



## Comhairle Contae Fhine Gall

Bosca 174,  
Áras Contae Fhine Gall,  
An Phríomh Shráid, Sord, Contae Átha Cliath.

## Fingal County Council

P.O. Box 174,  
Fingal County Hall,  
Main Street, Swords, Co. Dublin.

Tel: (01) 890 5000

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

Final Grant Order Number	P/1331/02	Date of Final Grant	26/04/2002
Decision Order Number	2410	Date of Decision	20/08/2001
Register Reference	F00A/1464	Registration Date	21/06/2001

#### Applicant

Parkway Properties Ltd.

#### Development

Additional information for 10 year permission for development now comprising 1,519 dwellings consisting of 2 one bedroom houses, 448 two bedroom houses, 541 no. three bedroom houses, 151 no. four bedroom houses and 7 no. five bedroom houses in a mix of one storey, two storey, two storey plus dormer and three storey buildings in a range of detached, semi-detached and terraced units; 33 no. one bedroom apartments, 283 no. two bedroom apartments all in three storey blocks and also a single storey creche (c.510 sq.m.). The development also includes the provision of a mixed use Local Service Centre in three storey buildings comprising a convenience shop (c.321 sq.m.), newsagent (c.94 sq.m.), 5 additional retail units (total c.511 sq.m.), pharmacy (c. 122 sq.m.), dentist (c. 72 sq.m.), doctors surgery (c.225 sq.m.), health centre (c.154 sq.m.), library (c.209 sq.m.), public house (c.490 sq.m.), restaurant (c.240 sq.m.) and a single storey creche (c. 510 sq.m.), together with 54 dwellings consisting of 28 no. one bedroom apartments, 24 no. two bedroom apartments and 2 no. three bedroom apartments; site development works, including the provision of an upgrade to the foul sewer system between the proposed development and the Quay Street Foul Water Treatment Plant via the Chapel Gate housing scheme, Bath Road and along the eastern side of the Dublin-Belfast railway line; landscape works, including the provision of an area of Class 1 public open space at Bremore and a further area of Class 1 public open space

McHugh Consultants  
16 Herbert Place,  
Dublin 2.



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located to the north-west of the residential scheme; vehicular access to serve a portion of the development is to be via Hamlet Lane, which is to be improved, linking to the Drogheda Road (N1); vehicular access is also proposed via a new road connecting to the existing Inner Relief Road; it is proposed that a portion of the development will ultimately be accessed via a new road network off the planned C-Ring dual carriageway to be developed by others; provision of part of a bus corridor to cater for future local bus link to be provided by others; demolition of an existing habitable house on Hamlet Lane; all on lands of approx. 52.6 ha in extent of the townlands of Flemington and Bremore on lands bounded generally by the Flemington Road to the north, the Drogheda Road (N1) to the east, to the west and south of the Hamlet Lane and west of the existing Chapel Gate housing area, in Balbriggan, Co. Dublin. An Environmental Impact Statement accompanies this Application on the 22 December 2000.

**Location**

Townlands of Flemington and Bremore, West and South off Hamlet Lane in Balbriggan, Co. Dublin.

**Floor Area**

148810.000 sq.m.

**Time extension(s) up to and including**

**Additional Information Requested / Received** 21/02/2001 / 21/06/2001

A Permission has been granted for the development described above, subject to the 49 condition(s) on the attached pages.

Signed on behalf of the Fingal County Council

Stephen Davis  
for Senior Executive Officer

26<sup>th</sup> April, 2002





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Conditions and Reasons

1. The development to be carried out in its entirety in accordance with the plans, particulars, specifications, and information lodged with the application as amended by additional information received on 21st June 2001 and the unsolicited additional information received on 23rd January 2001 and 6th July 2001, save as may be required by the other conditions attached hereto.

REASON: To ensure that the development shall be in accordance with the permission and that effective control be maintained.

2. This permission shall have effect for a period of 10 years.

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

3. That each proposed house be used as a single dwelling unit apart from such use as may be exempted development for the purposes of the Local Government (Planning and Development) Regulations.

REASON: To prevent unauthorised development.

4. No work shall commence on site pending agreement by the Planning Authority of a framework for the setting up of a consortium under the auspices of Fingal County Council to provide the necessary road, water and drainage infrastructure provided for in the approved Action Plan for the area. The form of the consortium shall be generally in line with the format of a P.P.P. arrangement.

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

5. That a financial contribution in the sum of £780,000 (Euro 990,396) be paid by the proposer to the Fingal County Council towards the cost of provision of public services 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.



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6. 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 or a Bond of any body approved by the Planning Authority in the sum of £4,860,800 (Euro 6,171,943)

OR/...

b. Lodgement with the Council of a Cash Sum of £3,038,000 (Euro 3,857,464) to be applied by the Council at its absolute discretion if such services are not duly provided to its satisfaction on the provision and completion of such services to standard specifications.

OR/...

c. Lodgement with the Planning Authority of a letter of guarantee issued by 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.

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

7. That all necessary measures be taken by the contractor to prevent the spillage or deposit of clay, rubble or other debris on adjoining roads during the course of the works.

REASON: To protect the amenities of the area.

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

REASON: In the interest of amenity.

9. That 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 County Council.

REASON: In the interest of amenity and public safety.





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10. 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.

11. That the area shown as open space be levelled, soiled, seeded and landscaped to the satisfaction of the County Council and to be available for use by residents on completion of their dwellings.

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

12. That the water supply and drainage arrangements, including the disposal of surface water, be in accordance with the requirements of the County Council.

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

13. That all watermain tappings, branch connections, swabbing and chlorination to 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.

14. 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. The street naming scheme should be in both English and Irish and the Irish version should be an official translation which can be obtained by contacting the Official Translator, Dail Eireann.

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

15. That screen walls in block or similar durable materials not less than 2 metres high, suitably capped and rendered, be provided at the necessary locations so as to screen rear gardens from public view. The specific locations and extent of walling must be fully discussed and agreed with the County Council before construction. Timber fencing is not acceptable.

REASON: In the interest of visual amenity.

16. 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,



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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.

17. That the areas shown and conditioned as open space be fenced off during construction work and shall not be used for the purpose of site compounds or for the storage of plant, materials or spoil. The applicant is to submit and agree in writing with the Planning Authority details of the locations of site compounds, construction routes etc. within the site.

REASON: To protect the amenities of the area.

18. (A) The proposed site for the primary school and community centre and creche is approximately 2.0 hectares in extent. The Action Plan for North West Balbriggan, passed by Fingal County Council on July 2nd 2001, requires that a site of 2.6 hectares is reserved for a primary school and other community uses at this location. A revised layout providing a site of these dimensions at this location must be submitted to and agreed in writing with the Planning Authority prior to the commencement of development. These amendments may result in the loss of some residential units.

(B) The reserved site for the primary school and other community uses shall be (1) grassed and maintained as public open space and (2) be available for use as public open space until such time as the site is developed. This condition will apply once the adjoining class 2 open space is developed.

Reason: In order to comply with the Action Area Plan for this area.

19. The following requirements of the Planning Authority in regard to the provision, development and maintenance of open space shall be complied with in this development:

(i) 10 hectares of class 1 public open space is to be provided to serve the proposed development. This class 1 public open space is to be provided in the positions indicated on drawing no. 822-LOC submitted as Additional Information on 21/6/01. Details regarding the Development, timescale and legal transfer to the Council of these areas of class 1 public open space are to be submitted to and agreed in writing with the Planning Authority prior to the commencement of development. The development and transfer of the Class 1 Public Open Space shall be completed prior to the occupation of 40 per cent of the residential units within this development. Any minor changes to Class 1 boundaries are to be agreed in writing with the Planning Authority.





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(ii) The class 2 public open space shall be provided as shown on the site layouts received as additional information on 21st June 2001. This class 2 public open space is to be provided in tandem with the adjacent residential development and shall be provided in its entirety before 1000 residential units are occupied;

(iii) The strip of land along the southern boundary of the site shall be reserved as part of the public open space;

(iv) The proposed boundary treatment for the class 2 public open space is unacceptable. A revised proposal is to be submitted to and agreed in writing with the Planning Authority prior to commencement of development;

(v) All the areas shown as open space shall be levelled, soiled, seeded and landscaped to the satisfaction of the Planning Authority and are to be available for use by the residents on completion of their dwellings. Landscape plans with full works specifications and bill of quantities etc. shall be submitted to and agreed in writing with the Planning Authority prior to the commencement of development. Such plans shall include regrading, drainage, topsoiling, seeding, trees and shrub planting, pedestrian paths, cycleways, provision of recreational facilities and details of maintenance. In lieu of the open space being developed by the applicants a financial contribution of £1000 (Euro 1,270) per residential unit shall be paid to the County Council to enable this work to be carried out. This cost to be paid on a phased basis to be agreed with the Planning Authority;

(vi) The applicant must submit and agree in writing with the Planning Authority a scheme of street tree planting. This shall include tree planting within areas of grouped parking;

(vii) The applicant shall submit to and agree in writing with the Planning Authority the details of a Management Company for development and maintenance of semi private open space around apartments, shared garden and parking courts;

(viii) The applicant shall submit to and agree in writing with the Planning Authority details of the paving, street furniture and lighting for each of the public squares, landscaped parking areas, rear car parking courts, and shared surface areas, throughout the



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development. No play areas are to be provided in any of the squares.

(ix) The applicant shall provide a playground within the linear class 2 public open space, the size and location of which are to be agreed in writing with the Planning Authority.

20. The following requirements of the Planning Authority in relation to drainage and water supply shall be complied with in this development:

### FOUL SEWER:

1. No work shall commence pending the formation of a consortium as described above or at the discretion of the Planning Department.
2. No work shall commence pending work starting on the trunk sewer outfall located parallel to the railway line.
3. No occupations may take place pending the completion of the proposed outfall sewer up to the boundary of the subject site.
4. No work may commence pending the applicant having taken all the necessary ground exploration works with respect to the route of the proposed outfall trunk sewer, in order to establish the type of pipe and pipe protection required. All manhole details shall be approved in particular specific designs will be required for deep manholes.
5. The internal drainage network shall consist of an approved pipe type that shall differ from the surface water system to reduce the possibility of cross connection. The applicant shall consult drainage design.

### SURFACE WATER;

1. No work shall commence pending the improvement of the surface water culvert under the N1, and the completion of the existing culvert upstream of the N1. The applicant shall discuss this work with the Drainage Department and if required submit acceptable drawings for approval.
2. The extension of the existing surface water system from the Inner Relief Road to the





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subject site shall be a prerequisite of any work commencing within the site.

#### **WATER SUPPLY;**

1. The applicant shall not construct more than 450 dwellings pending an early review of the system taking account of the progress made in improving the water supply network.
2. The applicant shall discuss in detail the proposals for improving the overall Balbriggan water supply network with the Water Division, and where required the applicant shall make any required changes to the submitted drawings and resubmit.
3. Before works commence the applicant shall consult with the Water Division, Fingal County Council. That division will identify the most urgent part of the infrastructure to be improved, together with a phasing arrangement for the remainder. The extent of the initial phase shall be agreed in writing before work commences together with the method of progressing and implementing the work.
4. Before work commences the applicant shall agree the type and class of water main to be installed.
5. The applicants are to upgrade the proposed feeder main from the N1 to 200mm diameter water which shall continue through the site to the western boundary. Revised water main details are to be submitted before works commence.
6. The applicant is to provide a 'magflow' bulk water meter at his own expense on the spine main at the junction of the N1, this shall be wired for connection to the telemetry system, i.e. telecom and electrical connection are required.
7. At each stopcock the applicant is to provide a meter box to a design approved by the Water Division.
8. The following works shall be carried out by Fingal County Council Water Division at the applicants prior expense:
  - (a) The connection to public water mains.
  - (b) The testing, cleansing and sterilisation of all new mains.



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(c) The provision of tappings to serve individual properties.

(d) Provision is to be made for 24 hour storage.

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

21. The following requirements of the Planning Authority in regard to roads and transport matters are to be complied with in this development:

(i) The entire improved realigned Hamlet Lane (including cycleways and paths on both sides) between its junction with the N1 and unit no. 82 is to be constructed before 500 units within this development are occupied. Only 150 occupied houses from the north-eastern part of the subject site shall access via Hamlet Lane prior to the entire improved realignment taking place. The applicant shall submit details of any measures required to ensure this. During the construction of the realigned and improved Hamlet Lane, alternative access arrangement for these houses are to be provided via the road connection to the Inner Relief Road

(ii) The exact realignment of the western section of the realigned improved Hamlet Lane is to be agreed in writing with the Planning Authority prior to the commencement of development. A slight realignment to the north may be required to enable the optimal development of the severed portion of land to the south of the road.

(iii) Prior to occupation of any residential unit in the southern section of this development the road connection to the inner relief road is to be constructed;

(iv) All construction traffic is to access the site via the inner relief road;

(v) No more than 800 units within this development to be occupied prior to the completion of that section of the 'C' ring road from the Naul Road junction to the Flemington Lane intersection;

(vi) The permanent busway including bus only links at the local service centre and adjacent to units nos. 697 and 738 are to be provided by the developer at his expense;

(vii) A temporary busway is to be provided by the developer by the time 500 units are occupied. The temporary route shall be provided along the improved, realigned Hamlet Lane. It shall run southwards through the local centre and circulate the development leaving by the roundabout at the Inner Relief road. Details of this route together with the proposed temporary bus only link measures which are to be provided by the developer are





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to be submitted to and agreed in writing with the Planning Authority prior to the commencement of development;

(viii) No vehicular link is to be provided linking the southern section of the development with adjoining lands to the south;

(ix) Cycleroutes shall be constructed across the extended class 2 open space up as far as the eastern site boundary at this location (i.e. south of the creche);

(x) The proposed cycleway located parallel to the western site boundary in the southern portion of the development shall be extended as far as the western site boundary at a number of points the details of which are to be agreed in writing with the Planning Authority. This cycleway is also to extend to the southern site boundary;

(xi) The cycleway shown running through the centre of the linear class 2 public open space in drawing no. 3192-300 received on 21st June 2001, shall be provided in the location shown with connecting links to the housing areas to the north and south.

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

22. The following requirements of the Planning Authority in regard to the phasing of the development shall be complied with in the development:

(i) Development shall proceed generally in an east-west direction commencing in those areas proximate to adjoining development and in line with the provisions of the necessary roads and services infrastructure. The phasing shall generally be in accordance with that set out in 'Infrastructure and Development - Phasing Assessment' compiled by John Moylan and Associates and forming part of the additional information received on 21st June 2001;

(ii) The local service centre shall be completed before 1000 residential units are occupied.

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

23. The following requirements of the Planning Authority shall be complied with in respect of the local service centre:

(i) cycle parking and bin facilities shall be provided for the commercial, community and residential units;

(ii) the civic space to the east side of the centre shall be landscaped and shall be open to the



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public as a public space;

(iii) if possible, the balconies overlooking the rear yard area shall be repositioned;

(iv) a permanent taxi rank shall be provided as part of this development.

The above details are to be submitted and agreed in writing with the Planning Authority.

Note: Any proposals for changing the restaurant to public house use in the future will not be favourably considered.

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

24. Notwithstanding the provisions of the exempted development regulations no development consisting of domestic extensions, conservatories, garage conversions, construction of garages or the erection of front boundary walls shall be carried out without the prior approval of the Planning Authority.

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

25. Pedestrian access should be provided to rear gardens where they adjoin rear parking courts.

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

26. Details of the lighting arrangements for each of the rear parking courts and the dedicated cycleways shall be submitted to and agreed in writing with the Planning Authority.

Reason: In the interest of residential amenity.

27. Details of the proposed boundary treatments where the site adjoins other lands should be submitted to and agreed in writing with the Planning Authority.

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

28. The proposed creche facility located inside the eastern site boundary shall be operational before more than 750 units are occupied and the second one before more than 1000 units are occupied.

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

29. Prior to the commencement of development the applicant is required to submit and agree





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in writing with the Planning Authority detailed proposals for compliance with Section 4.6.4 of the County Development Plan 1999.

Reason: To promote social integration and having regard to the policy/objectives of the County Development Plan.

30. In areas A and G the optional conservatories shall be omitted in cases where houses back onto communal landscaped areas. Small patio areas shall be provided instead.

Reason: In the interest of residential amenity.

31. Cycle parks and bin stores shall be provided in areas of communal space associated with all apartments and grouped housing.

Reason: In the interest of residential amenity.

32. The proposed 'service vehicle' link shown on drawing no. HL/21/3 shall be omitted in the proposed development unless previously agreed with the Planning Authority.

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

33. The applicant is to provide a cycle link as far as the northern site boundary within the housing area to the north of the local service centre.

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

34. Obscure glass shall be used in all bathroom and en suite windows.

Reason: To prevent overlooking of adjoining windows.

35. The rear first floor bedroom windows in 'U' type houses shall be omitted unless otherwise agreed with the Planning Authority.

Reason: To prevent overlooking of adjoining properties.

36. House no. 288 is unacceptable in its current position. Proposals for a replacement house with direct access to the rear garden and a blank rear wall at ground floor level shall be submitted to and agreed in writing with the Planning Authority prior to the commencement of development.

Reason: In the interest of residential amenity.



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37. Cycleways are to be provided in tandem with development.
38. The roof colour throughout the development shall be blue/black/grey unless otherwise agreed with the Planning Authority.
39. A scheme of proposed remedial works to combat the erosion which is occurring along the seaward side of the proposed Class 1 open space at Bremore shall be submitted and agreed in writing with the Planning Authority.
40. Each residential unit shall have assigned parking to a minimum of one space, and in the case of residential units of three bedrooms or more, two spaces shall be assigned. These spaces shall not be separated from the specific units by way of sale, lease or otherwise.

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

41. Where cyclepaths intersect roads, traffic calming measures shall be put in place to facilitate safe crossing for cyclists.

**Reason:** In the interest of safety.

42. Details of any front garden boundary treatments are to be submitted and agreed with the Planning Authority.

**Reason:** In the interest of visual amenity.

43. That a financial contribution in the sum of £100 (Euro 127) per unit be paid by the proposer to the Fingal County Council towards the development and upgrading of the existing public open space facilities at Bremore, Balbriggan 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.

44. That a financial contribution in the sum of £500 (Euro 635) per unit be paid by the proposer to the Fingal County Council towards the cost of upgrading the Quay Street Pumping Station which facilitates this development; this contribution to be paid before the commencement of development on the site.



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

45. That a financial contribution in the sum of £786,500 (Euro 998,649) be paid by the proposer to the Fingal County Council towards the cost of upgrading the Foul Sewer infrastructure to serve zoned lands and which facilitates 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.

46. That a financial contribution in the sum of £659,100 (Euro 836,884) be paid by the proposer to the Fingal County Council towards the cost of improving and upgrading the main surface water arterial sewer and provision of internal infrastructure and which facilitates 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.

47. That a financial contribution in the sum of £1,170,000 (Euro 1,485,594) be paid by the proposer to the Fingal County Council towards the cost of providing an adequate infrastructure, new high level water storage facilities and upgrading the system serving Balbriggan and which facilitates 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.

48. That a financial contribution in the sum of £7,595,000 (Euro 9,643,661) be paid by the proposer to the Fingal County Council towards the cost of road improvements and traffic management 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



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### *Fingal County Council*

P.O. Box 174,  
Fingal County Hall,  
Main Street, Swords, Co. Dublin.

Tel: (01) 890 5000

towards the cost of providing the services.

49. That a financial contribution in the sum of £15,000 (Euro 19,046) be paid by the proposer to Fingal County Council towards the cost of installing a 200mm water main from the junction of the N1 with the Inner Relief Road to Hamlet Lane. This contribution to be paid before the commencement of development on site.

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

#### NOTE:

All buildings must now be designed and constructed in accordance with the Building Regulations. The Building Control Regulations also provide that a Commencement Notice must be submitted to the Building Control Authority in respect of all buildings other than exempted development for the purposes of the Local Government (Planning and Development) Acts, 1963 - 1993, not less than fourteen days and not more than twenty-eight days before development commences. A copy of the form of Commencement Notice is attached.

In addition, with the exception of houses and certain agricultural buildings, a Fire Safety Certificate is required for all buildings (including apartments and flats), extensions and alterations and changes of use which are covered by the Building Regulations.