

Castlethorn
Received
25 OCT 2019

An Rannóg Bonneagair agus Athraithe Aeráide
Infrastructure and Climate Change

Michael Mangan
A/Director

Property Management Section
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Mr. James Leonard
Aeval
Usher House,
Main Street,
Dundrum,
Dublin 14

23rd October 2019

Subject to Contract – Contract Denied

Re: Woodbrook Phase 1, Strategic Housing Development
Inclusion of Council Lands

Dear Mr. Leonard,

I wish to advise that Dún Laoghaire–Rathdown County Council consents to the inclusion by Aeval of Council lands at Woodbrook, Shanganagh and St Anne’s Park, Shankill as part of a Strategic Housing Development application on lands shown on Drawing No. 1618-OMP-00-00-DR-A-XX-10300, dated 23rd October 2019, subject to the following conditions:

1. Proposed works shall not impact on existing Council Services (surface water sewers) or the ability of the council to access same.
2. A site survey shall be carried out to determine the location and depth of these services and where necessary slit trenches dug to verify same.
3. The Council Water and Drainage section should be contacted prior to work being carried out to agree suitable location and vertical and horizontal distances from existing Council Services (surface water sewers).
4. A method statement is required to be submitted prior to any work being carried out.


5. If planning is granted the Council is to have access to connect into the proposed foul system for the Council's proposed development at Shanganagh including any other utilities/services that may be installed on these lands to facilitate any further development. The easements as set out in Appendix 1 (copy attached) from the contract of sale of three lots of land between Aeval Unlimited as Vendor and Dún Laoghaire-Rathdown County Council (DLRCC) as purchaser are granted and provided for in Deeds of Transfer/Conveyance/Assignment. This includes access to services located on the retained Aeval lands at Woodbrook in respect Lot 2 lands as shown on O'Mahony Pike drawing titled 'Plan 4-Lands Transfer to DLRCC' Drawing No: 1618-OMP-00-00-DR-A-XX-09004 (Copy attached).
6. If planning is granted any works on the public road would be subject to further consultation with Road Maintenance/Roads Control and would be subject to a road opening licence.

The Architects Department has requested that the location of the proposed Council Crematorium be considered in conjunction with the preparation of plans for the development of these lands.

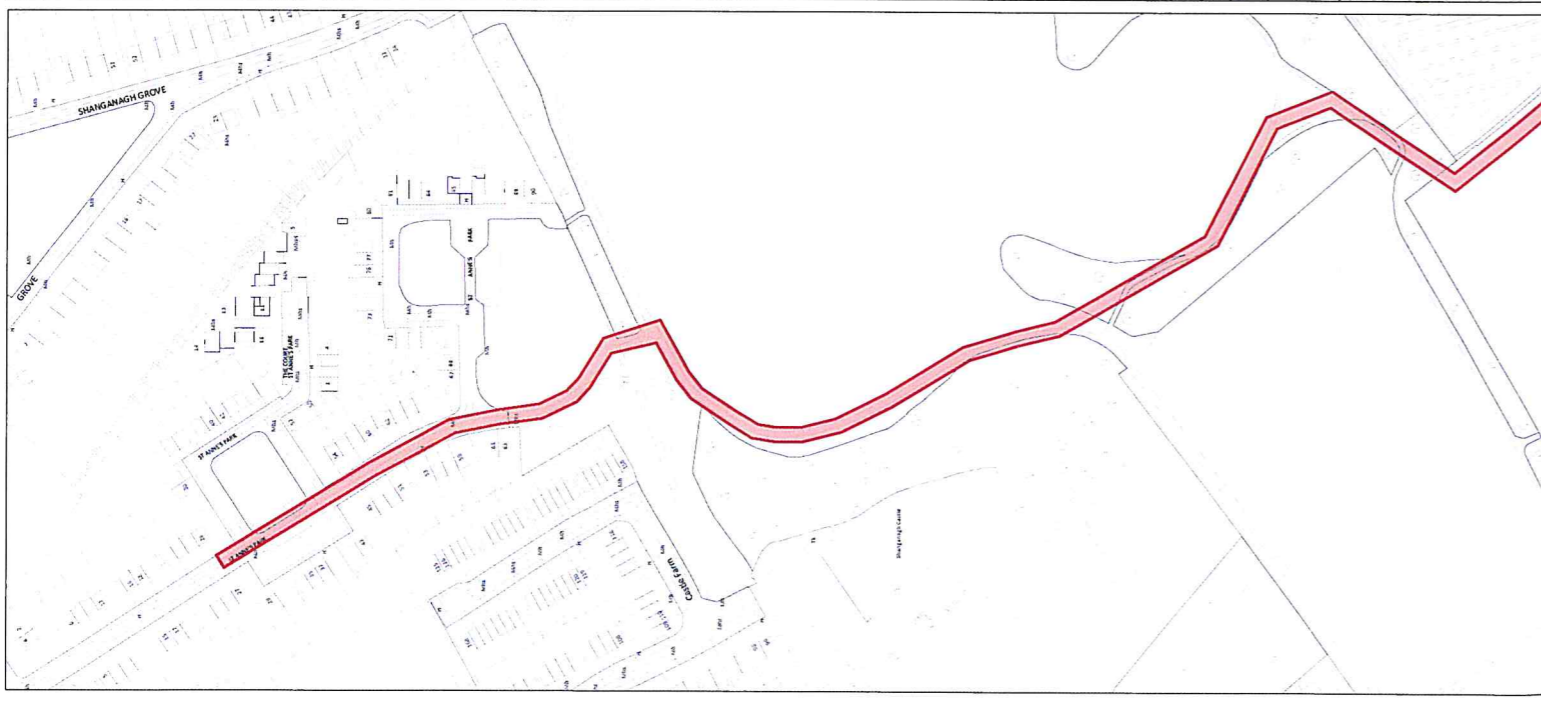
This consent is "Without Prejudice" and does not form a contract or discussions leading to a contract in respect of Council property. This letter should not be construed as binding the Council in any way whether to take any further action, partake in any future discussions or negotiations whether legally, contractual or otherwise, whether as landowner or otherwise.

This consent also applies to this one specific planning application only which should be made within twenty-eight days of the date of this letter.

Yours Sincerely,



Michael Mangan
A/DIRECTOR



Letter of Consent Site Plan 1

- ▬ Red Line - Boundary of Application
- ▬ Blue Line - Adjacent Properties in Same Ownership
- ▬ Red Hatch - Works to be Done Outside of Site Ownership
- ▬ Red Hatch - Works to be Done Inside of Site Ownership
- ▬ Work to be Done 11 Acres of DRCC

Ordinance Survey Sheet Number:
 3518 17; 3518 15; 3518 23; 3518 24; 3508 02;
 3518 16; 3518 22; 3518 14; 3518 21;
 3518 20; 3518 14

Revision

Revision Description	Date	Rev. No.	Issued by
For Information	23.10.2019	002	AN
For Information	23.10.2019	003	AN
For Information	06.08.2019	001	AN
For Information	11.09.2018	002	AN

Ordinance Survey Ireland License No. AR 0000313
 All levels (in meters) are related to Mean Sea Level datum. All dimensions in millimeters. Figured dimensions only are to be taken from this drawing.
 The architect is not responsible for landscape drawings for landscape proposals and for any other services.
 Please refer to engineering drawings for road levels, site services and any other engineering proposals.

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Project: Woodbrook Phase 1
 Client: Avelal

Drawing Title: Letter of Consent Site Plan 1
 Drawing No.: 1618-ONP-00-00-DR-A-XX-10300

Project No.: 1618
 Project Lead: SD
 Drawn By: AN
 Model No.: 1618-ONP-00-00-DR-A-XX-10300
 Scale @ A3: 1:1250
 Date Printed: 23.10.2019
 Current Rev.: P07
 Purpose: For Information



Appendix 1 to be annexed to Contract for Sale of three lots of land between Aeval U.C. as Vendor and Dun Laoghaire Rathdown County Council (DLRCC) as Purchaser

Setting out details of easements/licenses to be provided for in the proposed Contract for Sale

The following easements are to be granted and reserved between the parties and provided for in the Deed of Transfer/Conveyance/Assignment of the various interests between the parties and/or in a separate Deed of Grant of Easements to be entered into between the parties contemporaneous with/immediately following the delivery of deeds of transfer/conveyance/assignment on the closing date referenced in the within Contract for Sale:

1. Easements to be granted by DLRCC to Aeval:

- 1.1 Easement to enter on lands and construct a foul sewer along the route coloured yellow on the O'Mahony Pike drawing entitled Plan 6 – Aeval Foul Wayleave annexed hereto;
- 1.2 Easement for the flow of foul sewage through the aforesaid Foul Sewer to be laid along the route coloured yellow on the aforesaid Plan 6;
- 1.3 Easement for the purpose of entry for maintenance post completion of construction of the Foul Sewer pending the taking in charge of the Foul Sewer by the Local Authority.

It should be noted that it is further proposed that Phase 2 of the Development of the Woodbrook Lands envisages an alternative route for the Foul Sewer in order to connect to Shanganagh Waste Water Treatment Works which is identified on Drawing Title Plan 6B, also attached.

2. Easements to be granted by Aeval to DLRCC for the benefit of the DLRCC Lands:¹

2.1 Foul Sewer Easement:

- 2.1.1 Easement for the flow of foul sewage through the aforesaid Foul Sewers (rising main and gravity sewer) to be laid along the routes coloured yellow on the aforesaid Plan 7;
- 2.1.2 Easement for the purpose of entry over roads and access routes for maintenance post completion of construction of the Foul Sewer system including the Pumping Station and structures pending the taking in charge of the Foul Sewer system including Pumping Station and structures by the Local Authority or Irish Water.

2.2 Surface Water Easement:

- 2.2.1 Easement for the flow of water through the Surface Water Sewer to be laid along the route coloured yellow on the O'Mahony Pike Plan 8 – DLR Surface Water Wayleave;
- 2.2.2 Easement for the purpose of entry over roads and access routes for maintenance post completion of construction of the Surface Water Sewer pending the taking in charge of the Surface Water Sewer by the Local Authority or Irish Water.

¹ DLRCC Lands to be identified/confirmed by reference to O'Mahony Pike Drawing Title Plan 7 – DLR Foul Wayleave

3. Road Opening Licence for Aeval:

- 3.1 A Road Opening Licence will also be required by Aeval to facilitate its requirement to extend the construction of the proposed surface water sewer along the line edged in red on the O'Mahony Pike Drawing Title Plan 8 – DLR Surface Water Wayleave to a point where the sewer will permit the flow of surface water into a local waterway.
- 3.2 A Road Opening Licence to permit the connection of the proposed Foul Sewer from the point where it leaves Shanganagh Park and enters into an existing housing estate known as St. Anne's Park the location of which is identified with the letters A – B on the second copy plan 6 attached herewith.

4. Easements in relation to Lot 2 Lands:

- 4.1 Part of the route of the Foul Sewer runs through the Lot 2 Lands. These lands will transfer to DLRCC and Aeval will reserve the same rights as are outlined at 1.1 – 1.3 above in relation to the right to enter, construct and maintain until taking in charge and the right to the flow of services through the Foul Sewer.
- 4.2 Aeval will also reserve rights to enter, construct and maintain Conduits for Services infrastructure contained within the Lot 2 lands more specific details of which will be outlined and specified by reference to maps (to be agreed) when drafting and approving the form of deed of conveyance of the Lot 2 Lands in advance of the closing date for the sale of the Lot 2 Lands to DLRCC.
- 4.3 DLRCC will be granted easements for the purpose of (i) entry over roads and access routes within the Aeval Retained Lands for the purposes of ingress/egress in respect of the Lot 2 Lands, (ii) for connecting to the Conduits for Services (the size of which are to be agreed between the parties and Irish Water) located on the Aeval Retained Lands at Woodbrook and to the flow of services through the conduits located on the Aeval Retained Lands pending such Conduits for Services being taken in charge by the Local Authority or Irish Water.

5. Easements in relation to Lot 3 Lands:

- 5.1 Similar rights to enter, construct and maintain pending the taking in charge to be reserved in favour of Aeval in respect of the Conduits for Services to be constructed within the Lot 3 Lands pending such Conduits for Services being taken in charge.
- 5.2 DLRCC will be granted easements for the purpose of (i) entry over roads and access routes within the Aeval Retained Lands for the purposes of ingress/egress in respect of the Lot 3 Lands, (ii) for connecting to the Conduits for Services (the size of which are to be agreed between the parties and Irish Water) located on the Aeval Retained Lands at Woodbrook and to the flow of services through the conduits located on the Aeval Retained Lands pending such Conduits for Services being taken in charge by the Local Authority or Irish Water.

6. **Licence for Construction Works**

- 6.1 Aeval to be granted a Licence by DLRCC over DLRCC lands which adjoin the 10.97 acres to be acquired by Aeval from DLRCC to facilitate construction works, the details of access routes to be agreed by reference to maps on or prior to the Closing Date in respect of the within Contract for Sale.
- 6.2 DLRCC to be granted a Licence by Aeval to permit DLRCC access over certain access routes within the Aeval Retained Lands to facilitate construction works for and on behalf of DLRCC in respect of the Lot 2 Lands and/or the Lot 3 Lands.



Plan 4 - Lands to Transfer to DLRCC

Draft

Revision Description	Date	Rev. No.	Issued By
For information	21.01.2019	P01	TC
For information	21.01.2019	P02	TC
For information	15.09.2019	P03	TC
For information	17.09.2019	P04	TC

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 MAPS PROPOSED
 Purgepoint: For Information

Project: Woodbrook Masterplan
 Location: Woodbrook
 Client: Aeval

Drawing Title: Plan 4 - Lands to Transfer to DLRCC
 Drawing No.: 1615-OMP-00-00-DR-A-XX-09004



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