



Bosca 174,  
P. O. Box 174,  
Bloc 2, Ionad Bheatha na hEireann  
Block 2, Irish Life Centre,  
Sraid na Mainistreach-Iacht,  
Lower Abbey Street,  
Baile Atha Cliath.  
Dublin 1.  
Telephone: (01) 724755  
Fax: (01) 724896

Ms. M McEntee & Family,  
Colmanstown,  
Rathcoole,  
Co. Dublin.

PC/GC

Our Ref.

Your Ref.

Date 19/8/91

REG. REF. 91A/0354

RE: Development at Colmanstown, Rathcoole.

Dear Sir,

I refer to your letter received in this Department on 15th August, 1991 regarding the above and wish to inform you that a Decision to refuse Permission was made on this application on 9th May, 1991. An Appeal against this Decision may be made within 21 days beginning on the date of the Decision. An Appeal should be in writing and should state the subject matter and grounds of the appeal. It should be addressed to An Bord Pleanála, Block 6 & 7, Irish Life Centre, Lower Abbey Street, Dublin 1. An Appeal must be accompanied by a fee of £50.00.

Yours faithfully

\_\_\_\_\_  
for PRINCIPAL OFFICER

*PR*

Colmanstown,  
Rathcoole,  
Co. Dublin.

**OBJE**

14th August 1991.

Reg Ref 91A/354.

---

15. AUG 91

*R*  
*16/8*

Dear Sir/Madam,

This area(Colmanstown) is zoned Agricultural. I for one would hope tht it is kept this way. No-one likes to be living in an Industrial Estate and unless I do something about it, it will be too late.

Possibly the residents in Colmanstown were a bit relaxed in the past and hence two businesses started up(without planning permission and, to-date, still have none). Well I am no longer willing to sit back and will use my right to object to the full.

In Mr. Balfes correspondence to you it is clear that he has written the total opposite and turned every objection around on those who wrote them. I want it made clear that I do not wish that the Council tarmac "My Premises" as stated by Mr. Balfe and I would much rather have the heavy traffic flow stopped going to Mr. Balfe's premises than ramps down the laneway.

Mr. Balfe say's that he will give the Council 15 feet to widen the laneway. The Council have disowned the laneway at present because of such heavy traffic, so I can't see them widening the laneway to allow more heavy traffic flow on it.

Mr. Balfe say's that he is using his premises for storage, yet anyone can purchase his goods from his premises.

Mr. Balfe states that he is paying commerical rates on his property but has he shown you proof of same.

The auction at Toland Plant may have had a lot of machinery and equipment, but nearly all of these were brought in by the aucioneer to make-up the auction. Toland's family and the aucioneer will varify this. Anyway Toland Plant Hire had their machinery and equipment out on hire and very seldom was any machine seen at Toland's premises.

Contd.....



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

Register Reference : 91A/0354

Date : 6th June 1991

Dear Sir/Madam,

Development : Retention of store for farm and building pipework and  
timber sheeting

LOCATION : The Whins, Colmanstown, Blackchurch

Applicant : Myles Balfe

App. Type : PERMISSION

I wish to inform you that an appeal has been lodged with An Bord Pleanala against the Council's decision to REFUSE 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 £15.

Yours faithfully,

L. D.

.....  
PRINCIPAL OFFICER

George & Sandra Duke,  
Colmanstown,  
Rathcoole,  
Co. Dublin.



Bloc 2, Ionad Bheatha na hEireann,  
Block 2, Irish Life Centre,  
Sraid na Mainistreach Iacht,  
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Dublin 1.  
Telephone. (01)724755  
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Register Reference : 91A/0354

Date : 6th June 1991

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timber sheeting

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Applicant : Myles Balfie

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Yours faithfully,

.....  
PRINCIPAL OFFICER

Mary T. Mc Entee,  
Colmanstown,  
Rathcoole,  
Co. Dublin.



Bloc 2, Ionad Bheatha na hEireann,  
Block 2, Irish Life Centre  
Sraid na Mainistreach Iacht,  
Lower Abbey Street,  
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Telephone. (01)724755  
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Yours faithfully,

.....*L.D.*.....

PRINCIPAL OFFICER

Thomas Ryan,  
Colmanstown,  
Rathcoole,  
Co. Dublin.



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

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Yours faithfully,

.....L.S.D.....

PRINCIPAL OFFICER

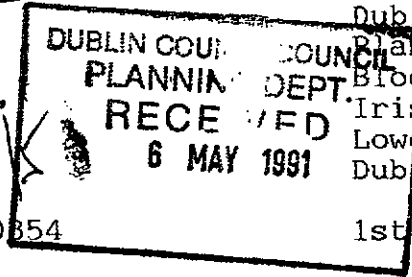
Mr. Noel Noble,  
Colmanstown,  
Rathcoole,  
Co. Dublin.

Colmanstown,  
Rathcoole,  
Co. Dublin.

The Principal Officer,  
Dublin County Council,  
Planning Department,  
Block 2,  
Irish Life Centre,  
Lower Abbey Street,  
Dublin 1.

Register Reference: 91A/0354

1st May 1991



**OBJECT**

Dear Sirs,

It has come to my attention the Mr. Myles Balfe has applied for Permission to retain store for farm and building pipework and timber sheeting at The Whins, Colmanstown, Blackchurch. I wish to oppose that retention for the following reasons:-

1. This retention is not in accordance with the Dublin County Development Plan and would have a detrimental effect on our private residence.
2. The applicant's total disregard for the planning laws to date. Immediately on buying this property Mr. Balfe used it for the storage of chemicals. When the enforcement officers stopped this he then rented the yard portion to the pipe company, who are in fact at present trying to sublet part of it. The second store on the property, which is very close to our home, is presently being used to store scrap and starters etc, which I presume are from the business of Myles Balfe Ltd. - Auto repairs. The retention being applied for does not seem to mention this? This appears to be a real case of property speculation.
3. The unsuitability of the lane down to McEntees farm for developments of this nature. In the space of the last year this lane has been closed on some occasions due to large lorries sticking in the snow, for example during January this year a lorry blocked all access to the private dwellings for up to 5 or 6 hours - also lorries turning off the dual carriageway at a very high speed - one of which crashed (your Mr. Jim McInerney witnessed this incident himself) - In this case if any of the occupants of Colmanstown had been coming out of the lane they could have been killed. Recently two residents, on separate occasions, have had to jump into the ditch while walking or cycling to avoid being hit. On some occasions as many as four articulated lorries have been parked in the lane in the morning waiting for this yard to open, and have blocked the lane.

We trust that this opposition will be brought to the immediate attention of the Dublin Planning Officer in relation to the above application. We must again stress the unsuitability of the area for any development of this kind, and the effects such a development would have on our private dwelling and to our safety.

Yours faithfully

*George & Sandra Duke*  
George & Sandra Duke.

**COMHAIRLE CHONTAE ATHA CLIATH**

Register Reference No.: 91A/354

Letter No.: 218

Planning Department,  
Block 2, Irish Life Centre,  
Lower Abbey St.,  
Dublin 1.

Thomas Ryan,  
Colmanstown,  
Rathcoole,  
Co. Dublin.

Tel.: (01) 724755  
Fax.: (01) 724896

10 May 1991

Re: Retention of store for farm and building pipework and timber sheeting at The Whins, Colemanstown, Blackchurch, Rathcoole for Myles Balfe.

Date of decision to refuse permission 9th May, 1991 subject to 8 reasons.

Dear Sir/Madam,

With reference to your representations/objections, I wish to inform you that a decision has been made on the above planning application. This decision has been entered in the Planning Register which is available for inspection at the Planning Department, Irish Life Centre, Lower Abbey Street, Dublin 1, during office hours (9 a.m. to 12.30 p.m. and 2.15 p.m. to 4.30 p.m.) A certified copy of the entry in the register may be purchased on payment of £5.00.

Yours faithfully,

  
\_\_\_\_\_  
for Principal Officer.

NOTE: An appeal against this decision by an aggrieved person must be made within the period of twenty one days beginning on the date of the decision to refuse permission, indicated above. The appeal shall be in writing and shall state the subject matter of the appeal and the grounds of appeal and shall be addressed to An Bord Pleanala, Floor 3, Blocks 6 and 7, Irish Life Centre, Lower Abbey Street, Dublin 1.

1. An appeal by an aggrieved person to An Bord Pleanala will be invalid unless accompanied by a fee of £50.00
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4. Interested parties are advised to consult the Planning Authority or An Bord Pleanala to ascertain if an appeal has been lodged by an applicant.



COMHAIRLE CHONTAR ATHA CLIATH

Register Reference No.: 91A/354

Letter No.: 223

Planning Department,  
Block 2, Irish Life Centre,  
Lower Abbey St.,  
Dublin 1.

Mrs. Mary T. McEntee,  
Colmanstown,  
Rathcoole,  
Co. Dublin.

Tel.: (01) 724755  
Fax.: (01) 724896

10 May 1991

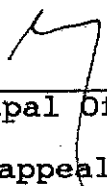
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COMHAIRLE CHONTAE ATHA CLIATH

Register Reference No.: 91A/354

Letter No.: 163

Planning Department,  
Block 2, Irish Life Centre,  
Lower Abbey St.,  
Dublin 1.

Mr. Noel Noble,  
Colmanstown,  
Rathcoole,  
Co. Dublin.

Tel.: (01) 724755  
Fax.: (01) 724896

10 May 1991


Re: Retention of store for farm and building pipework and timber sheeting at The Whins, Colemanstown, Blackchurch, Rathcoole for Myles Balfe.

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Register Reference No.: 91A/354

Letter No.: 256

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Block 2, Irish Life Centre,  
Lower Abbey St.,  
Dublin 1.

George & Sandra Duke,  
Colmanstown,  
Rathcoole,  
Co. Dublin.

Tel.: (01) 724755  
Fax.: (01) 724896

10 May 1991

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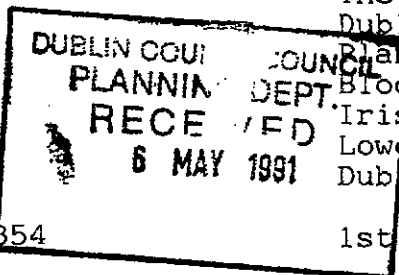
  
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Colmanstown,  
Rathcoole,  
Co. Dublin.

The Principal Officer,  
Dublin County Council,  
Planning Department,  
Block 2,  
Irish Life Centre,  
Lower Abbey Street,  
Dublin 1.



Register Reference: 91A/0854

1st May 1991

**OBJE**

Dear Sirs,

It has come to my attention the Mr. Myles Balfe has applied for Permission to retain store for farm and building pipework and timber sheeting at The Whins, Colmanstown, Blackchurch. I wish to oppose that retention for the following reasons:-

1. This retention is not in accordance with the Dublin County Development Plan and would have a detrimental effect on our private residence.
2. The applicant's total disregard for the planning laws to date. Immediately on buying this property Mr. Balfe used it for the storage of chemicals. When the enforcement officers stopped this he then rented the yard portion to the pipe company, who are in fact at present trying to sublet part of it. The second store on the property, which is very close to our home, is presently being used to store scrap and starters etc, which I presume are from the business of Myles Balfe Ltd. - Auto repairs. The retention being applied for does not seem to mention this? This appears to be a real case of property speculation.
3. The unsuitability of the lane down to McEntees farm for developments of this nature. In the space of the last year this lane has been closed on some occasions due to large lorries sticking in the snow, for example during January this year a lorry blocked all access to the private dwellings for up to 5 or 6 hours - also lorries turning off the dual carriageway at a very high speed - one of which crashed (your Mr. Jim McInerney witnessed this incident himself) - In this case if any of the occupants of Colmanstown had been coming out of the lane they could have been killed. Recently two residents, on separate occasions, have had to jump into the ditch while walking or cycling to avoid being hit. On some occasions as many as four articulated lorries have been parked in the lane in the morning waiting for this yard to open, and have blocked the lane.

We trust that this opposition will be brought to the immediate attention of the Dublin Planning Officer in relation to the above application. We must again stress the unsuitability of the area for any development of this kind, and the effects such a development would have on our private dwelling and to our safety.

Yours faithfully

*George & Sandra Duke*  
George & Sandra Duke.

91A/354

P 12

OBJ

Principal officer

223

Colmanstown

RATHCOOLE,

CO. DUBLIN.

17/4/91

18 APR 91

DEAR SIR/MADAM

I write to object to Register Reference 91A/0354 which is a Planning application by MR M. BALFE for retention of store for farm building Pipework and timber sheeting. MR BALFE Presently is operating a business from this above address. Not only is MR Balfe storing the said materials but he is also selling them.

This is a Residential area down in a cul de sac. The Lane way down this cul de sac is for private and Agricultural use only. The state of the lane is in a disastrous condition due to the heavy truck traffic travelling on it. The surface condition of the lane makes walking on it hazardous and driving isint much better.

The county council refuse to carry out any proper repairs to the lane as it is being used for industrial purposes and not for what is and was designed for

Hoping this matter Receives your attention.



Remain yours Faithfully

MRS. Mary T. McEntee

91A/354

218

Colmanstown,  
Rathcoole,  
Co. Dublin.  
April 23rd, 1991.

PK

Planning Department,  
Block 2,  
Irish Life Centre,  
Lr. Abbey Street,  
Dublin 1.

26/4 APR 91

**OBJEC**

Dear Sir/Madam,

Re: Register Reference No: 91A 354.

I am writing in connection with the above in the name of Myles Balfe.

I object to this application on the following grounds:

- 1) Too much extra traffic has been generated on the road.
- 2) The road is not suitable for heavy traffic.
- 3) The road is degenerating very badly with the excessive traffic.
- 4) Access along the roadway is impossible.
- 5) Noise and pollution is excessive.
- 6) Traffic uses the road at unreasonable times causing a nuisance and hindrance to local residents.
- 7) The excessive traffic on the roadway is dangerous and an unnecessary hazard.
- 8) The contents of the sheds is not easily discernible and thereby causes unrest for the local residents.
- 9) The area is unsuitable for commercial usage and only previously used by local residents.
- 10) There is no security on the premises, thereby possibly inviting criminal tendencies late at night.
- 11) Our own initial planning in 1985, stated the area was zoned agricultural.

I have enclosed a copy of the approval, and would draw you attention to conditions 5 and 6, and the reasons for same.

Taking all the foregoing into consideration, I strongly object to the planning application.

An acknowledgement of this letter would be appreciated and I would be grateful if my objections are voiced when the application is being processed.

Yours faithfully,

  
Thomas Ryan

Enc.

# DUBLIN COUNTY COUNCIL

Tel. 724755 (ext. 262/264)

PLANNING DEPARTMENT  
BLOCK 2,  
IRISH LIFE CENTRE,  
LR. ABBEY STREET,  
DUBLIN 1.

GRANT OF  
PERMISSION

Notification of Grant of Permission/Approval  
Local Government (Planning and Development) Acts, 1963-1983

To **Thomas Ryan,**  
**13 Hillview,**  
**Rathcools,**  
**Dublin 14.**  
Applicant **Thomas Ryan**

Decision Order  
Number and Date **P/3748/85 25th October, 1985**  
Register Reference No. **85A/1134**  
Planning Control No. ....  
Application Received on **26.8.85**

A PERMISSION/APPROVAL has been granted for the development described below subject to the undermentioned conditions.

**bungalow and septic tank on land at Celmanstown, Athgroe, Rathcools**

CONDITIONS	REASONS FOR CONDITIONS
<p>1. The development to be carried out in its entirety in accordance with the plans, particulars and specifications lodged with the application, save as may be required by the other conditions attached hereto.</p> <p>2. That before development commences, approval under the Building Bye-laws be obtained and all conditions of that approval be observed in the development.</p> <p>3. That water supply and drainage arrangements including, the disposal of surface water, be in accordance with the requirements of the County Council.</p> <p>4. That the septic tank drainage be in accordance with requirements of Supervising Health Inspector.</p> <p>5. That a safe access be provided to the site.</p> <p>6. That the existing shed on the site be used solely as ancillary to the enjoyment of the dwelling house as such or for agricultural purposes by the occupant of the house relative to adjoining land.</p> <p>7. That a financial contribution in the sum of £375. be paid by the proper 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.</p>	<p>1. To ensure that the development shall be in accordance with the permission and that effective control be maintained.</p> <p>2. In order to comply with the Sanitary Services Acts, 1878 - 1964.</p> <p>3. In order to comply with the requirements of the Sanitary Service Department.</p> <p>4. In the interest of health.</p> <p>5. In the interest of safety and the avoidance of traffic hazard.</p> <p>6. In the interest of the proper planning and development of the area.</p> <p>7. 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.</p>

Signed on behalf of the Dublin County Council

*[Signature]*  
For Principal Officer

Date **5 DEC 1985**

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





FINANCIAL CONTRIBUTION :-	
AMOUNT € NIL	
F	REFUSAL

AN BORD PLEANÁLA

LOCAL GOVERNMENT (PLANNING AND DEVELOPMENT) ACTS, 1963 TO 1990County DublinPlanning Register Reference Number: 91A/354

APPEAL by Myles Balfe of The Whins, Colemanstown, Blackchurch, Rathcoole, County Dublin against the decision made on the 9th day of May, 1991 by the Council of the County of Dublin to refuse permission for the retention of a store for farm and building pipework and timber sheeting at The Whins, Colemanstown, Blackchurch, Rathcoole, County Dublin:

DECISION: Pursuant to the Local Government (Planning and Development) Acts, 1963 to 1990, permission is hereby refused for the retention of the said store for the reasons set out in the Schedule hereto.

SCHEDULE

1. The development contravenes materially a development objective indicated in the current Dublin County Development Plan to use the land of which the site forms part "to protect and provide for the development of agriculture". This objective is considered reasonable. The proposed retention of the development would, therefore, be contrary to the proper planning and development of the area.
2. The development proposed to be retained would interfere with the safety and free flow of traffic on the adjoining substandard road by reason of the traffic movements which the development generates. The development would, therefore, endanger public safety by reason of traffic hazard.

P. D'uffy

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

Dated this 27<sup>th</sup> day of November 1991.

PL 6/5/85885

- 2 -

AN BORD PLEANÁLA

FINANCIAL CONTRIBUTION :-	
AMOUNT € NIL	
F	REFUSAL

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

County Dublin

Planning Register Reference Number: 91A/354

Order Noted: L.D.
Dated: 27 <sup>th</sup> JAN. 92
<i>[Signature]</i> ASST. COUNTY MANAGER
to whom the appropriate powers have been delegated by order of the Dublin City and County Manager.
Dated 10 <sup>th</sup> day of December 1991



Bloc 2, Ionad Bheatha na hÉireann.  
Block 2, Irish Life Centre,  
Sraid na Mainistreach Iocht,  
Lower Abbey Street,  
37-39 Arna Cliath 1,  
Dublin 1.  
Telephone. (01)724755  
Fax. (01)724896

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

Our Ref: 91A/0354

Your Ref.: PL6/5/85885

28 November 1991

Re: Retention of store for farm and building pipework and timber sheeting at The Whins, Colemanstown, Blackchurch, Rathcoole for Myles Balfe.

Dear Sir/Madam,

I refer to your letter dated 30th July, 1991; 7th August, 1991; 23rd August, 1991; 28th August, 1991 and 29th October, 1991, enclosing correspondence with regard to the above appeal.

The Planning Authority's comments are as follows:-

It is normal practice for any company taking possession of a new premises that they would check the Planning Register to ensure that the proposed operation did not contravene the Local Government (Planning and Development) Acts.

Yours faithfully,

\_\_\_\_\_  
for Principal Officer.

*Decision Made*

*Appeals*

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

REG. REF. 91A/0354

RE: Retention of store for farm and building pipework and timber sheeting at The Whins, Colemanstown, Blackchurch, Rathcoole for Myles Balfe.

I attach for your observations memo/letter dated 29th October, 1991 from An Bord Pleanala.

Please reply before: 19th November, 1991

S.M.C.H.  
for Principal Officer

DATED: 5 November 1991

**OBSERVATIONS:**

*pl advise An B.P. :-*

- It is normal practice for any company taking possession of a new premises that they would check the Planning Register to ensure that the proposed operation did not contravene the L.C. P. & D. Acts*

*Decision Made*

Signature of person making observations: \_\_\_\_\_

Countersigned: *M.P. 5/9*  
(S.E.D.C.)

DATE: \_\_\_\_\_

DATE: \_\_\_\_\_



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

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

Our Ref: 91A/0354

Your Ref: PL6/5/85885

Date: 9 October 1991

RE: Retention of store for farm and building pipework and  
timber sheeting at The Whins, Colemanstown,  
Blackchurch, Rathcoole for Myles Balfe.

Dear Sir/Madam,

I refer to your letter dated 30th July, 1991; 7th August, 1991;  
23rd August, 1991 & 28th August, 1991, enclosing correspondence  
regarding the above appeal.

It is considered that the grounds of appeal do not raise any new  
matter which in the opinion of the Planning Authority would  
justify a change of attitude to the proposed development. The  
points raised have been dealt with in the Planning Authority's  
decision order dated 9th May, 1991.

Yours faithfully,

\_\_\_\_\_  
for Principal Officer.

*Decision made*

COMHAIRLE CHONTAE ATHA CLIATH

*Appeals*

TO: N. Prendergast  
G. Beethman  
Executive Planner

REG. REF. 91A/354

RE: Retention of store for farm and building pipework and timber sheeting at The Whins, Colemanstown, Blackchurch, Rathcoole for Myles Balfe.

I attach for your observations memo/letter dated 30th July 1991 & 7th August, 1991 from An Bord Pleanala.

Please reply before: 3rd Sept 1991

Su. Millin  
for Principal Officer

DATED: 19 August 1991

OBSERVATIONS:

Further letter of 23/8/91 ASP  
u r 28/8/91 ASP

~~No further comment~~

Recd 26/9/91

No further comment rec'd at this time

*Decision Made*

Signature of person making observations: ~~G. Beethman~~

Countersigned: nmf 26/9  
(S.E.D.C.)

DATE: 10/9/91

DATE: \_\_\_\_\_

# COMHAIRLE CHONTAE ÁTHA CLIATH

## Record of Executive Business and Manager's Orders

Retention of store for farm and building pipework and timber sheeting at The Whins, Colemanstown, Blackchurch, Rathcoole, Co. Dublin for Myles Balfe.

Mr. Myles Balfe,  
15, Castleknock Lodge,  
Castleknock,  
Dublin 15.

Reg. Ref. 91A-0354  
Appl. Rec'd: 14 15.03.1991  
Floor Area: 380 sq. m.  
Site Area:  
Zoning:

---

Report of the Dublin Planning Officer, dated 8 May 1991

This is an application for PERMISSION for retention of store for farm and building pipework and timber sheeting at The Whins, Colemanstown, Blackchurch, Rathcoole, Co. Dublin.

### HISTORY

Reg. Ref. F 692 refers to a decision of the Parliamentary Secretary of the Minister for Local Government to refuse outline permission for a light industrial development on these lands.

Reg. Ref. RA 566 refers to a grant of outline permission for a house and out offices in 1978 on a 13.5 acre holding for Mr. M. Murphy.

Reg. Ref. RA 1631 refers to approval for house in 1978 for Mr. M. Murphy on 13.5 acres with restriction clause on use of house as a farmhouse.

Reg. Ref. SA 616 refers to grant of permission for revised house type for Mr. M. Murphy again with restriction clause.

Reg. Ref. TA 1543 refers to grant of permission to Mr. B. Toland for a house on land to north of the current site but part of the 13.5 acre site.

The current application is stated to be retention of store for farm and building pipework and timber sheeting.

The lodged plans are inadequately detailed in that they do not show the existing house on the site nor do they address the extensive use being made of the site for the storage of building materials.

The site is located in an area zoned 'B' - "to protect and provide for the development of agriculture" in the Development Plan. It is noted that objections from 3 residents have been received.

Enf. 7076 refers to a court case which stands adjourned until 25th June, 1991, taken by the Council against Myles Balfe and Hugh Devlin relative to the unauthorised use of these lands at

(Continued)



# COMHAIRLE CHONTAE ÁTHA CLIATH

## Record of Executive Business and Manager's Orders

Retention of store for farm and building pipework and timber sheeting at The Whins, Colemanstown, Blackchurch, Rathcoole, Co. Dublin for Myles Balfe.

(Continued)

Colmanstown for storage of piping, use of mobile house as an office and use of structure for storage of building materials. Apparently Mr. Balfe is the owner of the site and Mr. Hugh Devlin is the occupier of the site. It is not clear as to who is the occupant of the house. The site for the purpose of this application is separated from the remainder of the 13.5 acre holding.

The proposed development is inconsistent with the provision included in the Development Plan.

7

I recommend that a decision to REFUSE PERMISSION be made under the Local Government (Planning and Development) Acts, 1963-1990 for the following ( 3 ) Reasons:-

1. The site of the development is located in an area zoned 'B' - "to protect and provide for the development of agriculture". The development is seriously at variance with this planning objective and militates against the preservation of the rural environment. *collapses; maintenance of agricultural objectives indicated in the County Development Plan 1983 for the primary purpose for agricultural purposes.*
2. The lodged plans are deficient in detail in that they do not show the store in relation to the adjoining house or the open air storage on the site.
3. The lodged plans do not show any details of the existing open air storage operations taking place on this site.
4. The lodged plans do not refer to the office use on the site.
5. The development contravenes <sup>materially</sup> conditions attached to the grant of permission for the construction of the bungalow on this site. <sup>NO. 6</sup> These conditions required the bungalow ~~to~~ be used solely for purposes ancillary to the use of these lands for agricultural purposes. *By Ref. SA 614*
6. The development could set a precedent for further such undesirable unauthorized uses in this agricultural area which is in close proximity to and visible from the Naas Dual Carriageway.

(Continued)

(see reasons 7 & 8 over)

# COMHAIRLE CHONTAE ÁTHA CLIATH

## Record of Executive Business and Manager's Orders

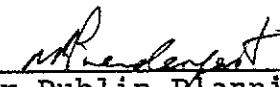
Retention of store for farm and building pipework and timber sheeting at The Whins, Colemanstown, Blackchurch, Rathcoole, Co. Dublin for Myles Balfe.

(Continued)

7. The proposed development would generate considerable movements of traffic, including heavy trucks, to and from the Dublin/Naas Dual Carriageway road at its junction with a minor road. Such movement, where few traffic movements occur at present, would radically alter the traffic situation at this point and endanger public safety by creating a serious traffic hazard on the Dublin/Naas dual carriageway road. The traffic hazard involved would be exacerbated by the fact that, in the absence of a full junction between the dual carriageway and the minor road, some of the traffic generated by the development would be compelled to make U-turns at the Athgoe junction and Rathcoole intersection and this would have a very serious adverse effect on traffic safety at these points.
  
8. The area in which the site is located is wholly rural and forms part of a pleasant landscape as viewed from the adjoining Dublin/Naas road. It is the policy of the Planning Authority, as expressed in the Development Plan, to retain the area for agricultural use and accordingly it is not proposed to provide public piped services in the area in the foreseeable future. The proposed development would be out of character with its surroundings, disruptive of the rural fabric and would result in serious injury to the visual amenities of the area.


(NP/DK)

Endorsed:-   
for Principal Officer

  
For Dublin Planning Officer

Order:- Pursuant to Section 26(1) to the Local Government (Planning and Development) Acts, 1963-1990 a decision to REFUSE PERMISSION for the above proposal is hereby made by the Council for the ( 8 ) reasons set out above and PERMISSION is REFUSED accordingly.

Dated: 9 May, 1991.

  
Assistant City and County Manager

to whom the appropriate powers have been delegated by Order of the Dublin City and County Manager, dated 26th April, 1991.

DUBLIN COUNTY COUNCIL

REG. REF: 91A/354.  
LOCATION: The Whins, Colmanstown, Blackchurch.  
APPLICANT: Myles Balfe.  
PROPOSAL: Ret. of store for farm and building pipework.  
DATE LODGED: 14.3.91.

---

It is not clear whether the store is for commercial use.

Permission was refused by the Council for a house on the site on grounds of a traffic hazard. Road Report of 22.11.89 on 89A/1739 refers.

Roads are opposed to any increase of turning movement on the Naas Road N7 for the reason outlined in report of 89A/1739 (Traffic Hazard on the N7).

If because this is a "retention" situation, permission is granted, it should be subject to:-

1. Store not to be used for commercial use (i.e. for wholesale or retail distribution).
2. Hedge to be removed southwards from the entrance, on site frontage, to improve vision.
3. New front boundary to be set back 6 metres from centreline of road.
4. All poles to be safely relocated by applicant at his own expense.
5. Gates to be set back 10m from edge of carriageway with wing walls at 45°.

TR/BMcC  
25.4.91.

PLANNING DEPT.  
DEVELOPMENT CONTROL SECT  
Date ..... 07/05/91 .....  
Time ..... 9.30 AM .....  
.....

SIGNED: Joseph Foyles  
DATE: 25/4/91

ENDORSED: G. R. Kirk  
DATE: 29/4/91



Dublin County Council Comhairle Chontae Atha Cliath

Roads Department

TITLE

R.P.S.  
3459

SCALE  
1:2500

DATE

O.S. Ref.



P.O. Box 174  
46/49 Upper O'Connell St.  
Dublin 1  
Telephone (01) 727777

SS only

(M.D)

12

Register Reference : 91A/0354

Date : 18th April 1991

Development : Retention of store for farm and building pipework and timber sheeting

LOCATION : The Whins, Colmanstown, Blackchurch

Applicant : Myles Balfe

App. Type : PERMISSION

Planning Officer : M.GALVIN

Date Recd. : 14th March 1991

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

Yours faithfully,

*Paul Galvin*

DUBLIN Co. COUNCIL  
29 APR 1991  
SAN SERVICES

DUBLIN Co. COUNCIL  
SANITARY SERVICES  
PRINCIPAL OFFICER:  
- 9 MAY 1991  
Returned *J.P.*

Date received in Sanitary Services .....

FOUL SEWER

*No foul sewer requirement indicated*

PLANNING DEPT.  
DEVELOPMENT CONTROL SECT  
Date *14.4.91*

SURFACE WATER

*Backpits proposed - refer to B. Pime Dept.*

*Ditch to be piped at entrance.*

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

*J. Rice*  
*6/5/91*

*Circulated to CMD,*

Register Reference : 91A/0354

Date : 18th April 1991

.....  
ENDORSED \_\_\_\_\_ DATE \_\_\_\_\_

WATER SUPPLY No. to Cowwater in this area -  
no water required by applicant.  
Refer to C.F.O!

*[Signature]*  
30/4/91

.....  
ENDORSED *[Signature]* DATE 1/5/91  
*[Signature]* 7/5/91

Register Reference : 91A/0354

*mD*

Date : 12th April 1991

Development : Retention of store for farm and building pipework and timber sheeting

LOCATION : The Whins, Colmanstown, Blackchurch

Applicant : Myles Balfe

App. Type : PERMISSION

Planning Officer : M. DARLEY

Date Recd. : 14th March 1991

DUBLIN COUNTY COUNCIL
22 APR 1991
ENVIRONMENTAL HEALTH OFFICER

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

Yours faithfully,

*Paul Galvin*

PRINCIPAL OFFICER

The proposal is not acceptable for the following reasons

- 1) Toilet accommodation not shown
- 2) Hand washing facilities not shown
- 3) Drinking water facilities not shown.

Note: There is at least one employee on the premises during working hours.

*Kieran J. Carberry E.H.O.*  
*24/4/91.*

*for Ma Davine*  
*John O' Reilly*  
SUPER. ENVIRON. HEALTH OFFICER,  
33 GARDINER PLACE,  
DUBLIN 1.

*24/4/91*

PLANNING DEPT.
DEVELOPMENT CONTROL SECT
Date ..... <i>26-4-91</i> .....
..... <i>24</i> .....

*Filed.*

REF: 91A/0354

CERTIFICATE NO: 24578

PROPOSAL: Retention of Store for farm & Building Plasterwork & timber Sleeting  
LOCATION: To Minis Colmanstown, Blackclued, Rullcool  
APPLICANT: Myles Bulfe

1	2	3	4	5	6	7
DRELLINGS/AREA LENGTH/STRUCT	RATE	AMT. OF FEE REC.	AMOUNT LODGED	BALANCE DUE	BALANCE DUE	DATE/ RECEIPT NO
Dwellings	£252					
	£216					
	£500 per M <sup>2</sup> in excess of 300M <sup>2</sup> Min. £40					
metres <sup>2</sup> 382.0m <sup>2</sup>	£21.75 per M <sup>2</sup> at £40		673.75	665	8.75	8/4/91
x .1 hect.	£225 per hect. of 2250					
x .1 hect.	£225 per hect. of 2250					
x .1 hect.	£225 per hect. of 2250					
	£2100					
x metres <sup>2</sup>	£210 per M <sup>2</sup> at £210					
x 1,000m <sup>2</sup>	£210 per 1,000m <sup>2</sup> at £210					
x .1 hect.	£225 per hect. of 2250					

8.75 8/4/91  
N3524

Column 1 Certified: Signed: *J. Y...* Grade: D.H.I. Date: 22/3/91  
 Column 1 Endorsed: Signed: \_\_\_\_\_ Grade: \_\_\_\_\_ Date: \_\_\_\_\_  
 Columns 2,3,4,5,6 & 7 Certified Signed: *Bulfe* Grade: S.O. Date: 21/3/91  
 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/354*

CONT. REG.:

SERVICES INVOLVED: WATER/FOUL SEWER/SURFACE WATER

AREA OF SITE:

FLOOR AREA OF PRESENT PROPOSAL: *4113 sq. y.*

MEASURED BY:

CHECKED BY:

METHOD OF ASSESSMENT:

TOTAL ASSESSMENT

MANAGER'S ORDERED NO: P/ /  
DATED

ENTERED IN CONTRIBUTIONS REGISTER:

DEVELOPMENT CONTROL ASSISTANT GRADE

Our Ref: PL 6/5/85885  
P.A. Ref: 91A/354

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

Date: 28 NOV 1991

Appeal re: Retention of a store at The Whins,  
Colemanstown, Blackchurch, Rathcoole, County Dublin.

Dear Sir,

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

Yours faithfully,

  
Miriam Baxter.

Encl.

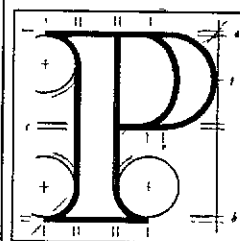
BP 352



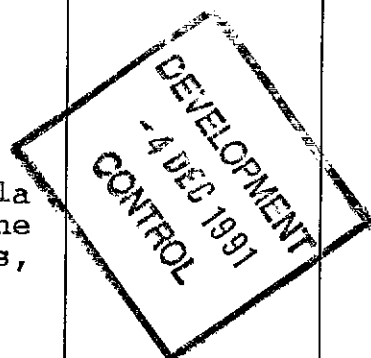
2/3

pa

An Bord Pleanála



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



AN BORD PLEANÁLA

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

County Dublin

Planning Register Reference Number: 91A/354

**APPEAL** by Myles Balfe of The Whins, Colemanstown, Blackchurch, Rathcoole, County Dublin against the decision made on the 9th day of May, 1991 by the Council of the County of Dublin to refuse permission for the retention of a store for farm and building pipework and timber sheeting at The Whins, Colemanstown, Blackchurch, Rathcoole, County Dublin:

**DECISION:** Pursuant to the Local Government (Planning and Development) Acts, 1963 to 1990, permission is hereby refused for the retention of the said store for the reasons set out in the Schedule hereto.

SCHEDULE

1. The development contravenes materially a development objective indicated in the current Dublin County Development Plan to use the land of which the site forms part "to protect and provide for the development of agriculture". This objective is considered reasonable. The proposed retention of the development would, therefore, be contrary to the proper planning and development of the area.
2. The development proposed to be retained would interfere with the safety and free flow of traffic on the adjoining substandard road by reason of the traffic movements which the development generates. The development would, therefore, endanger public safety by reason of traffic hazard.



*P. D'uffy*

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

Dated this 27<sup>th</sup> day of November 1991.

Our Ref: PL 6/5/85885  
P.A. Reg. Ref: 91A/354

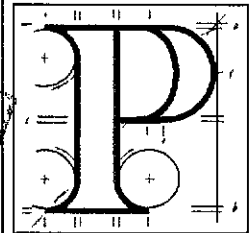
The Secretary,  
Dublin County Council,  
Planning Department,  
Block 2,  
Irish Life Centre.

DEVELOPMENT  
- 1 NOV 1991  
CONTROL

DUBLIN COUNTY COUNCIL  
PLANNING DEPT.  
RECEIVED  
30 OCT 1991

*PK*

An Bord Pleanála



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

Date: 29th October 1991.

**Appeal re:** Retention of store for farm and building  
pipework and timber sheeting at "The Whims",  
Colemanstown, Blackchurch, Rathcoole, 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.

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

Yours faithfully,

*Suzanne Lacey*  
Suzanne Lacey

Encl.

BP 555

*Obs*

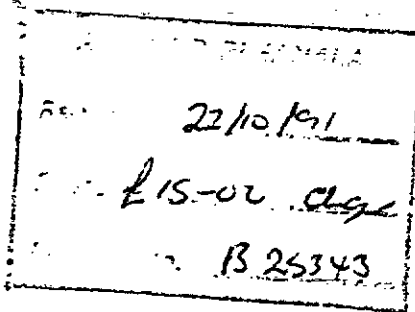
# DRAMFORCE LTD.

## Warehousing & Distribution

Phone: 580213  
580779  
Fax: 580411

Blackchurch,  
Rathcoole,  
Co. Dublin.

An Bord Pleanála,  
Irish Life Centre,  
Abbey St.,  
Dublin 1.



8th October 1991

6/5/85885

Re Planning Appeal by Myles Balfe, Colemanstown, Blackchurch, Rathcoole.

Dear Sirs,

We are tenants of premises at Blackchurch, Rathcoole, Co. Dublin which are currently under appeal following a recent decision of Dublin County Council. There were some objections to the original application and we would like to take this opportunity to state our case.

In January 1988 we began trading in this premises as a Warehousing/Storage company. We store Timber Sheeting inside the building and UPONOR pipe systems in the yard. When we moved into the premises it was an eyesore, a Plant Hire Company had operated from the premises for some years prior to our occupation and had left debris and general rubbish all over the site. We cleaned it up, erected fencing and put a hard core yard in which in general improved its appearance for all who passed by.

Our hours are from 9.00 am to 5.00pm so any traffic which may come to the yard comes between these hours when most people are at work themselves. The traffic to the premises does not pass any houses as they are further down the lane, past the yard. The traffic is substantially lighter than that which would come and go to a Plant Hire business. Also, our traffic is only part of the general comings and going on the lane from other commercial premises in close proximity.

We have tried, in this depressed economic climate, to make a living from a small business, we pay our taxes and have been invoiced for, and paid, commercial property rates. The company provides one full time and one part time job directly with a UPONOR sales executive operating from the premises also. At no time were we aware that the Planning was not correct we assumed that if it was correct for Plant Hire that it would be correct for us. Neither did any resident approach us with any complaint, which we would have done our best to accommodate. We are fully prepared to carry out any conditions attached to planning permission as a loss of the premises would certainly mean the end of the company and a loss of livelihood.

*Hugh Devlin*

*Claire Tope*

Vat Reg No: 487052DR  
Directors: Hugh Devlin, Claire Tope

Our Ref: PL 6/5/85885  
P.A. Reg. Ref: 91A/354

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

*Handwritten signature*  
27/9  
5 SEPT 91

Date: 24th September 1991.

**Appeal re:** Retention of store for farm and building  
pipework and timber sheeting at 'The Whims',  
Colemanstown, Blackchurch, Rathcoole, 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.

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

Yours faithfully,

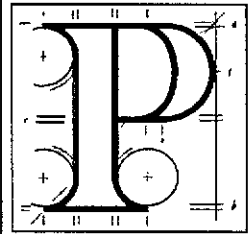
*Suzanne Lacey*  
Suzanne Lacey

Encl.

BP 555

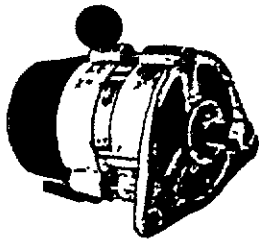
NKP,  
pa

An Bord Pleanála



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

# MYLES BALFE LTD.



FAST REPLACEMENT SERVICE

Replacement for Starters, Dynamos & Alternators Ex-Stock  
CAV - LUCAS - BOSCH - HINO - DELCO - BUTEC

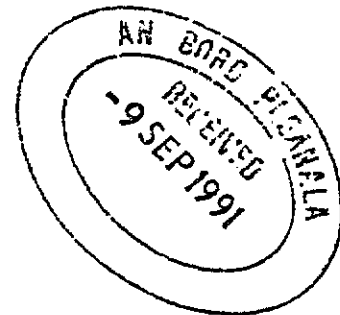


24/25 Phibsboro Road,  
Dublin 7  
Telephone: 307544, 307785, 306657  
FAX 307825

Red Gow, Naas Road,  
Clondalkin, Co. Dublin  
Telephone: 592676, 593930, 592371

September 6th, 1991

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



Appeal re; Retention of store for farm and building pipework and tember sheeting at "The Whins", Colemanstown, Blackchurch, Rathcoole, Co. Dublin

Your Ref; PL 6/5/85885  
P.A. Reg. Ref; 91A/354

Dear Sirs,

I refer to your letter of 23rd August regarding correspondence received from Mr. Noble.

I was wondering when the local trouble maker would get involved. If you believe in the fairy tales of Ireland, then it is up to you to make your own judgement on Mr. Nobles letter.

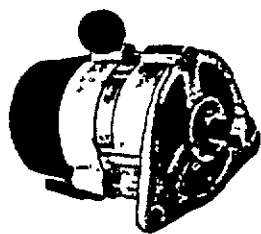
With regard to Mr. Nobles comments about Mr. Ryan. I myself work on trucks and I know cement block carriers and hi-abe trucks when I see them. Also cement bulk carriers. Mr. Ryan might drive a six wheeler truck. Might I say, I have no cribs with Mr. Ryan. He can do what he likes and he does not bother me. I don't particulary want to get into a slagging match with a neighbour. It serves no purpose. On point 10, I still stand by on what I say.

With regard to Mr. Nobles comments about Mr. Dukes. I did business with Mr. Toland when he moved to the Naas Road and knew ~~him well~~ ~~if he knew~~ what Mr. Noble was saying about him and his sons, he wouldn't be too happy. Seamus is doing very well. He bought land in Rathmore, Redbog, Co. Kildare and has his own plant hire business. He had this land bought when he got married. I would be writing all night on the Toland family. It is irrelevant.

All the plant on the sale list was the property of Toland plant and Mr. Fitzgerald would swear in court on that. There was also another list but you don't have this.

Contd.....

# MYLES BALFE LTD.



FAST REPLACEMENT SERVICE

Replacement for Starters, Dynamos & Alternators Ex-Stock  
CAV - LUCAS - BOSCH - HINO - DELCO - BUTEC



24/25 Phibsboro Road,  
Dublin 7  
Telephone: 307544, 307785, 306657

- 2 -

Red Cow, Naas Road,  
Clondalkin, Co. Dublin  
Telephone: 592676, 593930, 592371

This is a perfect example of a liar. This shed was closed in by myself. The remains of turf and logs is still in it and an old piano. I did not get time to clean it out yet and I am storing old barrells for Mrs McEntees son and a tractor, wooden boxes for firewood, some old starters and my oil heating tank. This garage has never been let or has any chemicals in it. I invited the council out anytime, day or night and that invitation stands any time. You would hardly think that I would store dangerous chemicals and live on the premises. Does he think I fell off cloud nine and banged my Head. This is more trouble making by Mr. Noble and I invite you to come and see for yourself.

With regard to Mr. Nobles comments about Mrs McEntee. Once again I have no bones to pick with the McEntees. I only answered their questions to the best of my ability.

I note Mr. Nobles letter is not signed by Mrs McEntee, Mr. Ryan or Mr. Dukes.

I didn't object to Mr. Nobles planning at Newcastle lately or any of his other speculation building projects in Naas or Sutton and many more.

With regard to his point about two business's operating from the Lane. Mr. Noble started all this hassle among the neighbours by going around canvassing for letters to be sent in objection and he is still trying to sell his house for the past couple of years to move out of the neighbourhood. I hope he has more success and good riddance.

With regard to Mr. Ryans Letter.

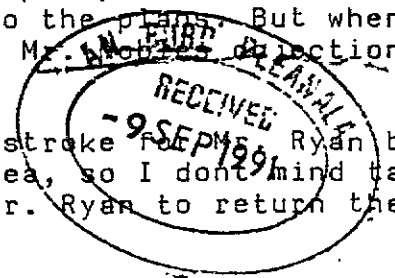
This is all irrelevant. It is all about Mr. Ryans business and I don't want to know his business. I am only interested in my own and most of the points I have already answered.

The two letters were written in conjunction with each other, as they are both bosom buddies.

If you check planning objections to Mr. Ryans property when Mr. Ludden was the owner you will see that Mr. Noble objected to the plans. But when his bosom buddy, Mr. Ryan bought off Mr. Ludden, Mr. Nobles objection was lifted.

Just for the record, he might be able to pull a stroke on Ryan but I have no intention of selling or leaving the area, so I dont mind taking on trouble makers. I suppose he is looking for Mr. Ryan to return the favour.

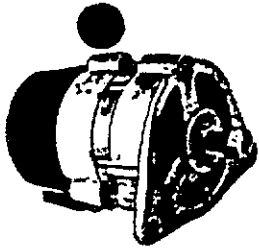
Reference point 8. The only time anything goes in or out is from 8.30am



contd.....



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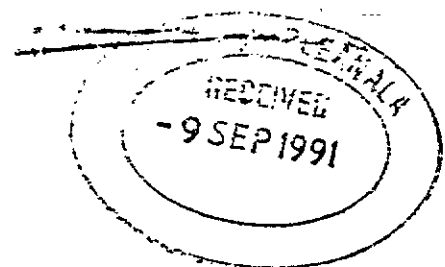
Telephone: 592676, 593930, 592371

- 3 -

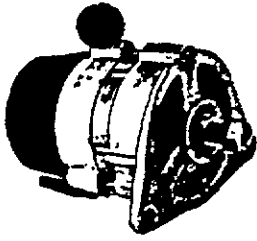
to 5.00pm Monday to Friday and if he sees anything else it must be the fairies.

Yours faithfully,

MYLES BALFE



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Clondalkin, Co. Dublin  
Telephone: 592676, 593930, 592371

September 6th, 1991

Your Ref; PL 6/5/85885  
P.A. reg. Ref; 91A/354

Dear Sirs,

I refer to your letter of 28th August regarding correspondence received from Mr. George Dukes.

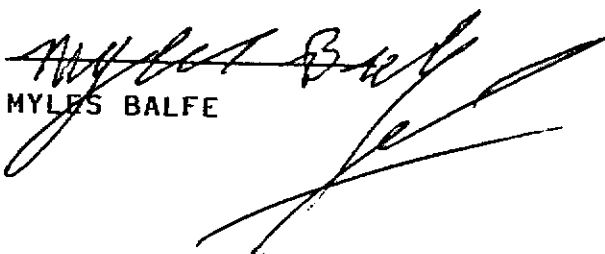
In reply to point 1. For the record I was the owner of the property when this joke was made. I would like to point out it is not unauthorised use. Toland plant hire was paying commercial rates on their property and I am also paying commercial rates.

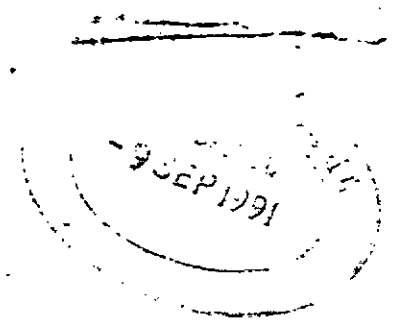
In reply to point 2. Well, obviously you didn't check out the area properly.

In reply to point 3. I would like to see the records of this.

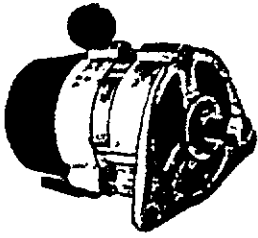
In reply to point 4. If there is 4 other business's operating in the lane they don't bother me and I dont' have any objections. The way I look at it is, It is jobs for people and I think it is important to have a job in this day and age no matter where it is.  
If you went about it the right way, you could get the lane surfaced no problem by the council.

Yours faithfully,

  
MYLES BALFE



# MYLES BALFE LTD.



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Red Gow, Naas Road,  
Clondalkin, Co. Dublin  
Telephone: 592676, 593930, 592371

September 6th, 1991

Your Ref; PL 6/5/85885  
P.A. Reg. Ref; 91A/354

Dear Sirs,

I refer to your letter of 29th August regarding correspondence received from Mrs McEntee.

Point 1. As regards an Industrial estate, this is grossly exaggerated.

Point 2. Whats good for the goose is good for the gander. Business is operated from your premises to Mrs McEntees and I did not object. Maybe you might stop and think for a minute.

Point 3. Your first letter stated that your wanted the council to tarmac the lane and now you are changing your mind.

Point 4. I am going to widen the lane myself and just for the record the council is responsible for the lane. As there is public lighting and people pay commercial rates plus all the cars, tractors and trucks pay road tax and this is what taxes are paid for.

Point 5. It is wholesale and not everybody can purchase from it.

Point 6. Just for the record I am paying rates and the council knows this. Just for your own record Toland was also paying rates.

Point 7. I only sent Toland plant hires list of goods to the council. I know there was other equipment for sale but the council only has Tolands list of goods. The auctioneer will verify this. As regards machinery at the premises, most of the machinery was locked in the shed or parked in the other one. I was there often enough to see this.

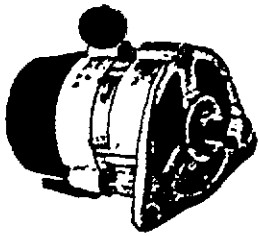
Point 8. This point is very debatable.

Point 9. Might I say it is for the benefit of the general area.

Point 10. Well, Surely I am not responsible for the state of the laneway. If you check it carefully, It is worse down your way and I surely don't be down that end of the lane.

contd.....

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Point 11. It is not industrial use I applied for. It was storage for farm and building pipework and timber sheeting.

Yours faithfully,



MYLES BALFE

Our Ref: PL 6/5/85885  
P.A. Reg. Ref: 91A/354

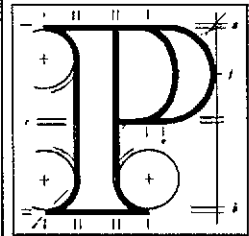
PK

9A

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

25 SEP 91  
9/9

An Bord Pleanála



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

Date: 29th August 1991.

**Appeal re:** Retention of store for farm and building pipework and timber sheeting at 'The Whims', Colemanstown, Blackchurch, Rathcoole, 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.

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

Yours faithfully,

Suzanne Lacey  
Suzanne Lacey

Encl.

BP 555



Colmanstown,  
Rathcoole,  
Co. Dublin

20th August 1991.

Reg Ref: 91A/354

---

Dear Sir/Madam,

This area(Colmanstown) is zoned Agricultural. I for one would hope that it is kept this way. No-one likes to be living in an Industrial estate and unless I do something about it soon it will be too late.

Possibly the residents in Colmanstown were a bit relaxed in the past and hence two business started up(without planning permission and to-date, still have none). Well I am no longer willing to sit back and will use my right to object to the full.

In Mr. Balfe's correspondence to you it is clear that he has written the total opposite and turned every objection around on those who wrote them. I want it made clear that I do not wish that the Council tarmac "My Premises" as stated by Mr. Balfe and I would much rather have the heavy traffic flow stopped going to Mr. Balfe's premises than ramps down the laneway.

Mr. Balfe says that he will give the Council 15 feet to widen the laneway. The Council have disowned the laneway at present because of such heavy traffic so I can't see them widening the laneway to allow more heavy traffic to flow on it.

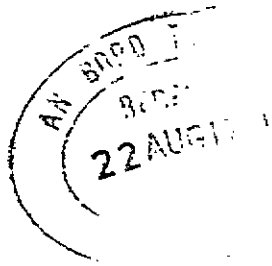
Mr Balfe says that he is using his premises for storage, yet anyone can purchase his goods from his premises.

Mr. Balfe states that he is paying commerical rates on his property, but has he shown you proof of same.

The Auction at Toland Plant may have had a lot of machinery and equipment but nearly all of these were brought in by the Auctioneer to make-up the Auction. Tolands family and the Auctioneer will varify this. Anyway Toland Plant Hire had their machinery and equipment out on hire and very seldom was any machine seen at Tolands premises.

Contd.....

Contd.....



Page 2.

As for Mr. Thomas Ryan I do not know what Mr. Balfe is talking about. Mr. Ryan drives one truck. It goes out in the morning from 8.30 - 9.00 am and does not return until 5.00 -6.00 pm. His truck is always empty when on the laneway.

Mr. Balfe has stated all the repair and decorations which he has carried out at his property. I do not see the relevance of this to my objection. I never objected to the condition of Mr. Balfe's property. Anyway it is all for his benefit, not mine.

I am totally against us residents and the business getting together to pay for the laneway to be tarmaced. Why should the residents pay when it is obvious that we are not the cause for the appalling state of the laneway at present.

I still further wish to state that I very strongly object to Mr. Balfe being granted permission to use his premises for industrial use.

I would be grateful if these comments are taken into consideration in determining Mr. Balfe's appeal.

Yours faithfully,

*Mary McEntee*

MARY MCENTEE & FAMILY

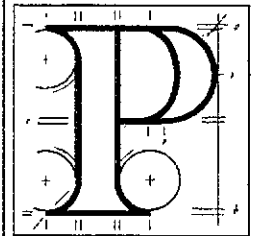
Our Ref: PL 6/5/85885  
P.A. Reg. Ref: 91A/354

9B.

The Secretary,  
Dublin County Council,  
Planning Section,  
Block 2,  
Irish Life Centre,  
Dublin 1.

*PK*  
*R*  
*3/9*

An Bord Pleanála



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

Date: 28th August 1991

**Appeal re:** Retention of store fro farm and building pipework and timber sheeting at "The Whims", Colemanstown, Blackchurch, Rathcoole, Co. 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.

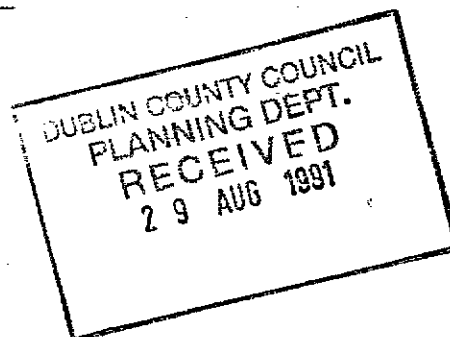
Please quote the above appeal reference number in any further correspondence.

Yours faithfully,

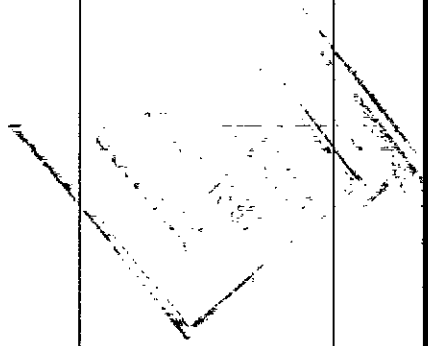
*Patricia Tobin*  
Patricia Tobin

Encl.

BP 555



*pls*

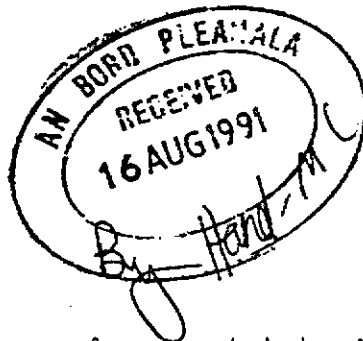




An Bord Pleanála  
Floor 3. Blocks 6 & 7.  
Irish Life Centre.  
Lower Abbey Street.  
Dublin 1.

Colmanstown  
Rathcoole.  
Co. Dublin.  
August 16<sup>th</sup> 1991.

Your ref: PL 6/5/85885.  
P.A. Reg. Ref.: 91A/354.



Dear Sir / Madam,

With reference to your letter dated July 30<sup>th</sup> 1991, enclosing copy letter from Mr Myles Balfe, we wish to make the following comments:

1. Island Plant Hire was not in operation when we purchased our house. In actual fact the property was for sale at the time, as the Auctioneers jokingly asked if we would be interested in purchasing it, as it was on the market. We do not object to Mr Balfe cleaning the place up - but we do object to unauthorised use of part of the property.
2. We were not aware of 4 businesses at that stage.
3. We were informed by our T.D that the Enforcement Officer had to insist on the removal of chemicals, and for no further storage of same on site.
4. We stand over our previous comments on the use of the lane by trucks visiting unauthorised business premises.

Our objections to planning retention are not a means of getting the road re-surfaced or widened as suggested by Mr. Balfe.

Yours faithfully,  
George Burke.

Our Ref: PL 6/5/85885  
P.A. Reg. Ref: 91A/354

*PK*  
*29/8*

DUBLIN COUNTY COUNCIL  
PLANNING DEPT.  
RECEIVED  
27 AUG 1991

CONTROL  
30 AUG 1991  
DEVELOPMENT

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

Date: 23rd August 1991.

Appeal re: Retention of store for farm and building  
pipework and timber sheeting at 'The Whims',  
Colemanstown, Blackchurch, Rathcoole, County  
Dublin.

Dear Sir/Madam,

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

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

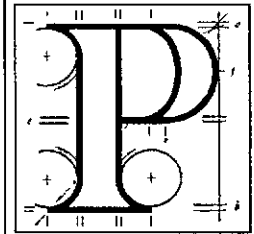
Yours faithfully,

*Suzanne Lacey*  
Suzanne Lacey

Encl.

BP 555

An Bord Pleanála



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

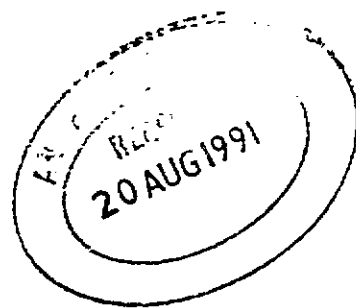
*ds*

589180

PL 6/5 85535

Reg. No. 91P/35H

Colmanstown,  
Rathcoole,  
Co. Dublin.



Dear Miss Sally.

Thank you for your letter of 30<sup>th</sup> July re retention of store at "The Linnis" Colmanstown Rathcoole. I would like to clarify some points raised by Mr. Baliff.

(1) There is only one small truck (6 wheel) kept on my premises which I drive myself daily.

(2) I have two other trucks which sometimes come on Saturdays for repairs when necessary. These are parked in Roadstone Dublin City Yard at Belgard where they operate from since 1969. Confidential

of this can be obtained if requested  
my trucks are never loaded when they  
use the lane.

3 I do not carry stone blocks at any time

4 I have always had worries about  
the condition of the lane which  
is deteriorating rapidly due to  
increased traffic.

5 I fail to understand how Mr. Balg  
can have me starting my truck at  
between 6 AM and 7 AM when I do not  
leave for work until 9:30 AM

6 I have has often seen a number  
of trucks on the lane waiting to  
cross the business on Mr. Balg's  
property and there is a hindrance  
to residents going to work

7 When Island Plant operated from  
these premises there was hindering

was generally on site and did not cause obstruction.

9. The cause of the unrest about the contents of the bids is the unusual hours in the past that traffic has gone in and out of them.

9. This may be but still does not alter the fact that it is unsuitable.

10. The burglar alarm on Mr Balfo's Private Property could not be effective as it is divided from the yard and sheds by a separate gate and fence.

10. It may be true that the business operated from here before 1955, but with our planning permission we are informed the area was good agricultural.

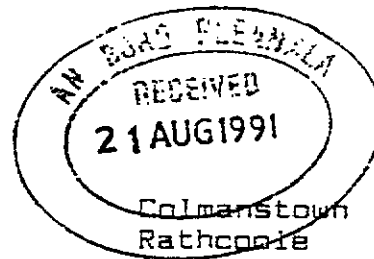
I am not using Mr Balfo (as he suggests) as a stick to

best the council with, just  
objecting to another business  
in an area which already has  
too much traffic, noise and  
Pollution. This is making  
life more uncomfortable for my  
family and the other residents

Thanking you

Yours faithfully

Tom Ryan



Colmanstown  
Rathcoole  
Co. Dublin  
19 August 1991

An Bord Pleanála  
Floor 3 - Blocks 6 & 7  
Irish Life Centre  
Lr Abbey Street  
Dublin 1

Your Ref: PL 6/5/85885  
P.A. Reg. Ref: 91A/354

Re: Appeal by Myles Balfe

Dear Sirs,

As a long-term resident of Colmanstown Lane, and on behalf of the other 3 residents, I feel I must repudiate the allegations/remarks made by Mr Balfe, in his correspondence to your office on 18 July last (your date stamp).

Reference to Mr Thomas Ryan

Mr Ryan is my immediate neighbour (actually next door), and Mr Balfe's allegations are completely untrue and exaggerated. Mr Ryan has 1 small truck which he himself drives, and which is housed in a proper garage at the rear of his residence. He does also have 2 trucks drawing bulk cement for Roadstone, but these are based and garaged in the Roadstone depot, and not next door. On a very odd occasion one or other may be down (but empty) for a possible minor repair, such as a puncture etc. on a Saturday, but never on a Sunday. And that is the full extent of so call 'continuous heavy traffic' into Ryans! As for noise in the early morning, Mr Ryan leaves for work around 9 a.m. every morning, and we never hear him going or coming. The block trucks and other heavy vehicles referred to by Mr Balfe go into Cullen's yard opposite Balfe's entrance - and we residents have been strongly objecting against this illegal use of a former farmyard for many years now, in an attempt to have an Enforcement Order placed on it to cease operating.

As for point no. 10, this is very typical of egotistical boasting - very childish and immature and also irrelevant.

/...

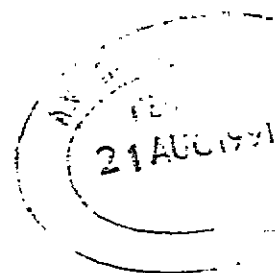
Reference to Mr George Dukes

Mr Toland and family came to live here in 1980. Mr Toland had several machines (diggers and bulldozers etc.) engaged in the construction business doing site development work at that time. These machines were all driven by Toland's own 4 sons, and, naturally the machines were always on site somewhere around the country. There was never any equipment around the yard and no one employed apart from the sons. Then in 1987/88, when the slump in the building was at its worst, machines were gradually brought into the yard, with no work available. Two sons went to America, one went back to Donegal, leaving the eldest Seamus (married with a family) in 1988. At this time Seamus, desperate to get work, placed a sign at the top of the field advertising plant for hire. But Mr Toland senior died that Christmas 1988. Then early 1989 the machines were to be sold, and, as is the custom, local auctioneer firm Fitzgerald brought in a considerable amount of other equipment to supplement the auction. Hence Mr Balfe's description of a 'scrap yard'. After the auction all the equipment was eventually removed. Mr Dukes moved into his house here in August of 1989.

On point no. 3 - what Mr Balfe refers to as his private garage was an open-ended lean-to shed, used by the Tolands to store turf and logs. This was subsequently closed in by Mr Balfe and was immediately used by him, when he moved here in Autumn 1989, to store various chemicals. We the residents objected vigorously to the Planning Office and to the minister for the environment about this blatant disregard of the laws concerning the storage of dangerous substances, and without planning approval. The chemicals were eventually removed, under pressure from the County Council (see herewith copies of letters from Chris Flood, I.D., and Dublin Planning Dept, Nov. 89). What is stored in that shed at present is open to conjecture.

Reference to Mrs McEntee

Mr Balfe has absolutely no right whatsoever to criticise, or even question, Mrs McEntee's reasons or motives in objecting to this unlawful, commercial development. Mrs McEntee is the original sole resident of this lane, farming here for over 30 years - I myself am living here 18 years. Naturally she is worried and upset about the heavy traffic, and the condition of the lane as a result of this traffic - we are all worried and upset. Furthermore the County Council flatly refuse to entertain any repairs, minor or otherwise, to the lane, because of this commercial traffic. They firmly state this area is zoned for agriculture, and will do nothing until this heavy traffic ceases.





Mr Balfe, who is not yet 2 years here, has the cheek and audacity to suggest that Mrs McEntee and the residents should join with him and finance expensive roadworks so that he can continue with his unlawful development. The man can't be serious!

As to the remaining points mentioned in his correspondence - about the improvements made, and all the money spent - well, all this is quite irrelevant and has no bearing on the case. Except, perhaps, he may think he can buy his way through the problem!

Trusting the residents' views and objections as well as those of the Planning Office, will receive due consideration in your final decision.

Yours faithfully,

*Noel C. Noble*

Noel C. Noble  
For the Residents  
Mrs Mary McEntee  
Mr Thomas Ryan  
Mr George Dukes

Encl.



DAIL ÉIREANN  
BAILE ÁTHA CLIATH, 2.  
(Dublin, 2).

CF/AL.  
9th November, 1989.

22, Birchview Lawn,  
Kinamanagh,  
Tallaght, Dublin. 24.

Telephone - 518574

Mr. Noble,  
Colmanstown Lane,  
Rathcoole,  
Co. Dublin.

Dear Mr. Noble,

Further to previous contact regarding the storage of chemicals at Colmanstown, Rathcoole, I wish to advise I have been in touch with Dublin County Council on the matter.

I enclose letter received from the Planning Enforcement Officer and I hope that progress can be made to deal with the matter properly.

I will continue to pursue the issue and will keep you fully advised.

Yours sincerely,

  
Chris Flood, T.D., M.C.E.

Encl.



Block 2  
Irish Life Centre  
Lower Abbey Street  
Dublin 1  
Telephone (01) ~~723773~~ 724755  
Fax No. 724896

Councillor Chris Flood, T.D..  
Dail Eireann,  
Dublin 2.

Our Ref. Enf. 7076

Your Ref.

Date

6th November, 1989

Re/ Storage of chemicals at Colmanstown, Newcastle


Dear Councillor Flood.

I refer to your recent enquiry concerning the storage of chemicals at Colmanstown.

The occupiers of the site in question have been informed that failure to cease this unauthorised use immediately will render them liable to legal proceedings under the Planning Acts. The Environment Department of the County Council and the Department of Labour, which administers the Dangerous Substances Acts, have been advised of the situation and also requested to investigate the matter.

I trust this clarifies the position for you.

Yours sincerely,

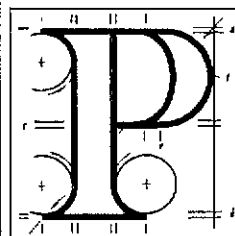
  
\_\_\_\_\_  
for Principal Officer

GH/PC

Our Ref: PL 6/5/85885  
P.A. Reg. Ref: 91A/354

*Handwritten initials/signature*

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.

09 AUG 91  
09 AUG 91

Date: 7th August 1991.

**Appeal re:** Retention of store for farm and building pipework and timber sheeting at 'The Whims', Colemanstown, Blackchurch, Rathcoole, 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.

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

Yours faithfully,

Suzanne Lacey  
Suzanne Lacey

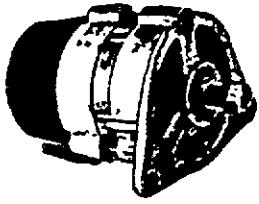


*Handwritten initials/signature*

Encl.

BP 555

# MYLES BALFE LTD.



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FAX 307825

Red Cow, Naas Road,  
Clondalkin, Co. Dublin  
Telephone: 592676, 593930, 592371

July 26th, 1991

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

Dear Sirs,

Your Ref; PL 6/5/85885

P.A. Ref: 91a/354

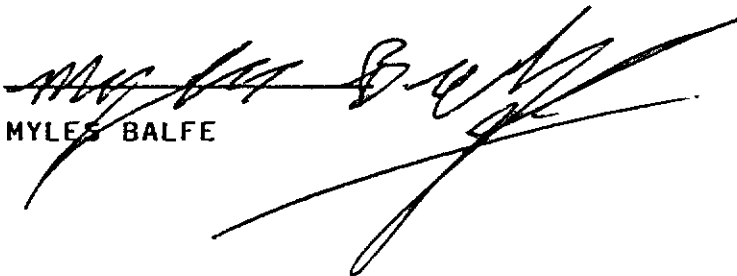
Please find enclosed list of items which were for sale at the clearance auction at Tolands Plant on 12th July, 1989.

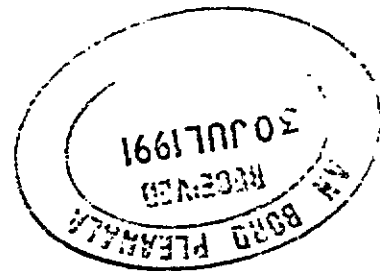
I apologise for the delay in forwarding same.

As you can see by the amount of goods sold at this auction, the volume of business and activity that was going on at these premises. Also I believe alot of machinery was sold before the auction but I have no factual proof of this.

I hope this is to your satisfaction.

Yours faithfully,

  
MYLES BALFE



# Jim Fitzgerald

AUCTIONEERS, VALUERS &amp; ESTATE AGENTS

CASTLEWARDEN, STRAFFAN, CO. KILDARE. TEL.: (01) 589662/588013 FAX: (01) 588013

## FACSIMILE

DATE: 26th, July, 1991.

PAGES: 5  
(INCLUDING THIS PAGE)

FAX NO: 307825

TO: MR. MYLES BALFE  
(ADDRESSEE'S NAME)

COMPANY:

SPECIAL INSTRUCTIONS:

DEAR MYLES,

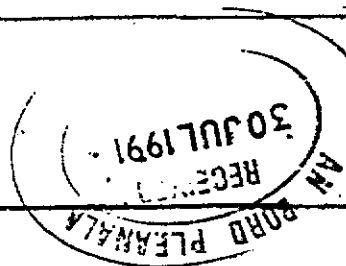
I ENCLOSE A CATALOGUE WHICH I HAVE COMPILED SHOWING THE  
ITEMS WHICH WERE FOR SALE AT THE CLEARANCE AUCTION AT  
TOLAND'S PLANT ON THE 12th, July, 1989.

TRUSTING THIS WILL BE OF ASSISTANCE TO YOU.

JIM.

FROM: JIM FITZGERALD

FAX NO: 588013.



RESIDUE AUCTION OF PLANT AND MISCELLANEOUS ITEMS.

ON SITE AT TOLAND'S PLANT, COLEMANSTOWN, RATHCOOLE.

12, JULY, 1989

COMMENCING: 12.00.

.....  
C O N D I T I O N S O F S A L E  
.....

1. SUBJECT TO RESERVE PRICES (IF ANY) THE HIGHEST BIDDER TO BE THE PURCHASER. SHOULD ANY DISPUTE ARISE THE LOT OR LOTS TO BE RESOLD OR AUCTIONEER TO DECLARE THE PURCHASER.
2. ALL LOTS TO BE TAKEN AS AND FROM WHERE THEY STAND WITH ALL FAULTS AND ERRORS OF DESCRIPTION IF ANY AND TO BE AT THE SOLE RISK OF THE PURCHASER AS AND FROM THE TIME OF PURCHASE. ALL LOTS BEING ON VIEW PRIOR TO SALE THE PURCHASER WILL BE DEEMED TO HAVE FULL NOTICE OF THE CONDITIONS THEREOF IN ALL RESPECTS AND THE AUCTIONEER MAKES NO WARRANTY WHATEVER IN ANY RESPECT.
3. THE AUCTIONEER RESERVES THE RIGHT TO CONSOLIDATE, DIVIDE, COMBINE OR ALTER ANY LOTS OR TO WITHDRAW ANY LOT OR LOTS BEFORE THE SALE OR TO CHANGE THE ORDER OF THE SALE.
4. THE AUCTIONEER TO REGULATE THE AMOUNT OR ADVANCE ON EACH BID AND NO BIDDING MAY BE RETRACTED. THE AUCTIONEER RESERVES THE RIGHT TO REJECT ANY BID.
5. ALL LOTS TO BE PAID FOR BEFORE REMOVAL TOGETHER WITH AUCTIONEERS FEES AND V.A.T. ALL PAYMENTS TO BE MADE IN CASH UNLESS PREVIOUSLY ARRANGED WITH AUCTIONEER.
6. PURCHASERS TO GIVE THEIR NAMES AND ADDRESSES AND IF REQUESTED PAY A DEPOSIT OF 20% IN PART PAYMENT FOR EACH LOT OR THE WHOLE OF THE MONEY ON THE FALL OF THE AUCTION.
7. ALL LOTS TO BE REMOVED BY THE PURCHASER AS AND WHEN SPECIFIED BY THE AUCTIONEER. FAILURE BY ANY PURCHASER TO COMPLY WITH THE ABOVE CONDITIONS WILL RESULT IN UNRESOLD LOTS BEING RESOLD BY PUBLIC AUCTION OR PRIVATE TREATY AND ANY DEFICIENCY OR EXPENSE INCURRED TO BE MADE GOOD BY DEFAULTING PURCHASER.

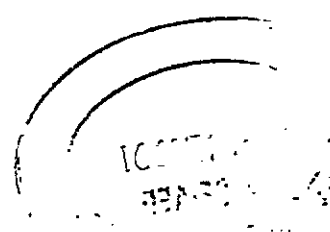
.....  
ALL PURCHASES TO BE PAID FOR AND REMOVED THE EVENING OF THE AUCTION.

TERMS: CASH PLUS 5% FEES PLUS V.A.T. ON FEES.

J I M F I T Z G E R A L D, A U C T I O N E E R S.

CASTLEWARDEN, STRAFFAN, CO. KILDARE.

PHONE: 01 - 589662.



LOT.

79 SIX ASSORTED BATTERIES  
 79a BENCH VICE & TIMBERS  
 80 PR. ACRO PROPS  
 79b PR. GREASE GUNS  
 79c DITTO  
 81 SMALL ACRO PROP  
 81a PR. CHAIN VICES  
 82 PR. ACRO PROPS  
 81b PR. BOLT CUTTERS  
 83 5 TUBES  
 84 DITTO  
 85 DITTO  
 86 DITTO  
 87 DITTO  
 88 DITTO  
 89 DITTO  
 90 DITTO  
 91 DITTO  
 92 DITTO  
 93 DITTO  
 94 DITTO  
 95 DITTO  
 96 OLD BRIGGS LAWNMOWER ENGINE  
 97 ELECTRIC FENCE UNIT  
 98 MOTORISED BATTERY CHARGER  
 99 OLD MOBILE PETROL DR. WADER  
 100 BATTERY CHARGING UNIT  
 101 150 GAL ENGINE OIL TANK  
 102 300 GAL DITTO  
 103 SINGLE DRUM TIPPING RAMP  
 104 SIMILAR  
 105 COLLECTION SPARE RAMPS  
 106 POWER WASH CLEANER  
 107 GARAGE HOIST  
 108 GARAGE TROLLEY  
 109 LARGE DITTO  
 110 DITTO  
 111 CONTROL HEATING UNIT  
 112 COLLECTION TRUCK FLAPS  
 113 3 TRUCK TYRES

LOT.

114 COLLECTION OF FLAPS  
 115 DITTO  
 116 GARAGE TROLLEY  
 117 DITTO  
 118 ROAD SWEEPER  
 119 GAS HEATER  
 120 6 BOX WELDING RODS  
 121 FLAPS  
 122 LOCKING RINGS  
 123 TUBES  
 126 1,000 GAL TANK  
 127 DITTO  
 128 SPECIALISED TOOLS  
 129 SITE HUT  
 130 GARAGE TROLLEY JACK  
 131 TIPP RAM  
 132 DITTO  
 133 VULCANISER  
 134 HYD. TRUCK JACK  
 135 RACK JACK  
 136 DITTO  
 137 DITTO  
 138 CONTENTS  
 139 DITTO  
 140 DITTO  
 136a DITTO  
 141 DITTO  
 142 DITTO  
 143 DITTO  
 144 DITTO  
 145 DITTO  
 146 DITTO  
 147 OIL TANKS & PUMP  
 148 DITTO  
 149 DYNAMOES & MOTORS  
 150 STARTER MOTORS  
 151 ~~CONTENTS~~  
 152 DITTO & FILTERS  
 153 CONTENTS  
 154 DITTO



LOT.

155 CONTENTS  
156 DITTO  
157 INJECTOR PUMPS  
158 CONTENTS  
159 HYDRAULIC RAMS  
160 CONTENTS  
161 DITTO  
162 DITTO  
163 DITTO  
164 HOSES  
165 DITTO  
165b DITTO  
166 BOTTOM BIN C.  
167 COLL. FILTERS  
168 DITTO  
169 STORAGE CABINES  
170 BRAKE SHOES  
171 CONTENTS MISC.  
172 HYD. HOSES  
173 CONTENTS  
174 DITTO  
175 DITTO  
176 DITTO  
177 WIRE ROPES  
178 PULLEY WHEELS  
178a ROPES & DRIVE SHAFT  
179 CONTENTS  
181 MOTORS ETC..  
182 PULLEY WHEELS  
183 LINERS  
184 CONTENTS  
186 AIR HOSES  
187 LINERS  
188 CONTENTS  
189 LARGE HOSE  
190 LEAF SPRINGS  
191 MISC ITEMS  
192 FAN BELTS  
193 TRACTOR FUEL TANK  
194 MISC ITEMS

LOT.

195 MISC ITEMS  
196 FAN BELTS  
197 DITTO  
198 LEAF SPRINGS  
199 RING GEAR  
200 HOSES  
202 WHEEL BRACKET & ROPE  
203 MISC ITEMS  
205 HOSES  
206 HOLDING JONTS  
207 HOSES  
208 CONTENTS  
209 DITTO  
210 CONTENTS  
211 CONTENTS NUTS & BOLTS  
212 DITTO  
213 - 238 CONT. NUTS & BOLTS  
239 STORAGE PARTS  
240 CRANE HOOK  
240a JACK HAMMER  
241 BLOCK LING BOARD  
242 MOTORISED FUEL PUMP  
243 THREADING MACHINE  
244 PR. FILING CABINETS  
245 GRAMAPHONE RADIO  
246 WIRE ROPES  
247 VALUE CUTTING GEAR  
248 DITTO  
249 DITTO  
250 DITTO  
250a GLASS / PP  
250b TROLLEY  
251 PR. SLINGS  
260 COLL. GASKETS  
261 WORK BENCH  
261a 4 TYRES  
262 LAND ROVER ROOF RACKS  
263 ROAD SIGNS  
263a 4 TYRES  
264 ROAD CONES

LOT.

- 265 2 WHEEL DUMPER
- 266 RED 600 GAL TANK
- 266a RED CONTAINER
- 267 YELLOW SQ. 600 GAL.
- 268 200 GAL FUEL BOWSER
- 269 HEAVY DUTY TRAILOR
- 269a ROAD SWEEPER ETC..
- 270 3 GAL. WATER TANKS
- 271 PORTO CABIN
- 272 COMPRESSOR
- 273 30 TON TRAILOR
- 275 4 TON TRAILOR
- 276 HEAVY DUTY TRAILOR
- 277 SKYES WATER PUMP
- 278 DITTO
- 279 WELDER, 300 AMP
- 280 S.DRUM ROLLER
- 281 DITTO
- 282 VIBROMAX ROLLER
- 282a GREEN GENERATOR
- 283 1000 GAL TANK
- 284 2000 GAL TANK ON TRACTOR
- 284a GATES AND PILLARS
- 285 TRAILER REMNANT
- 286 TRUCK, TYRES & WHEELS
- 287 ONE OLD PLOUGH
- 287a SCAFFOLDING
- 288 FODEN
- 289 FORD 4D CRANE
- 290 HEC TRACT. UNITS
- 291 PIPES WHEEL RIMS
- 292 LOADING SHOVELS
- 293 USED "
- 294 EX BUCKETS
- 295 CRANE HOOKS
- 296 TIPPING BODY
- 297 TOWING DOLLEY
- 298 KOMATSEE
- 299 MP DIGGER
- 300 HYMAC
- 301 1978 HINO TIPPER

LOT.

- 302 1975 HINO TIPPER
- 303 CAR TRAILER
- 304 DIESEL ENGINE
- 305 BOXES
- 306 RAMS
- 307 FORK LIFT TRUCKS
- 308 DITTO
- 309 VOLVO DUMP TRUCK TYRE
- 310 VOLVO TYRE
- 311 TWO TYRES
- 312 TYRE TRIM
- 313 TYRE

- A LOTS:
- TIPPER BUCKET
  - CRANE ON TRUCK
  - AEC
  - PIPES WHEELS RIMS ETC..
  - TRAILER BESIDE CRANE
  - 6 H GIRDERS ETC..
  - 8/9 H GIRDERS
  - LARGE H GIRDER
  - PILLERS AND GATES
  - CIRC. PIPES
  - POST HOLDERS
  - 2 STEEL WATER TANKS
  - 2000 GAL ESSO PETROL CO.
  - STEEL ROPE
  - TYRES WHEELS
  - OLD PLOUGH

Our Ref: PL 6/5/85885  
P.A. Reg. Ref: 91A/354

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

Date: 30th July 1991.

**Appeal re:** Retention of store for farm and building  
pipework and timber sheeting at 'The Whims',  
Colemanstown, Blackchurch, Rathcoole, County Dublin.

Dear Sir/Madam,

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

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

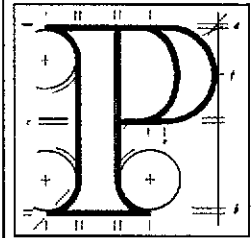
Yours faithfully,

Suzanne Lacey  
Suzanne Lacey

Encl.

BP 553

PA  
An Bord Pleanála



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

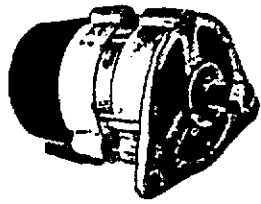
*Handwritten initials/signature*

*Handwritten initials 'DOS'*

DEVELOPMENT  
CONTROL  
12 AUG 1991

06 AUG 91

# MYLES BALFE LTD.



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Replacement for Starters, Dynamos & Alternators Ex-Stock  
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FAX 307825

Red Cow, Naas Road,  
Clondalkin, Co. Dublin  
Telephone: 592676, 593930, 592371

July 17th, 1991

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



Dear Sirs,

Ref; PL 6/5/85885

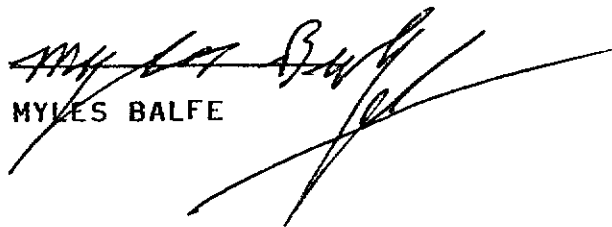
P.A. Reg. Ref; 91A/354

Appeal Re; Retention of store for farm and building pipework and timber sheeting at the "Whims", Colemanstown, Blackchurch, Rathcoole, Co. Dublin.

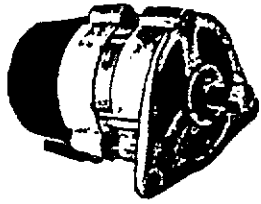
I refer to your letters of 3rd and 8th inst. and enclose herewith my replies to same together with maps.

I hope this is to your satisfaction.

Yours faithfully,

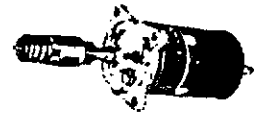
  
MYLES BALFE

# MYLES BALFE LTD.

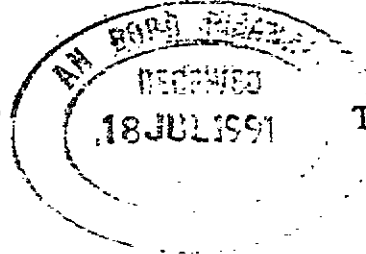


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Clondalkin, Co. Dublin  
Telephone: 592676, 593930, 592371

Reg. Ref; 91A/354

Reply to letter of objection from Mrs McEntee.

1. This is not true. I do not know who gave Mrs McEntee this information but it is definitely not true.
2. Obviously from her points, Mrs McEntee wants the Council to tarmac her premises. My suggestion would be for the 6 properties in this lane to put so much ahead and get the laneway tarmaced.
3. I agree with Mrs McEntee's point as regarding the exit. I am going to give the Council 15 feet to widen the laneway.
4. Once again, from the contents of this letter, Mrs McEntee is using me against the Council to get the laneway tarmaced to her premises

I would like to point out that there was a sale of all Toland Plant Hire and equipment when he sold the premises. This will give you an idea of the movement of plant machinery used previously on this premises. I enclose a copy of the auction list.

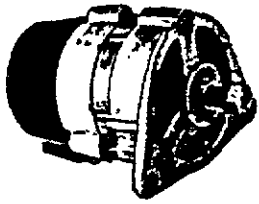
I hope that by examining the residents letters carefully, you will see that I am being used in order to get the Council to improve the laneway My suggestions for improving the laneway would be;

1. The residents are worried about traffic. I would incorporate ramps in the laneway.
2. I would get together with the Council and residents and all pay for the improvement of the laneway.
3. I am paying commercial rates on this property since I bought it.
4. I have spent quite a considerable amount of money cleaning up this property and if any member of the Council would like to come out, I would be only too delighted to show them the improvements which I have done in the last 2 years.

Contd.....

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FAST REPLACEMENT SERVICE

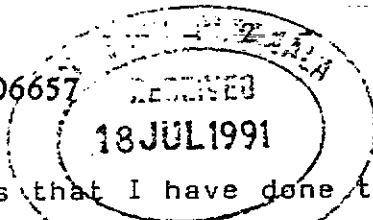


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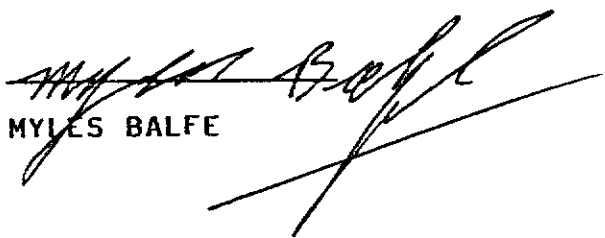


Some of the improvements that I have done to the property include

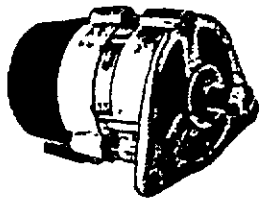
1. I have painted and repaired both sheds including the roof and gutters.
2. I have covered the yardway with stone chippings.
3. I have erected 2 pair of gates and painted them.
4. I have repaired and painted the gate pillars at the entrance to the property.
5. I have sectioned half the property with green metal fencing.
6. I have kept the gardens nice and neat and have planted many trees.
7. I have repaired, improved, and painted the whole house on the property.

As you can see, I have spent time and money on improving my property and still have alot more to do in the future, which I hope won't take too long to finish.

Yours faithfully,

  
MYLES BALFE

# MYLES BALFE LTD.



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Clondalkin, Co. Dublin  
Telephone: 592676, 593930, 592371

Reg. Ref; 91A/354

Reply to letter of objection from Mr. George Duke

1. Mr. Dukes house was built by Toland Plant Hire and he bought the house knowing that there was a plant hire in existence. In buying his house, he knew the Tolands plant hire at that time was like a scrap yard. I cannot understand why he is suddenly changing his mind and objecting to me cleaning the place up.
2. When Mr. Dukes purchased his house, he knew that there was at least 4 business's operating from this lane.
3. The council was onto me about the storage of chemicals and I invited them out to inspect the sheds and my house any hour, day or night. The gentleman that arrived out was very happy at what he had seen and the Council is welcome to inspect these premises any time they wish.

As regards letting any of this property - this is not true. The second storage shed is my private garage and I do not think it is any business of Mr. Dukes. I do not go and ask Mr. Dukes what he stores in his garage.

If you call buying a house to live in speculation, I would wonder what Mr. Dukes bought his house for.

4. In case Mr. Dukes didn't know, half the countrys trucks and cars were stuck in the snow last year. 5 to 6 hours were grossly exaggerated. The truck that was stuck in the snow was driven by a Mr. Jack McNally and he had nothing to do with my premises.

As regards the truck that overturned. This driver was inexperienced. He drove up onto the bank coming into the lane not realising it was a soft bank and so overturned.

As regards trucks waiting in the lane to get into the yard, this is grossly exaggerated and does not happen.

If we are talking about some things being an eyesore from the Dublin/Naas dual carriageway one just has to look at some of the other neighbouring properties.

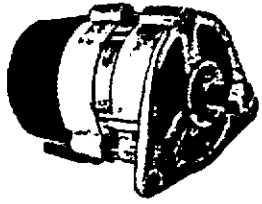
Yours faithfully,

MYLES BALFE

Registered in Ireland, Reg. No. 36958  
Directors: Myles Balfe, Esther Mary Balfe

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Clondalkin, Co. Dublin  
Telephone: 592676, 593930, 592371

Reg. Ref. 91A/354

Reply to letter of objection from Mr. Thomas Ryan

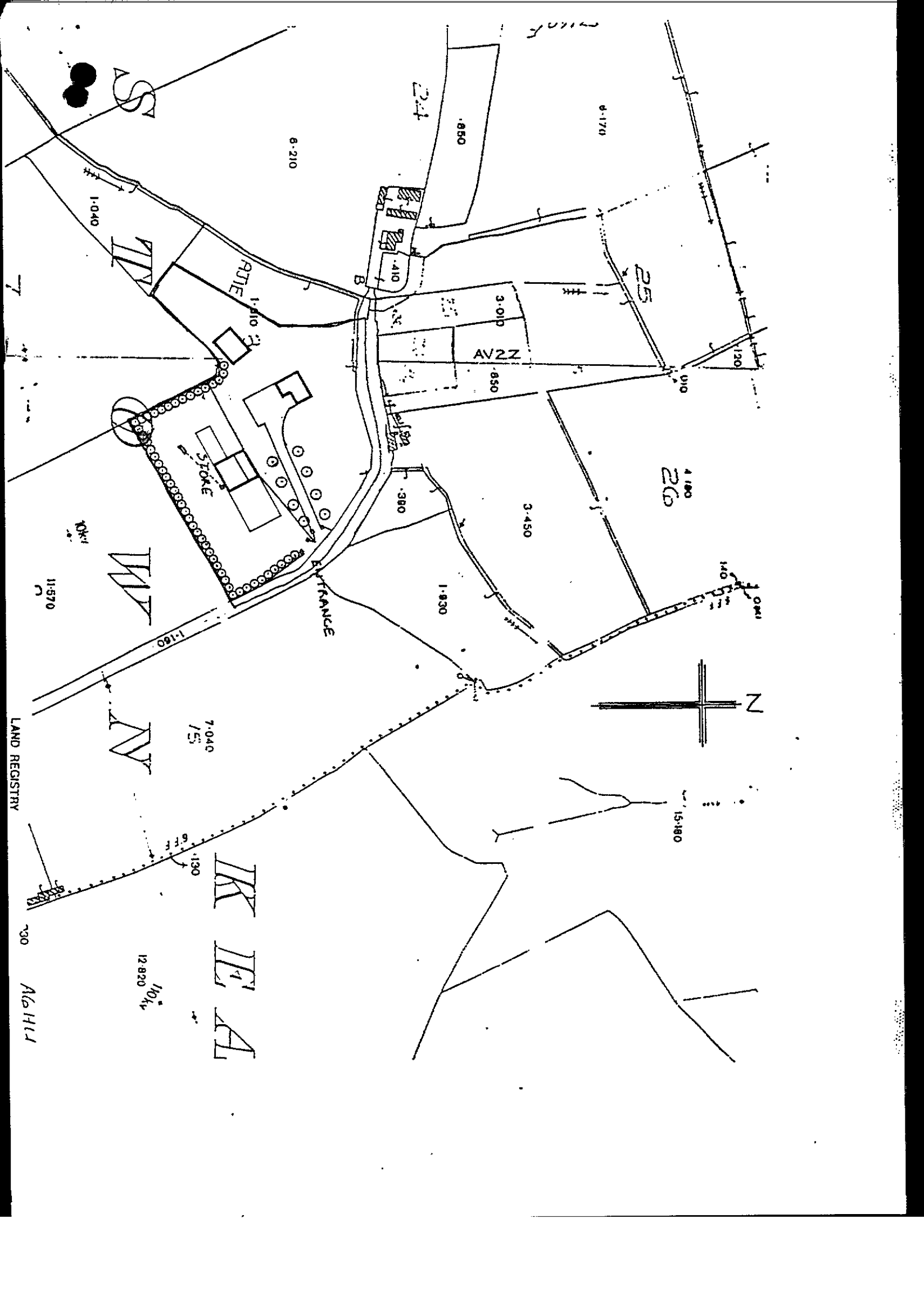
1. This is not true. It is grossly exaggerated. Mr. Ryan has just as much Roadstone trucks going into his premises.
2. The road was used for many heavy trucks before I purchased the property. The highest tonnage is going into Mr. Ryans premises, especially on Saturdays and Sundays.
3. Mr. Ryans trucks are bulk carriers and the Roadstone trucks carry alot of stone blocks which destroy the lanes surface.
4. It has been suitable for Mr. Ryan and his heavy trucks for the last many years.
5. The only noise I hear in the area is Mr. Ryans trucks going out between 6.00 and 7.00 am in the morning, revving up their engines to build up the air in the brakes.
6. This is grossly exaggerated.
7. There is less traffic movement to this yard. There was much more excessive traffic when it was a plant and machinery hire area.
8. I do not ask Mr. Ryan can I go down and ask what he is storing and what is in his sheds.
9. This is not true. This area has been used commercially for the last 20 years at least.
10. I am living on these premises and I have alarms and security lights. I also have stronger means of security which I do not wish to mention - though you would hear all about it if a burglar did happen to visit the premises.
11. There was already a plant hire business and pallet business operating since before 1985.

My own point of view is that Mr. Ryan cannot be using me as a stick to beat the council with, for to get the laneway tarmaced into his premises.

MYLES BALFE

Registered in Ireland, Reg. No. 59958  
Directors: Myles Balfe, Esther Mary Balfe





S

ROUTE

AV2Z

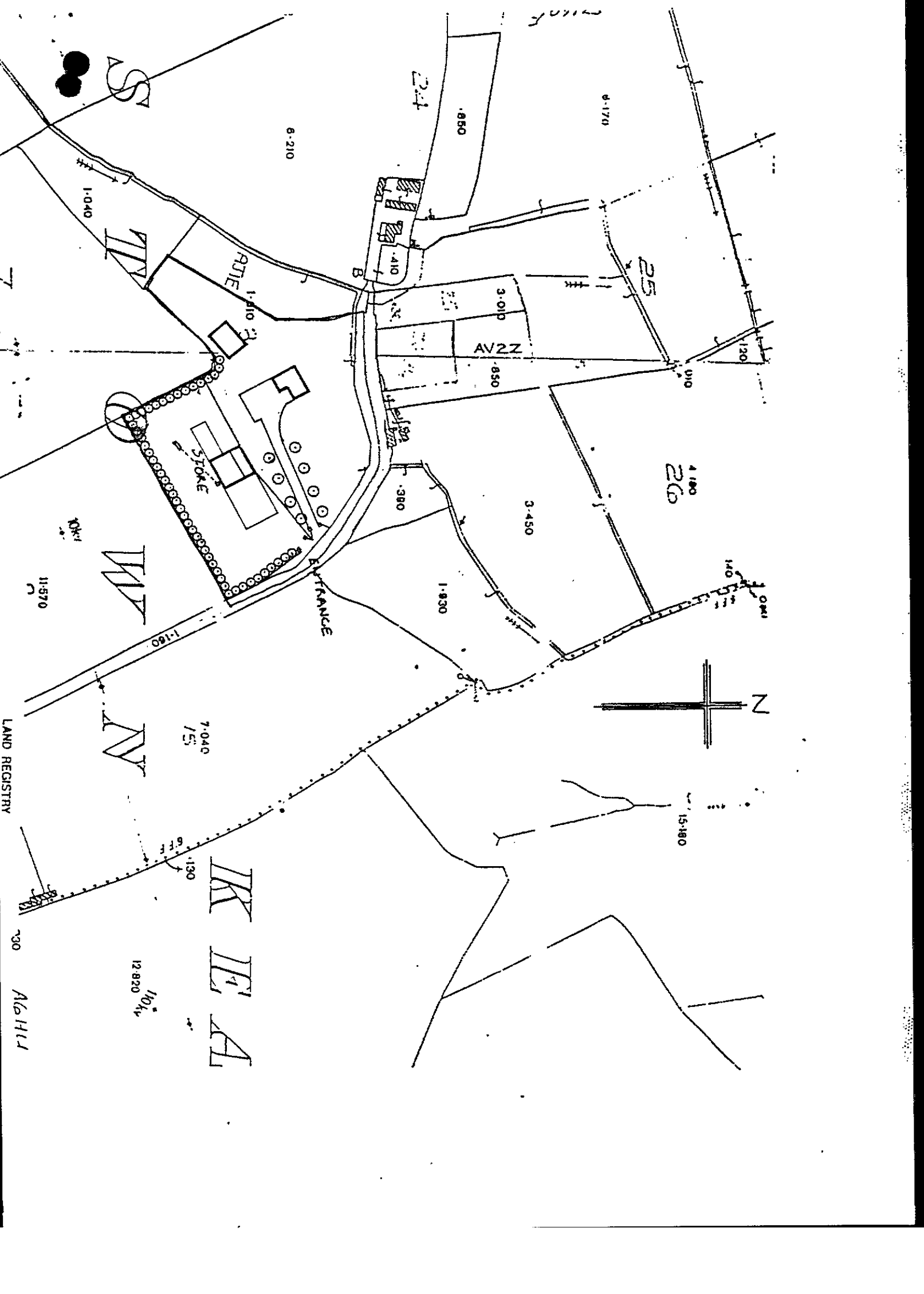
STAKE

FENCE

B

LAND REGISTRY

M6H11



7

10M

11-570

LAND REGISTRY

1-30

M6H11

10

12-820

1-130

1-040

6-210

1-410

3-010

1-850

3-450

1-830

1-160

7-040

15

1-130

10

12-820

15-180

1-40

1-0M

10M

11-570

LAND REGISTRY

1-30

M6H11

10

12-820

1-130



W  
E  
A

2-4

1-850

8-170

2-5

1-120

4-180

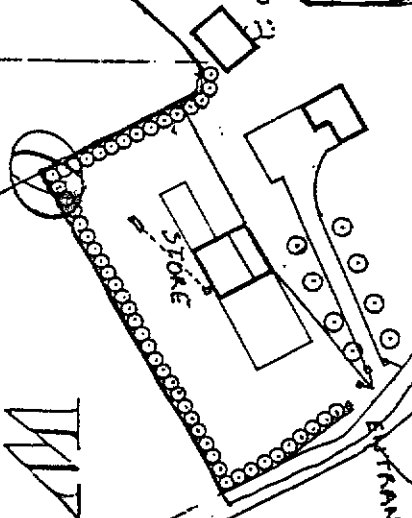
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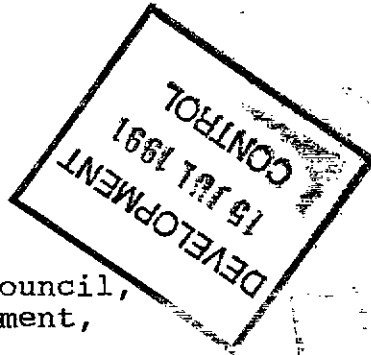
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N

15-180



Our Ref: PL 6/5/85885  
P.A. Reg. Ref: 91A/354



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

10 JUL 91

Date: 8th July 1991.

**Appeal re:** Retention of store for farm and building pipework and timber sheeting at 'The Whims', Colmanstown, Blackchurch, Rathcoole, County Dublin.

Dear Sir/Madam,

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

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

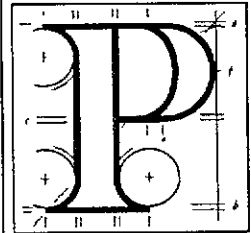
Yours faithfully,

  
Suzanne Lacey

Encl.

BP 553

PA  
An Bord Pleanála



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

Colmanstown,  
Rathcoole,  
Co. Dublin.

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

3rd July 1991

Register Reference: 91A/0354

Dear Sirs,

We have been notified of an appeal by Myles Balfe in connection with the refusal of permission to retain store for farm and building pipework and timber sheeting at The Whins, Colmanstown, Blackchurch, Rathcoole, Co. Dublin - your ref: P/2050/91 dated 09.05.91. We refer to our letter dated 1st May 1991, copy attached, objecting to the retention, and wish to state that this objection still stands.

We also wish to add that not only would such a development be an eye-sore from the point of the Dublin/Naas dual carriageway, it would be even more so from the point of view of the residents of the area. Also, as stated in our original letter, the danger from heavy vehicles to the residents of Colmanstown, as well as the obvious hazards on the dual carriageway and at the junction of the very minor road to Colmanstown.

We trust that these points will be taken into consideration when considering the appeal by Mr. Balfe.

Yours faithfully

*George Duke*  
George & Sandra Duke.

Encl. 1

AN BORD PLEANALA
Received <u>5/7/91</u>
Fee: <u>15.00 cash</u>
Receipt No. <u>B23840</u>

Colmanstown,  
Rathcoole,  
Co. Dublin.

The Principal Officer,  
Dublin County Council,  
Planning Department,  
Block 2,  
Irish Life Centre,  
Lower Abbey Street,  
Dublin 1.

Register Reference: 91A/0354

1st May 1991



Dear Sirs,

It has come to my attention the Mr. Myles Balfe has applied for Permission to retain store for farm and building pipework and timber sheeting at The Whins, Colmanstown, Blackchurch. I wish to oppose that retention for the following reasons:-

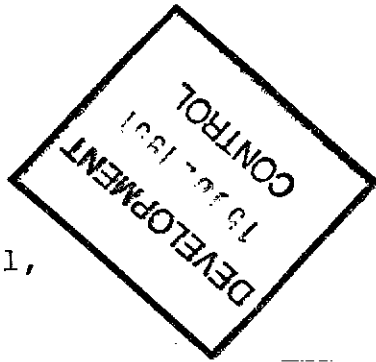
1. This retention is not in accordance with the Dublin County Development Plan and would have a detrimental effect on our private residence.
2. The applicant's total disregard for the planning laws to date. Immediately on buying this property Mr. Balfe used it for the storage of chemicals. When the enforcement officers stopped this he then rented the yard portion to the pipe company, who are in fact at present trying to sublet part of it. The second store on the property, which is very close to our home, is presently being used to store scrap and starters etc, which I presume are from the business of Myles Balfe Ltd.- Auto repairs. The retention being applied for does not seem to mention this? This appears to be a real case of property speculation.
3. The unsuitability of the lane down to McEntees farm for developments of this nature. In the space of the last year this lane has been closed on some occasions due to large lorries sticking in the snow, for example during January this year a lorry blocked all access to the private dwellings for up to 5 or 6 hours - also lorries turning off the dual carriageway at a very high speed - one of which crashed (your Mr. Jim McInerney witnessed this incident himself) - In this case if any of the occupants of Colmanstown had been coming out of the lane they could have been killed. Recently two residents, on separate occasions, have had to jump into the ditch while walking or cycling to avoid being hit. On some occasions as many as four articulated lorries have been parked in the lane in the morning waiting for this yard to open, and have blocked the lane.

We trust that this opposition will be brought to the immediate attention of the Dublin Planning Officer in relation to the above application. We must again stress the unsuitability of the area for any development of this kind, and the effects such a development would have on our private dwelling and to our safety.

Yours faithfully

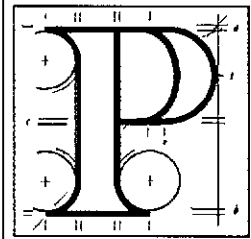
*George & Sandra Duke*  
George & Sandra Duke.

Our Ref: PL 6/5/85885  
P.A. Reg. Ref: 91A/354



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

PA  
An Bord Pleanála



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

10 JUL 91

Date: 8th July 1991.

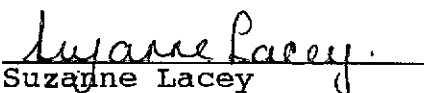
**Appeal re:** Retention of store for farm and building pipework and timber sheeting at 'The Whims', Colemanstown, Blackchurch, Rathcoole, County Dublin.

Dear Sir/Madam,

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

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

Yours faithfully,

  
Suzanne Lacey

Encl.

BP 553

589180

DATE	4/7/91
AMOUNT	£15.00
REGISTER REFERENCE	91A/0354B
	23524

Colmanstown,  
Rathcoole,  
Co. Dublin.

2<sup>nd</sup> July 1991

Dear Sir,

Thank you for your letter of 6<sup>th</sup> June informing me that an appeal has been lodged in connection with the above register reference.

I am objecting to the granting of the appeal on the same ground of my first objection a copy of which is enclosed.

Also enclosed is a cheque for £15 which you say must accompany this objection.

Yours faithfully  
L. Ryan

Colmanstown,  
Rathcoole,  
Co. Dublin.  
April 23rd, 1991.

Planning Department,  
Block 2,  
Irish Life Centre,  
Lr. Abbey Street,  
Dublin 1.

Dear Sir/Madam,

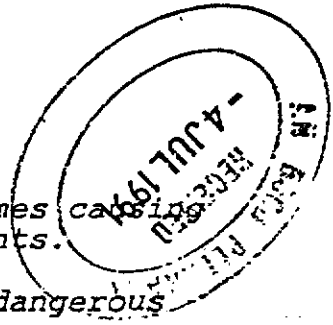
Re: Register Reference No: 91A 354.

I am writing in connection with the above in the name of  
Myles Balfe.

I object to this application on the following grounds:

- 1) Too much extra traffic has been generated on the road.
- 2) The road is not suitable for heavy traffic.
- 3) The road is degenerating very badly with the excessive traffic.
- 4) Access along the roadway is impossible.
- 5) Noise and pollution is excessive.
- 6) Traffic uses the road at unreasonable times causing a nuisance and hindrance to local residents.
- 7) The excessive traffic on the roadway is dangerous and an unnecessary hazard.
- 8) The contents of the sheds is not easily discernible and thereby causes unrest for the local residents.
- 9) The area is unsuitable for commercial usage and only previously used by local residents.
- 10) There is no security on the premises, thereby possibly inviting criminal tendencies late at night.
- 11) Our own initial planning in 1985, stated the area was zoned agricultural.

I have enclosed a copy of the approval, and would draw you attention to conditions 5 and 6, and the reasons for same.



Taking all the foregoing into consideration, I strongly object to the planning application.

An acknowledgement of this letter would be appreciated and I would be grateful if my objections are voiced when the application is being processed.

Yours faithfully,

  
Thomas Ryan.



Our Ref: PL 6/5/85885  
P.A. Reg. Ref: 91A/354

10 JUL 91

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



Date: 3rd July 1991.

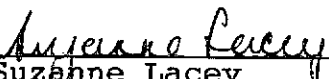
**Appeal re:** Retention of store for farm and building pipework and timber sheeting at 'The Whims', Colemanstown, Blackchurch, Rathcoole, County Dublin.

Dear Sir/Madam,

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

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

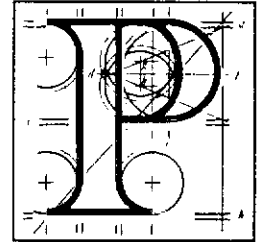
Yours faithfully,

  
Suzanne Lacey

Encl.

BP 553

*PK*  
An Bord Pleanála



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

I

COLUMNSTOWN,  
RATHCOOLE,  
CO. DUBLIN.  
28/6/91

RE:- Register Reference: 91A/0354.

11/4/31  
115 chq  
B23762

Dear sir/madam,

I again write to you in relation to the above. I further wish to object to Mr Balfe being granted permission for storage of farm and building pipework, etc at Colmstown. My reasons for this objection are the same as previously wrote. The main ones being;

① MR Balfe is not only storing but is also selling goods from these premises.

②. The "laneway" to MR Balfe's premises, which incidently is for agricultural purposes only, is not suitable to take the artic-truck lorries, etc which are now using it. I refer to; (a) the lanes width and (b) the lanes surface.

The width of the lane only allows one vehicle to travel on it at one time. This coupled with the fast moving trucks makes it dangerous to travel on the lane when meeting this heavy traffic on the lane laneway one has to drive up onto the banks

each side of the <sup>II</sup> lane.

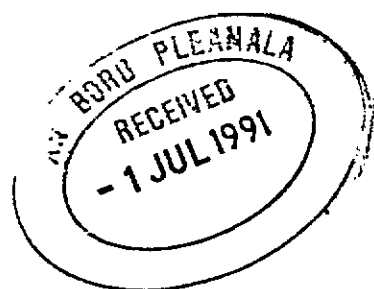
The lanes surface is in dire need of repair. The County Council refuse to repair it as it is not being used for its original purpose. i.e. agricultural purposes.

③ The entrance to Mr Balfe's business is on a blind corner. It is impossible to see the traffic exiting from his premises.

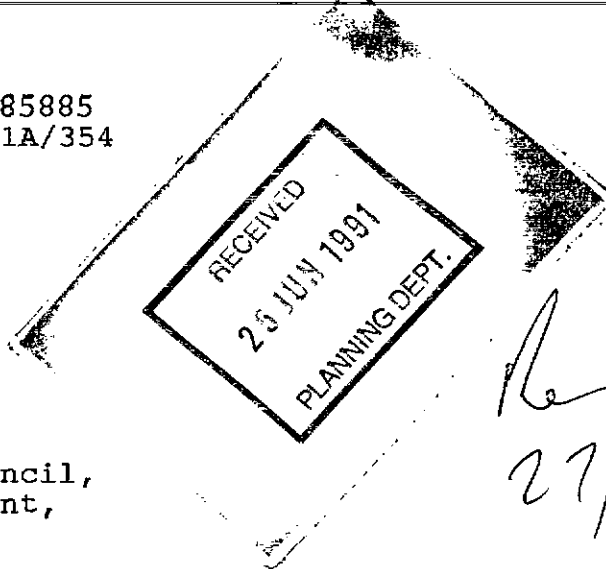
Colmanstown is a residential and agricultural area which we hope is kept this way. I hope this matter receives the justice it deserves and make life for my family and I a lot more pleasant.

I am,  
Yours Faithfully

MRS. MARY McEntee.

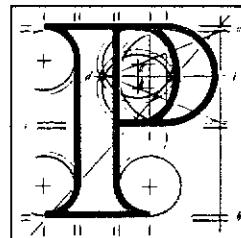


Our Ref: PL 6/5/85885  
P.A. Reg. Ref: 91A/354



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

An Bord Pleanála



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

Date: 21st June 1991.

25 JUN 91

**Appeal re:** Retention of store for far and building pipework and timber sheeting at 'The Whins', Colemanstown, Blackchurch, Rathcoole, County Dublin.

Dear Sir/Madam,

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

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

Yours faithfully,

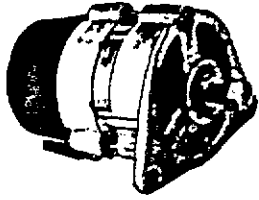
Suzanne Lacey  
Suzanne Lacey

Encl.

BP 553

# MYLES BALFE LTD.

FAST REPLACEMENT SERVICE



Replacement for Starters, Dynamos & Alternators Ex-Stock  
CAV - LUCAS - BOSCH - HINO - DELCO - BUTEC



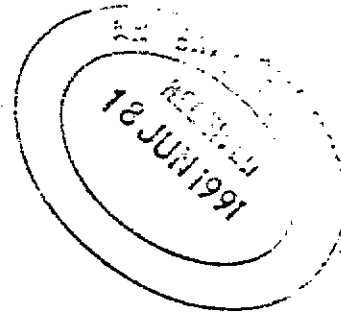
24/25 Phibsboro Road,  
Dublin 7  
Telephone: 307544, 307785, 306657

Red Cow, Naas Road,  
Clondalkin, Co. Dublin  
Telephone: 592676, 593930, 592371

FAX 307825

June 17th, 1991

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



Dear Sirs,

Re; Retention of store for farm and building pipework and timber sheeting at "The Whins", Colemanstown, Blackchurch, Rathcoole, Co. Dublin.

Your Ref; PL 6/5/85885

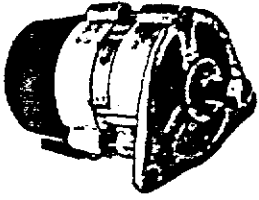
P.A. Ref; 91a/354

I refer to your letter of 29th May, 1991 and wish to appeal your decision on the following grounds;

1. If you check any old phone books you will find that this site was used for the repairs and storage of plant, machinery, trucks, and cranes for the past 12 years. There was also an office in the side of the house.
2. I can change the plans. I did not realise you had to show open air storage. The house is my private residence.
3. I will change the plans to show open air storage.
4. The office used is only temporary. A small office will be incorporated in the store.
5. The house is my private residence.
6. I am sorry but I would not agree with your as regards a precedent. There are several business operating along the Naas Road from agricultural zoned premises including four from this lane alone. There are 2 fulltime and 1 part-time employees of the pipe and timber business. There is approximately 15 people employed in this lane and have been for the past 12 to 25 years.

# MYLES BALFE LTD.

FAST REPLACEMENT SERVICE



Replacement for Starters, Dynamos & Alternators Ex-Stock  
CAV - LUCAS - BOSCH - HINO - DELCO - BUTEC



24/25 Phibsboro Road,  
Dublin 7  
Telephone: 307544, 307785, 306657

- 2 -

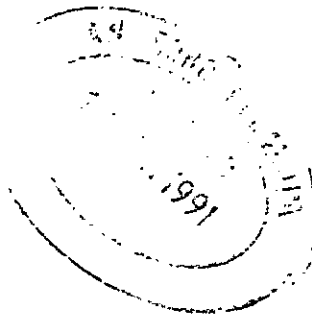
Red Cow, Naas Road,  
Clondalkin, Co. Dublin  
Telephone: 592676, 593930, 592371

7. The traffic for the site is only a quarter of what it was when it was a plant yard. The pipes only come from Cork twice a week and does not use the Athgoe U-Turn.
8. The area was like a scrap yard for the past 12 years. I had to take 38 truck loads of scrap engines, wheels, back axles, caterpillar chains, big crane ropes and steel wire ropes. The area which I cleaned up was like a scrap yard for parts of diggers and trucks. I have planted trees and painted and cleaned the place to make it look respectable.

I hope the above is to your satisfaction and look forward to a favourable reply.

Yours faithfully,

  
MYLES BALFE



Registered in Ireland, Reg. No. 59958  
Directors: Myles Balfé. Esther Mary Balfé

COMHAIRLE CHONTAE ATHA CLIATH

☉ : 724755  
Ext. 268/269

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

Your Ref.: PL6/5/85885  
Our Ref.: 91A/354

13 June 1991

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

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

Proposal: Retention of store for farm and building pipework and timber sheeting at The Whins, Colemanstown, Blackchurch, Rathcoole.

Applicant: Myles Balfe.

Dear Sir,

With reference to your letter dated 29th May, 1991 I enclose herewith:-

- (1) & (2) A copy of the application which indicated the applicant's interest in the land or structure.
- (3) A copy of the public notice given, i.e. Irish Press, 12th March, 1991.
- (4) The plan(s) received from the applicant on 14th March, 1991.
- (6) & (7) A certified copy of Manager's Order P/2050/91, 9th May, 1991 together with technical reports in connection with the application.
- (8) History included: SA.616

Yours faithfully,

M. Murtagh  
for Principal Officer.

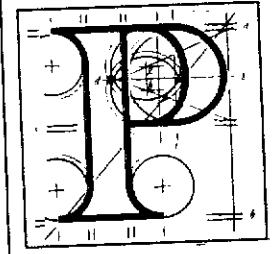
Encls.

Our Ref: EL 6/5/85885  
Our Ref: 91a/354

Dublin County Council,  
Plannine Department,  
Block 2,  
Irish Life Centre.

*Handwritten:* 5/6  
30 MAY 91

An Bord Pleanála



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

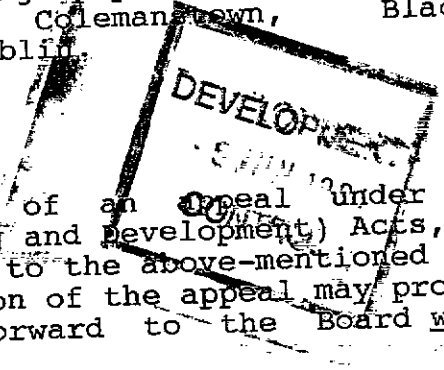
Date: 29th May 1991

**Planning authority decision re:** Retention of store  
for farm and building pipework and timber sheeting  
at "The Whims", Colemanstown, Blackchurch,  
Rathcoole, 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.





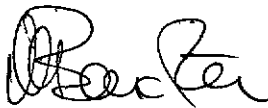
Please note that the other party/parties to the appeal are being notified that copies of the planning authority documents relevant to the decision which gave rise to the above-mentioned appeal will be available for inspection at your offices after the expiration of a period of fourteen days from the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

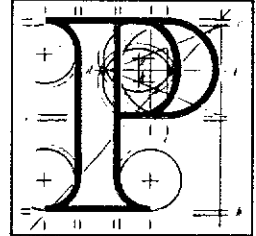


Miriam Baxter.

Encl.

BP 005

## An Bord Pleanála



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

MYLES BALFE.  
THE WHINS  
LOLEMANSTOWN  
BLACKLURCH  
RATHCOOLE  
CO. DUBLIN  
PH. 588094.

28/5/91

DEAR SIR

I WISH TO APPEAL THE  
DECISION FOR PLANNING REF 91R/0354  
I WILL TYPE A PROPER LETTER  
WHEN I GET BACK TO THE  
OFFICE.

YOURS SINCERELY

*Myles Balf*

AN BORD PLEANALA
Received <u>28.5.91</u> by <u>Nord</u>
Fee: <u>€100.00 chq</u>
Receipt No. <u>323308</u>

# DUBLIN COUNTY COUNCIL

Tel 24755 (ext. 262/264)

PLANNING DEPARTMENT,  
BLOCK 2,  
IRISH LIFE CENTRE,  
LR. ABBEY STREET,  
DUBLIN 1.

## NOTIFICATION OF A DECISION TO REFUSE:

~~PERMISSION~~: PERMISSION: ~~APPROVAL~~

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

To Mr. Myles Balfe, Register Reference No. 91A/0354  
15 Castleknock Lodge, Planning Control No. ....  
Castleknock, Application Received 14.03.91  
Dublin 15. Additional Information Received .....

Applicant Myles Balfe.

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, P/ 2050/91 dated 09.05.91 decided to refuse:

~~PERMISSION~~ PERMISSION ~~APPROVAL~~

For retention of store for farm and building pipework and timber sheeting  
at The Whins, Colemanstown, Blackchurch, Rathcoole, Co. Dublin.

for the following reasons:

1. The site of the development is located in an area zoned 'B' -"to protect and provide for the development of agriculture". The development contravenes materially a development objective indicated in the Dublin County Development Plan, 1983 for the use primarily of the site for agricultural purposes, is seriously at variance with this planning objective and militates against the preservation of the rural environment.
2. The lodged plans are deficient in detail in that they do not show the store in relation to the adjoining house or the open air storage on the site.
3. The lodged plans do not show any details of the existing open air storage operations taking place on this site.
4. The lodged plans do not refer to the office use on the site.
5. The development contravenes materially condition No. 6 attached to the grant of permission for the construction of the bungalow on this site, Reg. Ref. SA.616.. This condition required the bungalow be used solely for purposes ancillary to the use of these lands for agricultural purposes.

Over .....

Signed on behalf of the Dublin County Council .....  
for PRINCIPAL OFFICER  
Date 9 May 1991

NOTE: (1) An appeal against the decision may be made to An Bord Pleanala by the applicant within one month from the date of the decision. The appeal shall be in writing and shall state the subject matter of the appeal and grounds of the appeal and should be addressed to An Bord Pleanala, Irish Life Centre, Lower Abbey Street, Dublin 1. An Appeal lodged by an applicant or his agent with An Bord Pleanala will be invalid unless accompanied by a fee of £30 (Thirty Pounds). (2) A party to an appeal making a request to An Bord Pleanala for an oral Hearing of an appeal must, in addition to (1) above, pay to An Bord Pleanala a fee of £30 (Thirty Pounds). (3) A person who is not a party to an appeal must pay a fee of £10 (Ten Pounds) to An Bord Pleanala in relation to an appeal. When an appeal has been duly made and has not been withdrawn, An Bord Pleanala will determine the application for permission as if it had been made to them in the first instance.

6. The development could set a precedent for further such undesirable unauthorised uses in this agricultural area which is in close proximity to and visible from the Naas Dual Carriageway.
7. The proposed development would generate considerable movements of traffic, including heavy trucks, to and from the Dublin/Naas Dual Carriageway road at its junction with a minor road. Such movement, where few traffic movements occur at present, would radically alter the traffic situation at this point and endanger public safety by creating a serious traffic hazard on the Dublin/Naas dual carriageway road. The traffic hazard involved would be exacerbated by the fact that, in the absence of a full junction between the dual carriageway and the minor road, some of the traffic generated by the development would be compelled to make U-turns at the Athgoe junction and Rathcoole intersection and this would have a very serious adverse effect on traffic safety at these points.
8. The area in which the site is located is wholly rural and forms part of a pleasant landscape as viewed from the adjoining Dublin/Naas Road. It is the policy of the Planning Authority, as expressed in the Development Plan, to retain the area for agricultural use and accordingly it is not proposed to provide public piped services in the area in the foreseeable future. The proposed development would be out of character with its surroundings, disruptive of the rural fabric and would result in serious injury to the visual amenities of the area.

*Bob Henry*

# 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 35124

- CASH
- CHEQ
- M.O.
- B.L.
- I.T.

*Balance*

€ 8.75

Received this 24 day of April 1991

from Myles Balfe Ltd,  
15 Castleknock Lodge,  
Castleknock

the sum of eight Pounds

seventy five Pence, being balance

of fee on 91A/354

Michael Spane Cashier

S. CAREY  
Principal Officer

Class 4  
P.O.



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

Register Reference : 91A/0354

Date : 25th March 1991

08 APR 91

Dear Sir/Madam,

Development : Retention of store for farm and building pipework and  
timber sheeting

LOCATION : The Whins, Colmanstown, Blackchurch

Applicant : Myles Balfe

App. Type : PERMISSION

Date Recd : 14th March 1991

Your application in relation to the above was submitted with a fee of  
£665.00 .

On examination of the plans submitted it would appear that the  
appropriate amount should be £673.75 .

I should be obliged if you would submit the balance of £8.75  
as soon as possible as a decision cannot be made on this application  
until the correct fee is received.

Yours faithfully,

A handwritten signature in cursive script, appearing to read 'Richard M. ...', written over a dotted line.

PRINCIPAL OFFICER

Myles Balfe,  
15 Castleknock Lodge,  
Castleknock,  
Dublin 15.



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

Register Reference : 91A/0354

Date : 25th March 1991

Dear Sir/Madam,

Development : Retention of store for farm and building pipework and  
timber sheeting

LOCATION : The Whins, Colmanstown, Blackchurch

Applicant : Myles Balfe

App. Type : PERMISSION

Date Recd : 14th March 1991

Your application in relation to the above was submitted with a fee of  
£665.00 .

On examination of the plans submitted it would appear that the  
appropriate amount should be £673.75 .

I should be obliged if you would submit the balance of £8.75  
as soon as possible as a decision cannot be made on this application  
until the correct fee is received.

Yours faithfully,

*h*  
.....

PRINCIPAL OFFICER

Myles Balfe,  
15 Castleknock Lodge,  
Castleknock,  
Dublin 15.

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



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

Register Reference : 91A/0354

Date : 15th March 1991

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

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Dear Sir/Madam,

DEVELOPMENT : Retention of store for farm and building pipework and  
timber sheeting

LOCATION : The Whins, Colmanstown, Blackchurch

APPLICANT : Myles Balfe

APP. TYPE : PERMISSION

With reference to above, I acknowledge receipt of your application received  
on 14th March 1991.

Yours faithfully,

.....

PRINCIPAL OFFICER

Myles Balfe,  
15 Castleknock Lodge,  
Castleknock,  
Dublin 15.

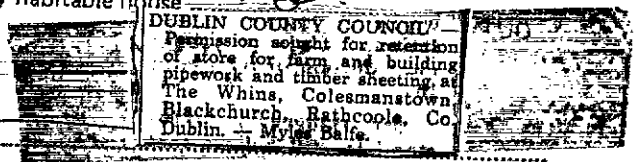


**COMHAIRLE CHONTAE ÁTHA CLIATH**  
(DUBLIN COUNTY COUNCIL)

DUBLIN PLANNING OFFICE  
BLOCK 2  
IRISH LIFE CENTRE,  
LR. ABBEY STREET,  
DUBLIN 1  
Telephone 724755

**PLANNING APPLICATION FORM**

1. Location of proposed development  
Postal address of Site or Building (if none, give description sufficient to identify and quote ordnance sheet reference).  
*The Whins, Colesmanstown, Blackchurch, Rathcoole, Co. Dublin.*
2. Name of applicant *Myles Balfe* Tel. No. *(01) 307 544*  
Address of applicant *15 Bartlewood Lodge, Bartlewood, Dublin 15*
3. State applicant's interest in site (i.e. freehold, leasehold etc.) *Freehold*
4. Name and address of person responsible for preparation of plans. *William Gargert* Tel. No. *(045) 62171*  
*Wolfeboro, Rathmore, Co. Wick*
5. Address to which notifications should be sent. *15 Bartlewood Lodge, Bartlewood, Dublin 15.*
6. Brief description of proposed development including the purpose for which the lands (and/or buildings) are to be used. If for more than one purpose give details.  
*Retention of existing stone for pipework and timber sheeting*  
**BYE LAW APPLICATION**
7. Method of Drainage *Surface water to roadways* REC. NO. *N/C*
8. Source of water supply *no water supply*
9. (a) Floor area of proposed development *380* ~~sq. metres~~ (gross) (b) Area of site *sq. metres*
10. Does the proposal involve:-  
(a) Demolition or partial demolition of any habitable house *no*  
(b) Use otherwise than for human habitation of any habitable house *no*
11. If application is in respect of a material change of use, state:-  
(a) Present use(s) or use(s) when last used  
(b) Proposed use(s)
12. List of documents enclosed with application. *4 copies of drawings, site plan, site location plan, add - other application for*
13. Other relevant details *Application fee to follow* **REC PAID 665** *14/1*
14. Signature of applicant (or his agent) *William Gargert for Myles Balfe* **N 34208** Date *14/3/91*



FOR OFFICE USE ONLY

Application type *P-REF*  
Date acknowledged *9/11/0354*  
Register Reference  
File Reference  
Location

*1.12.0* *14/3*

# LOCAL GOVERNMENT (Planning & Development) ACTS 1963 & 1976

## REQUIREMENTS OF APPLICATIONS FOR PLANNING PERMISSION UNDER THE ABOVE ACTS AND APPROVAL UNDER THE BUILDING BYE LAWS

- (a) Name and address of applicant.
- (b) Particulars of applicant's interest in the land or structure.
- (c) The page of a newspaper normally circulating in the area in which the land or structure is situated containing public notice of intention to apply for permission. The newspaper advertisement should state after the heading 'CO. DUBLIN'—
  - (i) the address of the structure or the location of the land.
  - (ii) the nature and extent of the development proposed.
  - (iii) the name of the applicant.

N.B.—Applications must be received within 2 weeks from date of publication of the newspaper advertisement.

- (d) FOUR COPIES of plans which must include the following:
  - (i) Site Location Map (scale 1 : 2500) showing the location of the proposal in relation to existing properties and landmarks and outlining the boundaries of the site in colour. The north point should be indicated on this map.
  - (ii) Structural drawings (comprising plan elevations and cross section) to a scale not less than 1/8" to one foot showing new work coloured or otherwise distinguished. Proposed and existing drainage to be shown on this drawing.
  - (iii) Block plan showing the proposed structure in relation to adjoining buildings. Proposed and existing services to be shown on this drawing.
  - (iv) Details of type and location of septic tank (if applicable), see note below.
  - (v) Name and address of person responsible for preparation of plans.
  - (vi) Specification of materials being used.
- (e) Applications should be addressed to:

DUBLIN COUNTY COUNCIL  
PLANNING DEPARTMENT  
BLOCK 2  
IRISH LIFE CENTRE  
LR. ABBEY STREET, DUBLIN 1

### NOTES

**OUTLINE PERMISSION:** Applications for Outline Permission in general need only comply with requirements (a) to (d) (i) above, and submit a description of the development proposed together with information regarding proposed water supply and method of drainage. Outline permission, if granted, is subject to subsequent approval of detailed plans by the Planning Authority. The requirements of applications for Approval are those at (a) to (d) above.

- \* **SEPTIC TANK DRAINAGE:** Where drainage by means of a septic tank is proposed, before a planning application is considered, the applicant may be required to arrange for a trial hole to be inspected and declared suitable for the satisfactory percolation of septic tank effluent. The trial hole to be dug seven feet deep at or about the site of the septic tank. Septic tanks should be located at least:
  - (i) 60 feet from nearest house, or public road.
  - (ii) 40 feet from nearest boundary ditch or fence.
  - (iii) 150 feet from nearest source of potable water supply.
  - (iv) At least 200 feet from any existing or proposed septic tank.
- \* **HOUSING ACT 1969:** Where a development proposal would involve the demolition or partial demolition of any habitable house or the use otherwise than for human habitation or any habitable house permission must first be obtained from the Housing Authority (Housing Dept., Dublin County Council 5, Gardner Row)
- \* **BUILDING BYE LAW APPROVAL:** Applications for planning permission and approval are also considered under the Council's Building Bye Laws.
- \* **INDUSTRIAL DEVELOPMENT:** The proposed use of an industrial premises should, where possible, be stated together with the estimated number of employees (male and female). Details of trade effluents, if any, should be submitted with all applications in respect of industrial development.

Applicants are advised to ensure that where appropriate they comply in full with the requirements of the Local Government (Water Pollution) Act 1977. Attention is drawn in particular to the licencing provisions of Sections 4 and 16.

COMHAIRLE CHONTAE ÁTHA CLIATH

this receipt is not an  
official receipt of the Council

PAID BY

DUBLIN COUNTY COUNCIL

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

CASH

CHEQUE

M.O.

B.L.

I.T.

yes.

N 34208

€ 700 665.00

Received this

14th day of March

1991

from

Mr. Les Balfe Ltd

15 Castlebrook Lodge

the sum of

Six hundred and sixty five

Pounds

Pence being

60 60 pence

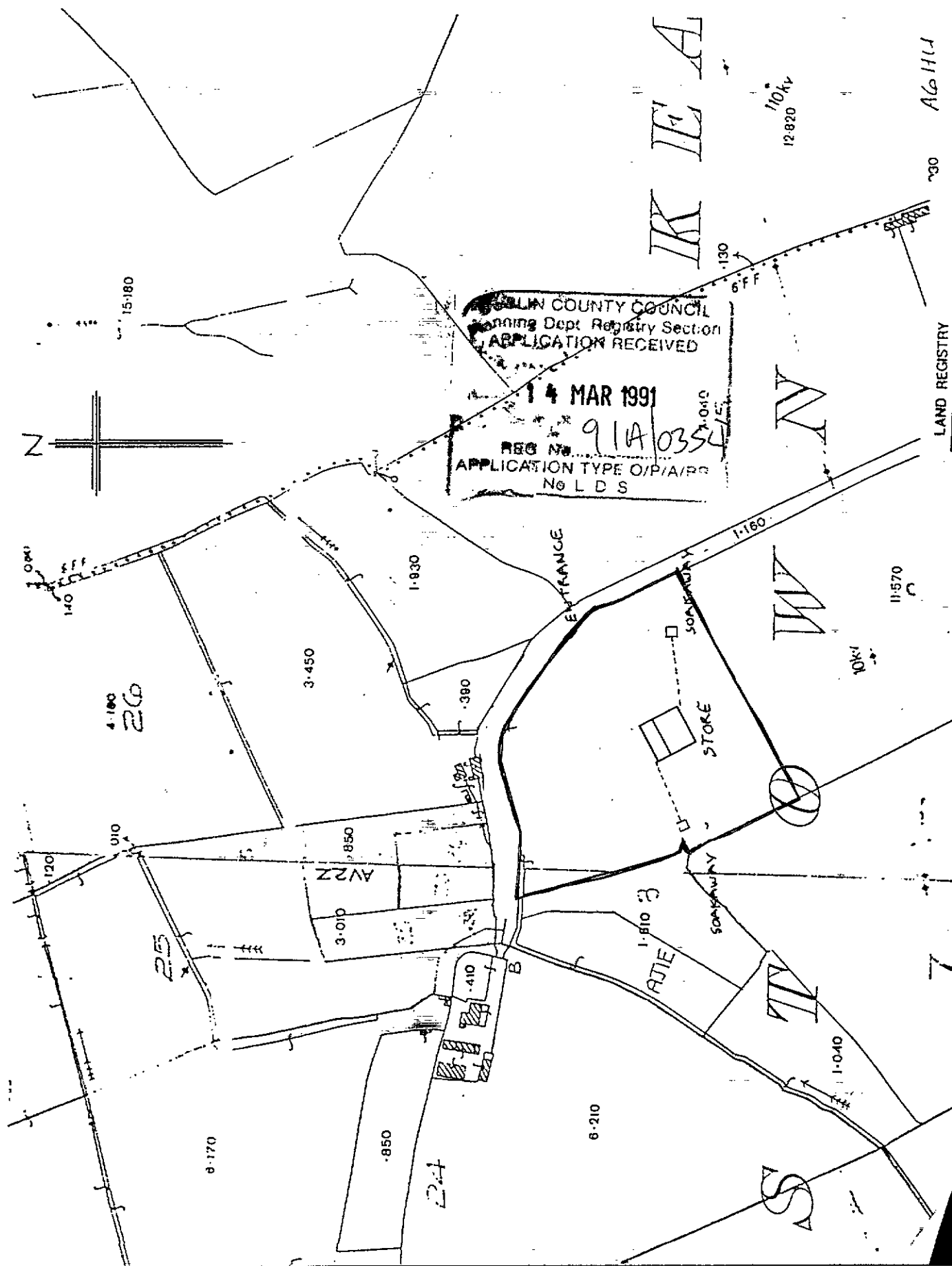
replication at The Whins, Colmanstown, Blackhall, Rathale

Michael O'Han Cashier

S. CAREY  
Principal Officer

Class

4



WILSON COUNTY COUNCIL  
Planning Dept Registry Section  
APPLICATION RECEIVED  
14 MAR 1991  
REG NO 91A/0354  
APPLICATION TYPE O/P/A/R  
No L D S

IRIEA

10K1  
12-820

AGH14

790

LAND REGISTRY

W

11-570  
C

10K1

STORE

SOAKAWAY

AJIE

W

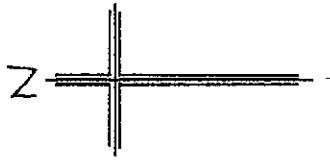
1-040

S

2.4

4-180  
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2.5

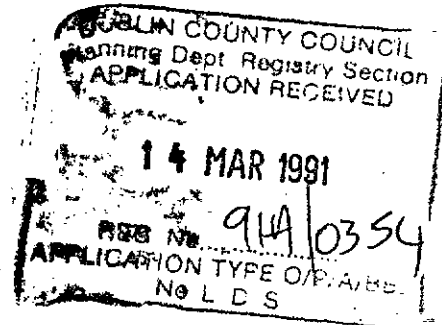


COMHAIRLE CHONTAE ATHA CLIATH

DUBLIN COUNTY COUNCIL

LOCAL GOVERNMENT (PLANNING AND DEVELOPMENT) (FEES AND AMENDMENT) REGULATIONS, 1983

The above regulations require that additional matters be stated in planning applications. Accordingly all intending applicants for planning permission are requested to complete the attached forms.



**NOTE:**

All applications must be accompanied by the appropriate prescribed fee calculated in accordance with the schedule to the above regulation.

**NOTE:**

The making of an application for outline permission for the retention of a structure or the continuance of a use is now prohibited.

DUBLIN COUNTY COUNCIL

ADDENDUM TO PLANNING APPLICATION FORM:- (TO BE READ IN CONJUNCTION WITH ATTACHED FORM).

9. (A) This application is for ..... ~~PERMISSION~~

~~CIVILIAN PERMISSION~~

~~APPROVAL~~

*Retention*

<input type="checkbox"/>
<input type="checkbox"/>
<input type="checkbox"/>

Tick  
whichever  
is  
applicable

(B) State the area of the site to which this application relates:

\_\_\_\_\_ Hectares.

\_\_\_\_\_ Sq. Metres.

(C) State the number of dwellings proposed (if any):-

(D) State gross floor space of the building or buildings:-

380 Sq. Metres.

(E) (i) State amount of fee tendered:- € 665-00

(ii) Basis on which it is calculated:-  
(see attached schedule)

(F) State details of previous relevant permission or approval in respect of  
which a fee has already been paid:-

SCHEDULE

STATE BASIS ON WHICH FEE IS CALCULATED

For Office  
use only:-

CLASS 1 \_\_\_\_\_ dwellings at £30. per dwelling = \_\_\_\_\_

CLASS 2 Domestic extension to private dwelling at  
£15. = \_\_\_\_\_

CLASS 3 Agricultural building over 422 sq. metres  
\_\_\_\_\_ sq. metres at £1.75 per sq. metre  
of floor area in excess of 400 sq. metres \_\_\_\_\_  
Agricultural building up to 422 sq. metres £40

or

Any other agricultural structure (not  
being a building) \_\_\_\_\_ £40

CLASS 4 Any other building (other than 1, 2 or 3 above)  
\* \_\_\_\_\_ sq. metres gross floor space at  
£1.75 per sq. metre (Minimum fee £40) \_\_\_\_\_

Basement \_\_\_\_\_ sq. metres

Ground floor \_\_\_\_\_ sq. metres

1st Floor \_\_\_\_\_ sq. metres

2nd Floor \_\_\_\_\_ sq. metres

3rd Floor \_\_\_\_\_ sq. metres

TOTAL: \_\_\_\_\_

CLASS 5 Use of land for winning and working minerals  
or for deposit of refuse or waste  
\_\_\_\_\_ units of 0.1 hectares at £25 each  
(Minimum fee £250.) \_\_\_\_\_

CLASS 6 Use of land for (i) camping, caravanning or sale of goods  
(ii) the parking of vehicles  
(iii) open storage of vehicles or other  
objects  
\_\_\_\_\_ units of 0.1 hectares at £25 each=  
Minimum fee £40. \_\_\_\_\_

- CLASS 7 Provision on, in or under land of plant or machinery or of a tank or other structure (other than a building for storage purposes) \_\_\_\_\_ units or 0.1 hectares at £25. each  
(Minimum fee £100) \_\_\_\_\_
- CLASS 8 The provision of a petrol filling station £100
- CLASS 9 The provision of an advertisement structure or the use of an existing structure or other land for the exhibition of advertisements  
\_\_\_\_\_ sq. metres of advertising space  
at £10 per sq. metre = \_\_\_\_\_  
Minimum fee £40
- CLASS 10 The provision of overhead transmission or distribution lines for conducting electricity  
\_\_\_\_\_ metres long at £25 per 1,000 metres = \_\_\_\_\_  
(Minimum fee £40)
- CLASS 11 Development not coming within any of the foregoing classes  
\_\_\_\_\_ units of 0.1 hectares of the site  
area at £5 per unit = \_\_\_\_\_  
(Minimum fee £40)

DEFINITION ON GROSS FLOOR AREA

- (a) That area shall be ascertained by the external measurement of the floor space on each floor of a building or buildings disregarding any floor space provided for the parking of vehicles by persons occupying or using the building or buildings where such floor space is incidental to development to which the application primarily relates, and
- (b) where the area referred to in paragraph (a) is less than the unit of measurement specified in respect of the relevant class of development or is not an exact multiple of that unit, the fraction of a unit remaining after division of the total area by the unit of measurement shall be treated, for the purposes of calculating the fee payable in respect of the application, as a complete unit.

\* NOTE: For convenience of calculation the area at each floor level should be indicated together with the total.