, whether published in a newspaper or on the site.
- (4) Any drawings, maps, particulars, information, evidence or written study received or obtained from the applicant, including the ordnance survey number.
- (5) Copies of requests (if any) to the applicant for further information relating to the application under appeal and copies of reply and documents (if any) submitted in response to such requests.
- (6) A certified copy of the relevant Manager's Order.
- (7) Copies of any technical or other reports relevant to the decision on the application.
- (8) Particulars and relevant documents relating to previous decisions affecting the same site or relating to applications for similar development close by.

Please note that the other party/parties to the appeal are being notified that copies of the planning authority documents relevant to the decision which gave rise to the above-mentioned appeal will be available for inspection at your offices after the expiration of a period of fourteen days from the date of this letter. It would be appreciated if parties could be facilitated in this regard.

Copies of the representations or observations made to the planning authority in relation to the application should not be sent to the Board. It is assumed that the planning authority has notified observers of the decision made and of the right of appeal.

The planning authority may make to the Board, in writing, such observations on the appeal as it thinks fit. Where practicable, any such observations should be submitted with the documents listed above but the furnishing of the documents should not be held up until observations are available. In any event, to ensure that they will be taken into account in the determination of the appeal, any such observations should be furnished within one month of the date of this letter.

Please quote the above appeal reference number in any further correspondence.

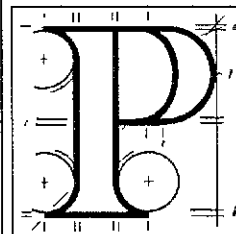
Yours faithfully,

Suzanne Lacey
Suzanne Lacey

Encl.

BP 005

An Bord Pleanála



Floor 3 Blocks 6 & 7
Irish Life Centre
Lower Abbey Street
Dublin 1
tel (01) 728011

Charles Hulgraine Architect and Design Consultant

St. Mochtas,
6 Orchard Avenue,
Clonsilla,
Dublin 15.
Telephone 202552

30/9/91
€50.00 cha
Clonsilla B. 25096
Dublin - 22

Appeal re -

Location: Riverside Villa,
Waterside Lane, Clonsilla, Dublin - 22

applicant: Monica Fagan.

reg ref: 91A. 1182

" Residential Development of 12 berths.
Decision Date - 11 Sept. 91.

date: 27/9/91

Dear Sir.

on behalf of my client MR. Gerard O'Neill of
Brookfield Hotel Clonsilla Dublin 22. (tel. 574826)
I wish to appeal the above Decision and will
forward detailed grounds of Appeal in due course.
I enclose the appropriate charge of €50 in the
matter.

Charles Hulgraine, Dip. Archt.
MR. HULGRAINE
CHARLES HULGRAINE
ARCHITECTS
27/9/91

6 Orchard Ave., Clonsilla
Dublin 15. - Phone 202552

Building Control Department,
Liffey House,
Tara Street,
Dublin 1.
Telephone: 773066



Bloc 2, Ionad Bheatha na hEireann,
Block 2, Irish Life Centre,
Sraid na Mainistreach Iacht,
Lower Abbey Street,
Baile Atha Cliath 1.
Dublin 1.
Telephone. (01)724755
Fax. (01)724896

Register Reference : 91A/1182

Date : 17th July 1991

LOCAL GOVERNMENT (PLANNING AND DEVELOPMENT) ACTS, 1963 TO 1990

Dear Sir/Madam,

DEVELOPMENT : Residential development of 12 houses

LOCATION : Riverside Villa, Watery Lane, Clondalkin

APPLICANT : Mrs Monica Fagan

APP. TYPE : PERMISSION

With reference to the above, I acknowledge receipt of your application received on 16th July 1991.

Yours faithfully,

.....

for PRINCIPAL OFFICER

Dara Estates Ltd,
Parkview House,
65 Crumlin Road,
Dublin 12.



Bloc 2, Ionad Bheatha na hEireann,
Block 2, Irish Life Centre,
Sraid na Mainistreach Iacht,
Lower Abbey Street,
Baile Atha Cliath 1.
Dublin 1.
Telephone. (01)724755
Fax. (01)724896

NOTIFICATION OF DECISION TO GRANT PERMISSION
LOCAL GOVERNMENT (PLANNING AND DEVELOPMENT) ACTS 1963-1990.

Decision Order Number : P/ 4269 /91 Date of Decision : 11th September 1991

Register Reference : 91A/1182 Date Received : 16th July 1991

Applicant : Mrs Monica Fagan

Development : Residential development of 12 houses

Location : Riverside Villa, Watery Lane, Clondalkin

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 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 on the attached Numbered Pages.

NUMBER OF CONDITIONS:- *24*....ATTACHED.

Signed on behalf of the Dublin County Council.....
for Principal Officer

Date: *12/9/91*.....

Dara Estates Ltd,
Parkview House,
65 Crumlin Road,
Dublin 12.

NOTES

1. An appeal against the decision may be made to An Bord Pleanala. The applicant may appeal within one month from the date of receipt by him of this notification. ANY OTHER PERSON may appeal within twenty one days beginning on the date of this decision.

2. An appeal shall be in writing and shall state the subject matter and grounds of appeal. It should be addressed to:-

An Bord Pleanala,
Blocks 6 and 7
Irish Life Centre,
Lower Abbey Street,
Dublin 1.

3. An appeal lodged by an applicant or his agent with An Bord Pleanala will be invalid unless accompanied by the prescribed fee.

(a) An appeal against a decision relating to commercial development by the person by whom the application was made must be accompanied by a fee of £100 (one hundred Pounds).

"Commercial Development" means development for the purposes of any professional, commercial or industrial undertaking, development in connection with the provision for reward of services to persons or undertakings, or development consisting of the provision of two or more dwellings, but does not include development for the purposes of agriculture.

(b) An appeal other than an appeal mentioned at (a) above, including third party appeal must be accompanied by a fee of £50 (fifty pounds)

(c) A party to an appeal making a request to An Bord Pleanala for an Oral Hearing of an appeal must, in addition to the prescribed fee, pay to An Bord Pleanala a fee of £50 (fifty pounds).

(d) A person who is not a party to an appeal must pay a fee of £15 (fifteen pounds) to An Bord Pleanala when making submissions or observations to An Bord Pleanala in relation to an appeal.

4. If the Council makes a decision to grant permission/approval and there is no appeal to An Bord Pleanala against this decision, PERMISSION/APPROVAL will be granted by the Council as soon as may be after the expiration of the period for the taking of such an appeal. If every appeal made in accordance with the Acts has been withdrawn, the Council will grant the PERMISSION/APPROVAL after the withdrawal.

5. Approval of the Council under the Building Bye-Laws must be obtained and the terms of the approval must be complied with in the carrying out of the work before any development which may be permitted is commenced.

Reg.Ref. 91A/1182
Decision Order No. P/ 4269 /91
Page No: 0002



Bloc 2, Ionad Bheatha na hEireann,
Block 2, Irish Life Centre,
Sraid na Mainistreach Iacht,
Lower Abbey Street,
Baile Atha Cliath 1.
Dublin 1.
Telephone. (01)724755
Fax. (01)724896

C O N D I T I O N S / R E A S O N S

- 01 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.
- 02 That before development commences, approval under the Building Bye- Laws be obtained and all conditions of that approval be observed in the development.
REASON: In order to comply with the Sanitary Services Acts, 1878-1964.
- 03 That each proposed house be used as a single dwelling unit.
REASON: To prevent unauthorised development.
- 04 That a financial contribution in the sum of £9120. be paid by the proposer to the 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.
- 05 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, Water-mains and Drains, has been given by:-
A. Lodgement with the Council of an approved Insurance Company Bond in the sum of £20000. which shall be renewed by the developer from time to time as required during the course of the development and kept in force by him 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 £12000. 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 by any body approved by the Planning Authority for the purpose in respect of the proposed development in accordance with the guarantee scheme agreed with the Planning Authority and such lodgement in any case has been acknowledged in writing by the Council.
- 06 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.

NOTES

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5. Approval of the Council under the Building Bye-Laws must be obtained and the terms of the approval must be complied with in the carrying out of the work before any development which may be permitted is commenced.



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Baile Atha Cliath 1.
Dublin 1.
Telephone. (01)724755
Fax. (01)724896

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REASON: To protect the amenities of the area.

07 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.

08 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 the Council.

REASON: In the interest of amenity and public safety.

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

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

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 the completion of their dwellings.

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

11 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.

12 That all watermain tappings, branch connections, swabbing and chlorination be carried out by the County Council, Sanitary Services Department and that the cost thereof be paid to the 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.

13 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.

14 That screen walls in block or similar durable materials not less than 2 metres high, suitable 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 fully discussed and agreed with the County Council before construction. Timber fencing is not acceptable.

REASON: In the interest of visual amenity.

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- 15 That the four "A" type houses to be omitted from the proposed development and the land of these sites to be incorporated into the public open space.
REASON: It is considered important that houses do not back onto the adjoining approved public open space and that the existing area of public open space should extend across the applicants land, having regard to the zoning of the area and existing features such as the Camac River.
- 16 That a minimum of 7'6" be provided between each pair of houses.
- 16 REASON: In the interest of the proper planning and development of the area.
- 17 That each house have a minimum front building line of 25ft. and rear garden depth of 35 ft.
- 17 REASON: In the interest of the proper planning and development of the area.
- 18 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.
- 19 That the proposed boundary wall to the front of Riverside Villa to be a maximum of 1 metre high. The wall to be suitably capped and rendered and the piers to be of brick of a colour to be agreed with the Planning Authority.
- 19 REASON: In the interest of the proper planning and development of the area.
- 20 That the area of public open space at the rear of Riverside Villa to be incorporated into the rear garden of Riverside Villa. Details to be agreed with the Planning Authority.
- 20 REASON: In the interest of the proper planning and development of the area.
- 21 That the Estate Road and turning circle to comply with the requirements of the Roads Engineer.
- 21 REASON: In the interest of the proper planning and development of the area.
- 22 Box_culvert details to be agreed with the Sanitary Services Engineer prior to commencement of development.

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Reg.Ref. 91A/1182

Decision Order No. P/ 4269 /91

Page No: 0005

22 REASON: In the interest of the proper planning and development of the area.

23 That land required for the widening of Watery Lane to be left free of development and ceded to the County Council free of charge

23 REASON: In the interest of the proper planning and development of the area.

24 A financial contribution, in the sum of money equivalent to the value of £1420.00 per house as on 1st January, 1991, updated in accordance with the Wholesale Price Index Building and Construction (Capital Goods) as published by the Central Statistics Office to the value pertaining at the time of payment shall be paid by the developer to Dublin County Council towards the cost of road improvements and Traffic Management proposals in the local area.

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.

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PLEASE READ INSTRUCTIONS AT BACK BEFORE COMPLETING FORM. ALL QUESTIONS MUST BE ANSWERED.

1. Application for Permission Outline Permission Approval Place in appropriate box.
Approval should be sought only where an outline permission was previously granted. Outline permission may not be sought for the retention of structures or continuances or uses.

2. Postal address of site or building RIVERSIDE VILLA
(If none, give description sufficient to identify) WATERY LANE. CLONDALKIN. DUBLIN 22.

3. Name of applicant (Principal not Agent) MRS MONICA FAGAN
Address RIVERSIDE VILLA, WATERY LANE, CLONDALKIN Tel. No.

4. Name and address of DARA ESTATES LTD. PARKVIEW HOUSE
person or firm responsible 65 CRUMLIN RD. DUBLIN 12 Tel. No. 532044.
for preparation of drawings

5. Name and address to which DARA ESTATES LTD.
notifications should be sent PARKVIEW HOUSE, 65 CRUMLIN RD. DUBLIN 12.

6. Brief description of proposed development RESIDENTIAL DEVELOPMENT OF 12 NO SEMI-DET. HOUSES

7. Method of drainage MAIN SEWER 8. Source of Water Supply MAINS

9. In the case of any building or buildings to be retained on site, please state:-
(a) Present use of each floor or use when last used

(b) Proposed use of each floor

10. Does the proposal involve demolition, partial demolition or change of use of any habitable house or part thereof? No

11. (a) Area of Site 615.6 Sq. m.
(b) Floor area of proposed development 1236 Sq. m.
(c) Floor area of buildings proposed to be retained within site Sq. m.

12. State applicant's legal interest or estate in site (i.e. freehold, leasehold, etc.) FREEHOLD

13. Are you now applying also for an approval under the Building Bye Laws?
Yes No Place in appropriate box.

14. Please state the extent to which the Draft Building Regulations have been taken in account in your proposal:
AS FAR AS POSSIBLE

15. List of documents enclosed with 4 No. each Drawings DE 101-91, 102-91 and 103-91. 4 No. copies Outline Specification
Page of Irish Press of July 9th 1991.

16. Gross floor space of proposed development (See back) Sq. m.

No of dwellings proposed (if any) 12 Class(es) of Development CLASS No 1
Fee Payable £ 384-00 Basis of Calculation 12 X £32 per house
If a reduced fee is tendered details of previous relevant payment should be given

Signature of Applicant (or his Agent) Seonard McStay Date July 15th 1991

Application Type P
Register Reference 91A/1182
Amount Received £
Receipt No 17/16
Date

FOR OFFICE USE ONLY
RECEIVED
16 JUL 1991
REG SEC.

1.12.4

Irish Press 9/91

FEE PAID [384 16]
RECEIVED
NUN24

LOCAL GOVERNMENT (PLANNING & DEVELOPMENT) REGULATIONS 1977 to 1984.

Outline of requirements for applications for permission or Approval under the Local Government (Planning & Development) Acts 1963 to 1983. The Planning Acts and Regulations made thereunder may be purchased from the Government Publications Sales Office, Sun Alliance House, Molesworth Street, Dublin 2.

1. Name and Address of applicant.
2. Particulars of the interest held in the land or structure, i.e. whether freehold, leasehold, etc.
3. The page of a newspaper, circulating in the area in which the land or structure is situate, containing the required statutory notice. The newspaper advertisement should state after the heading Co. Dublin.
 - (a) The address of the structure or the location of the land.
 - (b) The nature and extent of the development proposed. If retention of development is involved, the notice should be worded accordingly. Any demolition of habitable accommodation should be indicated.
 - (c) The name of the applicant.

NB. Applications must be received within 2 weeks from date of publication of the notice.
4. Four (4) sets of drawings to a stated scale must be submitted. Each set to include a layout or block plan, proposed and existing services to be shown on this drawing, location map, and drawings of relevant floor plans, elevations, sections, details of type and location of septic tank (if applicable) and such other particulars as are necessary to identify the land and to describe the works or structure to which the application relates (new work to be coloured or otherwise distinguished from any retained structures). Buildings, roads, boundaries and other features bounding the structure or other land to which the application relates shall be shown on site plans or layout plans. The location map should be of scale not less than 1: 2500 and should indicate the north point. The site of the proposed development must be outlined in red. Plans and drawings should indicate the name and address of the person by whom they were prepared. Any adjoining lands in which the applicant has an interest must be outlined in blue.
5. In the case of a proposed change of use of any structure or land, requirements in addition to 1, 2, & 3 are:
 - (a) a statement of the existing use and the proposed use, or, where appropriate, the former use and the use proposed.
 - (b) (i) Four (4) sets of the drawings to a stated scale must be submitted. Each set to consist of a plan or location map (marked or coloured in red so as to identify the structure or land to which the application relates) to a scale of not less than 1:2500 and to indicate the North point. Any adjoining lands in which the application has an interest must be outlined in blue.
 - (ii) A layout and a survey plan of each floor of any structure to which the application relates.
 - (c) Plans and drawings should indicate the name and address of the person by whom they were prepared.
6. Applications should be addressed to: Dublin County Council, Planning Department, Irish Life Centre, Lr. Abbey Street, Dublin 1, Tel. 724755.

SEPTIC TANK DRAINAGE: Where drainage by means of a septic tank is proposed, before a planning application is considered, the applicant may be required to arrange for a trial hole to be inspected and declared suitable for the satisfactory percolation of septic tank effluent. The trial hole to be dug seven feet deep at or about the site of the septic tank. Septic tanks are to be in accordance with I.I.R.S. S.R. 8:75.

INDUSTRIAL DEVELOPMENT:

The proposed use of an industrial premises should, where possible, be stated together with the estimated number of employees, (male and female). Details of trade effluents, if any, should be submitted.

Applicants to comply in full with the requirements of the Local Government (Water Pollution) Act, 1977 in particular the licencing provisions of Sections 4 and 18.

SUMMARY OF CLASSES OF DEVELOPMENT/ FEES

<u>CLASS NO.</u>	<u>DESCRIPTION</u>	<u>FEE</u>
1.	Provision of dwelling - House/Flat.	£32.00 each.
2.	Domestic extensions/other improvements.	£16.00 each.
3.	Provision of agricultural buildings (See Regs.)	£40.00 minimum.
4.	Other buildings (i.e. office, commercial, etc.)	£ 1.75 per sq.metre (Min. £40.00).
5.	Use of land (Mining, deposit or waste).	£25.00 per 0.1 ha. (Min. £250.00).
6.	Use of land (Camping, parking, storage).	£25.00 per 0.1 ha. (Min. £40.00).
7.	Provision of plant/machinery/tank or other structure for storage purposes.	£25.00 per 0.1 ha. (Min. £100.00).
8.	Petrol filling station.	£100.00.
9.	Advertising structures.	£ 10.00 per sq. m. (Min. £40.00).
10.	Electricity transmission lines.	£ 25.00per 1,000m.(Min. £40.00).
11.	Any other development.	£ 5.00 per 0.1ha. (Min. £40.00).

Cheques etc. should be made payable to: Dublin County Council.

Gross Floor space is to be taken as the total floor space on each floor measured from the inside of the external walls.

For full details of Fees and Exemptions see Local Government (Planning and Development) (Fees) Regulations 1984.

COMHAIRLE CHONTAE ATHA CLIATH

PAID BY DUBLIN COUNTY COUNCIL

18/49 UPPER O'CONNELL STREET,

DUBLIN 1.

[RECEIPT CODE]

IN 44274

Received this

9th

day of

July

19

47

from

65 Leavelin Rd

D.K.

The sum of

three pounds

eight

pence

Pounds

Pence, being

paid for

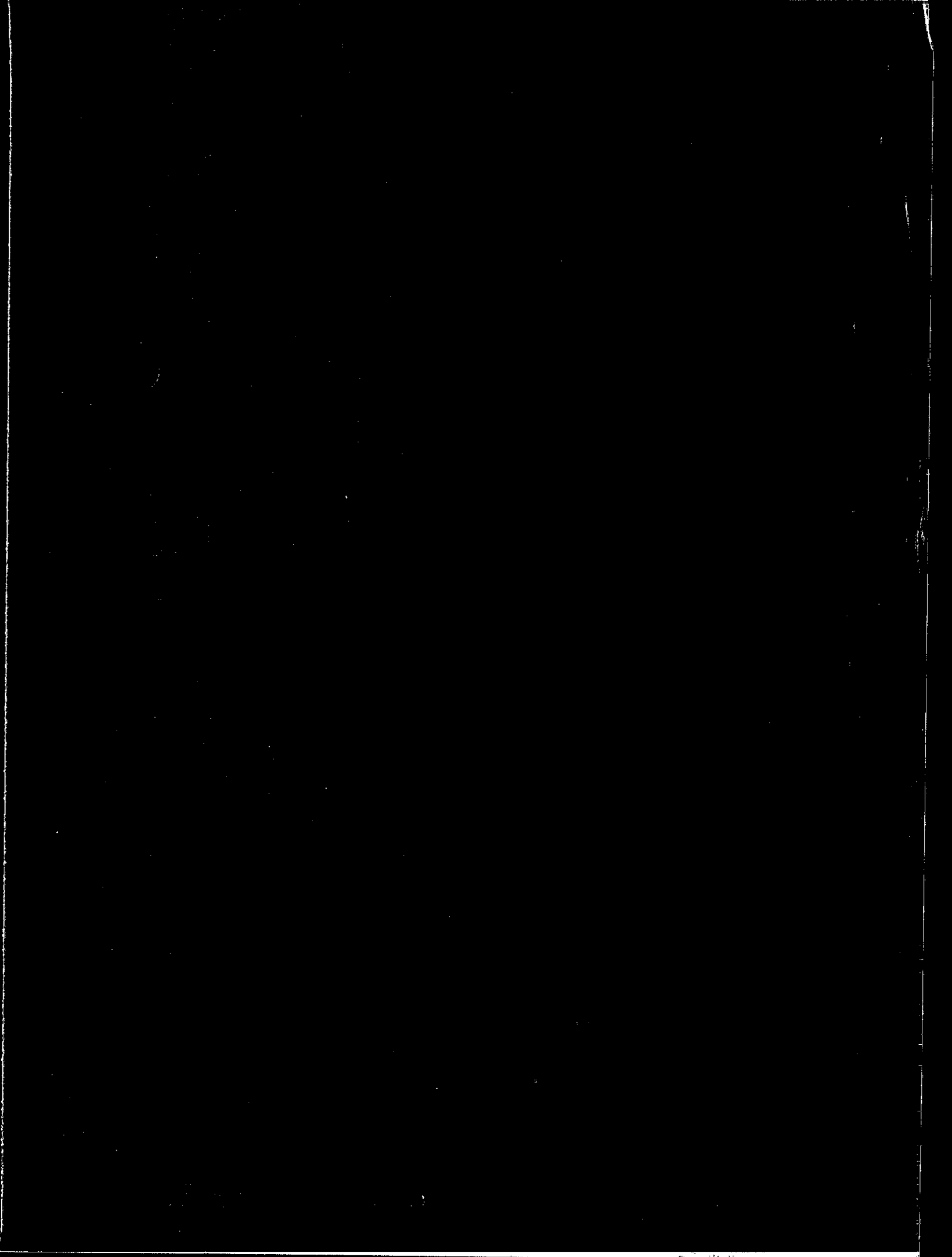
planning application at Waters Lane

Michael Dwyer

Cashier

S. CAREY

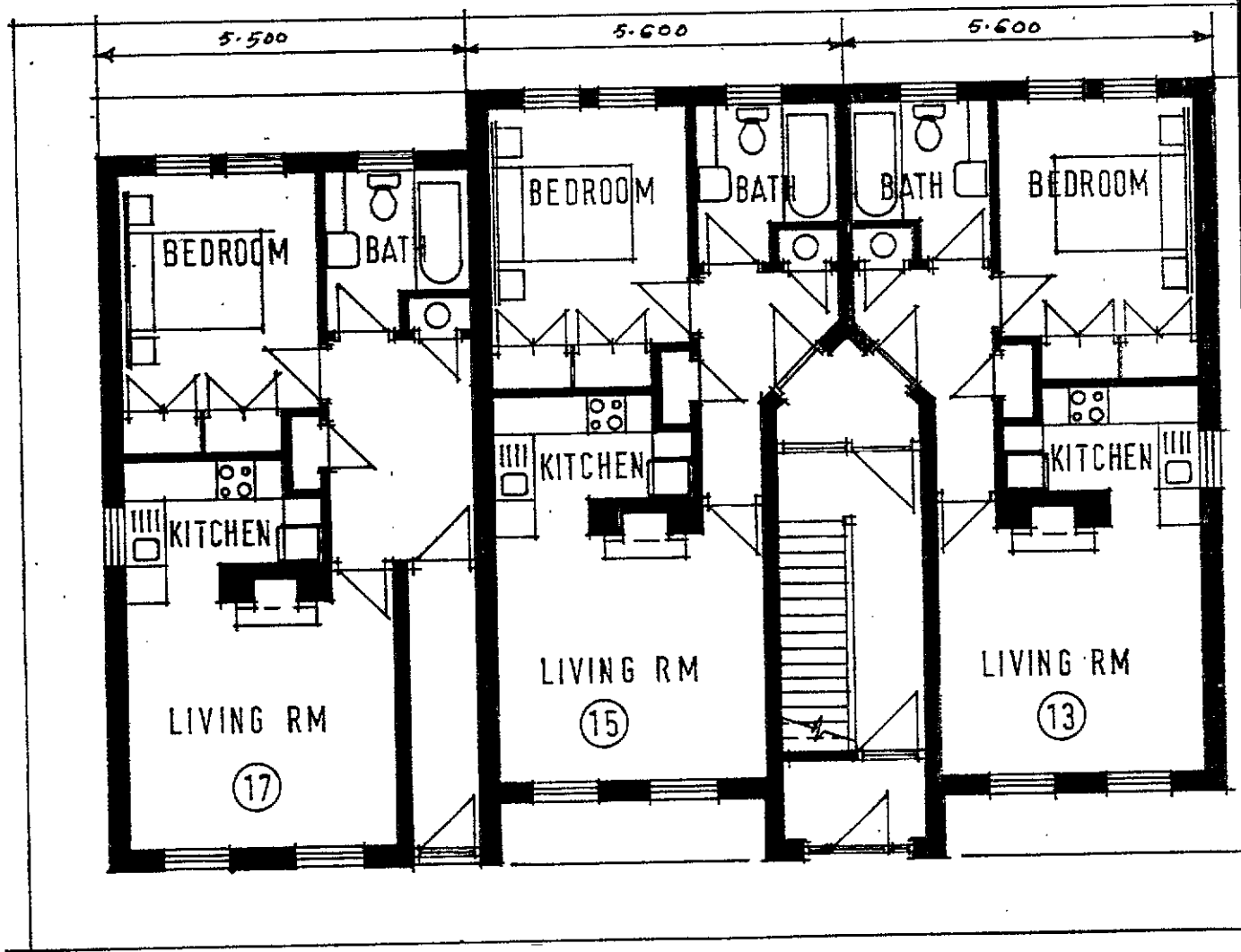
Principal Officer



APARTMENTS AT DOCTORS LANE MAYNOOTH

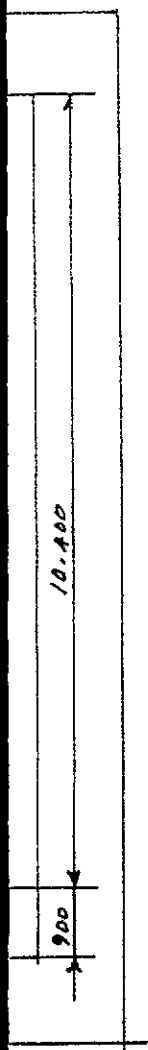


ELEVATION



FLOOR PLAN

1:1



3-8 x 3-7

OUTLINE SPECIFICATION

FOR

12 HOUSES

AT

RIVERSIDE VILLA, WATERY LANE

CLONDALKIN

FOR

MRS. MONICA FAGAN

BY

DARA ESTATES LTD.

PROPERTY & PLANNING CONSULTANTS

PARKVIEW HOUSE

65 CRUMLIN ROAD

DUBLIN 12.



JULY, 1991.

EXTERNAL WALLS

Walls and Insulation: External wall consists of 215 cavity blocks with insulated dry lining internally DPC 150 over ground level

or

100 Blockwork inner leaf rendered internally with 100mm cavity with 50 cavity insulation with 100mm external clay brick leaf.

Blockwork: All blocks to be 440 X 215 X 215mm size hollow concrete blocks.

All blockwork to be Type A 5n/m² to I.S. 20

Mortar to be 1:1:6 mix throughout.

Windows and external Doors;

To be selected hardwood or approved pressure treated softwood.

Foundations;

All external walls and blockwork partitions to be laid in grade 20 concrete to depths and widths shown on drawings.

INTERNAL WALLS AND PARTITIONS

Blockwork:

All blocks to be 440 X 215 X 100mm size solid concrete blocks.

All blockwork to be Type A 5n/m² to I.S.20

Mortar to be 1:1:6 mix throughout.

Party Walls:

All party walls to be 215mm 5n/m² solid concrete blocks carried up to underside of roofing felt and fire-stopped.

Stud Partitions:

Partitions to consist of 75 X 38 mm SW studs at 400mm centres lined on both sides with 9mm plasterboard.

Base plates and wall plates of studs to be fixed with shot fired nails at 300mm.

Dry Lining:

All external walls to be dry lined internally.

FLOORS, ROOF & STAIRS

Ground Floor:

To be 150mm power floated concrete slab using concrete mix grade 20 on 2000 gauge.

Visqueen DPM on blinded compacted hardcore. Hardcore shall consist of large gravel crushed stones, broken brick of hard and durable nature free from fines. It shall be well watered and blinded with fines prior to laying of dpm and concrete. hardcore to be a minimum of 200mm.

Upper Floors:

25mm T & G Boarding on 225 X 44mm timber joists at 350-400mm centres depending on span.

Roof:

Selected concrete roof tiles on 38 X 50mm battens on roofing felt to BS 747 on prefabricated roof trusses at 600mm centres or timber cut roofs as shown.

Roof over Porch & Garage:

Selected small concrete roof tiles as above.

LIGHT AND VENTILATION

Natural Light:

All habitable rooms to have a minimum window glazed area of 10% of the floor area and a minimum opening section of 5% of the floor area.

Ventilation:

Roof voids to be permanently ventilated.

Bedrooms and Kitchens (Where applicable) to have permanent ventilation not less than 6500mm².

DRAINAGE

Rainwater Goods:

Gutterwork, U.P.V.C. Marley Anglia MK2 and fixings or similar Mastic sealed patent joists with brackets at 900mm centres. Pipework, U.P.V.C. Marley rectangular 63 X 50mm pipe and fittings or similar approved. Brackets and backplates at maximum of 2000mm crs.

Building Drainage Goods:

Armstrong junctions, gully traps, back inlet gully traps, rainwater outlets, pipes to be U.P.V.C. Marley or similar approved. All pipework under floor to be 100 dia. with 150 surround. All 100 dia. pipes outside of building to have concrete bed and haunch.

INSULATION

Dry Lining: External walls to be lined with insulated Thermal Plasterboard foilbacked.

Roof insulation: 100mm fiberglass insulation on vapour barrier laid on ceiling joists.

Perimeter Insulation: 100mm X 25mm rigid polystyrene board under perimeter of ground floor slab or alternately under entire floor slabs.

External Walls: Rear garden walls to be 1800 high 100 block or brick with 225 X 675 piers at 3000 c/c. Dividing wall to be 100 block or brick 1000 high. Front walls to be 600 high 100 block plastered and capped with brick or plastered block piers 675 X 675 X 900 high at entrances. On sloped ground front walls to be laid horizontal stepped so that no part of the wall is less than 450 or more than 900 high.

Site and Development Works: The specification for site and development works will be in accordance with :

Recommendations for Site Development Works for housing areas by An Foras Forbartha