

2

APPEALS DECISIONS

APPEALS CHECK LIST

REG. REF. NO. 91A 2061

1	ENTERED IN OBJECTORS BOOK	✓
2	ENTERED IN BLUE FOLDER	✓
3	ENTERED IN APPEALS BOOK	✓
4	ENTERED IN PLANAPS: I.E.:	✓
	APPEALS DECISION	✓
	CHANGE STATUS 54	✓
	APPEALS DATE	✓
5	COPY OF DECISION FOR WEEKLY LIST (MARY/LAURA)	✓
6	DECISION CIRCULATED TO LISTED PERSONS	✓
7	TO BONDS & CONTRIBUTIONS FOR FINANCIAL ASSESSMENT	
8	TO L. DOYLE FOR NOTING	
9		
10		

CHANGE STATUS IN PLANAPS:

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WITHDRAWN.....54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

NEW APPEALS

APPEALS CHECK LIST

REG. REF. NO. 91A 2061

1	ENTERED IN OBJECTORS REGISTER	✓
2	ENTERED IN BLUE FOLDER	✓
3	ENTERED IN APPEALS REGISTER	✓
4	ENTERED IN APPEALS INDEX	✓
5	ENTER PAGE No. OF APPEALS REGISTER IN OBJECTORS REGISTER	✓
6 ENTER IN PLANAPS	Appeal Notified: 27/3/92	✓
	Appeal Type/Appellant Type:	✓
	Bord Pleanal Ref: 88315	✓
	DOCS SENT TO AN BORD: (CHANGE STATUS TO 52)	✓
7	WRITTEN UP ON WEEKLY LIST FOR MARY/LAURA	✓
8	OBJECTORS NOTIFIED	✓
9	BREAKDOWN OF CALCULATIONS REQUIRED - YES/NO	✓
10		
11		

M.G. Garvey,
39 Ballydowd Grove,
Lucan,
Co. Dublin.

Our Ref: 91A/2061

8 April 1992


Re: Residential development sites 2-20 even and associated site
development works at Esker Lane, Lucan for McCourt
Investments Ltd.

Dear Sir/Madam,

I enclose, herewith, correspondence dated 28th February, 1992 which was sent to you by Registered Post on 2nd March, 1992 and which was returned by the Postal Authority marked "NOT CALLED FOR"

I trust you will now receive same safely.

Yours faithfully,



for Principal Officer.

R Baile Átha Cliath
(DN) 169
No. 810

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F. Garvey,
40 Ballydowd Grove,
Lucan,
Co. Dublin.

Our Ref: 91A/2061

8 April 1992


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for Principal Officer.

R Baile Átha Cliath
(DN) 169
No. 811

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Registered Post
Office of Posting
Addressed:—

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Signature of
Recipient

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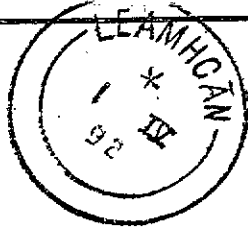
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M.G. Garvey,
39 Ballydowd Grove,
Lucan,
Co. Dublin.

Our Ref: 91A/2071

8 April 1992


Re: Residential development sites 1 to 19 odd and associated
site development works at Esker Lane, Lucan for McCourt
Investments Ltd.

Dear Sir/Madam,

I enclose, herewith, correspondence dated 28th February, 1992 which was sent to you by Registered Post on 2nd March, 1992 and which was returned by the Postal Authority marked "NOT CALLED FOR"

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Yours faithfully,



for Principal Officer.

R Baile Átha Cliath
(DN) 169
No. 794

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P.T.O.

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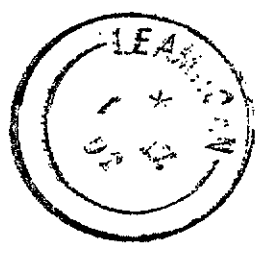
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NOTE

Auth Long Runny
Auth life center

July 1

18



F. Garvey,
40 Ballydowd Grove,
Lucan,
Co. Dublin.

Our Ref: 91A/2071

8 April 1992

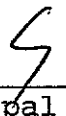
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I trust you will now receive same safely.

Yours faithfully,



for Principal Officer.

R Baile Átha Cliath
(DN) 169
No. 795

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Registered
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Addressed:

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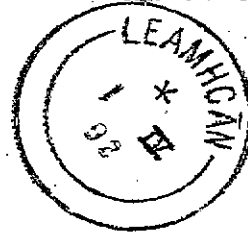
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Bloc 2, Ionad Bheatha na hEireann,
Bloc 2, Irish Life Centre,
Sraid na Mainistreach Iacht,
Lower Abbey Street,
Baile Atha Cliath 1.
Dublin 1.
Telephone (01) 724755
Fax (01) 724896

Register Reference : 91A/2061

Date : 3rd April 1992

Dear Sir/Madam,

Development : Residential development sites 2 - 20 even and
associated site development works.

LOCATION : Esker Lane, Lucan.

Applicant : McCourt Investments Ltd.

App. Type : PERMISSION/BUILDING BYE-LAW APPROVAL

I wish to inform you that an appeal has been lodged with An Bord Pleanala against the Council's decision to GRANT PERMISSION .

All further correspondence in relation to this appeal should be addressed to The Secretary, An Bord Pleanala, Blocks 6 & 7 Irish Life Centre, Lower Abbey Street, Dublin 1. (Tel.728011).

Please note that submissions or observations made to An Bord Pleanala by or on behalf of a person (other than the applicant) with regard to an appeal made by another person must be accompanied by a fee of £30.

Yours faithfully,

[Handwritten signature]

.....
for PRINCIPAL OFFICER

Damien Dowling,
41, Ballydowd Grove,
Lucan, Co. Dublin.



Bloc 2, Ionad Bheatha na hEireann,
Bloc 2, Irish Life Centre,
Sraid na Mainistreach Iacht,
Lower Abbey Street,
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Yours faithfully,

.....

for PRINCIPAL OFFICER

P.O'CONNOR,
17 Esker Lane,
Lucan,
Co.Dublin.



Bloc 2, Ionad Bheatha na hEireann,
Bloc 2, Irish Life Centre,
Sraid na Mainistreach Iacht,
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Yours faithfully,

L.S

.....
for PRINCIPAL OFFICER

D.Whiston
22 Ballydowd Grove
Lucan
Co.Dublin



Bloc 2, Ionad Bheatha na hEireann,
Bloc 2, Irish Life Centre,
Sraid na Mainistreach Iacht,
Lower Abbey Street,
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Yours faithfully,

.....
.....

for PRINCIPAL OFFICER

G.Brennan
18 Ballydowd Grove
Lucan
Co.Dublin



Bloc 2, Ionad Bheatha na hEireann,
Bloc 2, Irish Life Centre,
Sraid na Mainistreach Iacht,
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Yours faithfully,

.....L.D.....

for PRINCIPAL OFFICER

B.Collins
19 Ballydowd Grove
Lucan
Co.Dublin



Bloc 2, Ionad Bheatha na hEireann,
Bloc 2, Irish Life Centre,
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Yours faithfully,

.....

for PRINCIPAL OFFICER

M.Hetherington
Woodville Downs Res.Ass.
4 Woodville Lawns
Woodville Downs



Bloc 2, Ionad Bheatha na hEireann,
Bloc 2, Irish Life Centre,
Sraid na Mainistreach Iacht,
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Yours faithfully,

.....LD.....

for PRINCIPAL OFFICER

J. & B. Rutledge
16 Ballydowd Grove
Lucan
Co. Dublin



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Bloc 2, Irish Life Centre,
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Yours faithfully,

.....
LJ

for PRINCIPAL OFFICER

P.Nolan
17 Ballydowd Grove
Lucan
Co.Dublin



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Bloc 2, Irish Life Centre,
Sraid na Mainistreach Iacht,
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Yours faithfully,

.....
L.D

for PRINCIPAL OFFICER

W. & M. Hayes
21 Ballydowd Grove
Lucan
Co. Dublin



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Bloc 2, Irish Life Centre,
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Yours faithfully,

.....*K. J.*.....

for PRINCIPAL OFFICER

J.M.James
20 Ballydowd Grove
Lucan
Co.Dublin



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Bloc 2, Irish Life Centre,
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Yours faithfully,

L.S.
.....

for PRINCIPAL OFFICER

M.G.Garvey
39 Ballydowd Grove
Lucan
Co.Dublin



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Bloc 2, Irish Life Centre,
Sraid na Mainistreach Iacht,
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.....L.J.....

for PRINCIPAL OFFICER

F.Garvey
40 Ballydowd Grove
Lucan
Co.Dublin



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Bloc 2, Irish Life Centre,
Sraid na Mainistreach Iacht,
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Fax (01) 724896

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LOCATION : Esker Lane, Lucan.

Applicant : McCourt Investments Ltd.

App. Type : PERMISSION/BUILDING BYE-LAW APPROVAL

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Yours faithfully,

L. J.
.....

for PRINCIPAL OFFICER

J. Greene
"Ashville"
Esker Lane
Lucan.

To: Chief Planning officer Dublin Co. Council
From: Pat Connaught of Esker Lane Lucan Co Dublin
No. of Pages: 3 (1456)
Date: 20.2.1992

OB.

Message: Re Planning Ref No 91A/2061 and 91A/2071.
Applicant MC Court Developments. Ltd.

Further to our oral hearing today with
Cllr McDonnell, in your office. I enclose for clarity
reasons copy of our letter of 21.1.1992 indicating in
item (2) the positions of both windows overlooking the field
in question. The photographs left with you illustrate the
position of the chimney breast.
We should have noted also to you in the event of a fire
access to this point would be considerably restricted as
no allowance in the Builders Plan to access was made.
We did mention an alternative Plan acceptable to
the residents of the various associations (copy enclosed)
was prepared in great detail, the density of housing complies
with Council Purchase.

Many thanks for allowing time to meet with you & Dr. B...

Directors: A. Barron, M.Inst. Pkg., Managing Director, P. M. O'Connor. Registered in Ireland No. 78363
ALL OFFERS AND ORDERS SUBJECT TO OUR CONDITIONS OF SALE AVAILABLE ON APPLICATION TO THE SECRETARY

001 REALT PAPER LTD. 01390797 20/02/92 15:03

additional: Boundary Wall of 17 Esker Lane is in the proposed
Development. The Chimney Breast as per Photographs juts
out into the field for development. Discussed at oral
hearing today. 20.2.92.

004 REALT PAPER LTD. 01390797 20/02/92 15:03

17, Esker Lane,
Lucan,
CO. DUBLIN.

21st. January, 1992.

Dublin Co. Council,
Planning Dept.,
Irish Life Centre,
Lr. Abbey Street,
DUBLIN, 1.

ATT: CHIEF PLANNING OFFICER.

RE: PROPOSED 20 NO. 2 STOREY HOUSES AT ESKER LANE,
PLANNING REG. REF. NO. 91A/2061 AND 91A/2071.
APPLICANT: McCOURT INVESTMENTS LIMITED.

Dear Sir,

I wish to advise that I have inspected the files in relation to the above applications and am very concerned at their implication in so far as my property is concerned.

I live at No. 17 Esker Lane and my property adjoins the proposed development. I set out hereunder some of my objections to the proposed development. These objections were conveyed with deep anxiety to the builder who approached me in late November with a site layout plan almost identical to that now lodged for planning permission.

1. The proposed development of 2 storey houses in an area where single storey houses already exist would be seriously injurious to the residential amenities of my property. The physical structure of the proposed houses on the "infill" site is not compatible with the established single storey type development and would have a most detrimental impact on my property and indeed adjoining properties. The applicant has had no regard for consequences of height and mass of the proposal and no regard for design considerations necessary to be in sympathy with the existing character of the area as illustrated in the attached photographs. The proposed houses would be very "dominant" and overlook my property, thereby causing serious loss of amenity and privacy.
2. The development proposes 5 No. two storey houses which would directly overlook my property. This is totally unacceptable and would seriously infringe the privacy I now enjoy and would depreciate the value of my property. Some adjustment of the site layout plan should be sought to alleviate this situation. I would further point out that there are two windows in the south gable wall of my house which look directly into the applicants site. The applicant has shown no proposals for screening along the gable of my house to deal with this problem.

*
*
addition: Boundary Wall of 17 Esker Lane is in the proposed development. The Chimney base as per photographs juts out into the field for development. Discussed at oral Hearing today. 20.2.92.

3. The floor level of the proposed houses are shown to be almost 3'0" above the adjacent ground level and this would greatly exacerbate the problem of dominance and overlooking.
4. The density of development proposed is excessive compared with that which exists along Esker Lane and Ballydowd Estate with which the development links (see attached sketch). Similarly the amount of public open space provided is seriously deficient for the number of houses proposed. The areas of footpaths and grass margins should not be included in the calculation for open space areas. Under no circumstances should a contribution be accepted in lieu of the provision of the required amount of public open space.

In conclusion I would advise that development of the site is welcome but it must have regard to the stated policy of Dublin Co. Councils Development Plan. The policy document states in paragraph 3.32 inter alia that the design of the proposed development must be in sympathy with the existing character and must protect and where possible enhance the present amenities. "The proposed development must have due regard to the predominant design features and the existing residential density". "The proposed buildings should blend with neighbouring structures and suburban character".

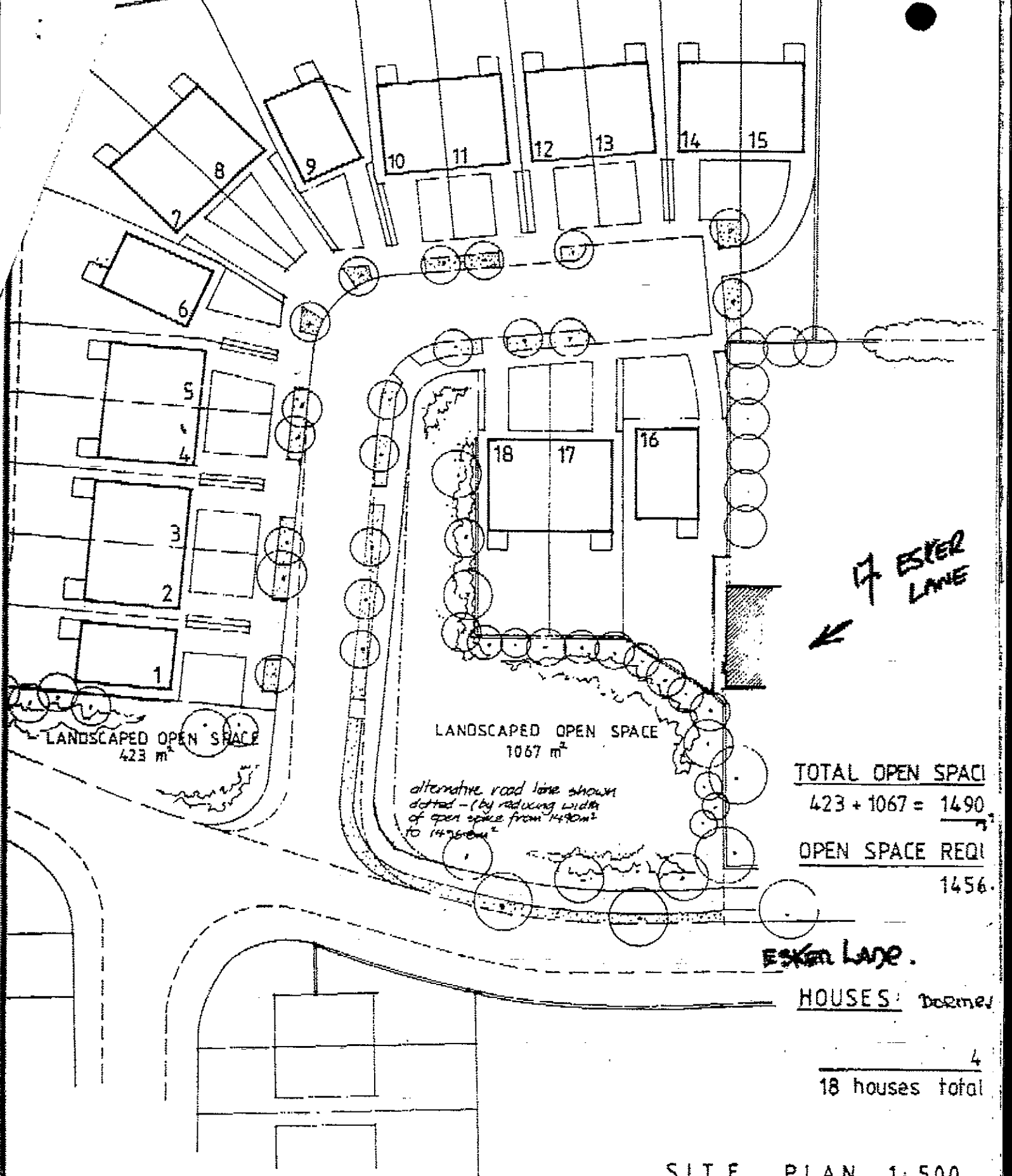
I would appreciate if you would take the foregoing into consideration when determining the application.

Yours faithfully,



Patrick O'Connor.

Scheme by P. Gould



LANDSCAPED OPEN SPACE
423 m²

LANDSCAPED OPEN SPACE
1067 m²

alternative road line shown
dotted - (by reducing width
of open space from 1490m²
to 1456m²)

ESKER LANE
←

TOTAL OPEN SPACE
423 + 1067 = 1490

OPEN SPACE REQ
1456

ESKER LANE

HOUSES: Dormer
4
18 houses total

SITE PLAN 1:500

'Ashville' JM

ESKER Lane,

Lucan,

10th FEBRUARY 92

Chief Planning Officer
D.C.C. Planning Dept.

Risk life Centre

Le Abbey St.

Dublin 2.

13/2

Ref: 91A2061

1445

12 FEB 92

91A2071.

OBJECTOR

Dear Sir,

I refer to an application made for Planning Permission to develop a 2 acre site on Esker Lane Lucan for 2 semi-detached houses (McBouret Holdings).

My interest in this matter arises from the fact that the water main to my home crosses this site

And would undoubtedly be
disturbed by any excavations.
This pipe was laid in late 1968
or early 1969 to supply ^{main} water to
a new bungalow being built at
Ashtree, Esker ^{for me.} A condition
of the planning permission ^{was} that a
main water supply be connected
to this house as a septic tank
adjacent to this house would have
made the sinking of a well
unacceptable. This pipe was laid
with the full consent of the late
Miss Mc Cormack, owner of the lands at
the time and full permissions were
obtained from District Council
for same. The connection was
made by the water inspector of
that time Mr. Giepl Bully and

Receipts for connection fee are in my possession. It is imperative for my family and myself that before any serious excavation commence on this site that arrangements are made for an alternative water supply to this house OR that existing supply be maintained.

I must also mention that the Cable Television supply comes to my house via this site. This service was supplied by R.I.E who subsequently were taken over by Cablelink, about 20 Bungalows adjacent to the site also have this supply.

I trust you will take these matters into consideration before a decision on Planning Permission is granted. I would await an early reply regarding my concerns on this matter.

Yours Sincerely,
James Greene

Councillor G. O'Connell,
47 Palmerstown Green,
Kennelsfort Road,
Dublin 20.

Our Ref.: 91A/2061

3 March 1992

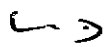
RE: Residential development sites 2-20 even and associated site
development works at Esker Lane, Lucan for McCourt
Investments Ltd.

Dear Councillor,

I refer to your recent representations in connection with the
above planning application.

I now wish to inform you that by Order Dated 27th February, 1992
it was decided to GRANT PERMISSION in relation to the above
proposal.

Yours faithfully,



for Principal Officer.

Register Reference : 91A/2061

Date : 28th February 1992

Dear Sir/Madam,

Development : Residential development sites 2 - 20 even and
associated site development works.

LOCATION : Esker Lane, Lucan.

Applicant : McCourt Investments Ltd.

App. Type : PERMISSION/BUILDING BYE-LAW APPROVAL

I wish to inform you that by order dated 27.02.92 it was decided to GRANT PERMISSION for the above proposal.

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Submissions or observations made to An Bord Pleanala by or on behalf of a person (other than the applicant) as regards an appeal made by another person must be accompanied by a fee of £30.

P.O'Connor,
17 Esker Lane,
Lucan,
Co. Dublin.

Register Reference : 91A/2061

Date : 28th February 1992

Yours faithfully,

.....*LD*.....

for PRINCIPAL OFFICER

Register Reference : 91A/2061

Date : 28th February 1992

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Development : Residential development sites 2 - 20 even and
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Paul Cruise,
42 Ballydowd Grove,
Lucan,
Co. Dublin.

Register Reference : 91A/2061

Date : 28th February 1992

Yours faithfully,

.....*C.D.*.....

for PRINCIPAL OFFICER

Register Reference : 91A/2061

Date : 28th February 1992

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Damien Dowling,
41, Ballydowd Grove,
Lucan, Co. Dublin.

Register Reference : 91A/2061

Date : 28th February 1992

Yours faithfully,

.....L:J).....

for PRINCIPAL OFFICER

Register Reference : 91A/2061

Date : 28th February 1992

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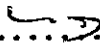
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D. Whiston
22 Ballydowd Grove
Lucan
Co. Dublin

Register Reference : 91A/2061

Date : 28th February 1992

Yours faithfully,

..........

for PRINCIPAL OFFICER

Register Reference : 91A/2061

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G. Brennan
18 Ballydowd Grove
Lucan
Co. Dublin

Register Reference : 91A/2061

Date : 28th February 1992

Yours faithfully,

.....*[Signature]*.....

for PRINCIPAL OFFICER

Register Reference : 91A/2061

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Dear Sir/Madam,

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B. Collins
19 Ballydowd Grove
Lucan
Co. Dublin

Register Reference : 91A/2061

Date : 28th February 1992

Yours faithfully,

.....
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for PRINCIPAL OFFICER

Register Reference : 91A/2061

Date : 28th February 1992

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M. Hetherington
Woodville Downs Res. Ass.
4 Woodville Lawns
Woodville Downs

Register Reference : 91A/2061

Date : 28th February 1992

Yours faithfully,

.....L.D.....

for PRINCIPAL OFFICER

Register Reference : 91A/2061

Date : 28th February 1992

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J. & B. Rutledge
16 Ballydowd Grove
Lucan
Co. Dublin

Register Reference : 91A/2061

Date : 28th February 1992

Yours faithfully,

.....*L.S.*.....

for PRINCIPAL OFFICER

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P. Nolan
17 Ballydowd Grove
Lucan
Co. Dublin

Register Reference : 91A/2061

Date : 28th February 1992

Yours faithfully,

.....*LD*.....

for PRINCIPAL OFFICER

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W. & M. Hayes
21 Ballydowd Grove
Lucan
Co. Dublin

Register Reference : 91A/2061

Date : 28th February 1992

Yours faithfully,

.....L.D.....

for PRINCIPAL OFFICER

Register Reference : 91A/2061

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Dear Sir/Madam,

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J.M. James
20 Ballydowd Grove
Lucan
Co. Dublin

Register Reference : 91A/2061

Date : 28th February 1992

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for PRINCIPAL OFFICER

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M.G. Garvey
39 Ballydowd Grove
Lucan
Co. Dublin

Register Reference : 91A/2061

Date : 28th February 1992

Yours faithfully,

.....L.D.....

for PRINCIPAL OFFICER

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F. Garvey
40 Ballydowd Grove
Lucan
Co. Dublin

Register Reference : 91A/2061

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for PRINCIPAL OFFICER

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Dear Sir/Madam,

Development : Residential development sites 2 - 20 even and
associated site development works.

LOCATION : Esker Lane, Lucan.

Applicant : McCourt Investments Ltd.

App. Type : PERMISSION/BUILDING BYE-LAW APPROVAL

I wish to inform you that by Order dated 27.02.92 it was decided to GRANT PERMISSION for the above proposal.

This decision, together with the conditions/reasons attached thereto, is recorded in the Planning Register kept at this office in accordance with Section 8 of the Local Government (Planning and Development) Act 1963. This register may be inspected during office hours [9.00a.m. - 12.30p.m. 2.15p.m. - 4.30p.m.] and interested party may obtain a certified copy of an entry therein on payment of a fee of £5 in respect of each entry.

It should be noted that the proposer may appeal to An Bord Pleanala against the decision or any conditions attached to the Council's decision within one month beginning on the day of receipt by him of the Council's decision. Any other person may appeal to An Bord Pleanala within three weeks beginning on the date of decision. Interested parties are advised to consult the Planning Authority or An Bord Pleanala to ascertain if an appeal has been lodged by the applicant.

All appeals against decisions of the Planning Authority and all correspondence in relation to new and existing appeals should be addressed to The Secretary, An Bord Pleanala, Blocks 6 & 7 Irish Life Centre, Lower Abbey Street, Dublin 1. (Tel. 728011). Any appeal made to An Bord Pleanala will be invalid unless the correct fee is received by An Bord Pleanala within the statutory appeal period. The fee in respect of an appeal by an applicant for permission relating to commercial development is £200; any other appeal is £100.

Submissions or observations made to An Bord Pleanala by or on behalf of a person (other than the applicant) as regards an appeal made by another person must be accompanied by a fee of £30.

J. Greene
"Ashville"
Esker Lane
Lucan.

Register Reference : 91A/2061

Date : 28th February 1992

Yours faithfully,

.....L.S.....

for PRINCIPAL OFFICER

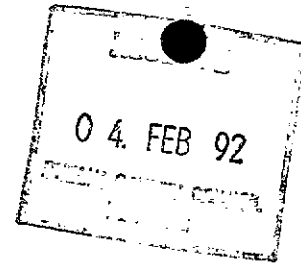
22 Ballydowd Grove
Lucan
Co Dublin

01.02 92

Dear Sir or Madam,

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- 1 I object to two story houses being build as the proposed site is surrounded by detached bungalows.
- 2 The privacy of the existing bungalows would be severely affected, as the proposed two story development would overlook the Ballydowd Grove area.
- 3 The building of twenty semi-detached two story houses on this site would not match the high standard of housing in the Ballydowd Grove area and thus have an effect on the valuation of the bungalows.
- 4 The average ratio of houses per acre in this area is five to seven. Given that the proposed site is two acres, by the time roads and footpaths are provided, not to mention any necessary green space, to build twenty houses on the remaining land would be excessive to the average number of houses per acre in this area.
- 5 On the Planning Application submitted, there is no provision for any green space. The builder has offered one thousand pounds compensation per house in lieu of providing green space, to yourselves. This does not resolve the problem of providing green space for this development.
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- 7 In the plans submitted by the developer, there is no provision for any permanent boundary i.e. wall. The developer is hoping to use the existing hedge as a boundary. This is totally unexceptable as there are numerous gaps in this hedge and it is so thin one can see through the hedge with little visual obstruction, and it's only use would be as a shortcut from the proposed housing to shops etc. I feel that the builder must provide a proper and permanent boundary wall, which could be planted with shrubs and greenery on the Ballydowd Grove side, to protect our privacy and to maintain the green effect of the present hedge.
- 8 Given that no green space is being offered by the developer and that no permanent boundary wall is being build, the small piece of green space which serves Ballydowd Grove in which the residents of this area have a large input into i.e. cleaning and generally keeping neat and tidy, this must be protected.



OBJE

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I would be grateful if you would acknowledge receipt of this letter by return post.

Yours sincerely,

Derek Whiston

Derek Whiston
Resident.

18 Ballydowd Grove
Lucan
Co Dublin

01.02 92

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06 FEB 92

DUBLIN COUNTY COUNCIL
PLANNING

1492

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I would be grateful if you would acknowledge receipt of this letter by return post.

Yours sincerely,

Gerard Brennan
18, Ballydowd Grove
Lucan Co. Dublin

Resident.

19 Ballydowd Grove
Lucan
Co Dublin

01.02 92

1425

RECEIVED
06 FEB 92

OB.

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Yours sincerely,

Brendan Lewis

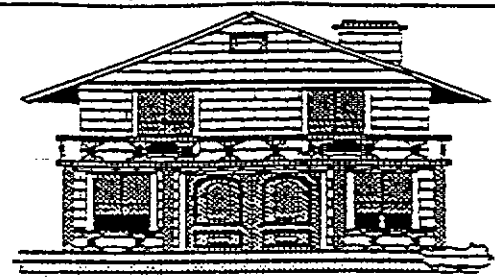
Resident.

*19 Ballydowd Grove
Purcell
Co. Dublin*

Woodville Downs Resident's Association

Chief Planning Officer
Dublin County Council
Planning Department
Block 2
Irish Life Centre
Lower Abbey Street
Dublin 2

1424



PK / Joly

05 FEB 92

Handwritten initials and a checkmark.

Application Nos. 91A/2061 & 91A/2071

Dear Sir

I have been directed by the Committee of our Association which represents in excess of 95% of the residents of Woodville Downs/Esler Lane, to formally outline our objection to the proposed development by McCourt Investments on land adjacent to Esler Lane, Lucan. Our objections are set out below :-

1.(i) General Opposition to Access

We object to the access to the proposed development coming onto Esler Lane and believe that access to any proposed development should be through Ballydowd Grove for the following reasons :-

- (a) Ballydowd Grove have two points of egress onto the Lucan Road, immediately sharing any additional traffic between both points.
- (b) The junction of Esler Lane to the old Lucan Road is considerably more dangerous than the two egress points to Ballydowd Grove as vision on the left-hand side exiting Esler Lane is restricted.
- (c) The proposed junction along Esler Lane is immediately adjacent to that of Woodville Avenue and would be considered dangerous.
- (d) The kerb to kerb width on Esler Lane is not sufficiently wide.
- (e) The proposed junction would involve the destruction of considerable hedgerow - one of the last remaining stretches of mature vegetation in the area.

1.(ii) Particular Opposition to Sewage Access

We strongly oppose access to sewage system as proposed on health grounds for the following reasons :-

- (a) Existing foul sewer in Esler Lane/Woodville is of 9" diameter which carries the capacity to deal with upwards of 100 dwellings. Present system caters for 129 dwellings and any additional access would seriously overload and have detrimental effects to the present system.
- (b) We assume that Ballydowd Grove, due to the large number of dwellings, are already served with a system which could adequately cater for additional dwellings.

Chairman : Mike Hetherington
Secretary : Bridie Collins
Asst Sec : Joe Mahon
Treasurer : Liam Cummins
Asst Treas : Andrew Fogarty
Committee : John Dunne, Liam Kelly, Gerry O'Grady

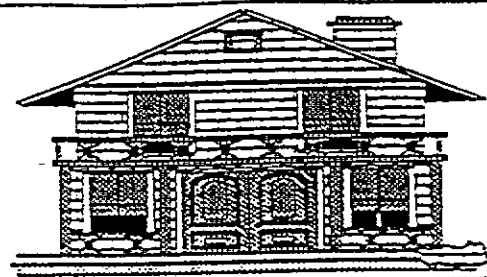
Correspondence Address : Bridie Collins
4 Woodville Lawns
Woodville Downs
Lucan
Co Dublin

PK / gdy

Woodville Downs Resident's Association

Chief Planning Officer
Dublin County Council
Planning Department
Block 2
Irish Life Centre
Lower Abbey Street
Dublin 2

1424



05 FEB 92
R
TW

OBJECTION

Application Nos. 91A/2061 & 91A/2071

Dear Sir

I have been directed by the Committee of our Association which represents in excess of 95% of the residents of Woodville Downs/Esker Lane, to formally outline our objection to the proposed development by McCourt Investments on land adjacent to Esker Lane, Lucan. Our objections are set out below :-

1.(i) General Opposition to Access

We object to the access to the proposed development coming onto Esker Lane and believe that access to any proposed development should be through Ballydowd Grove for the following reasons :-

- (a) Ballydowd Grove have two points of egress onto the Lucan Road, immediately sharing any additional traffic between both points.
- (b) The junction of Esker Lane to the old Lucan Road is considerably more dangerous than the two egress points to Ballydowd Grove as vision on the left-hand side exiting Esker Lane is restricted.
- (c) The proposed junction along Esker Lane is immediately adjacent to that of Woodville Avenue and would be considered dangerous.
- (d) The kerb to kerb width on Esker Lane is not sufficiently wide.
- (e) The proposed junction would involve the destruction of considerable hedgerow - one of the last remaining stretches of mature vegetation in the area.

1.(ii) Particular Opposition to Sewage Access

We strongly oppose access to sewage system as proposed on health grounds for the following reasons :-

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Chairman : Mike Hetherington
 Secretary : Bridie Collins
 Asst Sec : Joe Mahon
 Treasurer : Liam Cummins
 Asst Treas : Andrew Fogarty
 Committee : John Dunne, Liam Kelly, Gerry O'Grady

Correspondence Address : Bridie Collins
 4 Woodville Lawns
 Woodville Downs
 Lucan
 Co Dublin

2. Opposed to Two-Storey Housing

We are opposed to any two-storey housing for the following reasons :-

- (a) The proposed development does not conform to existing residential land use in the area.
- (b) The boundary on three sides of the proposed development is bungalows.
- (c) Original permission granted for Woodville Walk and Woodville Green provided for bungalow development. Original permission was amended granting two-storey development. We would maintain that the residents have already been compromised to this extent.
- (d) Density : Proposed development does not conform with the minimum open space requirement and existing density of housing is considerably less. We believe this to be a serious breach of planning guidelines.

3. Objection to Hedgerow Destruction

We are opposed to destruction of hedgerow on -

- (a) Esker Lane
- (b) Hedgerow adjacent to Telecom Eireann site

We are opposed to the destruction of some of the last-remaining stretches of hedgerow which would mean significant loss to the area of birdlife habitat and would de-nude the local environment of older more mature vegetation which would take fifteen to twenty years to replace.

4. Opposed to Proposed Development for Security Reasons

Under no circumstances would pedestrian or other access from the Ballydowd Estate to Esker Lane Estate be allowed. To protect the security interests of both estates a two metre high wall of high standard should be constructed within the perimeter of the existing hedgerow.

We have every confidence in the Planning Officer to take account of our objections and we hope it will not be necessary for us to be put in a position as full appellants to any permission that may be granted, which have not considered such objections.

Please refer all correspondence to our Secretary, Ms Bridie Collins as per our letterhead.

Yours faithfully



M Hetherington
for and on behalf of the
Residents Association

16, Ballydowd Grove
Lucan
Co Dublin

01.02 92

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1425
06 FEB 92

OB.

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I would be grateful if you would acknowledge receipt of this letter by return post.

Yours sincerely,

John and Breege Rutledge.

Resident.

1426

M Ballydowd Grove
Lucan
Co Dublin
01.02 92

Handwritten signature

06 FEB 92

OB.

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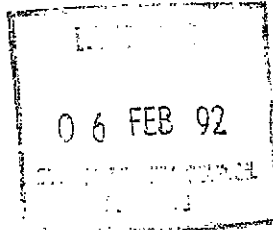
Yours sincerely,

Resident.

Pauline Nolan.

1427

21 Ballydowd Grove
Lucan
Co Dublin
01.02 92



OBJ

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I would be grateful if you would acknowledge receipt of this letter by return post.

Yours sincerely,

Resident.

Wm & Margaret Hayes

14228

20 Ballydowd Grove
Lucan
Co Dublin

01.02 92

06 FEB 92

OB.

Dear Sir or Madam,

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I would be grateful if you would acknowledge receipt of this letter by return post.

Yours sincerely,

A handwritten signature in cursive script, appearing to read "J. J. Lewis". The signature is written in dark ink and is positioned to the right of the typed name "Resident.".

Resident.

1429

39

Ballydowd Grove
Lucan
Co Dublin
01.02 92

06 FEB 92

OBJ

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- 5 On the Planning Application submitted, there is no provision for any green space. The builder has offered one thousand pounds compensation per house in lieu of providing green space, to yourselves. This does not resolve the problem of proving green space for this development.
- 6 Given that there is an obligation on the County Council to provide five acres of green space per one thousand head of population and that there is no green space available in the immediate area, the developer must provide green space in his development plan to service the proposed housing.
- 7 In the plans submitted by the developer, there is no provision for any permanent boundary i.e. wall. The developer is hoping to use the existing hedge as a boundary. This is totally unexceptable as there are numerous gaps in this hedge and it is so thin one can see through the hedge with little visual obstruction, and it's only use would be as a shortcut from the proposed housing to shops etc. I feel that the builder must provide a proper and permanent boundary wall, which could be planted with shrubs and greenery on the Ballydowd Grove side, to protect our privacy and to maintain the green effect of the present hedge.
- 8 Given that no green space is being offered by the developer and that no permanent boundary wall is being build, the small piece of green space which serves Ballydowd Grove in which the residents of this area have a large input into i.e. cleaning and generally keeping neat and tidy, this must be protected.

NB
maintain
existing
hedge
with wall
behind it
on the
new
development
side
B

X
X
X
X
X
X
X

9 The site on which this development is to be build will have to be elevated to accomodate sewer systems, thus having the effect of building higher than average two story houses effecting the privacy and the view from Ballydowd Grove.

10 Given that a recent application for two story houses in the immediate area of the proposed development was refused by your department, on the basis that two story houses would not conform with the housing in the area, I trust that the same regulations and conditions must also apply to this development and therefore permission for two story houses on the proposed site must be refused.

I would be grateful if you would acknowledge receipt of this letter by return post.

Yours sincerely,



Resident.



1430

40 Ballydowd Grove
Lucan
Co Dublin

01.02 92

06 FEB 92

OBJ

Dear Sir or Madam,

With regard to Planning Applications reference 91A/2061 and 91A/2071, submitted to your department on 23.12.91 by McCourt Investments, I wish to lodge the following objections to the proposed development.

- 1 I object to two story houses being build as the proposed site is surrounded by detached bungalows.
- 2 The privacy of the existing bungalows would be severely affected, as the proposed two story development would overlook the Ballydowd Grove area.
- 3 The building of twenty semi-detached two story houses on this site would not match the high standard of housing in the Ballydowd Grove area and thus have an effect on the valuation of the bungalows.

4 The average ratio of houses per acre in this area is five to seven. Given that the proposed site is two acres, by the time roads and footpaths are provided, not to mention any necessary green space, to build twenty houses on the remaining land would be excessive to the average number of houses per acre in this area.

5 On the Planning Application submitted, there is no provision for any green space. The builder has offered one thousand pounds compensation per house in lieu of providing green space, to yourselves. This does not resolve the problem of providing green space for this development.

6 Given that there is an obligation on the County Council to provide five acres of green space per one thousand head of population and that there is no green space available in the immediate area, the developer must provide green space in his development plan to service the proposed housing.

7 In the plans submitted by the developer, there is no provision for any permanent boundary i.e. wall. The developer is hoping to use the existing hedge as a boundary. This is totally unexceptable as there are numerous gaps in this hedge, and it is so thin one can see through the hedge with little visual obstruction, and it's only use would be as a shortcut from the proposed housing to shops etc. I feel that the builder must provide a proper and permanent boundary wall, which could be planted with shrubs and greenery on the Ballydowd Grove side, to protect our privacy and to maintain the green effect of the present hedge.

I WANT THE HEDGE TO BE MAINTAINED

8 Given that no green space is being offered by the developer and that no permanent boundary wall is being build, the small piece of green space which serves Ballydowd Grove in which the residents of this area have a large input into i.e. cleaning and generally keeping neat and tidy, this must be protected.

9 The site on which this development is to be build will have to be elevated to accomodate sewer systems, thus having the effect of building higher than average two story houses effecting the privacy and the view from Ballydowd Grove.

10 Given that a recent application for two story houses in the immediate area of the proposed development was refused by your department, on the basis that two story houses would not conform with the housing in the area, I trust that the same regulations and conditions must also apply to this development and therefore permission for two story houses on the proposed site must be refused.

I would be grateful if you would acknowledge receipt of this letter by return post.

Yours sincerely,

J. Hawley

Resident.

17, Esker Lane,
Lucan,
CO. DUBLIN.

21st. January, 1992.

Dublin Co. Council,
Planning Dept.,
Irish Life Centre,
Lr. Abbey Street,
DUBLIN, 1.

OBJE

1410

ATT: CHIEF PLANNING OFFICER.

RE: PROPOSED 20 NO. 2 STOREY HOUSES AT ESKER LANE.
PLANNING REG. REF. NO. 91A/2061 AND 91A/2071.
APPLICANT: McCOURT INVESTMENTS LIMITED.

Dear Sir,

I wish to advise that I have inspected the files in relation to the above applications and am very concerned at their implication in so far as my property is concerned.

I live at No. 17 Esker Lane and my property adjoins the proposed development. I set out hereunder some of my objections to the proposed development. These objections were conveyed with deep anxiety to the builder who approached me in late November with a site layout plan almost identical to that now lodged for planning permission.

1. The proposed development of 2 storey houses in an area where single storey houses already exist would be seriously injurious to the residential amenities of my property. The physical structure of the proposed houses on the "infill" site is not compatible with the established single storey type development and would have a most detrimental impact on my property and indeed adjoining properties. The applicant has had no regard for consequences of height and mass of the proposal and no regard for design considerations necessary to be in sympathy with the existing character of the area as illustrated in the attached photographs. The proposed houses would be very "dominant" and overlook my property, thereby causing serious loss of amenity and privacy.
2. The development proposes 5 No. two storey houses which would directly overlook my property. This is totally unacceptable and would seriously infringe the privacy I now enjoy and would depreciate the value of my property. Some adjustment of the site layout plan should be sought to alleviate this situation. I would further point out that there are two windows in the south gable wall of my house which look directly into the applicants site. The applicant has shown no proposals for screening along the gable of my house to deal with this problem.

27 JAN 92



3. The floor level of the proposed houses are shown to be almost 3'0" above the adjacent ground level and this would greatly exacerbate the problem of dominance and overlooking.
4. The density of development proposed is excessive compared with that which exists along Esker Lane and Ballydowd Estate with which the development links (see attached sketch). Similarly the amount of public open space provided is seriously deficient for the number of houses proposed. The areas of footpaths and grass margins should not be included in the calculation for open space areas. Under no circumstances should a contribution be accepted in lieu of the provision of the required amount of public open space.

In conclusion I would advise that development of the site is welcome but it must have regard to the stated policy of Dublin Co. Councils Development Plan. The policy document states in paragraph 3.32 inter alia that the design of the proposed development must be in sympathy with the existing character and must protect and where possible enhance the present amenities. "The proposed development must have due regard to the predominant design features and the existing residential density". "The proposed buildings should blend with neighbouring structures and suburban character".

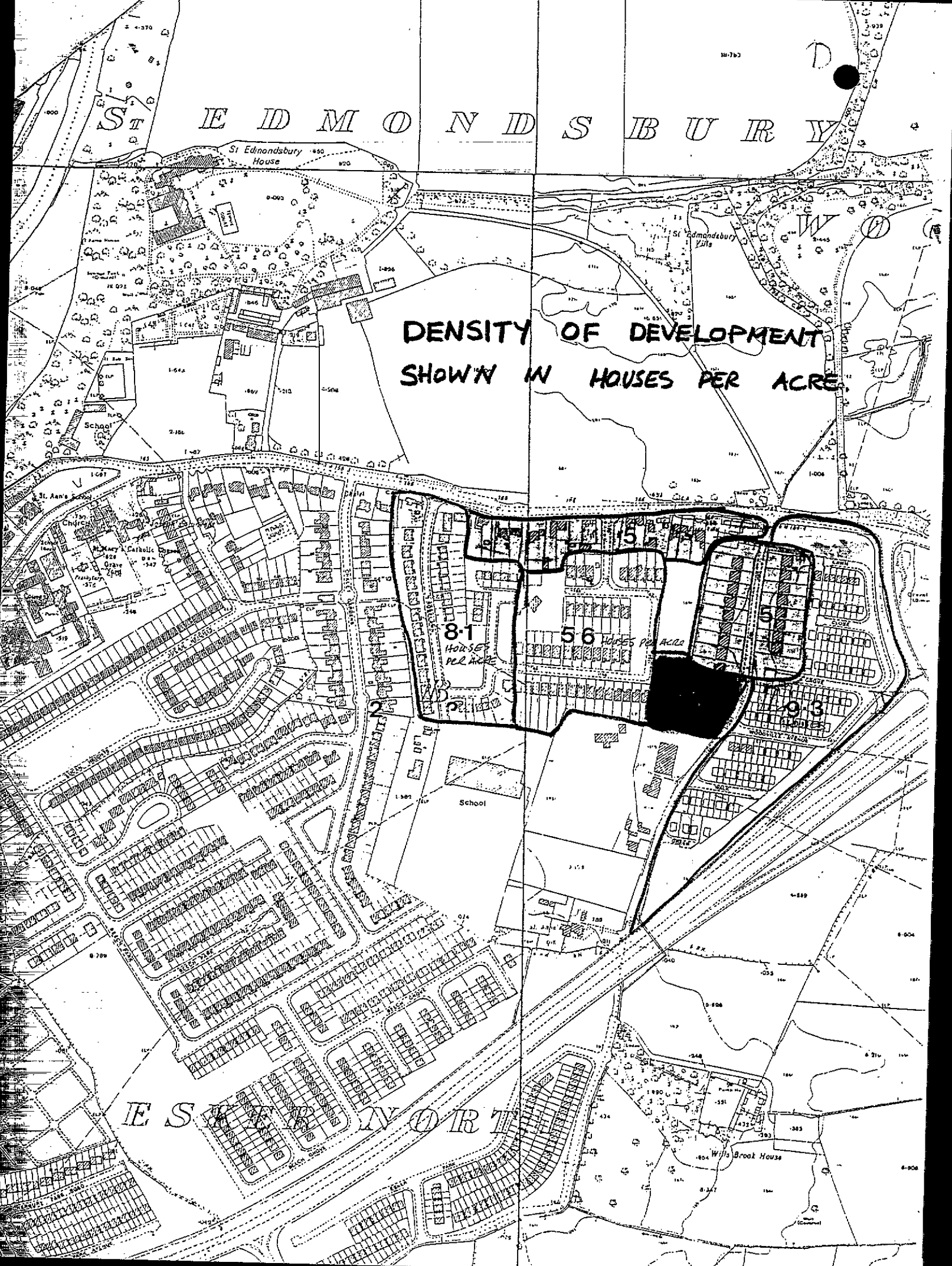
I would appreciate if you would take the foregoing into consideration when determining the application.

Yours faithfully,

Patrick O'Connor.

E I D M O N D S B U R Y

DENSITY OF DEVELOPMENT
SHOW'N IN HOUSES PER ACRE



E S T W O R T

8.1
HOUSES
PER ACRE

5.6
HOUSES PER ACRE

5

9.3
HOUSES PER ACRE

FILE DISCUSSED AT COUNCIL/COMMITTEE MEETING

FILE REF: 91A2061

MEETING	COMMENTS	NOTED IN DEV. CONTROL	NOTED BY
<p>BELGARD H+P <u>28/1/92</u></p>	<p>all Hainak Strongly Recs. Permission be refused</p> <hr/> <p>all O'Halloran opposed also</p> <p>Bungalows would be OK but ²⁸2 storey S/Ds NO (4 kerbs) 2 storeys OK facing onto Telecom site but nowhere else</p>		

42 Ballydowd Grove,
Lucan,
Co. Dublin.

14th January 1992.

The Chief Planning Officer,
Planning Dept.,
Dublin County Council,
Irish Life Buildings,
Dublin 1.

1332

16/1

OBJ

Re:- The proposed development of the site bounded by Ballydowd Grove and
Esler Lane.

Dear Sir/Madam,

I am advised that two applications have been submitted, each for 10
semidetached houses. Application No's 91A /2061 and 91A / 2071.

I wish to lodge my objection on the following grounds.

- 1.) As my bungalow is next to the site I object to a two story house
beside me, as my sitting room window, front door and bedroom
window all face onto the site.
- 2.) Both Esler Lane and Ballydowd Grove are Developments of BUNGLOWS,
houses are not in keeping with the area.
- 3.) I would like to have a wall in place of the hedge on Ballydowd
Grove, suitably clad. There should be no access to Ballydowd Grove.

Yours faithfully

Paul H. Cruise.

Paul H. Cruise.

Ballydowd Townland Committee

Elected by and representing residents of Esker Lane, Woodville, Lucan Road, Ballydowd Grove and Roselawn, Lucan.

10/1/92

41, Ballydowd Grove,
Lucan, Co. Dublin
10th January, 1992

The Chief Planning Officer,
Planning Dept.,
Dublin County Council,
Irish Life Buildings,
Dublin 1.

1275

Re: The proposed development of the field bounded by Esker Lane, Lucan Road and Ballydowd Grove, Lucan. (known locally as "Peggy's field")
Planning Application numbers ~~91/2061~~ and ~~91/2071~~

Dear Sir/Madam,

91A/2061 ~ 91A/2071

I refer to previous contact with your office when I advised you of the fact that there is keen local interest in the eventual development of the above field.

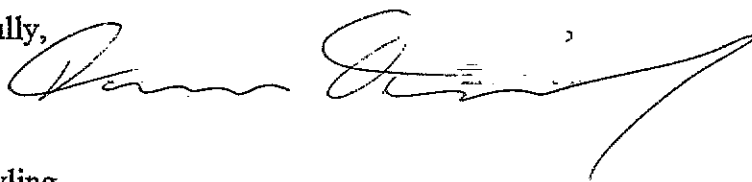
The Committee has now become aware that Applications for Planning Permission have been lodged with your office. We have looked at the plans submitted under the above numbers and the Committee have instructed me to lodge an objection to them as they now stand.

1. We object to two storey houses being built on the site. (The private dwellings bounding that field on all sides are bungalows. We understand from the builder that he will have to raise the level of the sites considerably before building can commence due to sewage requirements. This will result in the skyline of the two storey houses dominating the area. At our meeting it was pointed out that 5 of these two storey houses will be overlooking one of the bungalows which borders the site. One of the windows in this same bungalow will open on to the back garden of one of the proposed houses and another will open on to the proposed public open space.) A bungalow development would be in keeping with the developments that have taken place in this small area to date.
2. There are 20 houses planned for the site under the above planning application. We feel this is too great a density for that small site.
3. People resident on Esker Lane and Woodville are worried about the wear and tear on Esker Lane. This road suffered during recent building programmes in the area and the damage has never been made good.

Mr Brady, Auctioneer, Lucan has approached us from time to time about developing the 3 acre field of which this 2 acre development is part. Enclosed is a copy of our letter to him dated 21st November, 1991. To date we have had no reply from Mr. Brady.

We would like your office to note that the residents of the locality look forward to the development of this field, but we are anxious that any development should be in harmony with the existing housing. We are always available to talk to interested parties.

Yours faithfully,



Damien Dowling,
(Chairman, Ballydowd Townland Committee)

Ballydowd Townland Committee

41, Ballydowd Grove,
Lucan,
Co. Dublin
21st November, 1991

Mr. Kieran Brady
Auctioneer,
Main Street,
Lucan,
Co. Dublin

Dear Mr. Brady,

A meeting of the Ballydowd Townland Committee took place today. The proposed plans for the development of "Peggy's Field" which were presented to us by you were discussed.

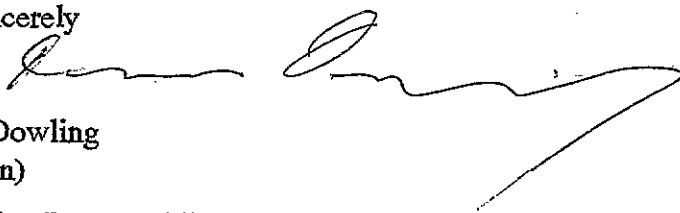
- (a) Concerning the 6 sites which are of particular interest to you:
The committee decided we would need to have information as to the proposed area, aspect and siting of the bungalows for which planning permission will be sought.
- (b) The plan for 20 two storey houses was rejected:
(1) It was felt that 20 houses in the area designated would be too high a density and would be in contravention of the Planning Laws.
- (11) The houses in the immediate neighbourhood are bungalows, therefore two storey houses would not be compatible.
- (111) The committee believe that the builder's site planner could give more imaginative thought to the layout of this site - planning for lower density housing of the bungalow type.

The committee would like to have a meeting with you and the builder before going back to the residents, in order to clarify certain points. To save time and prepare properly for such a meeting it would be helpful if the you furnished the committee with amended site plans and at least the following details:

- (1) The aspect of the proposed bungalows.
- (2) Site elevation.
- (3) Sewage routing.
- (4) Treatment of site boundaries.
- (5) Treatment of the development boundaries.
- (6) Points of access to the development from existing public roads.
- (7) The overall length of time it would take to complete the development and buildings on the entire field once the development machinery moves in.

The committee thanks you for providing your initial sketches and we hope it is the first step towards an arrangement which will please all the parties.

Yours sincerely



Damien Dowling
(Chairman)

c.c.Planning Dept. Dublin Co. Douncil.

BYE LAW APPLICATION FEES

REF. NO.: 910/2061 CERTIFICATE NO.: 17116³
 PROPOSAL: Residential development
 LOCATION: 2-20 even Esker Lane, Luan
 APPLICANT: Mc Court Investments Ltd

	1	2	3	4	5	6	7
CLASS	DWELLINGS/AREA LENGTH/STRUCTURE	RATE	AMT. OF FEE REQUIRED	AMT. LODGED	BALANCE DUE	RED. FEE APPL.	AMT. OF RED. FEE
A	Dwelling ¹⁰ (Houses/Flats)	@ £55	<u>£550</u>	<u>£550</u>	<u>—</u>		
B	Domestic Ext. (Improvement/ Alts.)	@ £30					
C	Building for office or other comm. purposes	@ £3.50 per M ² or £70					
D	Building or other structure for purposes of agriculture	@ £1.00 per M ² in excess of 300 M ² Min. £70					
E	Petrol Filling Station	@ £200					
F	Dev. of prop. not coming within any of the forgoing classes	£70 or £9 per .1 hect. whichever is the greater					

MEASUREMENTS NOT REQUIRED

Column 1 Certified: Signed: _____ Grade: _____ Date: _____
 Column 1 Endorsed: Signed: _____ Grade: _____ Date: _____
 Columns 2,3,4,5,6 & 7 Certified: Signed: AND KL Grade: CLS Date: 7/1
 Columns 2,3,4,5,6 & 7 Endorsed: Signed: _____ Grade: _____ Date: _____

LOCATION GOVERNMENT (PLANNING AND DEVELOPMENT) ACTS, 1963 TO 1982

ASSESSMENT OF FINANCIAL CONTRIBUTION

REG. REF.: 91A/2061

CONT. REG.:

SERVICES INVOLVED: WATER/FOUL SEWER, SURFACE WATER

AREA OF SITE: 1.8 AC

FLOOR AREA OF PROPOSED PROPOSAL:

MEASURED BY:

CHECKED BY:

METHOD OF ASSESSMENT:

TOTAL ASSESSMENT

MANAGER'S ORDERED NO: BY / DATED:

ENTERED IN CONTRIBUTIONS REGISTER:

26/2/92

(i) Roads

10,800

(ii) Roads

£800 per acre

Charge standard
£1000
roads contribution
on new
per m² m² 27/2/92

(iii)

of £1000

on 91A/2061 and

£1000 on 91A/2071

(iv)

not to be reported
Security

bad ~~1000~~ 20,000

cut ~~1000~~ 15000
for
m² m²

27/2/92

DEVELOPMENT CONTROL ASSISTANT GRADE

PLANNING APPLICATION FEES

Reg. Ref. 9/A/2061 Cert. No. 27531
 PROPOSAL Residential development
 LOCATION 2-20 even, Ester lane, Liscannor
 APPLICANT McCart Investments Ltd

CLASS	DWELLINGS/AREA LENGTH/STRUCT.	RATE	AMT. OF FEE REQ.	AMOUNT LODGED	BALANCE DUE	BALANCE PAID
1	Dwellings 10	@£32	£320	£320	—	
2	Domestic,	@£16				
3	Agriculture	@50p per m2 in excess of 300m2. Min. £40				
4	Metres	@£1.75 per m2 or £40				
5	x .1 hect.	@£25 per .1 hect. or £250				
6	x .1 hect.	@£25 per .1 hect. or £40				
7	x .1 hect.	@£25 per .1 hect. or £100				
8		@£100				
9	x metres	@£10 per m2 or £40				
10	x 1,000m	@£25 per £1000m or £40				
11	x .1 hect.	@£5 per .1 hect. or £40				

MEASUREMENTS NOT REQUIRED

Column 1 Certified: Signed: Grade Date
 Column 1 Endorsed: Signed: Grade Date
 Columns 2,3,4,5,6 & 7 Certified: Signed: M. O. K. Grade 4/2 Date 7/11
 Columns 2,3,4,5,6 & 7 Endorsed: Signed: Grade Date

Mary Galvin

13

Register Reference : 91A/2061/C1

Date : 16th October 1992

DEVELOPMENT : Compliance with conditions

LOCATION : Esker Lane, Lucan

Applicant : McCourt Investments Ltd.

App. Type : Compliance with Conditions

Date Recd. : 1st October 1992

Planning Officer : M. GALVIN

Date received in Sanitary Services . . . 5.6 NOV 1992 . . .

ENVI
5.6 NOV 1992
SERVICES

DUBLIN CO. COUNCIL
SANITARY SERVICES
21 DEC 1992
Returned: *[Signature]*

FOUL SEWER

Available to approved system.

SURFACE WATER

As above

[Signature]

16.12.92

*J.F.
18/12/92*

Register Reference : 91A/2061/C1

Date : 16th October 1992

DEVELOPMENT : Compliance with conditions

SENIOR ENGINEER,
SANITARY SERVICES DEPARTMENT,
46/49 UPPER O'CONNELL STREET,
DUBLIN 1

PLANNING DEPT.
DEVELOPMENT CONTROL SE.
Date 05/10/92
Time 9.00

DUBLIN COUNTY COUNCIL

REG. REF: 91A/2061/C1.
DEVELOPMENT: Compliance with Conditions.
LOCATION: Esker Lane, Lucan.
APPLICANT: McCourt Investments Ltd.
DATE LODGED: 1.10.92.

Compliance submission not directly related to roads. As such this Department has no comments.

PLANNING DEPT.
DEVELOPMENT CONTROL SECT.
Date 11/11/92
Time 12.00

TB/BMcC
9.11.92.

SIGNED: 4.92-k
DATE: 10/11/92

ENDORSED: _____
DATE: _____

P/2603/92

COMHAIRLE CHONTAE ÁTHA CLIATH

Record of Executive Business and Manager's Orders

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

A decision has been made in the following case to grant permission under the above Acts:-

<u>Reg. Ref.</u>	<u>Dec. Date</u>	<u>Applicant</u>	<u>Proposal</u>
91A/2061	27.02.92 0764	McCourt Investments Ltd.	Proposed residential development sites 2-20 even and associated site development works at Esker Lane, Lucan

As the appeal in the above case was ~~WITHDRAWN/LATE/INVALID~~, I recommend that the grant be made.

[Signature]
Principal Officer.

ORDER: The permission which the Planning Authority decided to make by the order above specified is hereby granted by the Planning Authority, the grant to be subject to the conditions, if any specified in order relating hereto.

DATED: 8th June, 1992

[Signature]
ASSISTANT COUNTY MANAGER

to whom the appropriate powers have been delegated by order of the Dublin City and County Manager dated

24 July 1992

Agree

TO: N. R. Prendergast,
S.E.D.C.

REG. REF. 91A/2061

RE: Permission for residential development sites 2 to 20 even and
associated site development works at Esker Lane, Lucan for Mc
Court Investments Ltd.

I attach for your observations memo/letter dated 26th March, 1992 from An Bord Pleanala.

Please reply before: 22nd April, 1992

S
for Principal Officer

DATED: 8 April 1992

OBSERVATIONS:

No further comment at this time

Signature of person making observations: _____

Countersigned: _____

RP 7/4
(S.E.D.C.)

DATE: _____

DATE: _____

[Handwritten signature]

Order No. P/764/92
COMHAIRLE CHONTAE ÁTHA CLIATH

Record of Executive Business and Manager's Orders

Permission for residential development sites 2 to 20 even and associated site development works at Esker Lane, Lucan for Mc Court Investments Limited.

John McGivern & Assocs.,
25 Millview Lawns,
Malahide,
Co. Dublin.

Reg. Ref. 91A/2061
App. Recd: 23.12.1991
Floor Area:
Site Area:
Zoning:

CONTRIBUTION:	
Standard:	10 200
Roads:	12,440
S. Servs:	1,100
Open Space:	10 000
Other:	1300 etc
SECURITY:	
Bond/C.I.F.:	16,000
Cash:	15,000

Report of the Dublin Planning Officer, dated 19 February 1992

This is an application for PERMISSION for residential development sites 2 to 20 even and associated site development works at Esker Lane, Lucan for Mc Court Investments Limited.

The proposed site forms part of a larger c. 3 acre field at this location. This is surrounded by mature hedgerows and has frontage onto Esker Lane to east and Ballydowd Grove to west.

The proposed site is zoned A "to protect and/or improve residential amenity" in the Dublin County Development Plan, 1983. It adjoins the Telecom Eireann site to south and established housing areas of Ballydowd Grove and Esker Lane to west and north. The Woodville Downs housing development is located to the east of the opposite side of Esker Lane (Reg. Ref. 87A/505 and 88A 49 refer).

The current application provides for the construction of 10 no. semi detached houses on a cul de sac development with access off Esker Lane.

Reg. Ref. No. 91A/2071 refers to a current application for a residential development comprising 10 no. semi detached houses on site nos. 1-19 opposite. A decision on this application is pending.

There is no reference on the planning register of any previous planning applications relating to this site.

The proposed development provides for an area of open space (stated to be 0.35 acres) adjoining the entrance to the cul-de-sac at Esker Lane. This 0.35 acres (1416 sq. metres) is less than the 1600 sq. metres required to serve a development of 20 houses to meet Development Plan Standards.

Parks Department report on 91A/2061 recommends that this deficit be made up by way of contribution i.e. £2000.00. Parks Department also recommends that a detailed survey of existing trees and hedgerows which are a significant visual feature be submitted. Report also outlines other requirements of Parks Department. These matters can be conditioned.

Order No. P/764/92
COMHAIRLE CHONTAE ÁTHA CLIATH

Record of Executive Business and Manager's Orders

Permission for residential development sites 2 to 20 even and associated site development works at Esker Lane, Lucan for Mc Court Investments Limited.

Lodged plans provide for 10 no. semi-detached houses with a hipped roof and part brick front. These are to be located to the south of the proposed cul-de-sac and will back onto the Telecom Eireann site. There is an existing large building on this site (c. 2-3 storey).

The proposed layout provides for house no. 2 set back to maintain the established building line as Esker Lane. A slightly stepped building line is proposed from nos. 12-20 and house no. 20 is set back some 13 metres from the front building line of the adjoining house at ^{No. 22} Ballydowd Grove. This is a dormer bungalow and existing dormer and ground floor windows and door in the east elevation of this house will overlook the front garden of house no. 20. No. 20 is to be located some 5 metres southeast of this adjoining house. A pedestrian path is proposed from Ballydowd Grove.

Roads Department report states no objection subject to conditions.

Various objections have been submitted from residents of nearby Ballydowd Grove, Esker Lane and Woodville Downs. These refer inter alia to issues of density, house type, overlooking, provision of open space, boundary treatment etc. All objections lodged have been noted.

The proposed development involves the construction of 10 no. 2 storey houses at this location. This is considered acceptable having regard to the fact that the site backs onto the Telecom site and such will not give rise to overlooking as of residential properties to the rear.

Furthermore, access is proposed from Esker lane and the proposed development will form a visual link with the Woodville Downs Development of almost entirety two storey houses. The density proposed is comparable with Woodville Downs.

Sanitary Services report ~~not received~~ ^{noted} *The requirement to raise finished floor levels of sites 13-20 by 300 mm will not increase overlooking of existing dwellings.*
The proposed development provides for the discharge of surface and foul drainage to Woodville Downs. ~~It is understood that~~ this system is not yet in charge. The applicants note in correspondence lodged that agreement has been reached with adjoining developers. No further details have been submitted. The applicants should be required to submit such information by condition prior to the commencement of development.

The proposed development is considered acceptable.

I recommend that a decision to **GRANT PERMISSION** be made under the Local Government (Planning and Development) Acts, 1963-1990 subject to the following () conditions:-

(Conditions attached).

COMHAIRLE CHONTAE ÁTHA CLIATH

Record of Executive Business and Manager's Orders

BELGARD

Register Reference : 91A/2061 Date Received : 23rd December 1991

Correspondence : John McGivern & Associates,
Name and : 25 Millview Lawns,
Address Malahide,
 Co. Dublin.

Development : Residential development sites 2 - 20 even and
 associated site development works.

Location : Esker Lane, Lucan.

Applicant : McCourt Investments Ltd.

App. Type : Permission

Zoning : A

Floor Area : Sq.metres

CONDITIONS / REASONS

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 £ 10800 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

COMHAIRLE CHONTAE ÁTHA CLIATH

Record of Executive Business and Manager's Orders

Reg.Ref: 91A/2061

Page No: 0002

Location: Esker Lane, Lucan.

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 £ 20,000 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 £ 5000 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.

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.

COMHAIRLE CHONTAE ÁTHA CLIATH

Record of Executive Business and Manager's Orders

Reg.Ref: 91A/2061

Page No: 0003

Location: Esker Lane, Lucan.

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. In this regard, ~~the applicant is to~~ submit full details of any permissions required to connect into the existing foul and surface water drainage systems at the adjoining Woodville Estate. This information to be submitted for agreement with Sanitary Services Department, Dublin County Council, prior to commencement of development on site. ~~Foul drainage to be provided at gradient of 1/150.~~

11 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.

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

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

16 That the proposed access arrangements onto Esker Lane to be subject to

COMHAIRLE CHONTAE ÁTHA CLIATH

Record of Executive Business and Manager's Orders

Reg.Ref: 91A/2061

Page No: 0004

Location: Esker Lane, Lucan.

the requirements of the Roads Department, Dublin County Council. In particular:-

- (i) a new concrete kerb to be constructed along site frontage set back 7.5 metres from kerb on opposite side of Esker Lane
- (ii) all poles to be safely relocated by the applicant at his own expense
- (iii) adequate drainage to be provided at access junction
- (iv) existing hedge and vegetation at Esker Lane frontage to be cut back and removed to provide sight lines at this location.

17 That a financial contribution in the sum of ^{£1420} £800. per house be paid by the proposer towards the improvement of Esker Lane which will facilitate the proposed development. This contribution to be paid prior to commencement of development on site.

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

18 That the areas shown and conditioned as open space be fenced off during construction work and shall not be used for the purpose of site compounds or the storage of plant, materials or spoil.

REASON: To protect the amenities of the area.

19 A landscape plan with full works specification and bill of quantities etc., shall be submitted to and agreed in writing with the Planning Authority before the commencement of the development. Such plan shall include regrading, drainage, topsoiling, seeding, tree and shrub planting, pedestrian paths and details of maintenance. Or... In lieu of the open space being developed by the applicants, a financial contribution of £300. per house shall be paid to the County Council to enable this work to be carried out. This cost to be paid on a phased basis as agreed with the Planning Authority.

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

20 That a scheme of street tree planting (at a rate of one tree per house) to be submitted to and agreed with the Planning Authority prior to commencement of development on site.

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

21 That (a) each house have a minimum front building line of 25 feet and rear garden depth of 36 feet. (b) A minimum of 7'6" be provided between each block of houses.

COMHAIRLE CHONTAE ÁTHA CLIATH

Record of Executive Business and Manager's Orders

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Location: Esker Lane, Lucan.

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

22 Heating to be provided by the use of either oil, gas, electricity or by smokeless fuels in fireplaces or appliances suitable only for burning solid smokeless fuels.

REASON: In the interest of reducing air pollution.

~~23 That the proposed pedestrian path through the area of open space adjoining site no. 1 and identified on Drawing EE-11 to be relocated along the southern and eastern boundaries of the open space in order to minimise impact on area of public open space. Details to be agreed with Planning Authority prior to commencement of development on site.~~

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

Oil of 2³
2³
That a financial contribution in the sum of £1000 to be paid by the proposer to the Dublin County Council towards the provision of public open space in the vicinity of the proposed development and which will serve the proposed development. This contribution to be paid prior to commencement of development on site.

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

2³
2³
That details of the proposed boundary treatment to the hammer head at the western end of the proposed cul-de-sac to be submitted for written agreement of Planning Authority prior to the commencement of development on site. Any scheme of boundary treatment to provide for the retention of the existing hedgerow at this location.

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

2³
2³
That details of the boundary treatment to the proposed open space be submitted for the written agreement of the planning authority prior to commencement of development on site. In this regard the side boundary wall to house no. 2 to be finished in order to match external finish of proposed houses.
Reason: In the interest of visual amenity

US&G
That the existing hedgerow along the southern boundary of the site is to rear of nos 2-20 to be retained.

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

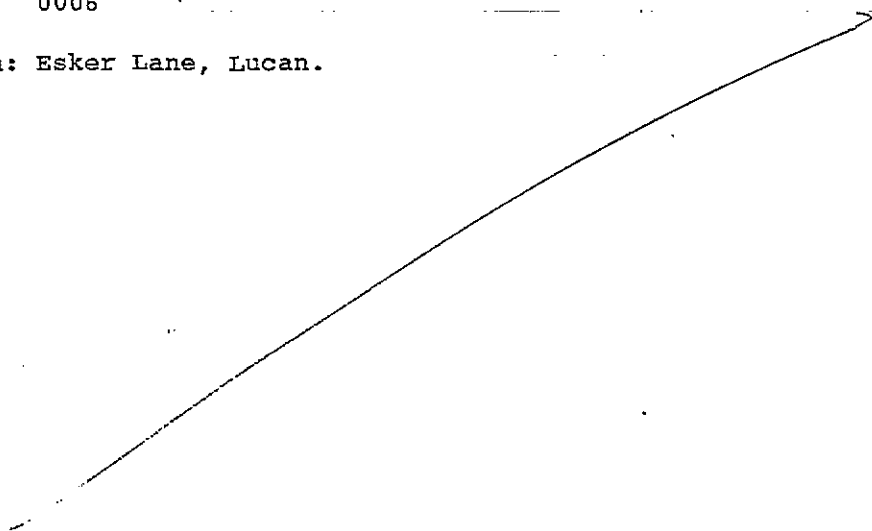
COMHAIRLE CHONTAE ÁTHA CLIATH

Record of Executive Business and Manager's Orders

Reg.Ref: 91A/2061

Page No: 0006

Location: Esker Lane, Lucan.



G. Bothman

.....
for Dublin Planning Officer

MS

Endorsed:.....
for Principal Officer

Order: A decision pursuant to Section 26(1) of the Local Government (Planning and Development) Acts, 1963-1990 to GRANT PERMISSION for the above proposal subject to the (25) conditions set out above is hereby made.

Dated : 27th FEBRUARY 1992

[Signature]
.....
ASSISTANT COUNTY MANAGER/APPROVED OFFICER

to whom the appropriate powers have been delegated by order of the Dublin City and County Manager dated 1991.

DUBLIN COUNTY COUNCIL

REG. REF: 91A/2061
DEVELOPMENT: Residential Development
LOCATION: Lucan
APPLICANT: McCourt Investments Ltd.
DATE LODGED: 23/12/91



This is one of two similar applications on site.

91A 2071 is for houses 1-19 odd
91A 2061 is for houses 2-20 even.

No Roads objection subject to:

- 1) Access roads to be constructed to Council standards.
- 2) New concrete kerb to be constructed on site frontage set back 7.5 metres from kerb on opposite side of Esker Lane.
- 3) All poles to be safely relocated by applicant at his own expense.
- 4) Adequate drainage to be provided at access junction.
- 5) Existing hedges and vegetation at Esker Lane frontage to be cut back and removed to provide safe sight lines at this junction.
- 6) Applicant to make a contribution of £800 per house towards road improvements on Esker Lane which will facilitate the development.

TR/AW
11/2/92

SIGNED: J. Rogers
DATE: 11/2/92

ENDORSED: G. B. K.
DATE: 11/2/92

SS only

2

Register Reference : 91A/2061

Date : 9th January 1992

Development : Residential development sites 2 - 20 even and associated site development works.

LOCATION : Esker Lane, Lucan.

Applicant : McCourt Investments Ltd.

App. Type : PERMISSION/BUILDING BYE-LAW APPROVAL

Planning Officer : M.GALVIN

Date Recd. : 23rd December 1991

PLANNING DEPT.
DEVELOPMENT CONTROL SECT
 Date 20. 02. 92
 Time 3.00

Attached is a copy of the application for the above development .Your report would be appreciated within the next 28 days.

Yours faithfully,

DUBLIN Co. COUNCIL
 13.JAN.1992....
 SAN SERVICES

.....
for PRINCIPAL OFFICER

Date received in Sanitary Services

FOUL SEWER

Insufficient information

① The applicant has not indicated an ~~and~~ written agreement to connect to a system which is not yet in charge of the County Council.

② The applicant has not indicated an acceptable gradient of the foul sewer. This must be indicated at 1/80 which will require

(No 13 to 20)
..... the floor levels of houses being raised by 300 mm.

SURFACE WATER

Insufficient Information

See ① above

SENIOR ENGINEER,
SANITARY SERVICES DEPARTMENT
46/49 UPPER O'CONNELL STREET,
DUBLIN 1

Blum Brown
16.2.92

DUBLIN CO. COUNCIL
 SANITARY SERVICES
 19 FEB 1992
 Returned *[Signature]*

LA
SS

PLANNING DEPT.
DEVELOPMENT CONTROL SECT
Date 20.02.92
3.00

Register Reference : 91A/2061

Date : 9th January 1992

.....
ENDORSED _____ DATE _____

WATER SUPPLY. Water available subject to the following conditions:

Applicant to re-submit revised layout showing details as amended on App No EL-12, prior to permission being granted. 24 hr storage required. All connections etc to be by DC personnel at applicant's prior expense.

ENDORSED [Signature] DATE 18/2/92

[Signature]
7/2/92
[Signature]

Mary Gabin

PLANNING DEPT.
DEVELOPMENT CONTROL SECT

Date 17-02-92

Time 12.00



Bosca 174,
P. O. Box 174,
5 Rae Gardnar,
5 Gardiner Row,
Baile Atha Cliath 1.
Dublin 1.
Telephone: (01) 727777
Fax: (01) 725782

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

Our Ref.

Your Ref.

Date 31.01.1992

RE: Residential Development at Esker Lane, Lucan.
Reg. Ref. 91A/2061 and 91A/2071.

With reference to this application, the Parks Department's comments are:-

- 1) This site is bounded by dense hedges, which are a significant visual feature and a detailed survey of the existing hedgerow, trees and vegetation should be submitted prior to any permission being granted.
- 2) As stated in the written submission with this application, there is a shortfall in public open space provision in the amount of 186m²; a financial contribution of £2,000 should be sought in relation to this deficiency in open space provision.
- 3) The areas of public open space should be fenced off and protected from site development works and not used for the storage of spoil, builders material, etc.
- 4) A landscape plan with full works specifications, to be submitted and agreed with the County Council prior to the commencement of development. Alternatively, a financial contribution of £300 per house to be provided towards open space development on a phased basis together with dedication of the open space.
- 5) A scheme of street tree planting to be submitted and agreed with the County Council, prior to the commencement of development.
- 6) The line of the pedestrian path projecting from site No. 1 will require modification as per the enclosed drawing, to lessen the impact on the public open space.

SENIOR PARKS SUPERINTENDENT

COMHAIRLE CHONTAE ÁTHA CLIATH

Record of Executive Business and Manager's Orders

Proposed residential development sites 2 to 20 even
and associated site development works at Esker Lane,
Lucan for McCourt Investments Ltd.

John McGivern & Assocs.,
25 Millview Lawns,
Malahide,
Co. Dublin.

Reg. Ref. 91A/2061
Appl. Rec'd: 23.12.91
Time Ext. let. rec'd: 21.02.92
Time Ext. up to: 28.02.92

Report dated 21 February 1992

This is an application for a proposed residential development sites 2 to 20 even and associated site development works at Esker Lane, Lucan.

In accordance with Section 26(4A) of the Local Government (Planning and Development) Act, 1963, as amended by Section 39(F) of the Local Government (Planning and Development) Act, 1976, the applicant has furnished his consent in writing to the extension by the Council of the period for considering this application within the meaning of subsection (4A) of Section 26, up to and including 28 February, 1992.

I recommend that the period to be extended accordingly.

Reason: To facilitate full consideration of the application.



for Principal Officer.

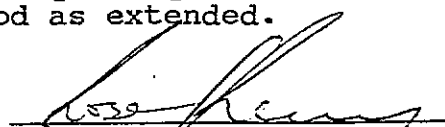
Order: A decision pursuant to Section 26(4A) to extend the period for considering the application as recommended is hereby made.

Dated: 21 February, 1992.


Assistant County Manager

to whom the appropriate powers have been delegated by order of the Dublin City and County Manager dated 10th February 1992

NOTE: I have checked that the necessary entry has been made recording details of the period as extended.


SENIOR STAFF OFFICER.

Mary Galvin.

DUBLIN COUNTY COUNCIL

REG. REF: 91A/2061
 DEVELOPMENT: Residential Development
 LOCATION: Lucan
 APPLICANT: McCourt Investments Ltd.
 DATE LODGED: 23/12/91

This is one of two similar applications on site.

91A 2071 is for houses 1-19 odd
 91A 2061 is for houses 2-20 even.

No Roads objection subject to:

- 1) Access roads to be constructed to Council standards.
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- 4) Adequate drainage to be provided at access junction.
- 5) Existing hedges and vegetation at Esker Lane frontage to be cut back and removed to provide safe sight lines at this junction.
- 6) Applicant to make a contribution of £800 per house towards road improvements on Esker Lane which will facilitate the development.

TR/AW
11/2/92

PLANNING DEPT.
 DEVELOPMENT CONTROL SECT
 Date 14-02-92
 Time 11-15

SIGNED: J. Rogers
 DATE: 11/2/92

ENDORSED: C. B. K
 DATE: 11/2/92

**SOUTH DUBLIN COUNTY COUNCIL
COMHAIRLE CHONTAE ÁTHA CLIATH THEAS**

Bloc 2, Ionad Bheatha na hÉireann,
Sráid na Mainistreach Iacht,
Baile Átha Cliath 1.

Telefon: 01-8724755
Facs: 01-8724896



PLANNING DEPARTMENT
Block 2, Irish Life Centre,
Lower Abbey Street,
Dublin 1.

Telephone: 01-8724755
Fax: 01-8724896

Date : 23rd February 1994

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

Register Reference : 91A/2061/C2

Development : Residential development sites 2 - 20 even and associated site development works.

Location : Esker Lane, Lucan.

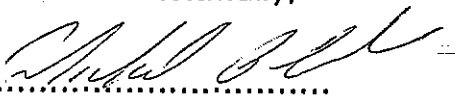
Applicant : McCourt Investments Ltd.

App. Type : Compliance with Conditions

Dear Sir/Madam,

With reference to the above, I acknowledge receipt of your submission to comply with conditions received on 22/02/94.

Yours faithfully,


.....
for PRINCIPAL OFFICER

J M McConville & Associates,
Grange,
Dunboyne,
Co. Meath.

Reg

J M McConville
+ ASSOCIATES

• Consultant Arborists
• Landscape Architects

Grange • Dunboyne • Co. Meath
Telephone: 825 1718 • Facsimile: 825 1391

Principal officer
South County Dublin County Council
Planning Department
Parnell House
13 Parnell Square
Dublin 1

17 February 1994

Re : Housing Development at Edmsbury Court, Esker Lane, Lucan
County Dublin

Reg ref. 91A-2071 and 91A-2061

Dear Sir / Madame

On behalf of our clients, McCourt Investments Ltd, we wish to lodge in triplicate copies of the landscape plan, specification and bill of quantities, agreed with you parks department, to comply with conditions 19 of the above planning permissions.

Yours sincerely

Joseph M Conville

Joseph M McConville
JM McConville & Associates

DUBLIN COUNTY COUNCIL
Planning Dept. Registry Section
APPLICATION RECEIVED
22 FEB 1994
REG NO 91A/2061

SOUTH DUBLIN
COUNTY COUNCIL
22 FEB 1994
RECEIVED
PLANNING DEPT.

SPECIFICATION AND SCHEDULE OF QUANTITIES

FOR

LANDSCAPE WORKS

AT

EDMUNSBURY COURT
ESKER LANE
LUCAN
CO. DUBLIN

SEPTEMBER 1993

DUBLIN COUNTY COUNCIL
Planning Dept. Registry Section
APPLICATION RECEIVED

22 FEB 1994

91A/2061

J M McConville • Consultant Arborists
+ ASSOCIATES • Landscape Architects

Grange • Dunboyne • Co. Meath
Telephone: 825 1718 • Facsimile: 825 1391

SPECIFICATION

SCOPE OF CONTRACT WORKS

The Contract Works are to be carried out on the site defined in.

The site shall be prepared, cultivated, trees and shrubs supplied and planted, topsoil regraded as required and grass sown, and maintained until taken in charge by the Local Authority.

The contract price shall be held to include for leaving the site clean and tidy on completion.

The Contractor shall be responsible for the true and proper setting out of the contract works and for the correctness of the position levels, dimensions and alignment of all parts of the contract works, and for the provision of all necessary instruments, appliances and labour in connection therein. The Contractor shall obtain the approval of the Landscape architect to the line and position of planting areas and individual trees, before commencing planting. The Contractor at his own expense shall rectify any errors that arise, in position, levels, dimensions or alignment, to the Contract Works. Unless such an error is based on incorrect data supplied by the Landscape architect. The checking of setting by the Landscape architect shall not in any way relieve correctness thereof.

The Contractor shall have inspected the site and be clear about any site restrictions prior to the commencement of Contract Works.

A provisional sum for contingencies is included in Bill of Quantities, in the sum of £ to cover unforeseen problems, (additional planting, increased specification, prolonged watering in drought conditions etc.).

Programme of works

All operations shall be carried out during suitable weather conditions only. Local authority to be informed as to the timing of all works prior to commencement.

PART ONE GENERAL

Site Clearance

Before commencing operations on Site, the Contractor shall confirm with the Landscape architect the starting date and the extent of the work to be executed.

The Contractor shall take all necessary precautions to protect existing services when carrying out any Site clearance works. The Contractor shall be responsible for any repair to the existing services.

Ground Preparation

Soil mix shall be as follows ; (Topsoil supplied by the Main Contractor).

The Contractor shall be responsible for maintaining the soil structure and pH level of the topsoil.

The level of topsoil shall be at least 50mm above all finished levels to allow for settlement.

All peat required in the topsoil shall be coarse textured horticultural peat and shall conform to BS 4156 at a rate of 10% in basic soil mix.

Acid soil shall be 60% basic top soil 40% peat with a pH of 4.5 to 5.0. Lower pH of top soil with 0.3 kg / sq m of Aluminium sulphate

PART TWO . PLANT MATERIAL AND PLANTING

Quality and Supply of Plant Material

The Contractor shall be responsible for the supply, planting and satisfactory establishment of all plant material, maintenance of planting up to the issuance of the Certificate(s). Making good defects and reinstatement of losses due to natural causes.

All plant material must comply in all respects with the current edition of BS 3936 Parts 1,2 and 4. Any plant material supplied which does not meet this standard will be rejected and replaced with suitable plant material with additional costs to the Contractor. Extra Heavy standards shall be in accordance with BS 5236

No plant substitution shall be allowed without written approval from the Landscape architect and subject to agreement with Parks department.

Setting Out Planting

All Trees and shrubs are to be planted in the positions and in the number as shown on the drawing. All plants shall be planted in individual pits (excavated by the Contractor).

Shrubs are to be planted in a random manner (unless otherwise stated) at equal spacings as shown on the drawing.

Preparation For Planting

All shrub bed preparations shall be as specified and the Landscape architect reserves the right to inspect all shrubs before planting commences. Any work falling below this specification will require to be redone before any planting is allowed to be carried out.

Shrub beds shall be prepared to a minimum depth of 125mm to form a fine tilth. When a reasonably fine tilth has been produced the areas shall be graded to form a uniform and even grade. Any vegetable matter, rubbish, deleterious matter and all stones having one dimension of 20mm or more shall be removed off site.

General Planting

Maximum care shall be taken at all stages when handling plants to ensure as little disturbance as possible to the root ball of the plants.

Planting

All plants are to be planted in separate pits. The minimum size of planting pit shall be 20% bigger than the root ball, or container size.

Shrubs

Position of shrubs to be planted shall be marked out in accordance with the planting plan. Polythene and other non-perishable containers shall be deposited off site and any badly damaged roots carefully pruned. The shrubs shall then be set in holes so that topsoil level, after settlement will be at the previous soil level mark of the stem of the shrub.

All container grown plants shall be thoroughly watered before planting. All spiralling roots and potential girdle roots shall be removed or straightened before planting.

On completion of the planting operation, prune any broken or damaged branches back to sound wood. All material produced by pruning shall be deposited off site.

Post Planting Operations

As soon as planting operations have been completed in the shrub beds the surface of the soil shall be raked over and levelled out. Any weeds exposed shall be removed off site.

After completion of all planting operations apply Simazine residual herbicide, to all planted areas.

After application of the herbicide the Contractor shall apply a 50mm thick layer of mulch under and around the plants of all shrub planted areas. The mulch shall be raked after spreading to leave an even surface. Any excess mulch falling from planters shall be swept up and spread evenly over the surface of the mulch areas.

Tree Planting

Excavate a tree pit and allow at least 250mm clear space around and below the overall rootball.

Place the tree between the stakes in the centre of the hole taking care to avoid damaging the roots and/or rootball, to a depth of the nursery soil mark on the stem. Backfill with well mixed topsoil, compost and firm as filling proceeds, taking care to avoid damaging the roots and ensuring that the tree is positioned upright.

Tree Staking (standard trees)

Tree stakes shall be cylindrical and pointed at one end, peeled and pressure treated. Tree stakes shall be at least 750mm longer than the clear stem plus rootball with a minimum diameter of 60mm.

Trees shall be secured to the tree stakes using nail-on type tree ties with space pads, as approved by the Landscape architect.

Secure the tree to the stake using two tree ties per tree.

PART THREE GRASSING

General

Cultivations must only be carried out in dry weather and when ground conditions are not waterlogged or sticky, unless authorised to the contrary by the Landscape architect.

After cultivation the area cultivated shall not be traversed by vehicles.

Any surplus vegetable matter, rubbish, deleterious matter and all stones having one dimension of 50mm or more brought to the surface by cultivation preparations shall be raked up and removed off site.

Cultivation

Cultivation shall be by rotovation to produce an even bed free from weeds and surplus vegetable matter and stones greater than 50mm. The area shall then be levelled and consolidated.

Broadcasting

All grass seed shall be broadcast. The total quantities of seed required shall be divided in half, each half being sown evenly by approved means in transverse directions to provide a total rate of sowing as specified.

Fertilizer and Post Seeding Operations

Prior to seeding the area shall be fertilized using PBI growmore fertilizer, (or similar approved), at a rate of 50gms/sq.m.

In the spring following sowing a top dressing of NPK (10:10:20) at a rate of 40g/sq.m. shall be applied

When the grass is 100mm long and conditions are suitable the grass is to be lightly topped, removing not more than 25mm.

PART FOUR MAINTENANCE

Scope of work

The maintenance of grass, trees and shrubs, for the period of each contract.

During this period the Contractor shall keep all roads and pavements clear of weeds, grass mowings, mulch and rubbish, and shall remove all debris and rubbish from site at the conclusion of each days work.

Trees and shrubs

Tree stakes and ties shall be checked at least once a month to make sure they are still performing their function correctly. Any loosened tree stakes shall be re-firmed and any damaged or broken stakes shall be replaced immediately and the ties adjusted so that the tree is held firm.

Shrubs and trees loosened by wind, frost or any maintenance operations shall be firmed up. (check at least four [4] times a year). If any plants have been completely lifted out of the ground, they shall be not be replanted but replaced.

Weed control

Any weed growth occurring during the maintenance period in the shrub areas shall be spot treated with a translocated herbicide 'Round up' or similar approved or removed by hand. An application of pre germination herbicide, 'Simazine' or similar approved shall be applied in the spring each year. All Herbicides shall be applied accordingly to their manufacturers instructions using a directional spray to prevent spraying of adjacent shrubs. Spraying shall be done only in calm conditions to prevent drift damage.

Watering

Watering shall be carried out when it will be most beneficial to the plants, preferably later in the day when transpiration and evaporation rates are at their lowest. Trees and shrubs shall be watered when Contractor deems it necessary and/or at the discretion of the Landscape horticulturist after the initial planting operation and during the maintenance period. Watering shall be taken to mean a thorough soaking of the soil within the area of the plant pit, to a depth of the roots. Under no circumstances shall small amounts of water be applied to trees or shrubs.

Plant deaths

All tree and shrub losses due to natural causes after planting shall be replaced within the following planting season with plants equal in size and shape to those first planted.

Pest and Diseases

All plants shall be inspected by experienced personnel at least twice[2] a year for the presence of pests and diseases. If either or both are present, the Contractor shall report the conditions and implement the appropriate control measure immediately.

All chemicals to be used for the control of pests and diseases shall be approved, and applied in accordance with the manufacturers written instructions.

If any plants are so heavily infested that even after control measures have been taken death is likely, they shall be removed from site and replaced with new healthy stock.

Litter removal

The contractor shall clean up all litter and rubbish in the planted areas and grass areas at least once a month and remove it off site.

Grass

The contractor shall be responsible for the maintenance and treatment of grass areas throughout the maintenance period.

Grass areas are to be mown at suitable intervals during the maintenance period to maintain the grass sward at a height no greater than 75mm. Access for mowing shall be by arrangement with the client.

Grass should not on any occasion be allowed to form seed heads irrespective of whether or not the required cutting height has been reached.

Mowing shall be carried out with machines in good repair, sharp and evenly set avoiding laying or pulling of the grass. Mowing shall be carried out in dry conditions, leaving grass cuttings evenly spread, sweeping up mowings on hard surfaces.

In the spring the contractor shall apply a top dressing of fertiliser N:P:K (19:10:20) at a rate of 40g/sq.m

PART FIVE MATERIALS

Mulch

A 50mm layer of spent mushroom compost or similar mulch approved by the Landscape architect shall be spread evenly as described herein.

Protective fence

Protective fencing shall be provided for to enclose all shrub beds and shall consist of the following components.

Posts 1.675m min length, 75mm min top diameter, peeled, pointed and tanalised

Single strand plain wire minimum 4mm dia. (no.8 guage, galvanised mild steel.

Sheep wire min height of 1.2m held in place on 3 strands of plain wire.

Maximum spacing for posts shall be 2m.

All protective fencing shall be maintained and repaired or tightened as required.

SCHEDULE OF TREES AND SHRUBS :

Species	Size (cm)	Density per sq.m.	Quantity
Betula pendula	10-12		25
Malus Golden hornet	10-12		3
Berberis amstellveen	30-40	2	48
Ceanothus thyrsiflorus repens	30-40	3	63
Choisya ternata	30-40	3	90
Escallonia apple blossom	30-40	3	60
Escallonia macrantha	30-40	3	84
Eleagnus ebbinge limelight	30-40	2	52
Hypericum hidcote	30-40	2	56
Potentilla primrose beauty	20-30	4	80
Philadelphus virginal	30-40	2	48

GRASS SEED MIX AND SOWING RATES :

Grassed areas to be seeded with a certified seed mix 70% Rye grass 'elka' and 30% creeping fescue at a rate of 35g per sq.m.

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



Bloc 2, Ionad Bheatha na hEireann,
Bloc 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/2061/C1

Date : 6th October 1992

LOCAL GOVERNMENT (PLANNING AND DEVELOPMENT) ACTS, 1963 TO 1991

Dear Sir/Madam,

DEVELOPMENT : Compliance with conditions
LOCATION : Esker Lane, Lucan
APPLICANT : McCourt Investments Ltd.
APP. TYPE : Compliance with Conditions

With reference to the above, I acknowledge receipt of your submission to
comply with conditions received on 1st October 1992.

Yours faithfully,

.....

for PRINCIPAL OFFICER

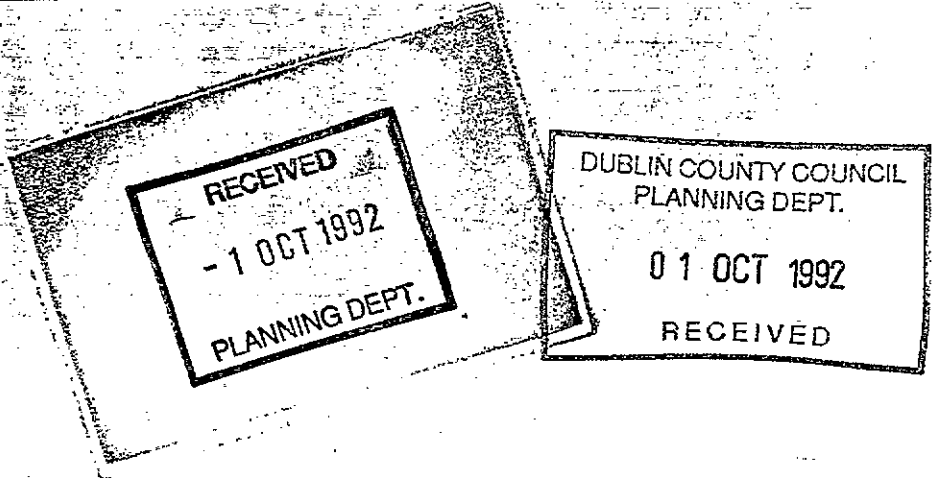
John McGivern & Associates,
25 Millview Lawns,
Malahide,
Co. Dublin

John McGivern & Associates
Architectural & Planning Consultants

25 Millview Lawns,
Malahide,
Co. Dublin. Tel. 451475

V.A.T. No. 4681340M

29th September, 1992



The Principal Officer,
Planning & Devt. Dept.,
Irish Life Centre,
Lr. Abbey St.,
Dublin 1.

1-201

re: Housing development at Esker Lane, Lucan - McCourt Investments Ltd
Sites 2-20 even (Reg Ref 91A-2061) Sites 1-19 odd (Reg Ref 91A-2071)

Dear Sir,

I refer to your Decisions to Grant Permissions in respect of the above development and wish to seek your agreement for compliance with Condition Nos. 11, 13, 19, 20, 23 and 24.

Cond. 11: I enclose herewith copy of agreement between Carnell Const. Ltd. and McCourt Investments Ltd., to connect to services.

Cond. 13: It is proposed to call the development Edmundsbury Court, a name associated with the area. The house will be numbered as approved.

Cond. 19: I enclose herewith two copies of landscaping proposals prepared by Jim McConville & Associates.

Cond. 20: See above proposals.

Continued

Continuation No. 1

Cond. 23: I enclose herewith two copies of revised layout plan (EL-11a) showing the boundary treatment to the hammer head. The existing hedges will be retained and supplemented by additional planting. This proposal has been discussed and agreed with the Ballydowd Residents Association and Mr. and Mrs. Paul Grimes who lives in the adjoining bungalow. Both of these parties agreed after discussions to withdraw third party appeals to An Bord Pleanala.

Cond. 24: It is proposed to erect screen walls in brick to house no. 2 and also to proposed bungalow site no. 1 as shown on plan.

It is hoped that these proposals meet with your requirements.

Yours faithfully,

Hazel Dixon

pp John McGivern.

LISNEY

Ross
Shorten



For Auction

Thursday, 6th June, 1991

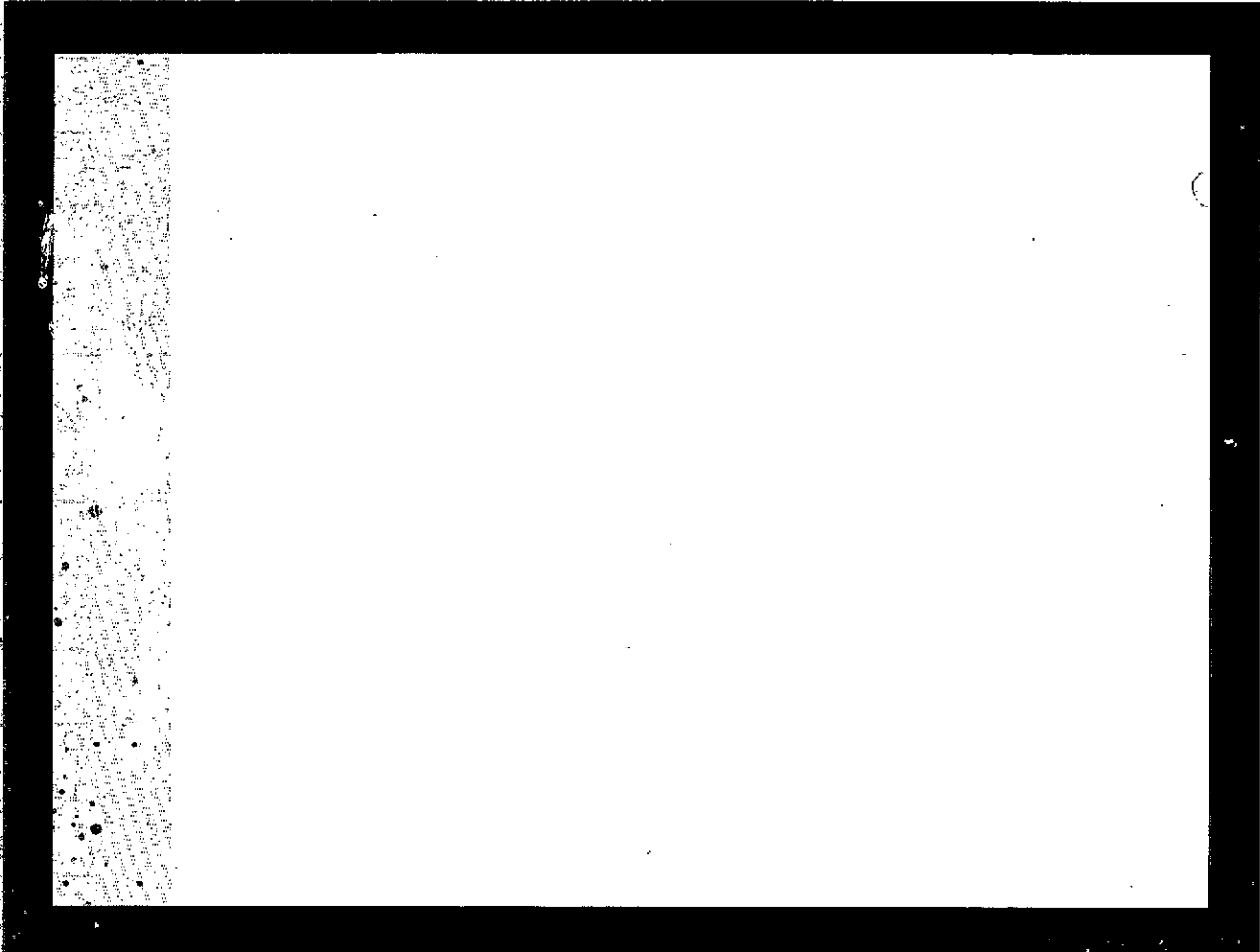
at 2.30p.m. in our salesrooms at 24 St. Stephen's Green, Dublin 2

(Unless previously sold)

Lot 1 - c.3 Acres Building Land

Lot 2 - Derelict Cottage on corner site

Ballydowd, Lucan, Co. Dublin



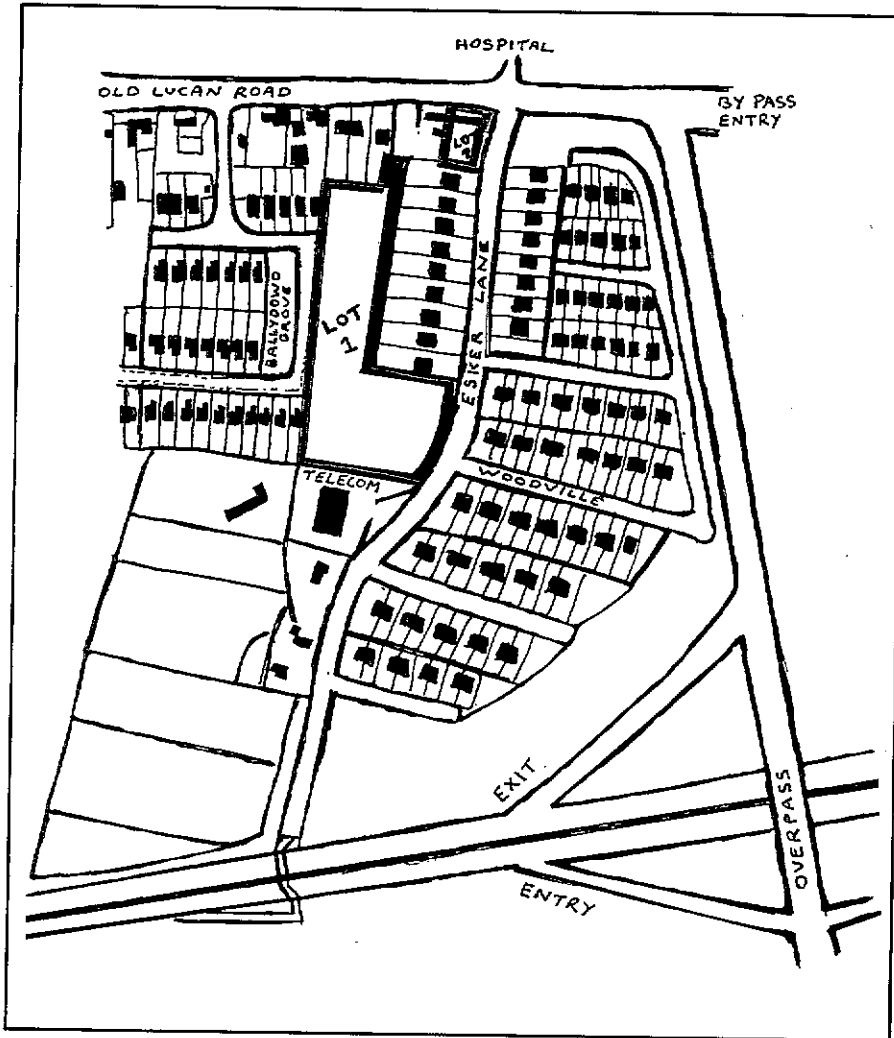
- **Frontage to Ballydowd Grove and Esker Lane**
- **Zoned Residential** • **Freehold**
- **Adjoins existing quality development**
- **Cottage situated on prominent corner site**

24 St. Stephen's Green,
Dublin 2.
Telephone 01 615222.
Fax 01 766540.

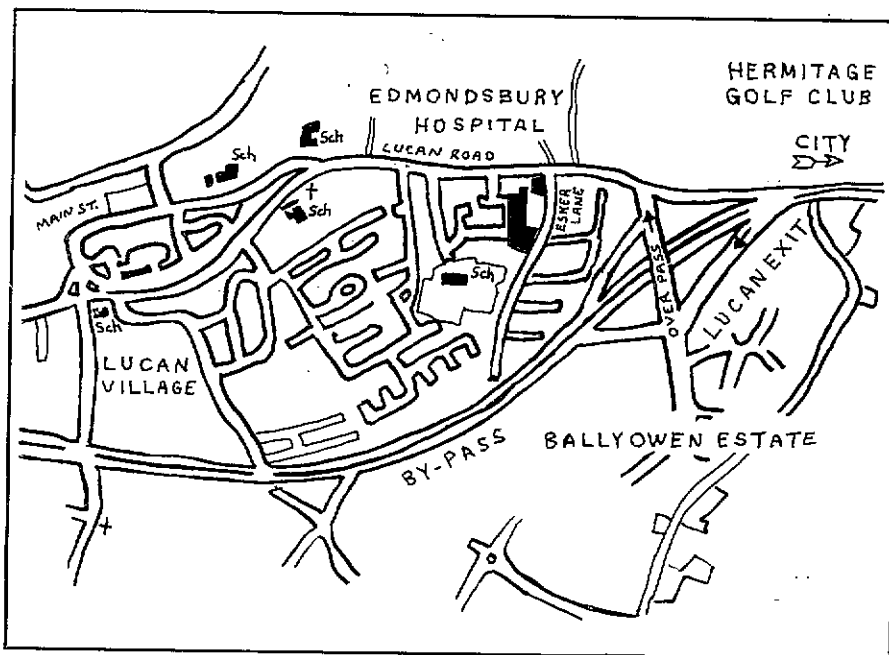
Offices at
Belfast,
Telephone 084 327121.
Cork,
Telephone 021 275079.
Dun Laoghaire,
Telephone 01 806820.

These particulars are for guidance only and do not form part of any contract. Whilst care has been taken in their preparation we do not hold ourselves responsible for any inaccuracies. They are issued on the understanding that all negotiations will be conducted through this firm.

SITE PLAN



NOT TO SCALE



LOCATION PLAN

LOCATION

Convenient position 5 miles from city centre just off the new Lucan By-Pass and close to Lucan Village, excellent local facilities, shopping, public transport and open space.

DESCRIPTION

LOT 1

Comprising an "L" shaped site of approx. 3 acres with frontage of c.340 ft. to Ballydowd Grove and c.250 ft. to Esker Lane. Adjoins existing quality mature residential developments.

LOT 2

Comprising a derelict cottage on a corner site of c.9000 sq. ft. with frontage of c.80 ft. to Old Lucan Road and c.130 ft. to Esker Lane.

TOWN PLANNING

Both properties are situated in an area zoned objective A "to protect and / or improve residential amenity" under the Dublin County Development Plan 1983.

TITLE

Freehold.

SOLICITORS

J.G. O'Connor & Company,
9 Clare Street,
Dublin 2.

Telephone: 760191/785606/601411

Fax: 766764

SPECIFICATION

FOR DEVELOPMENT WORKS

AT

ESKER LANE, LUCAN

FOR

McCOURT INVESTMENTS LTD

CONTENTS:

1. Carriageways and Footpaths
2. Sewers
3. Watermains
4. Open Spaces
5. Public Lighting



1. CARRIAGEWAY AND FOOTPATHS

(a) Removal of topsoil: All top-soil and vegetable matter to a minimum depth of 9" shall be removed from the site of the proposed carriageways.

(b) Sub-grade:— The sub-grade shall be thoroughly compacted with an approved roller weighing not less than 6 tons to a uniformly firm condition and all soft spots shall be excavated of all soft material and filled with hard material thoroughly compacted.

(c) Sub-base: The sub-base shall consist of broken stone thoroughly compacted with a roller of not less than 10 tons in weight. The sub-base material shall not be frost susceptible. The thickness of sub-base material shall depend on the frost penetration and C.B.R. of the sub-grade and shall be in accordance with the following table.

C.B.R. Sub-grade (%)	Below 2	2	3	4	5 or more
Thickness of sub-grade	550	400	300	230	200

(d) Road Base:The road base shall be dense bitumen macadam and shall consist of 2½" consolidated thickness of base-course (1½") and (1½") consolidated thickness of wearing-course (3/8") and shall conform in all respects to B.S. 1621 (1961).

(e) General: All carriageways shall be to the widths indicated on the appropriate drawing.

(f) Footpaths: Top-soil to a depth of 4" shall be removed from the site of footpaths and the site further excavated or filled in with approved broken stone as the case may be to such levels as will allow of the finished surface levels of margins, verges and footpaths when constructed having a straight cross-fall of 1 : 40 to the top of the kerbing. The sub-grade as formed shall be well consolidated and be uniformly firm and hard. A sub-grade of broken stone shall be thoroughly compacted to a uniform thickness of 4" on the sub-grade. All footpaths shall be of concrete and shall be of mix K 260/20 mm.

(g) Kerbing: Kerbing shall be of 10" x 5" precast concrete kerbs and when laid it shall project 4" above the channel level.

2. Sewers: Sewers shall be on Asbestos Cement and shall be of approved make and design and shall be laid to the strict specification of Dublin County Council. All trenches shall be taken out in straight and even lines between manholes and in such a manner as will enable the pipes to be laid and the bedding and backfall to be placed in an efficient and workmanlike manner. All soft places, faults etc., in the bottom of the trench shall be excavated to such depths as may be directed by the Local Authority and then filled with granular material well compacted and rammed into place.

/Contd.....

All sewers shall be laid to the lines and levels as indicated on the accompanying drawing.

Manholes shall be located as indicated on the accompanying drawings and shall be built to comply with the Local Authorities requirements. Manholes covers shall be circular type and have a clear-ope of not less than 22" in diameter and when used in the margins or footpaths shall weigh approximately 2½ cwt. complete with frame when laid in the carriageway they shall weigh approximately 5½ cwt.

3. WATERMAINS

All watermains to be 4" in diameter and shall be of P.V.C. of approved manufacture to B.S. 3505: 1968 and shall be Class C.

All valves, hydrants, covers surface-excess and other fittings shall be of the Dublin County Council standard pattern.

Fire hydrants shall be fixed on the mains at intervals of not more than 100 yards and this location marked in an approved manner.

Valves shall be located as indicated on the relevant accompanying drawing unless otherwise directed by the Local Authority.

All watermains shall have a covering of not less than 3 ft. over the top of pipe sockets.

4. Open Spaces:

All open spaces shall be rotavated, graded with approved top - soil and seeded with good quality grass to manufacturers specification. Trees and shrubs shall be provided in accordance with the requirements of the Landscape Consultant and shall conform in all respects with the Local Authorities requirements.

5. Public Lighting:

The specification and layout of the public lighting installation shall conform in all respects with the requirements of the public lighting authority.

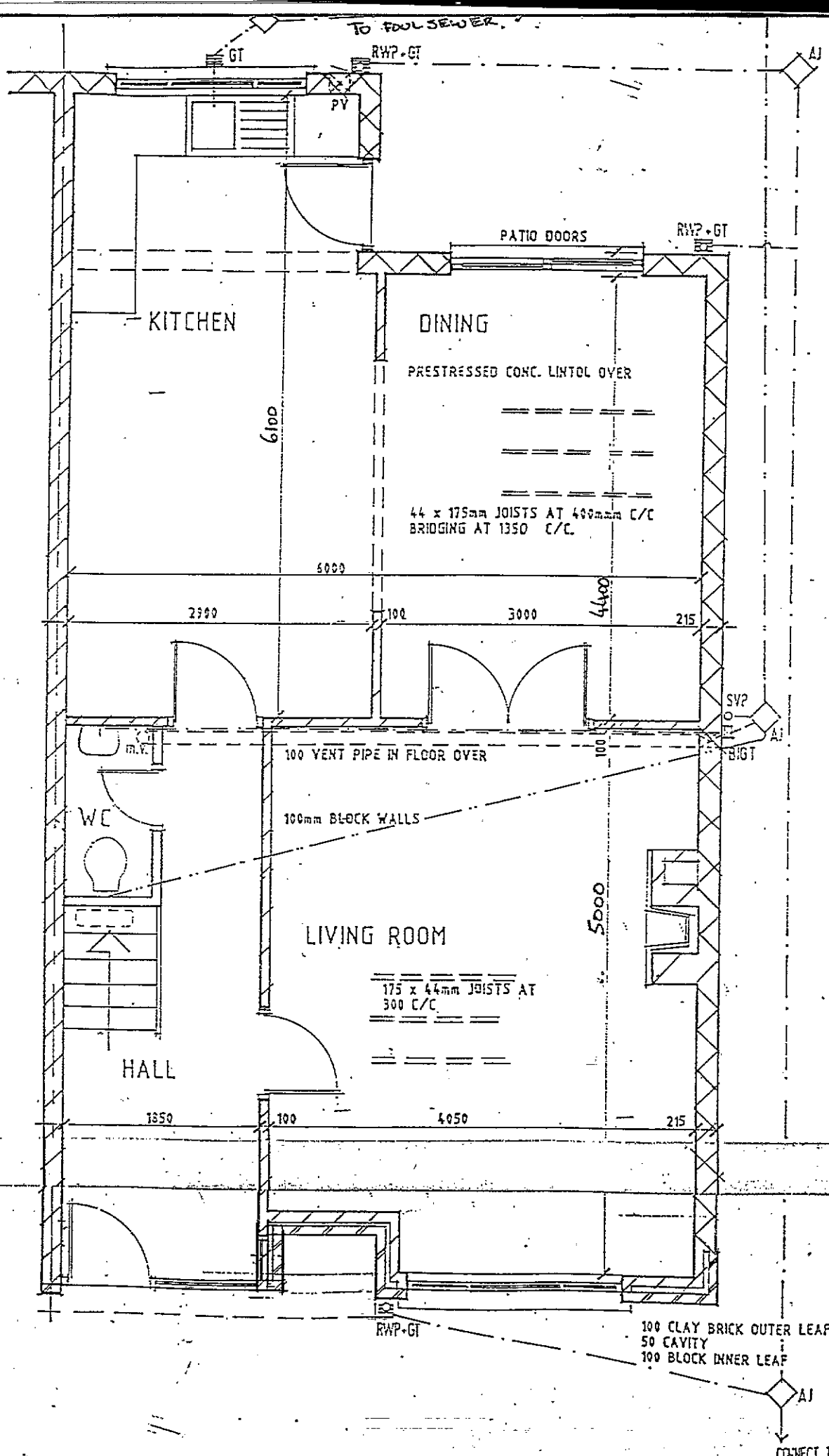
The thickness of sub-base shall be determined on the basis of C.B.R. tests which shall be carried out prior to commencement of development.

The road shall consist of a 175 mm thick reinforced concrete slab of 310 kg/in^3 - 40mm aggregate and min. 28 day cube strength of 30 mm/m^2 .

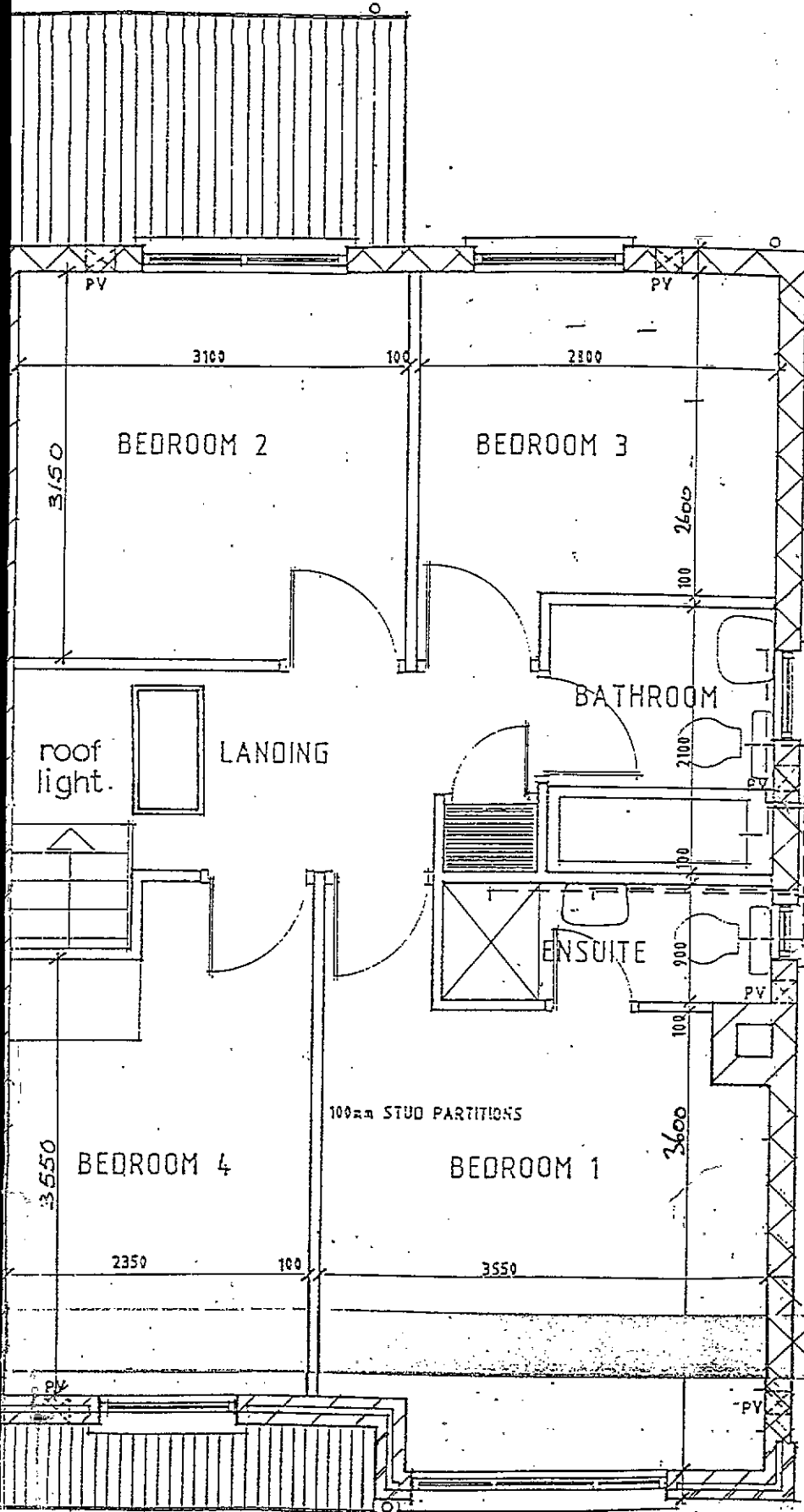
Expansion joints shall have approved dowel bars parallel to the finished slab surface at approximately mid-depth.

Construction joints shall have either an approved fillet cast into the bottom half of the slab or a groove sawn into the top one third of the slab.

Longitudinal joints shall be spanned by the bars as approved.



GROUND FLOOR PLAN



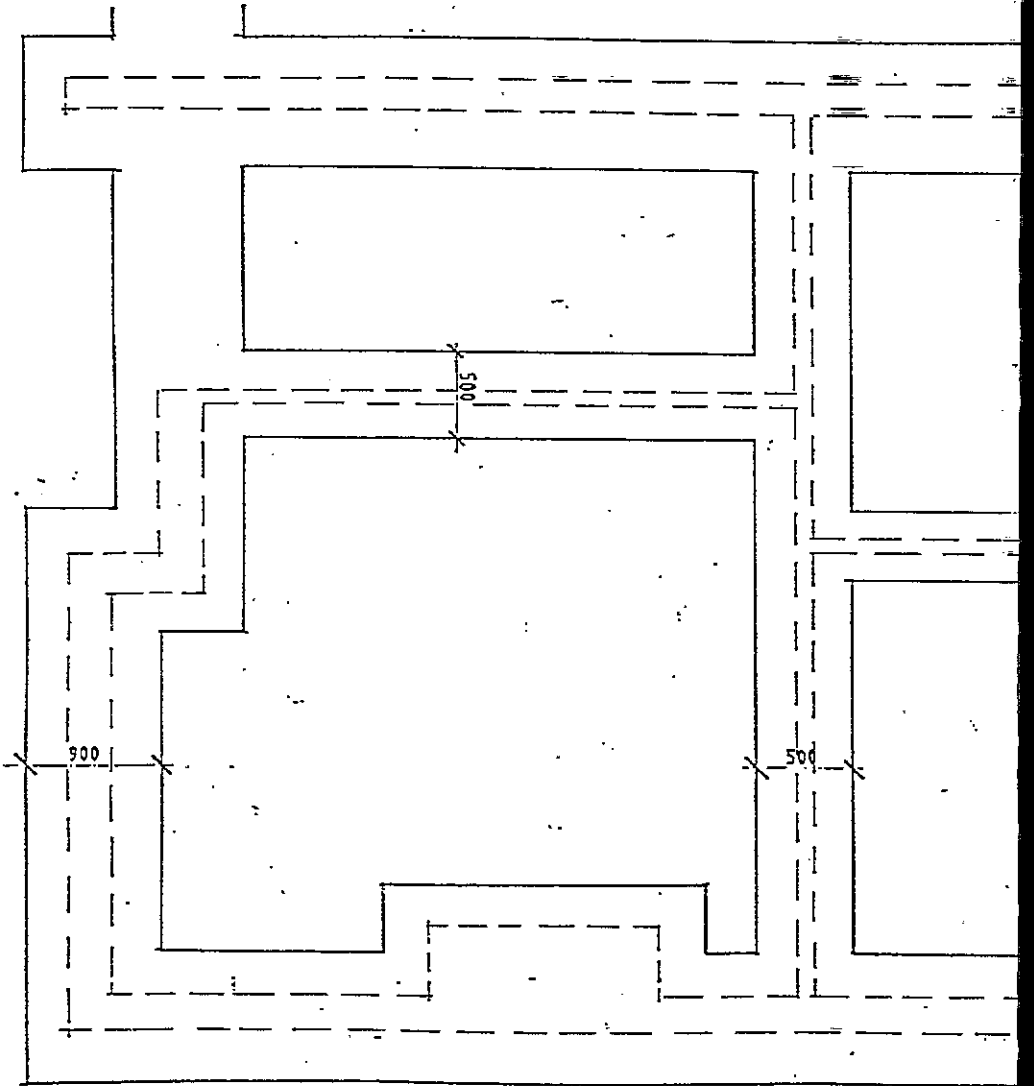
COUNTY COUNCIL
 Registry Section
 SPATIAL LOCATION RECEIVED
 23 DEC 1991
 REG No. 91A1266L

215mm HOLLOW CONC. BLOCK
 WALLS. SMOOTH RENDER
 EXTERNALLY. DRY LINED
 & INSULATED INTERNALLY.

FIRST FLOOR PLAN

HOUSE -TYPE D SCALE 1:50

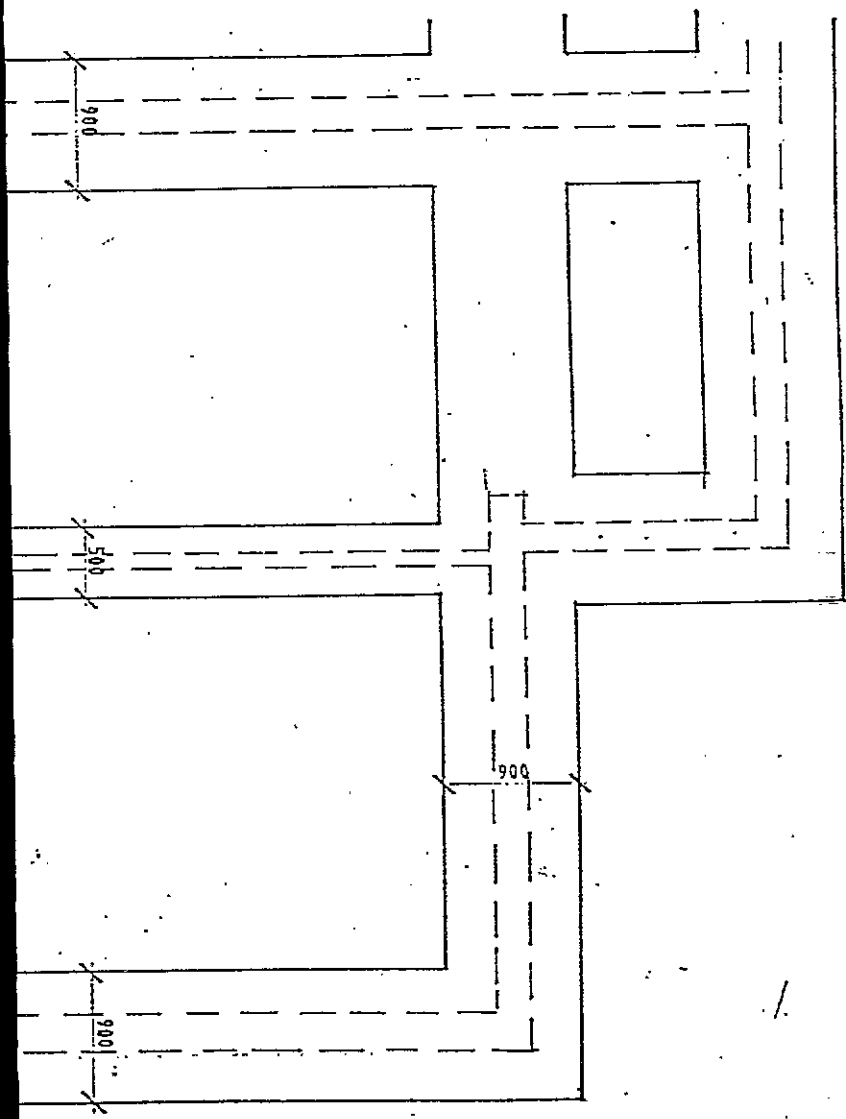
DRG. D01

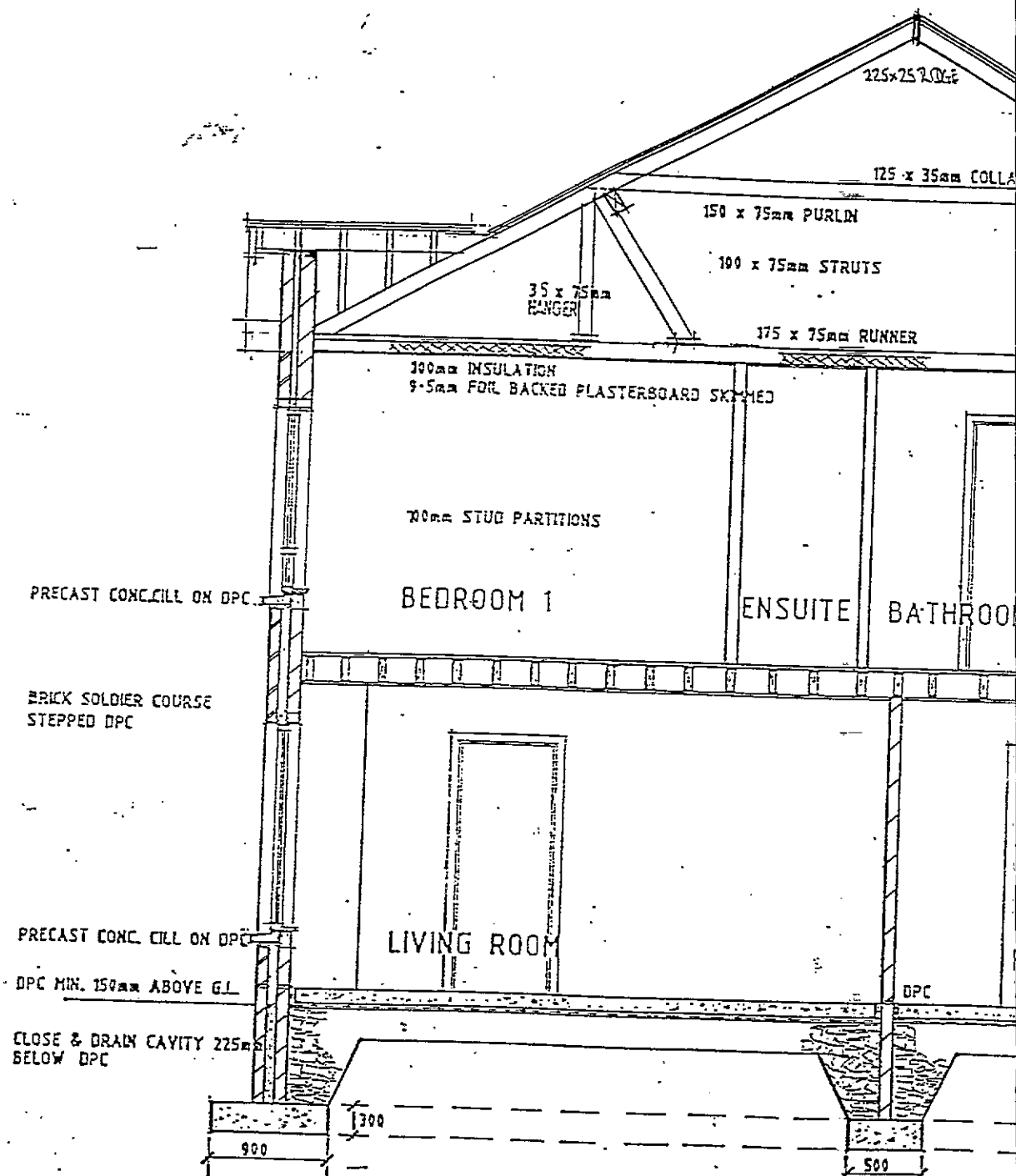


FOUNDATION PLAN

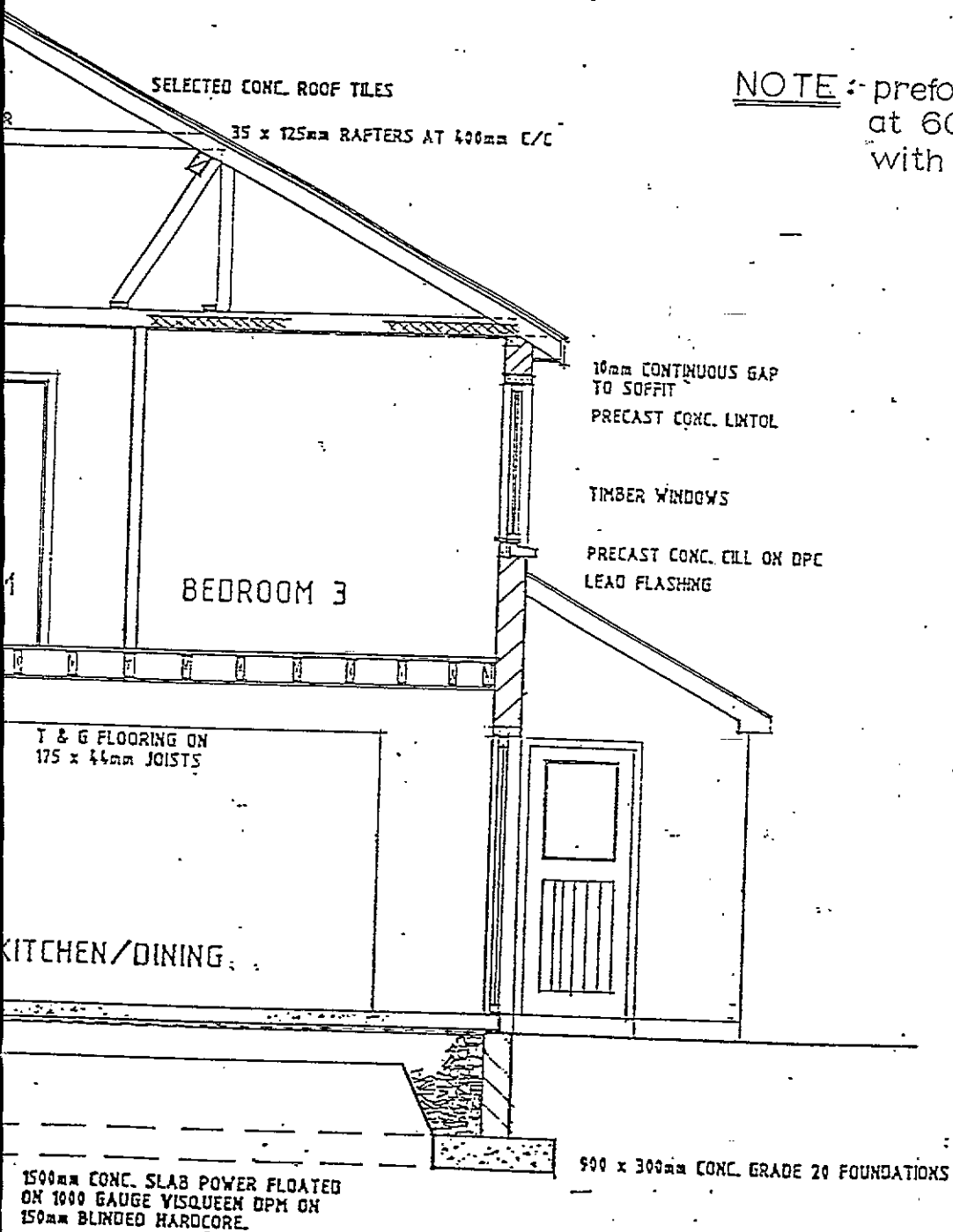
DRG. D02

HOUSE TYPE D SCALE 1:50



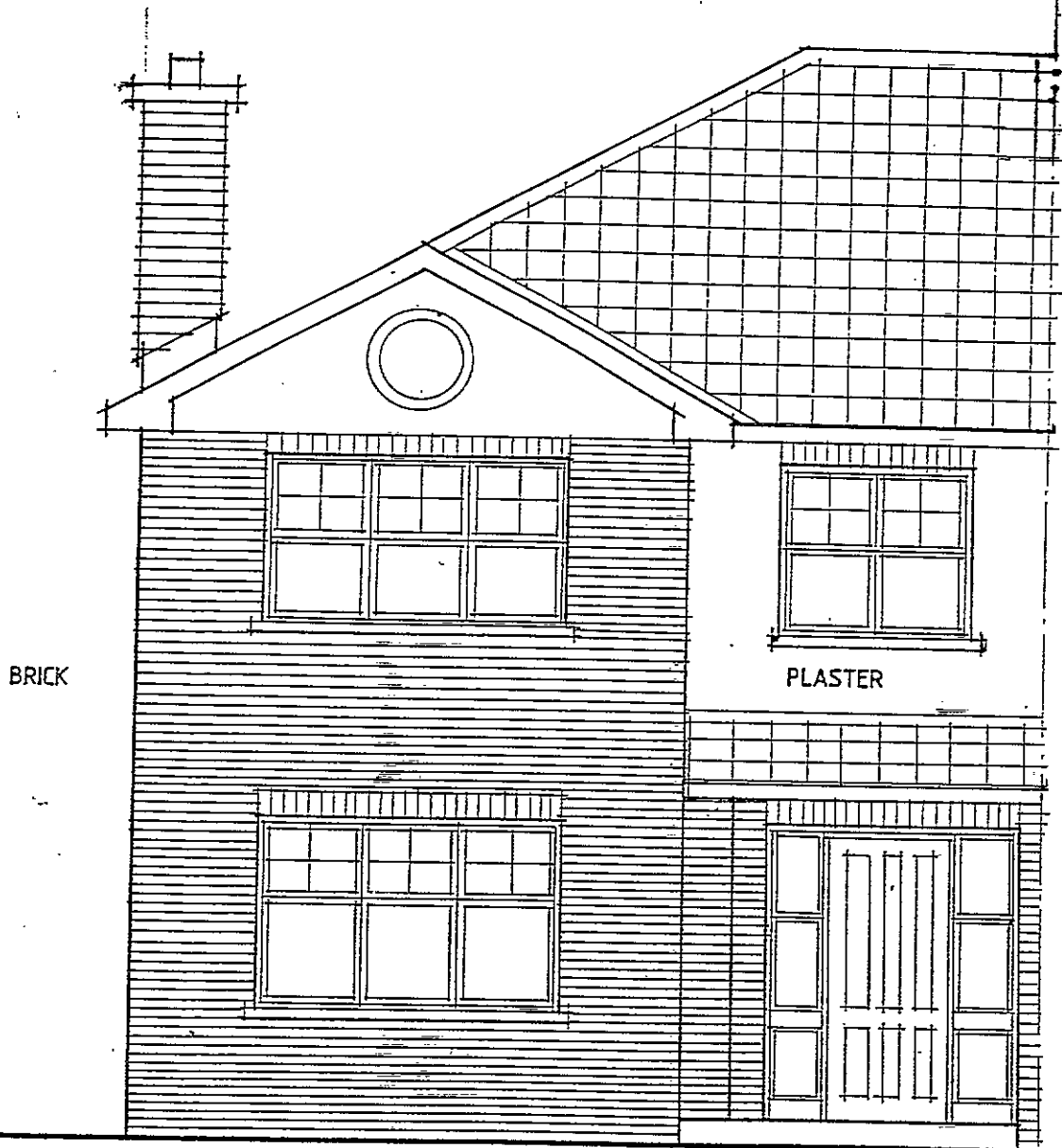


TYPICAL SECTION



NOTE :- preformed roof trusses at 600 cts. to I.S. 193/86 with wind bracing.

DRG. D03
 HOUSE TYPE D SCALE 1:50

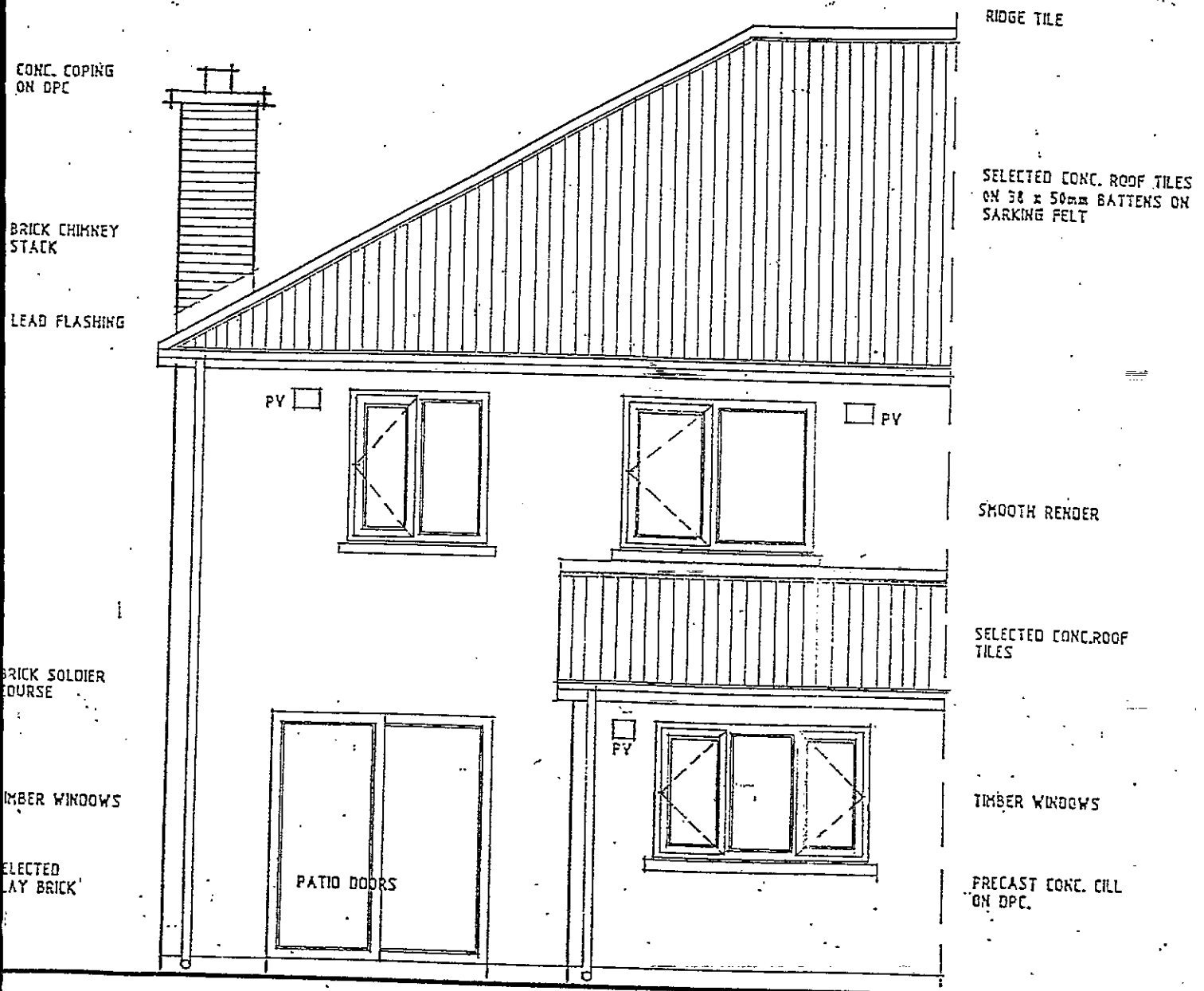


BRICK

PLASTER

HARDWOOD WINDOWS & DOORS

FRONT ELEVATION (LEFT HAND)



REAR ELEVATION

DRG. D04
 HOUSE TYPE D SCALE 1:50

OUTLINE SPECIFICATION

FOR

RESIDENTIAL DEVELOPMENT

EXTERNAL WALLS

Walls and Insulation: External wall consist of 215 cavity blocks with insulated dry lining internally D.P.C. 150 over ground level

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 firestopped.

Stud Partitions: Partitions to consist of 75 x
38mm S.W. 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 centre.

Dry Lining: All external walls to be dry
lined.

FLOORS, ROOF & STAIRS

Ground Floor: To be 150mm power floated concrete
slab using concrete mix grade 20
on 2000 gauge
visqueen D.P.M. 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 d.p.m.
and concrete. Hardcore to be a minimum
of 200 mm.

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.

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 6500mm.

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 slabs to be 100 ϕ with 150 surround. All 100 ϕ 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 fibreglass insulation on vapour barrier laid on ceiling joists.

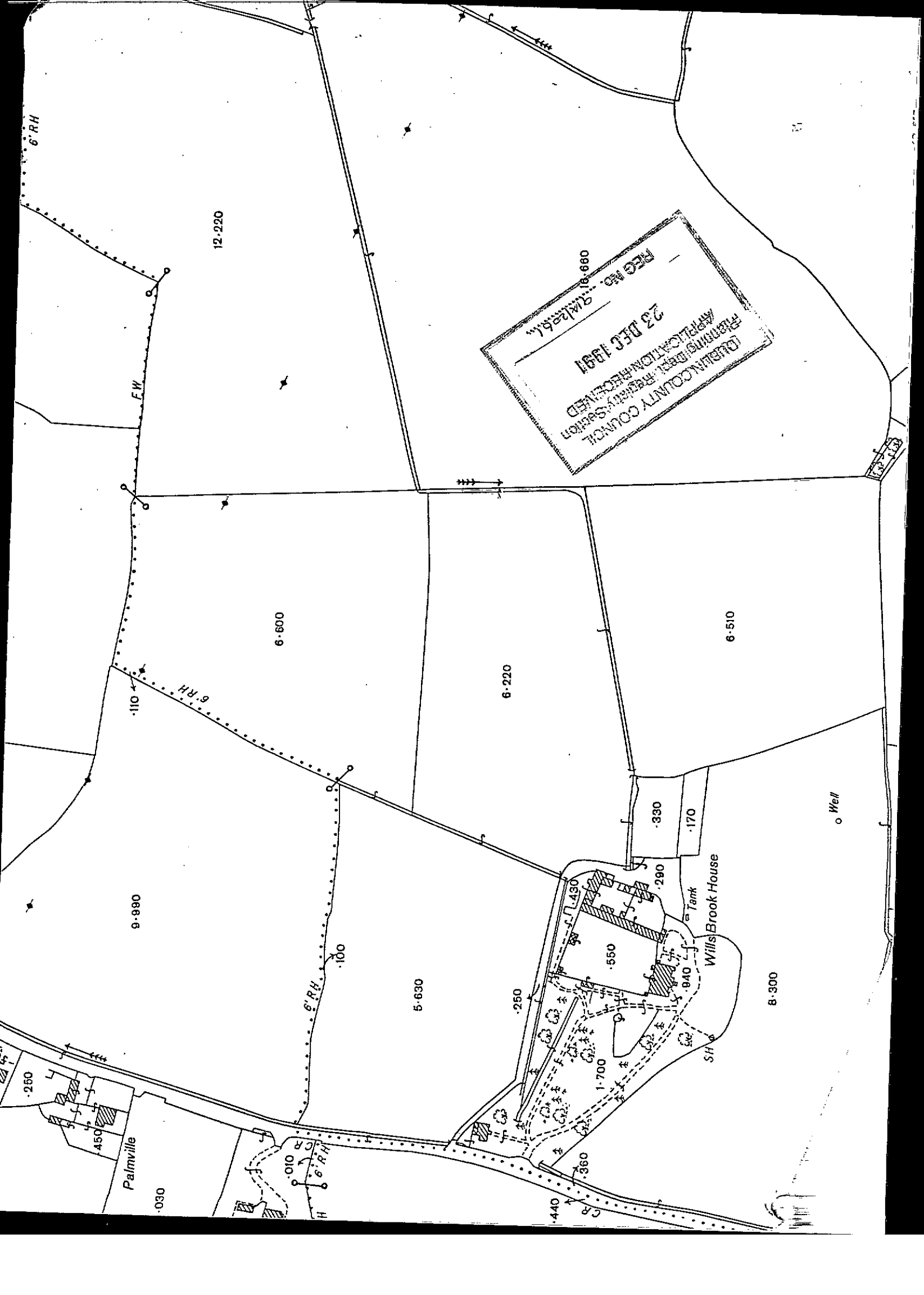
Perimeter Insulation: 1000mm x 25mm rigid polystyrene board under perimeter of ground floor slab or alternatively under entire floor slabs.

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

"Specification for Housing Development Works"

AN FORAS FORBARTHA.

ALL OTHER ITEMS TO BE TO SPECIFICATION OF
KILDARE Co. Council.



QUEENSLAND COUNTY COUNCIL
PLANNING AND ZONING SECTION
APPLICATION RECEIVED
23 DEC 1991
REG. NO. 944/266

12.220

6.600

6.220

6.510

9.990

5.630

8.300

250

450

Palmville

030

010

6.RH

H

6.RH

100

110

6.RH

FW

6.RH

Wills Brook House
Tank

Well

550

330

170

290

840

SH

250

1.700

360

440



Bloc 2, Ionad Bheatha na hEireann,
Bloc 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/ 0764 /92 Date of Decision : 27th February 1992

Register Reference : 91A/2061 Date Received : 23rd December 1991

Applicant : McCourt Investments Ltd.

Development : Residential development sites 2 - 20 even and
associated site development works.

Location : Esker Lane, Lucan.

Floor Area : Sq. Metres

Time Extension(s) up to and including :

Additional Information Requested/Received : //

In pursuance of its functions under the above mentioned Acts, the 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:- ²⁵.....ATTACHED.

Signed on behalf of the Dublin County Council.....

for Principal Officer

Date:.....^{27/2/92}.....

John McGivern & Associates,
25 Millview Lawns,
Malahide,
Co. Dublin.

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 Pleanana for an Oral Hearing of an appeal must, in addition to the prescribed fee, pay to An Bord Pleanana 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 for new work 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. Approval under the Building Bye-Laws is not applicable to garden walls and entrances etc. Approval under the Building Bye-Laws cannot be obtained in cases involving retention of works previously carried out.

Reg. Ref. 91A/2061
Decision Order No. P/ 0764 /91
Page No: 0002



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

CONDITIONS / REASONS

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 £10800. 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, Watermains 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 £15000. 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.

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Reg.Ref. 91A/2061
Decision Order No. P/ 0764 /91
Page No: 0003

- 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. In this regard, the applicant is to submit full details of any permissions required to connect into the existing foul and surface water drainage systems at the adjoining Woodville Estate. This information to be submitted for agreement with Sanitary Services Department, Dublin County Council, prior to commencement of development on site. Foul drainage to be provided at gradient of 1/180.
- 11 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

NOTES

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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 Pleanana for an Oral Hearing of an appeal must, in addition to the prescribed fee, pay to An Bord Pleanana 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 for new work 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. Approval under the Building Bye-Laws is not applicable to garden walls and entrances etc. Approval under the Building Bye-Laws cannot be obtained in cases involving retention of works previously carried out.



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

Reg.Ref. 91A/2061
Decision Order No. P/ 0764 /91
Page No: 0004

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.

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

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

16 That the proposed access arrangements onto Esker lane to be subject to the requirements of the Roads Department, Dublin County Council. In particular:-

(i) a new concrete kerb to be constructed along site frontage set back 7.5 metres from kerb on opposite side of Esker Lane

(ii) all poles to be safely relocated by the applicant at his own expense

(iii) adequate drainage to be provided at access junction

(iv) existing hedge and vegetation at Esker Lane frontage to be cut back and removed to provide sight lines at this location.

17 That a financial contribution in the sum of £1420. per house be paid by the proposer towards the improvement of Esker Lane which will facilitate the proposed development. This contribution to be paid prior to commencement of development on site.

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

18 That the areas shown and conditioned as open space be fenced off during construction work and shall not be used for the purpose of site compounds or the storage of plant, materials or spoil.

REASON: To protect the amenities of the area.

19 A landscape plan with full works specification and bill of quantities etc., shall be submitted to and agreed in writing with the Planning Authority before the commencement of the development. Such plan shall include regrading, drainage, topsoiling, seeding, tree and shrub planting, pedestrian paths and details of maintenance. Or... In lieu of the open space being developed by the applicants, a financial contribution of £300. per house shall be paid to the County Council to enable this work to be carried out. This cost to be paid on a phased basis as agreed with the Planning Authority.

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

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).

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Bloc 2, Ionad Bheatha na hEireann,
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Dublin 1.
Telephone (01) 724755
Fax (01) 724896

Reg.Ref. 91A/2061
Decision Order No. P/ 0764 /91

Page No: 0005

- 20 That a scheme of street tree planting (at a rate of one tree per house) to be submitted to and agreed with the Planning Authority prior to commencement of development on site.
- 20 REASON: In the interest of the proper planning and development of the area.
- 21 That (a) each house have a minimum front building line of 25 feet and rear garden depth of 36 feet. (b) A minimum of 7'6" be provided between each block of houses.
- 21 REASON: In the interest of the proper planning and development of the area.
- 22 Heating to be provided by the use of either oil, gas, electricity or by smokeless fuels in fireplaces or appliances suitable only for burning solid smokeless fuels.
REASON: In the interest of reducing air pollution.
- 23 That details of the proposed boundary treatment to the hammer head at the western end of the proposed cul-de-sac to be submitted for written agreement of Planning Authority prior to the commencement of development on site. Any scheme of boundary treatment to provide for the retention of the existing hedgerow at this location.
- 23 REASON: In the interest of the proper planning and development of the area.
- 24 That details of the boundary treatment to the proposed open space be submitted for the written agreement of the Planning Authority prior to commencement of development on site. In this regard the side boundary wall to house no. 2 to be finished in brick to match external finish of proposed houses.
REASON: In the interest of visual amenity.
- 25 That the existing hedgerow along the southern boundary of the site i.e. to the rear of nos. 2-10 to be retained.
- 25 REASON: In the interest of the proper planning and development of the area.

NOTES

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

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(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.

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John McGivern & Assocs.,
25 Millview Lawns,
Malahide,
Co. Dublin.

Reg. Ref. 91A/2061

21 February 1992

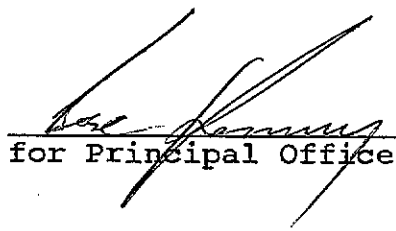
Re: Proposed residential development sites 2 to 20 odd and associated site development works at Esker Lane, Lucan for McCourt Investments Ltd.

Dear Sir,

With reference to your planning application received here on 23 December, 1991, (letter for extension period received 21.02.92), in connection with the above, I wish to inform you that:-

In accordance with Section 26(4A) of the Local Government (Planning and Development) Act, 1963, as amended by Section 39(F) of the Local Government (Planning and Development) Act, 1976, the period for considering this application within the meaning of subsection (4A) of Section 26 has been extended up to and including 28 February, 1992.

Yours faithfully,


for Principal Officer.

John McGivern & Associates
Architectural & Planning Consultants

25 Millview Lawns,
Malahide,
Co. Dublin. Tel. 451475

V.A.T. No. 4681340M

The Principal Officer,
Planning & Devel. Dept.
Irish Life Centre,
Ln. Abbey St.
Dublin 7.

21st Feb. 92

Re: Residential development sites 2-20 even &
associated site development works at Esker-hane
Lucan for Mc Court Investments Ltd. (Reg. Ref 91A/2061)

Dear Sir,
I refer to my application lodged on
the 23rd Dec. '91 in respect of the above
development & now wish to extend the
period for decision by one week.

Yours faithfully

John McGivern

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



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

Register Reference : 91A/2061

Date : 2nd January 1992

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

Dear Sir/Madam,

DEVELOPMENT : Residential development sites 2 - 20 even and
associated site development works.

LOCATION : Esker Lane, Lucan.

APPLICANT : McCourt Investments Ltd.

APP. TYPE : PERMISSION/BUILDING BYE-LAW APPROVAL

With reference to the above, I acknowledge receipt of your application
received on 23rd December 1991.

Yours faithfully,

.....

for PRINCIPAL OFFICER

John McGivern & Associates,
25 Millview Lawns,
Malahide,
Co. Dublin.

John McGivern & Associates
Architectural & Planning Consultants

25 Millview Lawns,
Malahide,
Co. Dublin. Tel. 451475

V.A.T. No. 4681340M

17th December, 1991

P/B

Just here
17/12/91

1.28.4

91A/2061

The Principal Officer,
Planning & Devt. Dept.,
Irish Life Centre,
Lr. Abbey Street,
Dublin 1.

FEE PAID	320	DATE	23/12
RECEIPT No:	NS4228		

CO. DUBLIN permission is being sought by Mc Court Investments Limited for residential development sites 2 to 20 even and associated site development works at Esker Lane, Lucan.

BYE LAW
REC. NO. 559 NS456

re: Proposed residential development and associated site development works (site 2 - 20 even) at Esker Lane, Lucan for McCourt Investments Ltd.

Dear Sir,

Permission is being sought by McCourt Investments Limited under the Local Government (Planning & Development) Acts 1963 and 1983 and also Building Bye Law Approval for residential development at the above.

This is an infill site with access to Esker Lane. It is proposed to discharge the foul sewer and surface water to the existing m.h.'s in the adjoining development "Woodville Downs" (agreement has been reached with developers). There is an existing water main on Esker Lane as shown on plan. There is a small short-fall in the amount of open space provided and it is proposed to pay your Council £1,000 towards open space in the area.

Particular care was taken in the design to protect the amenity of adjoining properties, the building line has been maintained along Esker Lane and house 20 has been set back to protect the entrance and dormer window of the adjoining property.

I enclose herewith four copies of each of:

- (a) Location Plan
- (b) Layout Plan
- (c) Services Layout
- (d) Book of House Plans & Spec.
- (e) Development Spec.

RECEIVED
23DEC1991
REG. SEC.

OS 17/7

To: The Principal Officer
Planning & Development Department

Continuation No. 1

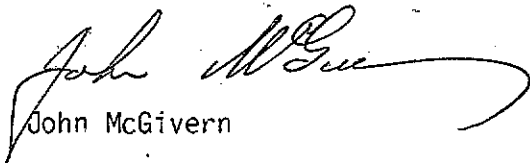
Date: 17th December, 1991

I also enclose copy of Irish Press dated ^{17th}~~18th~~ December containing the Planning Notice.

McCourt Investments Limited have an agreement to purchase the site.

I also enclose cheque for £870 (£87 x 10) to cover the charges for this application.

Yours faithfully


John McGivern

COMHAIRLE CHONTAE ÁTHA CLIATH

RECEIPT CODE

PAID BY DUBLIN COUNTY COUNCIL

46/49 UPPER O'CONNELL STREET,
DUBLIN 1.

ISSUE of this receipt is not an
acknowledgement that the fee
tendered is the prescribed application
fee. N-54228

£37000

Received this 23rd day of December 1991
from Mc Cart Investments

the sum of three hundred and twenty Pounds

application of 2-20 Ester Lane Pence, being 66 planning

Michael O'Her

Cashier

S. CAREY
Principal Officer

Class 1
houses

COMHAIRLE CHONTAE ATHA CLIATH

DUBLIN COUNTY COUNCIL
46/49 UPPER O'CONNELL STREET,
DUBLIN 1.

BYE LAW APPLICATION

REC. No. N 54456

PAID BY
CASH
CHECK
M.O.
B.L.
L.T.

£ 5000

Received this 25th day of December 19

from Mr. Court Mrs. W.D.

the sum of five hundred and fifty Pounds
Pence, being per for

bye law application at 2-20 Esker Ave

Michael Deane Cashier

S. CAREY
Principal Officer
W.S. A x D

Our Ref: PL 6/5/88315
P.A. Reg. Ref: 91A/2061

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


Date: 7th May 1992.

Appeal re: Residential development on sites 2-20 even
and associated site development works at Esker Lane,
Lucan, County Dublin.

Dear Sir/Madam,

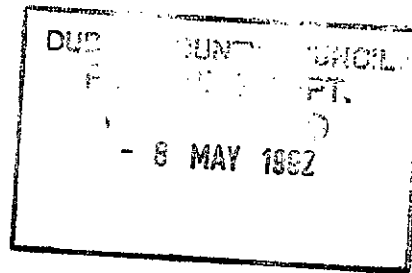
Enclosed for your information is a copy of a letter
received by the Board in relation to the
above-mentioned appeal.

Yours faithfully,

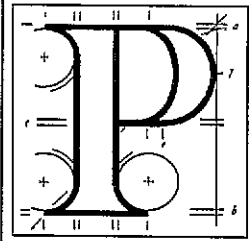

Suzanne Lacey

Encl.

BP 555



An Bord Pleanála



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

42 BALLYDOWD GROVE,
LUCAN,
Co. DUBLIN.

The Secretary,
An Bord Pleanála,
Floor 3, Blocks 6 & 7,
Irish Life Centre,
Lower Abby Street,
Dublin 1.



10th April 1992.

Re:- Notification of decision by County Council To Grant Permission to
McCourt Investments Ltd. for a residential development and associated site
works at Esker Lane, Lucan.

Decision Order Number P/0764/92. Register Reference 91A/2061.

Dear Sirs,

Further to our appeal in connection with the above we have had a meeting
with the developer of the site. He has agreed with us that number 42
Ballydowd Grove is incorrectly shown in relation to the proposed houses
on the site and has agreed to prepare a revised drawing to show us the
actual relationship and distances between our house and the proposed
houses. He is also to submit to us a proposal for the boundary between
our property and his site and between our property and the hammerhead.

I would like you to note that on receipt of this information we may be
making a further submission to An Boed Pleanála, and I trust that this
is in order.

Yours sincerely,

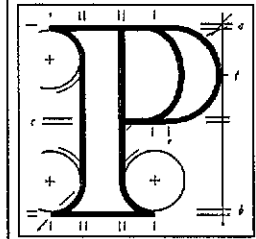
A handwritten signature in cursive script that reads "Paul H. Cruise".

Paul Cruise.

Our Ref: PL 6/5/88314 & 6/5/88315
P.A. Reg. Ref: 91A/2071 & 91A/2061

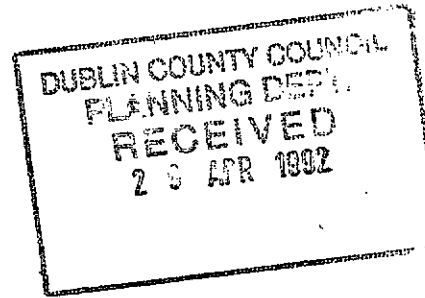
30 #

An Bord Pleanála



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

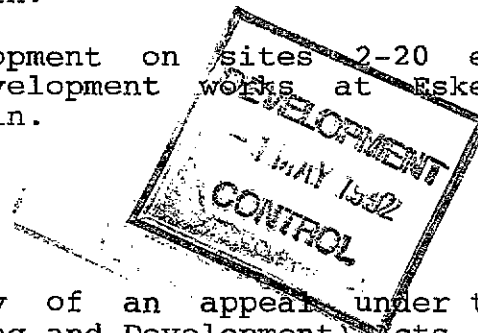
The Secretary,
Dublin County Council,
Planning Department,
Block 2,
Irish Life Centre.



Date: 27th April 1992.

Planning authority decision re: proposed residential development on sites 1-19 odd and associated site development works at Esker Lane, Lucan, County Dublin.

Residential development on sites 2-20 even and associated site development works at Esker Lane, Lucan, County Dublin.



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.

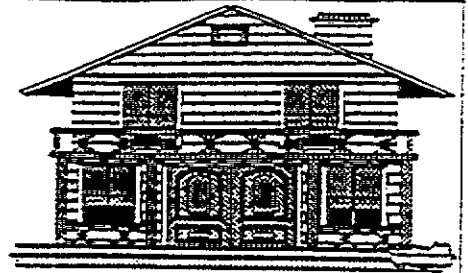
Yours faithfully,


Kevin Carleton
Executive Officer

Encl.

BP 004

Woodville Downs Resident's Association



The Secretary.
AN BORD PLEANALA.
Blocks 6 & 7.
Irish Life Centre.
Lower Abbey Street.
Dublin. 1.

AN BORD PLEANALA
Received 18/3/92
€100.00
627396

13th March 1992.

Dear Sir/Madam.

Register Ref: 91A/2061 & 91A/2071.
Development : Residential development sites 1-19 and 2-20
including associated development works.

Further to previous written objections from our Association and various residents we write to lodge our formal objection to the granting of permission for the above development proposed by J. McGivern of Associates on behalf of McCourt Investments Ltd.

This objection is based on the following general grounds:

1. The correct pre-planning procedure was not adhered to and the views/position of our Association were not represented at the pre-planning decision meeting held. we understand. with the Principal Officer of the Planning Dept. on 20/02/92. We submit that in view of the fact that we were not advised or afforded a similar opportunity the decision and conditions are invalid.
2. The correct pre-planning procedure was not adhered to in view of the agreement stipulated in your letter. to Mr. McGivern and Associates. dated 21/02/92 extending the period for consideration up and including 28/02/92. Mr. G. Hayden approved and released permission on 27/02/92.
3. The density of the proposed development does not conform to the existing factor computed by taking account of the existing house type bounding the site on three boundaries.

Chairman : Mike Hetherington
Secretary : Bridie Collins
Asst Sec : Joe Mahon
Treasurer : Liam Cummins
Asst Treas : Andrew Fogarty
Committee : John Dunne, Liam Kelly, Gerry O'Grady

Correspondence Address : Bridie Collins
4 Woodville Lawns
Woodville Downs
Lucan
Co Dublin

Our objection to the proposed development is based on the following specific grounds and features which our residents are in complete opposition to, namely:

1. Existing residents of property owners in the Woodville Estate and in particular our members in Esker Lane are completely opposed to any further two-storey housing.

Reasons: The house type of the scheme proposed does not match the existing density. Esker Lane and Woodville residents have already been compromised by the amended decisions in respect of Woodville Walk and Green.

In the interest of the proper planning and sensitive development of the area and the preservation of the character of the area.

Note: In this regard the residents may review their attitude if the screen walling at the East side of Woodville Estate is extended to link up with the North screen wall.

2. The proposed position of the 'T' junction - which should be opposite Woodville Avenue.

Reasons: The proposed position of the 'T' junction on drawing EL-12 is directly opposite the opening window of the kitchen of No. 1 Woodville Avenue. This junction will present a health hazard from carbon monoxide emission from vehicles which will turn right into the proposed cul-de-sac.

3. Decision Order No. 1/0776/91. Page No: 0004. Condition No: 16 (iv).

Reason: The hedgerow on Esker Lane is one of the last remaining stretches of natural wildlife habitat.

Note: In this regard the secretary is advised that the Association would consider a landscape scheme comprising semi-mature tree planting to eventually re-form the 'green avenue' amenity.

Enclosed is a cheque for £100.00 for this appeal. We look forward to a favourable reply.

Yours sincerely,



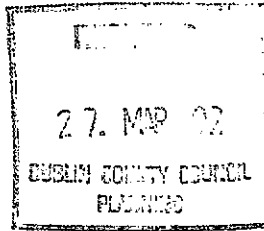
Mike Heatherington
Chairman.



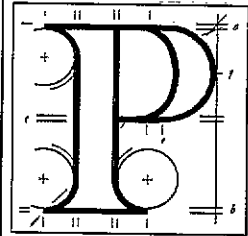
Our Ref: PL 6/5/88315
Your Ref:
P.A. Reg. Ref: 91A/2061

EOH.

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



An Bord Pleanála



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

Date: 26th March, 1992.

Planning authority decision re: proposed residential development on sites 1-20 even and associated site development works at Esker Lane, Lucan, County Dublin.

Dear Sir/Madam,

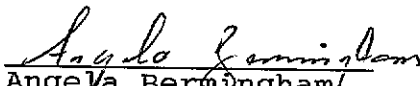
Enclosed is a copy of an appeal under the Local Government (Planning and Development) Acts, 1963 to 1990, in relation to the above-mentioned decision.

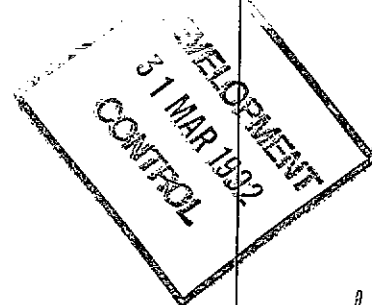
Any observations which you wish to make on the appeal should be conveyed, in writing, to the Board without delay.

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,


Angela Birmingham



obs

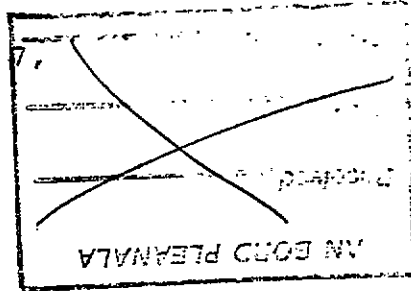
Encl.

BP 004

42 BALLYDOWD GROVE
LUCAN
CO DUBLIN

The Secretary
An Bord Pleanála,
Floor 3, Blocks 6 &
Irish Life centre,
Lower Abbey Street,
Dublin 1.

16th March 1992.



AN BORD PLEANALA	
Received	18/3
Fee	€100-00
Receipt No.	B27378

By hand
P.
10/4/92

Re: Notification of Decision by Dublin County Council to grant permission to McCourt Investments Ltd. for a residential development and associated site works at at Esker Lane, Lucan. Decision Order number P/0764/92 Register reference 91A/2061.

Dear Sirs,

I wish to appeal against the above Notification of Decision to Grant Permission by Dublin County Council for the following reasons:

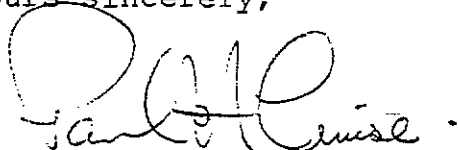
- (1) The site map lodged with the council shows part of my land as being in the ownership of the developer. This is incorrect, and I understand that the developer is not entitled to make a planning submission on lands in which he does not have a proper interest. I enclose a copy of the site layout plan showing the actual boundary of my property, the boundary as shown by the developer, and the amount of encroachment onto my property.
- (2) Because of the above boundary discrepancy, the site layout plan is ambiguous. On the site layout map it can be seen that house number 20 in the proposed development is located 6 metres away from my house. It is also located only 1 metre from the site boundary. If house number 20 in the proposed development was located 1 metre from the actual boundary, it would be unacceptably close to my house. This means that the entire site layout could be incorrectly represented by the drawings, and it is by no means clear what the intentions of the developer are, thereby making the application invalid. If a planning permission was to be granted for the proposed development, I would request that An Bord Pleanála make it a condition that the house nearest to 42 Ballydowd Grove is kept a minimum of 6 metres away as it is shown at present.

(3) There is not proper provision in the proposed development to maintain the privacy or security of my property where it adjoins the hammerhead at the end of the proposed cul de sac. I would like to ensure that, if permission is granted for the development, that a proper wall at least 2.1 metres high is constructed along the back of the hammerhead on the boundary with my property and with Ballydowd Grove. This is to ensure proper separation between the developments and to ensure my privacy and security. This can be done while retaining the hedgerow, but condition number 23 of the notification should be expanded to include for this.

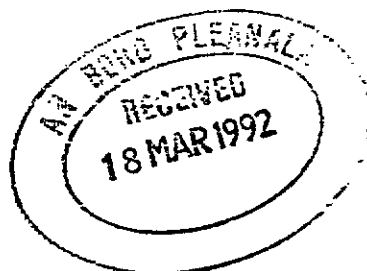
I enclose herewith a copy of the site layout drawing referred to above, together with a copy of the Ordnance Survey map showing the correct boundaries of the site.

I hope that An Bord Pleanála will agree with the points I have raised, and either refuse permission for the development, or qualify any permission in accordance with these points.

Yours sincerely,



Paul Cruise.



BALLYDOWD GROVE

Open Space

PROPER SEPARATING WALL SHOULD BE BUILT (green)

48.25

48.08 retain exist. hedge EP/LP

47.97

47.07



HAMMERHEAD

19.

17.

15.

13.

11.

9.

7.

5.

3.

20.

18.

16.

14.

12.

10.

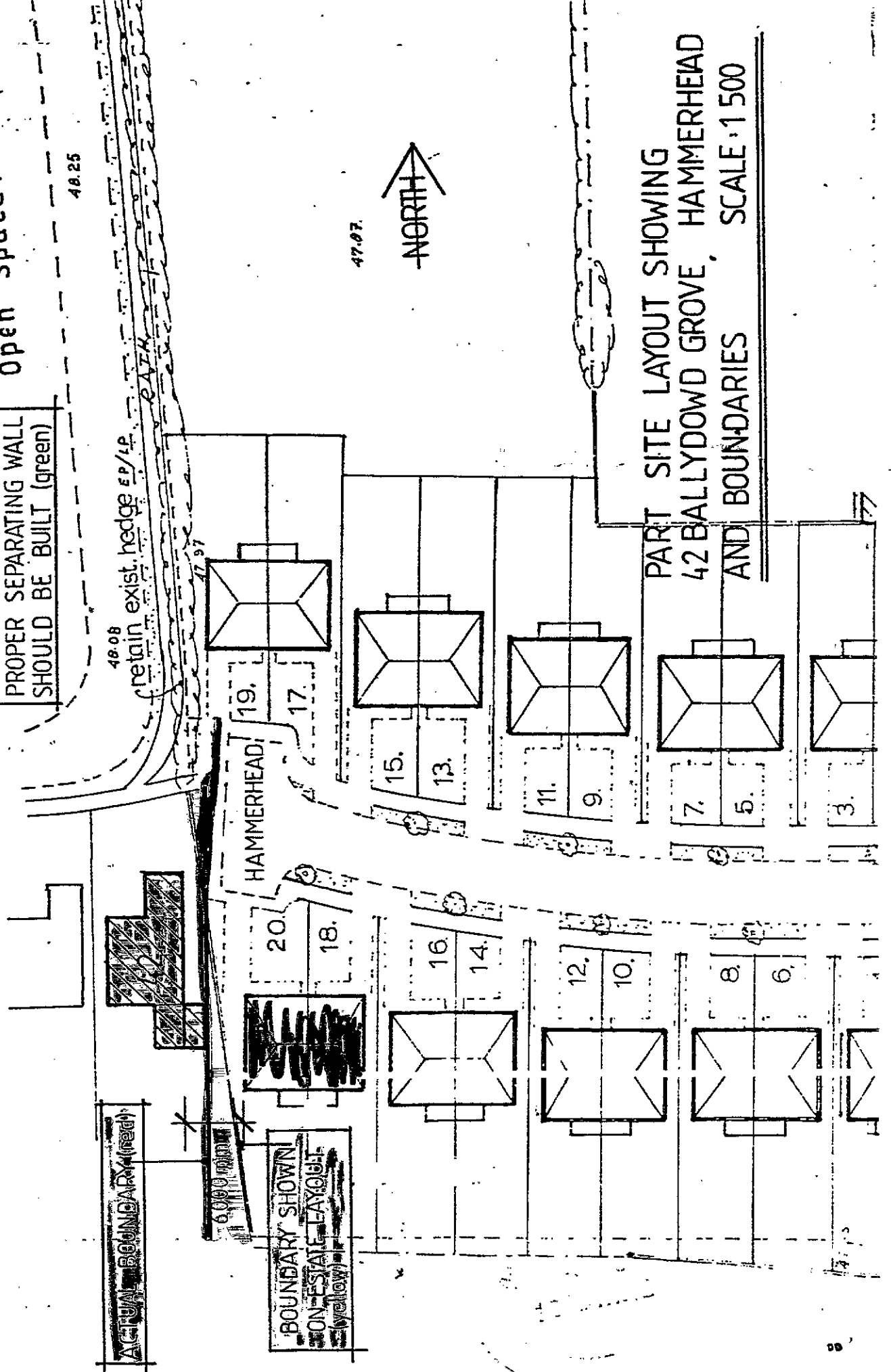
8.

6.

ACTUAL BOUNDARY (red)

BOUNDARY SHOWN ON ESTATE LAYOUT (yellow)

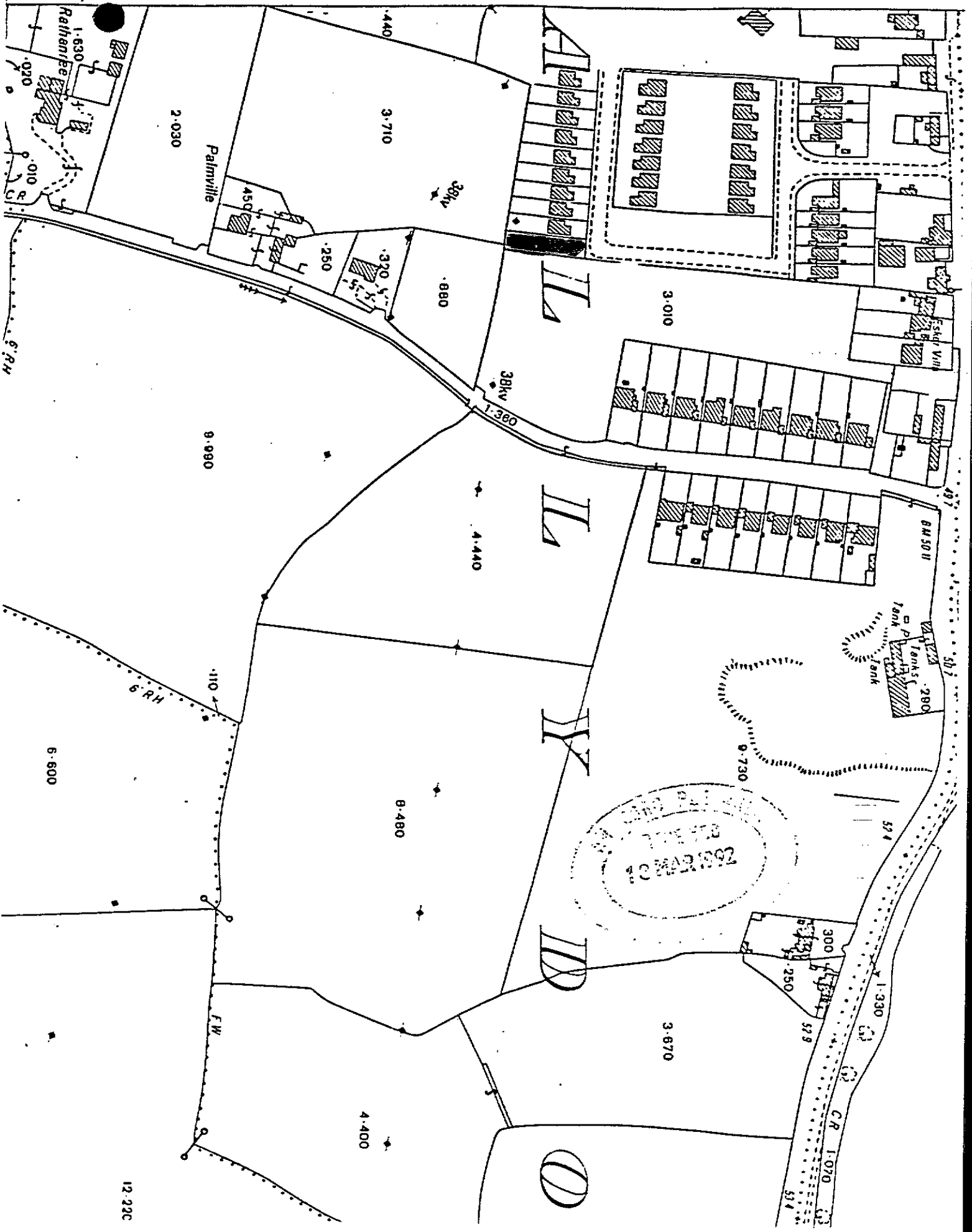
PART SITE LAYOUT SHOWING
42 BALLYDOWD GROVE, HAMMERHEAD
AND BOUNDARIES SCALE 1:500



NEWCASTLE By

17-6

.004



Tel.: 724755
Ext. 268/269

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

Your Ref.: PL6/5/2335

Our Ref.: 911/2331

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

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

Proposal: Restricted development site 2335
site development works at 2335

Applicant: The Earl Mountbatten Ltd.

Dear Sir,

With reference to your letter dated 22/11/81 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.

with 2335

(4) The plan(s) received from the applicant on 22/11/81.

(6) & (7) A certified copy of Manager's Order 21/11/81.

DATED, 22/11/81 together with technical reports in connection with the application.

(8) _____

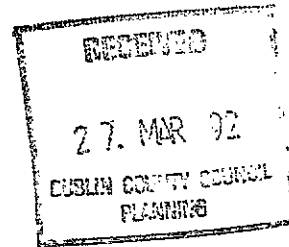
Yours faithfully,

21/11/81
for Principal Officer.

Encls.

Our Ref: PL 6/5/88315
Your Ref: 91A/2061

EOH.



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

Date 26th March, 1992.

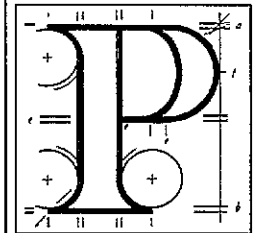
Planning authority decision re: Residential development on sites 1-20 even and associated site development works at Esker Lane, Lucan, County Dublin.

Dear Sir/Madam,

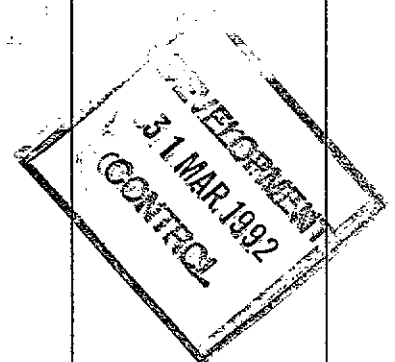
Enclosed is a copy of an appeal under the Local Government (Planning and Development) Acts, 1963 to 1990, in relation to the above-mentioned decision. So that consideration of the appeal may proceed, you are requested to forward to the Board within two weeks:

- (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.

An Bord Pleanála



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



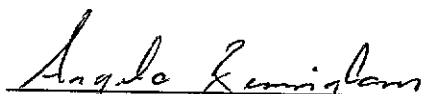
Please note that the other party/parties to the appeal are being notified that copies of the planning authority documents relevant to the decision which gave rise to the above-mentioned appeal will be available for inspection at your offices after the expiration of a period of fourteen days from the 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.

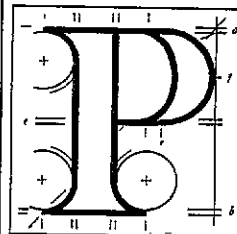
Yours faithfully,


Angela Bermingham.

Encl.

BP 005

An Bord Pleanála



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

13 March 1992.

ESKER LANE
Lucan Co, Dublin

PLANNING
13/3/92
£100
Receipt No. B27354

The Secretary
An Bord Pleanála
Block 6+7 Irish Life Centre
22 R. Abbey Street
Dublin 1.

Reference 91A-2071.

Re Decision of Dublin County Council to Grant Planning Permission for Housing Development to Mc Court Investments at Esker Lane Lucan, site known as "Peggy's Field" House Nos - 1-19. Date of Decision 27 Feb 1992.

Dear Sir -

I wish to appeal the above decision by Dublin County Council. I attach a copy of my submission which was made to Dublin County Council during the currency of the Application with them. I would appreciate if the Board would take note of the objections contained in the submission when dealing with the appeal.

I will shortly make a further submission which will set out in more detail how the proposed development would be seriously injurious to my residential amenity.

I enclose herewith the appropriate Appeal fee of £100, as per letter dated 23rd Feb 1992 received from the Planning Department.

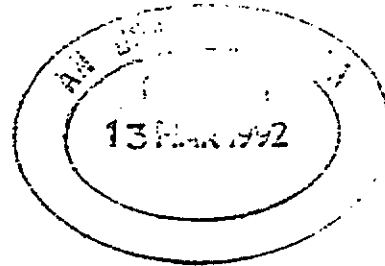
Yours sincerely
Patrick J. Jones

Phone No 500 248

17, Esker Lane,
Lucan,
CO. DUBLIN.

21st. January, 1992.

Dublin Co. Council,
Planning Dept.,
Irish Life Centre,
Lr. Abbey Street,
DUBLIN, 1.



ATT: CHIEF PLANNING OFFICER.

RE: PROPOSED 20 NO. 2 STOREY HOUSES AT ESKER LANE.
PLANNING REG. REF. NO. 91A/2061 AND 91A/207R.
APPLICANT: McCOURT INVESTMENTS LIMITED.

Dear Sir,

I wish to advise that I have inspected the files in relation to the above applications and am very concerned at their implication in so far as my property is concerned.

I live at No. 17 Esker Lane and my property adjoins the proposed development. I set out hereunder some of my objections to the proposed development. These objections were conveyed with deep anxiety to the builder who approached me in late November with a site layout plan almost identical to that now lodged for planning permission.

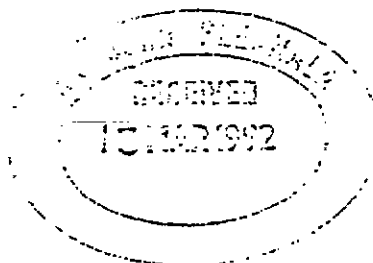
1. The proposed development of 2 storey houses in an area where single storey houses already exist would be seriously injurious to the residential amenities of my property. The physical structure of the proposed houses on the "infill" site is not compatible with the established single storey type development and would have a most detrimental impact on my property and indeed adjoining properties. The applicant has had no regard for consequences of height and mass of the proposal and no regard for design considerations necessary to be in sympathy with the existing character of the area as illustrated in the attached photographs. The proposed houses would be very "dominant" and overlook my property, thereby causing serious loss of amenity and privacy.
2. The development proposes 5 No. two storey houses which would directly overlook my property. This is totally unacceptable and would seriously infringe the privacy I now enjoy and would depreciate the value of my property. Some adjustment of the site layout plan should be sought to alleviate this situation. I would further point out that there are two windows in the south gable wall of my house which look directly into the applicants site. The applicant has shown no proposals for screening along the gable of my house to deal with this problem.

3. The floor level of the proposed houses are shown to be almost 3'0" above the adjacent ground level and this would greatly exacerbate the problem of dominance and overlooking.
4. The density of development proposed is excessive compared with that which exists along Esker Lane and Ballydowd Estate with which the development links (see attached sketch). Similarly the amount of public open space provided is seriously deficient for the number of houses proposed. The areas of footpaths and grass margins should not be included in the calculation for open space areas. Under no circumstances should a contribution be accepted in lieu of the provision of the required amount of public open space.

In conclusion I would advise that development of the site is welcome but it must have regard to the stated policy of Dublin Co. Councils Development Plan. The policy document states in paragraph 3.32 inter alia that the design of the proposed development must be in sympathy with the existing character and must protect and where possible enhance the present amenities. "The proposed development must have due regard to the predominant design features and the existing residential density". "The proposed buildings should blend with neighbouring structures and suburban character".

I would appreciate if you would take the foregoing into consideration when determining the application.

Yours faithfully,



Patrick O'Connor

Patrick O'Connor.

To: Chief Planning officer Dublin Co. Council
From: Pat Connaught of Esker Lodge Lucan Co Dublin
No. of Pages: 3
Date: 20. 2. 1992

Message: Re Planning Ref No 91A/2061 and 91A/2071.
Applicant Mc Court Developments. LD.

Further to our ~~meeting~~ ^{meeting} ~~not~~ ^{not} ~~official~~ ^{official} ~~oral~~ ^{oral} ~~hearing~~ ^{hearing} today with
Cllr McDonnell, in your office, I enclose for clarity
reasons copy of our letter of 21. 1. 1992 indicating in
item (2) the positions of both windows overlooking the field
in question, the photographs left with you illustrate the
position of the chimney breast.

We should have noted also to you in the event of a fire
access to this point would be considerably restricted as
no allowance in the Builders Plan to access was made.

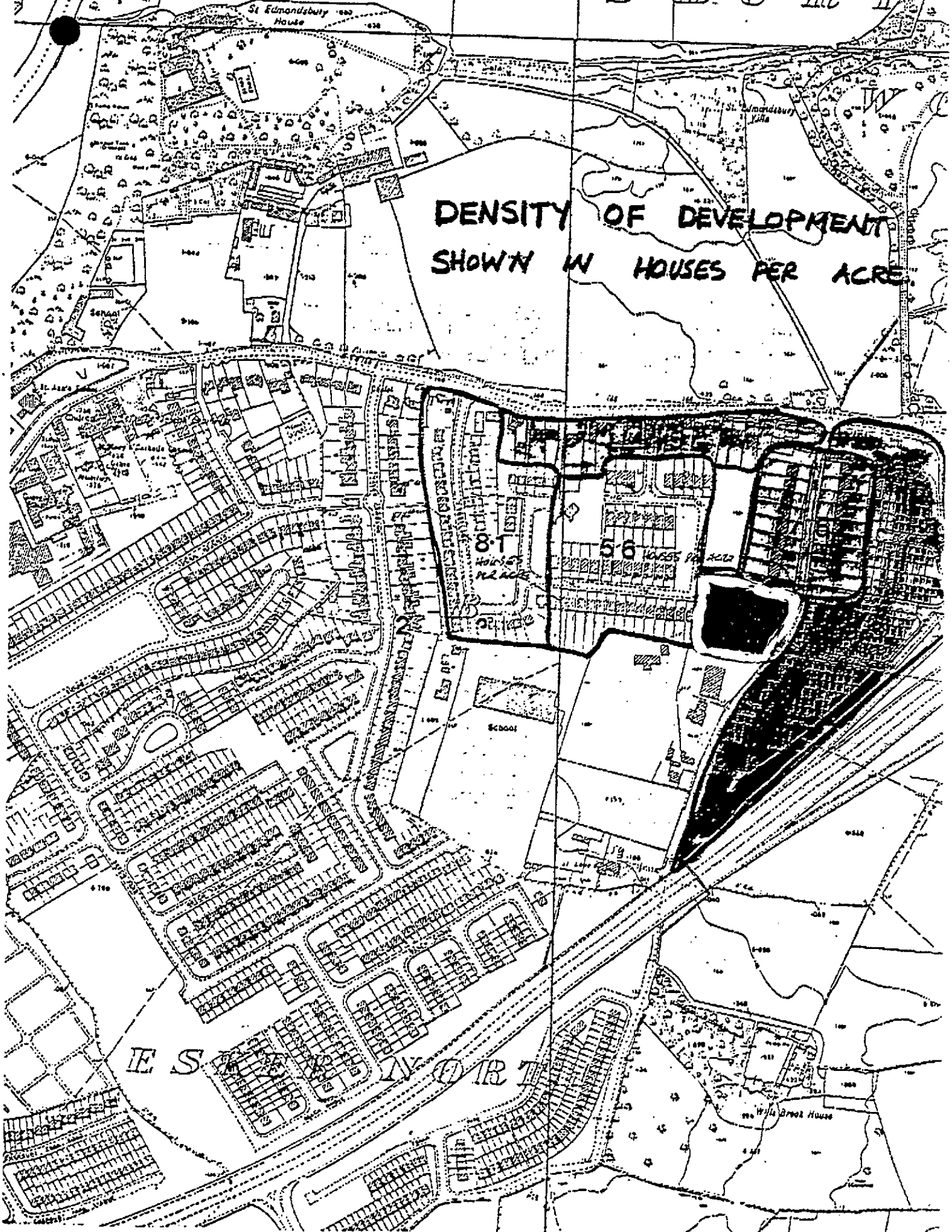
We did mention an alternative Plan acceptable to
the residents of the various associations (copy enclosed)
was prepared in great detail, the density of housing complies
with Ground Purchase.

Many thanks for allowing time to meet with you & Mr. Bire.

Pat Connaught

E I D M I O N I D S I B U R Y

DENSITY OF DEVELOPMENT
SHOWN IN HOUSES PER ACRE



CORNELL CONSTRUCTION LIMITED
REGISTERED OFFICE
9/A/2061
- 1 OCT 1992

MEMORANDUM OF AGREEMENT made the 5th day of June 1992 between CORNELL CONSTRUCTION LIMITED of 25 Aranleigh Court, Rathfarnham, Dublin 14 (hereinafter called "Cornell") of the One Part and McCOURT INVESTMENTS LIMITED of (hereinafter called "McCourt") of the Other Part.

WHEREAS

1. By Memorandum of Agreement made the 11th day of November 1991 between Hazelville Holdings Limited of the one part and Cornell Construction Limited of the other part Cornell were granted the right to enter upon the lands comprised in Folio 62557F of the register County Dublin for the purpose of connecting to the foul and surface water services situated therein.
2. By Memorandum of Agreement made the day of 1991 between Cornell of the one part and McCourt of the other part it was agreed for the consideration therein that Cornell would grant similar rights of connection to McCourt.
3. Pursuant to Special Condition 6 of said Agreement between Cornell and McCourt, McCourt applied for Planning Permission and received permission for the construction of eighteen houses.

NOW THIS AGREEMENT WITNESSETH that in consideration of the sum of £18,000 paid by McCourt to Cornell (the receipt of which sum Cornell hereby acknowledges) Cornell hereby ASSIGNS the benefit of the Wayleave granted to it to McCourt, it's successors and assigns.

IN WITNESS whereof the parties hereto have caused their common Seals to be affixed hereto the day and year first herein WRITTEN.

PRESENT when the Common Seal
of CORNELL CONSTRUCTION LIMITED
was affixed hereto:

Malcolm Joseph
Sheila Shannon.

JAMES O'NEILL
SOLICITOR
7 LA HATCH ST.,
DUBLIN, 2.

PRESENT when the Common Seal
of McCOURT INVESTMENTS LIMITED
was affixed hereto:

MEMORANDUM OF AGREEMENT made the 11th day of Nov. 1991, made between HAZELVILLE HOLDINGS LIMITED of 7 Lower Hatch Street, in the City of Dublin (hereinafter called "Hazelville") of the One Part and CORNELL CONSTRUCTION LIMITED of 25 Aranleigh Court, Rathfarnham, Dublin 14 (hereinafter called "Cornell") of the Other Part.

WHEREAS

1. Hazelville are beneficially entitled to the lands comprised in Folio 62557F of the Register of Freeholders and County of Dublin having purchased same from the Registered Owners Flyover Company Limited in 1988.

2. Following completion of the said purchase from Flyover Company Limited Hazelville developed the lands comprised in Folio 62557F Co. Dublin as a residential housing development which said development is now known as Woodville Downs, Lucan, Co. Dublin.

3. Hazelville have agreed with Cornell for the consideration hereinafter appearing to grant to Cornell the easements rights and privileges hereinafter set out.

NOW THIS AGREEMENT WITNESSETH that in consideration of the sum of £1.00 paid by Cornell to Hazelville (the receipt of which sum Hazelville hereby acknowledges) Hazelville as beneficial owner hereby grants unto Cornell its successors and assigns the right to enter upon the lands comprised in Folio 62557F Co. Dublin for the purpose of connecting to the foul and surface water services situated therein which said services are more particularly shown on the Map or Plan annexed hereto and thereon outlined in red. Cornell for itself its successors and assigns hereby covenants with Hazelville that should it enter upon the lands comprised in Folio 62557F Co. Dublin for the purposes aforementioned that it shall make good any damage thereby occasioned but shall not be responsible for any temporary inconvenience caused by such works.

Cornell for its successors and assigns covenants with Hazelville to obtain all necessary insurances and all necessary Planning Permissions or such other approval or licence from the appropriate Local Authority in order to make such connections and to comply fully with the conditions therein contained and to indemnify Hazelville its successors and assigns against all claims howsoever arising in respect of the carrying out of said works.

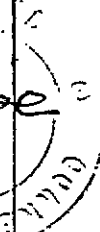
IN WITNESS whereof the parties hereto have caused their Common Seals to be affixed hereto the day and year first herein WRITTEN.

PRESENT when the Common Seal
of HAZELVILLE HOLDINGS LIMITED
was affixed hereto:

Brian Gillespie

PRESENT when the Common Seal
of CORNELL CONSTRUCTION LIMITED
was affixed hereto:

Malcolm Jones
Sheila Shannan



Our Ref: PL 6/5/88315
P.A. Reg. Ref: 91A/2061

E.O.T.

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

Date: 29th May 1992.

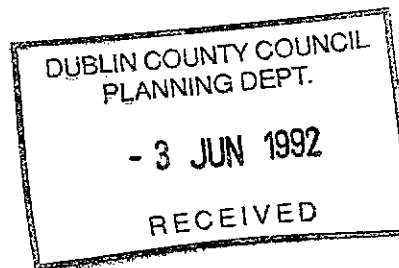
Appeal re: Residential development on sites 2-20
even and associated site development works at Esker
Lane, Lucan, County Dublin.

Dear Sir,

The above-mentioned appeal under the Local
Government (Planning and Development) Acts, 1963 to
1990, has been withdrawn.

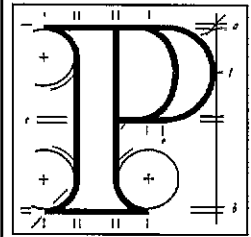
Yours faithfully,

Suzanne Lacey
Suzanne Lacey



BP 302

An Bord Pleanála



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

Our Ref: PL 6/5/88315
P.A. Reg. Ref: 91A/2061

EDH

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

Date: 29th May 1992.

Appeal re: Residential development on sites 2-20
even and associated site development works at Esker
Lane, Lucan, County Dublin.

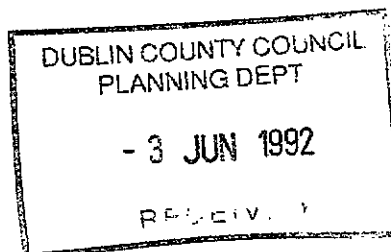
Dear Sir,

The above-mentioned appeal under the Local
Government (Planning and Development) Acts, 1963 to
1990, has been withdrawn.

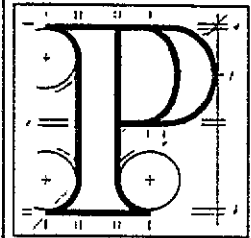
Yours faithfully,


Suzanne Lacey

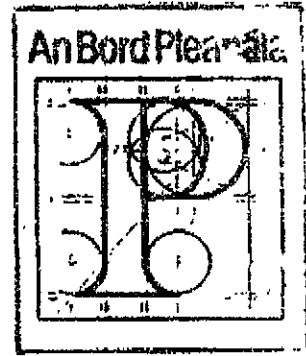
BP 302



An Bord Pleanála



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



FAX INFORMATION SHEET

TO:

Dublin Co Council

ATTENTION OF:

Les Doyle

FAX NUMBER:

724896

NO. OF PAGES
INCLUDING THIS
COVER NOTE:

4

DATE:

4/6

FAX NUMBER:

An Bord Pleanála:

722684

DETAILS:

Copies of letters of withdrawal for 91A/2061
 (6/5/88315) from P O'Connor and
 P. Cruise. The appeal from Woodville Downs
 RA is to be against 91A/2071 (6/5/88314)
 which is still a current appeal.
 All appeals against 91A/2061 have been
 withdrawn.

SIGNED:

Kevin Barrett

24/04/92

10:32

REALT PAPER LTD. 01350797

001

17 Esker Lane
Lucan
CO. Dublin

An Bord Pleanála
Floor 3 Block 6/7
Irish Life Centre
Lower Abbey Street
Dublin 1.

24.04.92.



Appeal Ref PL6/S/88314 PA.REF 91A 2071 1/19 Odd.
" Ref PL6/S/88315 PA.REF 91A 2061 2/20 Even.

Dear Sir,

I refer to my letter dated 13th March, 1992 in connection with the above appeal and following a written agreement with the developers McCOURT INVESTMENTS LTD. I now wish to formally withdraw the appeals.

I would appreciate a refund of the appeal fee involved. X!

Yours faithfully,

Patrick O'Connor

Adm.
COPY TO PA; ~~the~~ coll. / pop
DATE 29.5.92

42 Ballydowl Grove,
Lucan,
Co. Dublin. . .
Phone No. 6281138

The Secretary,
Floor 3,
Blocks 6 & 7,
Irish Life Centre,
Lower Abbey Street,
Dublin.

20th May 1992.

Re:- Notification of decision by Dublin County Council to grant permission to McCourt Investments Ltd. for a residential development and associated site works at Esker Lane, Lucan.

Decision order No:- PO 764/92, Reg. Ref. 91A 2061.

Your ref:- PL 6 / 5 / 88315

Dear Sirs,

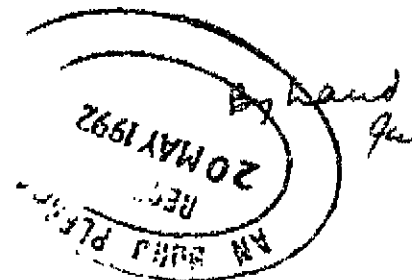
The developer of the above proposal has shown me a revised drawing showing the following.

1. The correct relationship between my house and the nearest house of the development. The front of this house is 6 metres away from my house which is as shown on the planning application.
2. The proposed hammerhead is to be moved back 5.5 metres from the boundary of my property as shown. This means that the land immediately adjoining my house will be in private and not public ownership, and there is no need for a boundary fence adjoining my property.

I understand that these alterations have been agreed between the developer and Dublin County Council Planning Department and this being the case I would like to withdraw my appeal as the reasons for this appeal have now been removed.

Yours sincerely,


Paul H. Cruise.



Aden.
COPY TO PA, Appeal, Proj
DATE 29.5.92

WOODVILLE DOWNS
RESIDENTS ASSOCIATION,
c/o Bridie Collins,
Secretary,
4 Woodville Lawns,
Lucan.

Att: Mr. Kevin Carleton.
AN BORD PLEANALA,
Floor 3,
Block 6 & 7,
Irish Life Centre,
Lower Abbey Street,
Dublin. 1.



22nd May 1992.

Dear Sirs.

With reference to our appeal against Planning decisions 91A/2071 and 91V/2061 at Esker Lane, Lucan, your subsequent correspondence and our telephone conversation yesterday, we wish to confirm that the appeal will refer to ref. 91A/2071 (Your ref. 5/5/88314) houses 1 - 19.

Kind regards

A handwritten signature in cursive script, appearing to read "Mike Hetherington".

MIKE HETHERINGTON
CHAIRMAN.

By FAX 22/05/92 No 722684
