

FILE DISCUSSED AT COUNCIL/COMMITTEE MEETING

FILE REF: 91A 711

MEETING	COMMENTS	NOTED IN DEV. CONTROL	NOTED BY
BELGARD H+P <u>28/1/92</u> <u> </u>	Noted by Cllr McGrath		

Ms. Shiela Casey,
Department of Defence,
Park House,
Dublin 7.

Our Ref: 91A/0711

3 April 1992

Re: Retention of amendments to structure at Brownsbarn,
Baldonnal for Rilmount Development.

Dear Madam,

Further to your telephone call today regarding our letter dated 28th March, 1992, I should like to clarify that the sentence "together with the conditions/reasons attached thereto" refers to the conditions/reasons attached to the Decision, not to any enclosures.

It is not normal practice to issue copies of planning decisions when replying to letters of objection/representation notifying of decisions.

However, in this particular case I enclose a copy of the decision as requested.

Yours faithfully,


for Principal Officer.

ENCLS.



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

Register Reference : 91A/0711

Date : 28th March 1992

Dear Sir/Madam,

Development : Retention of amendments to structure

LOCATION : Brownsbarn, Baldonnel

Applicant : Rilmount Developments

App. Type : Additional Information

I wish to inform you that by Order dated 27.03.92 it was decided to GRANT PERMISSION for the above proposal.

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

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

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

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

John P. Moran,
Department of Defence,
Park House,
Dublin 7.

Yours faithfully,

.....
.....

for PRINCIPAL OFFICER



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/0711

Date : 24th June 1991

Dear Sir/Madam,

Development : Retention of amendments to structure

LOCATION : Brownsbarn, Baldonnell

Applicant : Rilmount Developments

App. Type : PERMISSION

With reference to the above, additional information was requested in relation to this application on 21.06.91 and particulars of this request have been entered in the Planning Register. The Register is available for inspection at the Planning Department, Irish Life Centre, Dublin 1, during office hours (9 a.m.-12.30 p.m. and 2.15 p.m.-4.30 p.m.)

A certified copy of an entry in the Register may be purchased on request at the public counter at a cost of 5 per entry.

Yours faithfully,

.....
PRINCIPAL OFFICER

John P. Moran,
Department of Defence,
Park House,
Dublin 7.

Seol an fhreagra chun
(Reply to):

AN RÚNAÍ
(The Secretary)

faoin uimhir seo:-
(Quoting)

91A/0711
367



AN ROINN COSANTA
(Department of Defence)

TEACH NA PAIRCE
(Park House)

BAILE ÁTHA CLIATH, 7
(Dublin, 7)

PA

3/95148

Teilifón 01/703788 771881

31 May, 1991.

Handwritten signature/initials and number 576

Dear Sir,

Re: Planning Application which might affect the use
of Casement Aerodrome, Baldonnel, Co. Dublin

I am directed by the Minister for Defence to refer to Application 91A/711 for Rilmount Contractors.

Objection is seen to this development on the grounds that it is located in Zone A of the protected areas and exceeds by a considerable margin the dimensions of the previously approved building. It is also in the red (safety) area of the approach to runway 29.

Yours sincerely,

Handwritten signatures: John P. Moran and Marion Lynch

JOHN P. MORAN
EXECUTIVE OFFICER

The Secretary,
Dublin County Council,
Planning Department,
Irish Life Mall,
Lower Abbey Street,
Dublin 1.

Stamp: JUN 21

Handwritten notes: Copy LS, Plans to, sig LS Reg.

Seol aon fhreagra chun
(Reply to)

AN RÚNAÍ
(The Secretary)

faoin uimhir seo:-
(Quoting)

91A/0711
367



AN ROINN COSAN
(Department of Defence)

OBJECT

TEACH NA PÁIRCE
(Park House)

BAILE ÁTHA CLIATH, 7
(DUBLIN 7)

3/95148

Tel: 01 771881

31 May, 1991.

Handwritten initials and number: 16/5/6

OBJ

Dear Sir,

Re: Planning Application which might affect the use
of Casement Aerodrome, Baldonnel, Co. Dublin

I am directed by the Minister for Defence to refer to Application 91A/711 for Rilmount Contractors.

Objection is seen to this development on the grounds that it is located in Zone A of the protected areas and exceeds by a considerable margin the dimensions of the previously approved building. It is also in the red (safety) area of the approach to runway 29.

Yours sincerely,

Handwritten signature of John F. Moran

JOHN F. MORAN
EXECUTIVE OFFICER

The Secretary,
Dublin County Council,
Planning Department,
Irish Life Mall,
Lower Abbey Street,
Dublin 1.

Copy to
Planning
15 Res.

ASSESSMENT OF FINANCIAL CONTRIBUTION

REG. REF.: 91A/711

CONT. REG.:

SERVICES INVOLVED: WATER/POUL SEWER; SURFACE WATER

AREA OF SITE:

FLOOR AREA OF PRESENT PROPOSAL: 8386 sq ft

MEASURED BY:

CHECKED BY:

METHOD OF ASSESSMENT:

TOTAL ASSESSMENT

MANAGER'S ORDER NO: F/ /
DATE

ENTERED IN CONTRIBUTIONS REGISTER:

J.Y. 13/5/91.

DEVELOPMENT CONTROL ASSISTANT GRADE

Calculation

Water supply on
2164.3 sq. ft x £375

1000
= £ 811.61.

Say £812.00.

[Signature]

Structure 6221.7 sq ft, attracting a levy of £2,333.14 which was paid in full, was granted permission under Reg 2 of 85A-1036. This amount was paid on 17/5/91.

Structure 8386 sq ft was eventually constructed + this application for permission is to retain the larger structure. The difference in square footage is 2,164.3 sq. ft.

[Signature]

P/1310/92

COMHAIRLE CHONTAE ÁTHA CLIATH

Record of Executive Business and Manager's Orders

BELGARD

CONTRIBUTION
Standard: <u>812</u>
Roads: _____
S. Serv: _____
Open Spaces: _____
Other: _____
SECURITY: _____
Bord / C&E: _____
Cost: _____

Register Reference : 91A/0711

Date Received : 25th September 1991

Correspondence : Rilmount Developments Ltd,
Name and : 6 Killeen Road,
Address : Dublin 10.

Development : Retention of amendments to structure

Location : Brownsbarn, Baldonnel

Applicant : Rilmount Developments

App. Type : Permission

Zoning : E

Floor Area : 705 Sq.metres

(MG/CM)

Report of the Dublin Planning Officer dated 25th March, 1992.

This is an application for PERMISSION for the retention of amendments to structure at Brownsbarn, Baldonnel for Rilmount Developments.

The proposed site which has an area of 8,600 sq. m. (2.13 acres) is located to the north of the Naas Dual Carriageway is an area zoned 'E' - "to provide for industry and related uses" in the Dublin County Development Plan, 1983.

PLANNING HISTORY

Reg. Ref. No. ZA.989 refers to a refusal of planning permission by both Dublin County Council and An Bord Pleanala for a service garage, vehicle park and storage area at this site.

Reg. Ref. No. 85A-1036 refers to a grant of permission by An Bord Pleanala (following a refusal by Dublin County Council for a 578 sq. m. service garage, associated offices, parking and storage at this site). The applicant in both instances was Sean Hegarty Earthworks Ltd.

The site was subsequently sold and the new owners, Rilmount Developments Ltd., applied for bye-law approval (under Reg. Ref. No. 85A-1036) for a development comprising 'office workshops, stores and parking area'. The drawings submitted for bye-law approval differed from those submitted for planning permission. They provided for a large building of area c. 705 sq. m. and height 9.376

COMHAIRLE CHONTAE ÁTHA CLIATH

Record of Executive Business and Manager's Orders

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Location: Brownsbarn, Baldonnell

metres.

Construction works subsequently commenced at the site in accordance with the abovementioned Bye-Law Drawings. The current application provides for the retention of this amended structure. Enforcement File 8025 refers.

When this application was lodged in May 1991, the portal frame of the proposed building had already been constructed and substantial site development works had taken place, i.e. laying of hardcore/gr^{ass} surface over the open areas of the site and partial construction of boundary walls. On site inspection, 24th March, 1992, it is noted that the building has now been completed.

The proposed building extends 9.376 metres in height (to ridge level). This is 0.6 metres higher than that originally granted planning permission under Reg. Ref. No. 85A/1036, i.e. 8.725. However, lodged plans identify a finished floor level below that originally granted planning permission, i.e. 0.35 metres. The amended structure is, therefore, only 0.3 metres (c.1ft.) higher than the building originally approved under Reg. Ref. No. 85A/1036.

An objection was received from the Department of Defence. This stated that the proposed development is located in the protected area zoned 'A' around Baldonnell Aerodrome and that it exceeds by a 'considerable margin' the dimensions of the previously approved building. The report states that the proposed development is in the red (safety) area of the approach to Runway 29.

Additional Information was requested from the applicant on 25th June, 1991, as follows:-

1. The proposed site is located in zoned 'A' of the protected area around Casement Aerodrome, Baldonnell. An objection has been received from the Department of Defence who note that the proposed development exceeds by a considerable margin the dimensions of the previously approved building and also that it is in the safety area of the approach to Runway 29. The applicant is requested to indicate whether it is possible to overcome these objections.

The proposed development has been the subject of several Time Extensions (most recent to 31st March, 1992) to allow the applicants an opportunity to resolve the matter with the Department of Defence.

Various reports have been received from the Department as a result of discussions between them and the applicants.

Report received 15th January, 1992, states that the Department will not pursue its objection to (1) the height and (2) area of the structure providing this is

COMHAIRLE CHONTAE ÁTHA CLIATH

Record of Executive Business and Manager's Orders

Reg.Ref: 91A/0711

Page No: 0003

Location: Brownsbarn, Baldonnel

reduced to that for which planning permission was granted under Reg. Ref. No. 85A/1036.

The above would have required the removal of more than 1 bay of the proposed warehouse. This would require major structural changes to the security access door at this location. The removal of 2 bays would reduce the storage area to below that previously approved under Reg. Ref. No. 85A/1036.

A subsequent Department of Defence Report received 13th February, 1992, stated that the Department is prepared reluctantly not to pursue its objection to the retention of the structure providing the finished dimensions do not exceed 30.9m x 18.94m.

The abovementioned dimensions correspond with the width of the existing structure (18.54 metres) x length less the northernmost frame - 30.91 metres.

Unsolicited Additional Information lodged by the applicants on 4th March, 1992 noted the background to the current application and also outlined the applicants proposals to remove the cladding, walls and concrete columns and beams of frame no. 1 thereby reducing the building length to 30.91 metres and commented on the difficulties in reducing the building any further.

Sanitary Services Report noted.

The proposed development is considered acceptable provided it is reduced to the dimensions outlined in the Department of Defence's report. This can be achieved by imposing a condition requiring the removal of the second bay.

I recommend that a decision to GRANT PERMISSION be made under the Local Government (Planning and Development) Acts, 1963 - 1990, subject to the following (12) conditions :-

CONDITIONS / REASONS

01 The development to be carried out in its entirety in accordance with the plans, particulars and specifications lodged with the application, save as may be required by the other conditions attached hereto.

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

02 That the requirements of the Chief Fire Officer be ascertained and strictly adhered to in the development.

REASON: In the interest of safety and the avoidance of fire hazard.

as amended by unsolicited additional information
10/12/92
413192

COMHAIRLE CHONTAE ÁTHA CLIATH

Record of Executive Business and Manager's Orders

Reg. Ref: 91A/0711

Page No: 0004

Location: Brownsbarn, Baldonnel

03 That the requirements of the Supervising Environmental Health Officer be ascertained and strictly adhered to in the development.

REASON: In the interest of health.

04 That the water supply and drainage arrangements, including the disposal of surface water, be in accordance with the requirements of the County Council. *In this regard applicants to obtain any necessary*

permissions for connection to the Grafton water scheme
REASON: In order to comply with the Sanitary Services Acts, 1878-1964. *operating in this area*

05 That no industrial effluent be permitted without prior approval from Planning Authority.

REASON: In the interest of health.

06 That off-street car parking facilities and parking for trucks be provided in accordance with the Development Plan Standards.

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

07 That no sign or structure be erected except those which are exempted development, without prior approval of Planning Authority.

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

08 That details of landscaping and boundary treatment be submitted to and agreed with the Planning Authority within 3 months of the Decision to Grant Permission. The scheme shall, inter alia, provide for a landscaped mound along the southern boundary of the site to screen the site from view from the nearby Naas Dual Carriageway and a timescale for the carrying out of landscaping works.

REASON: In the interest of visual amenity.

09 That the provision of the proposed septic tank be in accordance with the requirements of the Environmental Health Officer, Eastern Health Board.

REASON: In the interest of health.

10 That the proposed structure be reduced in length to 30.91 metres by the removal of the northernmost frame of the building. The revised northern elevation to have a part brick/part clad finish to match existing. These works to be carried out within 3 months of the date of the decision to grant permission.

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

11 That a financial contribution in the sum of £812.00 be paid by the proposer to the Dublin County Council towards the cost of provision of

COMHAIRLE CHONTAE ÁTHA CLIATH

Record of Executive Business and Manager's Orders

Reg.Ref: 91A/0711

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Location: Brownsbarn, Baldonnell

public services in the area of the proposed development and which facilitate this development; this contribution to be paid before the commencement of development on the site.

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

NOTE: This permission does not imply any consent or approval for the structural stability of works carried out.

G. Gosterman

.....
for Dublin Planning officer

Endorsed:-

[Signature]

.....
for Principal Officer

Order: A decision pursuant to Section 26(1) of the Local Government (Planning and Development) Acts, 1963-1990 to GRANT PERMISSION for the above proposal subject to the (11) conditions set out above is hereby made.

Dated : 27th MARCH 1992

[Signature]

.....
ASSISTANT COUNTY MANAGER/~~APPROVED OFFICER~~

to whom the appropriate powers have been delegated by order of the Dublin City and County Manager dated 13th Feb 1992

TELEPHONE: Dublin (01) 771881

TELEX: 31444 DFPHEI

FAX NO: 385953

TAGHAIRT:

Reference *Mary Galvin.*



AN ROINN COSANTA
(Department of Defence)

TEACH NA PÁIRCE
(Park House)

BAILE ÁTHA CLIATH, 7
(Dublin, 7)

3/95148

11, February, 1992.

Dear Sir,

Re: Planning Application Ref. 91A/711
Rilmount Developments

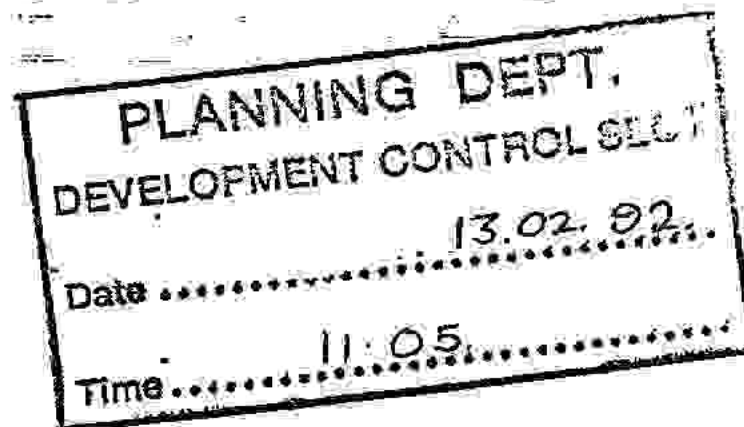
I am to refer to previous correspondence regarding the above and to state that in the light of the circumstances as outlined in Mr O'Mahony's letter dated 28 January, 1992 together with enclosure (viz letter dated 20 January, 1992 to Dublin County Council Planning Department) this Department is prepared, again reluctantly, not to pursue its objection to the retention of the structure provided the finished dimensions do not exceed 30.91m x 18.94m.

Yours sincerely,

M. Barrett
M. BARRETT
ASSISTANT PRINCIPAL

13 FEB 92

Dublin County Council
Planning Department
Block 2 Irish Life Centre
Lower Abbey Street
Dublin 1



COMHAIRLE CHONTAE ÁTHA CLIATH

Record of Executive Business and Manager's Orders

Retention of amendments to structure at Brownsbarn, Baldonnel for Rilmount Developments.

Rilmount Developments Ltd., Brownsbarn, Baldonnel, Co. Dublin.	Reg. Ref. 91A-0711 Appl. Rec'd: 02.05.1991 T. X. up to: 14.02.1992 Further T. X. up to & incl.: Further T. X. Let. Rec'd: 13.02.1992
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Report dated 13 February 1992

This is an application for PERMISSION for retention of amendments to structure at Brownsbarn, Baldonnel.

In accordance with Section 26(4A) of the Local Government (Planning and Development) Act, 1963, as amended by Section 39(F) of the Local Government (Planning and Development) Act, 1976, the applicant has furnished his consent in writing to the further extension by the Council of the period for considering this application within the meaning of subsection (4A) of Section 26, up to and including *31st March*. 1992.

I recommend that the period to be extended accordingly.

Reason: To facilitate full consideration of the application.

[Signature]

for Principal Officer.

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

Dated: *13th* February, 1992. *[Signature]*

Assistant County Manager.

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

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

[Signature]

SENIOR STAFF OFFICER.

TELEPHONE: Dublin (01) 771881

TELEX: 31444 DFPHEI

FAX NO: 385953

TAGHAIRT:

Reference



AN ROINN COSANTA
(Department of Defence)

TEACH NA PAIRCE
(Park House)

BAILE ÁTHA CLIATH, 7
(Dublin, 7)

pu

3/95148

15 January, 1992.

16 JAN 92

*K/L
20/1*

(F)

Dear Sir,

Re: Planning Application Ref: 91A/711-
Rilmount Developments

I am to refer to previous correspondence regarding the above and to state that this Department is, reluctantly, not pursuing its objection to

- (a) the height requirement, and
- (b) the area plan of the structure provided the area is reduced to that for which planning was granted (85A/1036)

Yours sincerely,

M. Barrett
MARGARET BARRETT
ASSISTANT PRINCIPAL

PLANNING DEPT.
DEVELOPMENT CONTROL SECT
Date 19.01.92
Time 0:45

Dublin County Council
Planning Department
Block 2 Irish Life Centre
Lower Abbey Street
Dublin 1

COMHAIRLE CHONTAE ÁTHA CLIATH

Record of Executive Business and Manager's Orders

Retention of amendments to structure at Brownsbarn,
Baldonnel for Rilmount Developments.

Rilmount Developments Ltd.,
Brownsbarn,
Baldonnel,
Co. Dublin.

Reg. Ref. 91A/0711
Appl. Rec'd: 02.05.91
T.X. Up to & incl. 20.01.92
Fur. T.X. let. rec'd: 15.01.92
Fur. T.X. up to: 14.02.92


Report dated 16 January 1992

This is an application for amendments to structure at Brownsbarn,
Baldonnel.

In accordance with Section 26(4A) of the Local Government
(Planning and Development) Act, 1963, as amended by Section 39(F)
of the Local Government (Planning and Development) Act, 1976, the
applicant has furnished his consent in writing to the further
extension by the Council of the period for considering this
application within the meaning of subsection (4A) of Section 26,
up to and including 14 February, 1992.

I recommend that the period to be extended accordingly.

Reason: To facilitate full consideration of the application.


for Principal Officer.

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

Dated: 17th January, 1992.


Assistant County Manager

to whom the appropriate powers have been delegated by order of the
Dublin City and County Manager dated 10th December 1991

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


SENIOR STAFF OFFICER.

15 JAN '92 15:13 DOD PARK HOUSE 385953
TELEPHONE: Dublin (01) 771881

EX: 31444 DFFHEI

FAX NO: 385953

TAGHAIRT:
Reference



AN ROINN COSANTA^{P.1}
(Department of Defence)

TEACH NA PAIRCE
(Park House)

BAILLE ÁTHA CLIATH, 7
(Dublin, 7)

FAX COVER SHEET

DATE: 15-1-92

TIME: 2:40pm

TO: Mr. Pat. Keenan,
Proc Control

FAX NO. 724896

FROM: M. J. Keenan
Property Management

FAX NO. _____

TOTAL NUMBER OF PAGES, INCLUDING
THIS COVER SHEET:

2

ANY SPECIAL INSTRUCTIONS:

As per telephone conversation
with Mr. Lynch today (15-1-92)

3/95148

15 January, 1992.


Dear Sir,

Re: Planning Application Ref: 91A/711-
Rilmount Developments


I am to refer to previous correspondence regarding the above and to state that this Department is, reluctantly, not pursuing its objection to

- (a) the height requirement, and
- (b) the area plan of the structure provided the area is reduced to that for which planning was granted (85A/1036)

Yours sincerely,


MARGARET BARRETT
ASSISTANT PRINCIPAL

Dublin County Council
Planning Department
Block 2 Irish Life Centre
Lower Abbey Street
Dublin 1



M38

COMHAIRLE CHONTAE ÁTHA CLIATH

Record of Executive Business and Manager's Orders

Retention of amendments to structure at Brownsbarn,
Baldonnell for Rilmount Developments.

Rilmount Developments Ltd.,
Brownsbarn,
Baldonnell,
Co. Dublin.

Reg. Ref. 91A-0711
Appl. Rec'd: 02.05.1991
Time Ext. let. rec'd: 17.12.1991
Time Ext. up to: 20.01.1992

Report dated 18 December 1991

This is an application for PERMISSION for retention of amendments to structure at Brownsbarn, Baldonnell for Rilmount Developments.

In accordance with Section 26(4A) of the Local Government (Planning and Development) Act, 1963, as amended by Section 39(F) of the Local Government (Planning and Development) Act, 1976, the applicant has furnished his consent in writing to the further extension by the Council of the period for considering this application within the meaning of subsection (4A) of Section 26, up to and including 20th January, 1992.

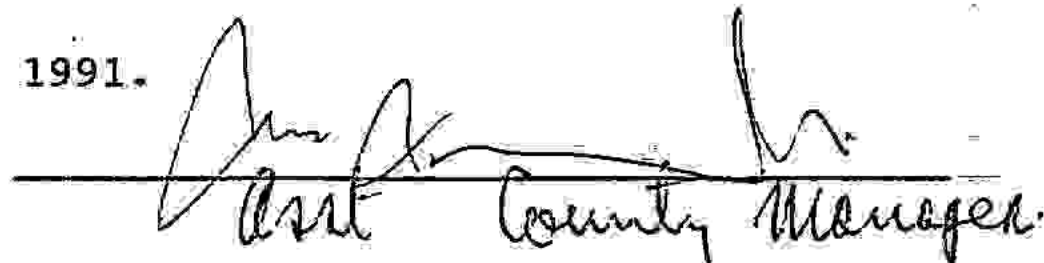
I recommend that the period to be extended accordingly.

Reason: To facilitate full consideration of the application.


for Principal Officer.

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

Dated: 19th December, 1991.


Asst County Manager.

to whom the appropriate powers have been delegated by order of the Dublin City and County Manager dated 10th December 1991.

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


SENIOR STAFF OFFICER.

RILMOUNT DEVELOPMENTS LIMITED

6 KILLEEN ROAD, BLUEBELL, DUBLIN 10.

Tel: 6260411/6260446 Fax: 01-504361

91A/711

Our Ref:

378/DF

Your Ref:

Date:

Dept of Defence,
Property Management Branch,
Park House,
Dublin 7.

10th October 1991

ATTENTION: Ms Margaret Barratt

REF: Development for offices/stores and vehicle parking area
at Lower Commons, Baldonnell.

Dear Sirs,

We write in connection with our recent development at the above site and give a brief history of the development.

We are a Civil Engineering company which employs approx 80 people mainly involved in the laying of gas distribution pipe for Bord Gais. We also carry out sewage pipework and road reconstruction for Dublin Corporation.

The facilities at Lower Commons are ready for occupation immediately as our present offices/yard at Killeen Road has been recently sold.

The site at Lower Commons was purchased by the company early 1990 from Sean Hegarty Earthworks Ltd, who had obtained planning permission for the development.

On completion of the site deal Hegarty's handed over the site file and drawings for the development.

We were eventually to establish from our dealings with the Planning Engineer, after the structure was in position, that these drawings had been amended. We had no knowledge of these amendments at the time.

This structure was then submitted in greater detail and with back-up structural analysis in order to acquire bye-law approval which was subsequently granted on the 21st February 1991.

We notified the bye-laws inspectorate of the commencement of work on site in March 1991.

PLANNING DEPT.	
DEVELOPMENT CONTROL SECT	
Date	20.11.91
Time	9.30

Contd

Directors: M. Doherty, M. A. Doherty (secretary)

Registered Office: 6 Killeen Road, Bluebell, Dublin 10, Registered No. 145564, V.A.T. No. 6542440

Head Office: Dublin Airport, Ireland.
Telephone (01) 379900, International 353 1 379900
Telex 31266, Fax (01) 427976.

12th November, 1991

AerRianta

Department of Defence,
Park House,
Dublin 7.

Attn: Mr. B. Coughlan

Re: Planning Application Ref: 91A/711 - Rilmount Developments

Dear Brendan,

I refer to your letter of 5 November in relation to the above.

My records indicate that the dimensions of the original application 85A/1036 were 32m X 16m X 8.8m high. This application was refused by Dublin County Council Planning Department on 29.09.85 and granted on appeal to An Bord Pleanála on 10.6.86. The dimensions of the present application are 37.2m X 18.94m X 9.37m high. This amounts to 6.5% increase in height and 38% approx in floor plan area. This would appear to be at variance with Rilmounts letter of 10th October.

It is recommended therefore in the circumstances that a meeting with Rilmount Developments Ltd. might be the best way to resolve the apparent discrepancy in dimensions.

Yours sincerely



ALAN LEVEY,
MANAGER - AVIATION STANDARDS

PLANNING DEPT.
DEVELOPMENT CONTROL SECT
Date 20.11.91
Time 10.00

Aer Rianta cpl manages the three international airports
of Dublin, Shannon and Cork.
Registered Office: Aer Rianta, Dublin Airport.
Registered No. 9401, Ireland.

During the course of constructing the building, the Planning Engineer visited the site, and after examination, informed us that they had become aware that the structure was dimensionally at variance with the planning permission.

We compared the Planning Engineers drawings with the working drawings and agreed that the top-level of the structure as built was 230mm (9") higher than that permitted.

This did not seem to cause undue concern to the Engineer but given the sensitivity of the issue in relation to the aerodrome he advised that we seek approval for retention of the structure as built. This application was submitted immediately on the 1/5/1991.

As a responsible and reputable company and employer, we have at all times endeavoured to follow the correct procedures in our dealings with the Planning and Bye-Law authorities in this matter.

We would point out that it is a matter of record that there are trees, aerials, a 10KV power line and a permanent crane in a nearby builders yard which exceed the height of the structure.

This yard/office constitutes a major commitment for the company and it's workforce and we would be pleased to alleviate the ongoing instability which the objection to the retention application represents.

We trust that this information sets out the situation and we are available for any further clarification which you may require.

Yours faithfully


Denis O'Mahony
RILMOUNT DEVELOPMENTS LTD

PLANNING DEPT.
DEVELOPMENT CONTROL SECT
Date 20. 11. 91
Time 9.30
.....

COMHAIRLE CHONTAE ÁTHA CLIATH

Record of Executive Business and Manager's Orders

Retention of amendments to structure at Brownsbarn,
Baldonnel for Rilmount Developments.

Rilmount Developments Ltd.,
Brownsbarn,
Baldonnel,
Co. Dublin.

Reg. Ref. 91A/0711
Appl. Rec'd: 02.05.91
Time Ext. let. rec'd: 20.11.91
Time Ext. up to: 20.12.91

Report dated 20 November 1991

This is an application for PERMISSION for the retention of amendments to structure at Brownsbarn, Baldonnel.

In accordance with Section 26(4A) of the Local Government (Planning and Development) Act, 1963, as amended by Section 39(F) of the Local Government (Planning and Development) Act, 1976, the applicant has furnished his consent in writing to the extension by the Council of the period for considering this application within the meaning of subsection (4A) of Section 26, up to and including 20 December 1991.

I recommend that the period to be extended accordingly.

Reason: To facilitate full consideration of the application.


for Principal Officer.

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

Dated: 21st November, 1991.


Assistant County Manager

to whom the appropriate powers have been delegated by order of the Dublin City and County Manager dated 6th November 1991.

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


SENIOR STAFF OFFICER.

M.G.

Register Reference : 91A/0711

Date : 14th May 1991

Development : Retention of amendments to structure

LOCATION : Brownsbarn, Baldonnel

Applicant : Rilmount Developments

App. Type : PERMISSION

Planning Officer : M.GALVIN

Date Recd. : 2nd May 1991

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

DUBLIN COUNTY COUNCIL
13 JUN 1991

Yours faithfully,

Paul Galvin

PRINCIPAL OFFICER

The proposal is acceptable subject to the following

- (1) Compliance in full with S.R.6-1975
- (2) Compliance with items 4-7 listed in report of this office dated 23/10/90 by Mr. V. Carberry EHO.

Janet Kelly EHO
2/7/91

John Healy 3/7/91
SUPER. ENVIRON. HEALTH OFFICER,
33 GARDINER PLACE,
DUBLIN 1.

PLANNING DEPT.
DEVELOPMENT CONTROL SECT
Date 08.07.91
Time 3.30

SS + CMO.

M.G.

Register Reference : 91A/0711

Date : 14th May 1991

Development : Retention of amendments to structure

LOCATION : Brownsbarn, Baldonnel

Applicant : Rilmount Developments

App. Type : PERMISSION

Planning Officer : M.GALVIN

Date Recd. : 2nd May 1991

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

Yours faithfully,

DUBLIN CO. COUNCIL
 23 MAY 1991
 SAN SERV

DUBLIN CO. COUNCIL
 SANITARY SERVICES
 PRINCIPAL OFFICER
 17 JUN 1991
 Returned *[Signature]*

Date received in Sanitary Services

FOUL SEWER

Septic tank proposal - refer to E.H.S.

PLANNING DEPT.
 DEVELOPMENT CONTROL SECT
 Date 18.06.91
 Time 12.50

SURFACE WATER

In sufficient information.

1. The ~~main~~ pipe to which it is proposed to connect is a Road Drain. Applicant must lodge written permission from the Roads Dept. to connect to same.
2. Applicant has not indicated means of draining car parking area. 'Self-draining' is not sufficient.

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

[Signature] 10/6/91

[Signature]
11/6/91

A.F. 1991

Register Reference : 91A/0711

Date : 14th May 1991

.....
ENDORSED _____

DATE _____

WATER SUPPLY

Recommend Rejection

- (a) applicant to furnish details of daily water consumption
(b) permission to connect to nearest water main
~~at~~ (2" water main) from Secretary of Housing & Home

Refer to C.F.O.

Shantappa
23/5/91

ENDORSED _____

[Signature]

DATE

13/6/91

PLANNING DEPT.
DEVELOPMENT CONTROL SECT
Date *18.06.91*
Time *12.55*

P/2833/91

COMHAIRLE CHONTAE ÁTHA CLIATH

Record of Executive Business and Manager's Orders

Register Reference : 91A/0711

Date Received : 2nd May 1991

Correspondence : Rilmount Developments Ltd,
Name and : 6 Killeen Road,
Address : Dublin 10.

Development : Retention of amendments to structure

Location : Brownsbarn, Baldonnel

Applicant : Rilmount Developments

App. Type : Permission

Zoning : E

(MG/DK)

Report of the Dublin Planning Officer dated 18th June, 1991.

This is an application for PERMISSION for the retention of amendments to structure at Brownsbarn, Baldonnel for Rilmount Developments.

The proposed site which has an area of 8,600 sq. m. (2.13 acres) is located to the north of the Naas Dual Carriageway in an area zoned 'E' - "to provide for industry and related uses" in the Dublin County Development Plan, 1983.

PLANNING HISTORY

Reg. Ref. No. ZA 989 refers to a refusal of planning permission by both Dublin County Council and An Bord Pleanála for a service garage, vehicle park and storage area at this site.

Reg. Ref. No. 85A-1036 refers to a grant of permission by An Bord Pleanála (following a refusal by Dublin County Council for a 578 sq. m. service garage, associated offices, parking and storage at this site). The applicant in both instances was Sean Hegarty Earthworks Ltd.

The site was subsequently sold and the new owners, Rilmount Developments Ltd., applied for bye-law approval (under Reg. Ref. No. 85A-1036) for a development comprising 'office workshops, stores and parking area'. The drawings submitted for bye-law approval differed from those submitted for planning permission. They provided for a large building of area c. 705 sq. m. and height 9.376 metres.

Construction works have commenced on the site and substantial works have already been carried out, i.e. in particular, the frame of the building has already been erected. A rough gravel surface has been provided over part of

COMHAIRLE CHONTAE ÁTHA CLIATH

Record of Executive Business and Manager's Orders

the site and on site inspection it was noted that boundary walls to the site are currently being erected.

Enforcement file 8025 refers.

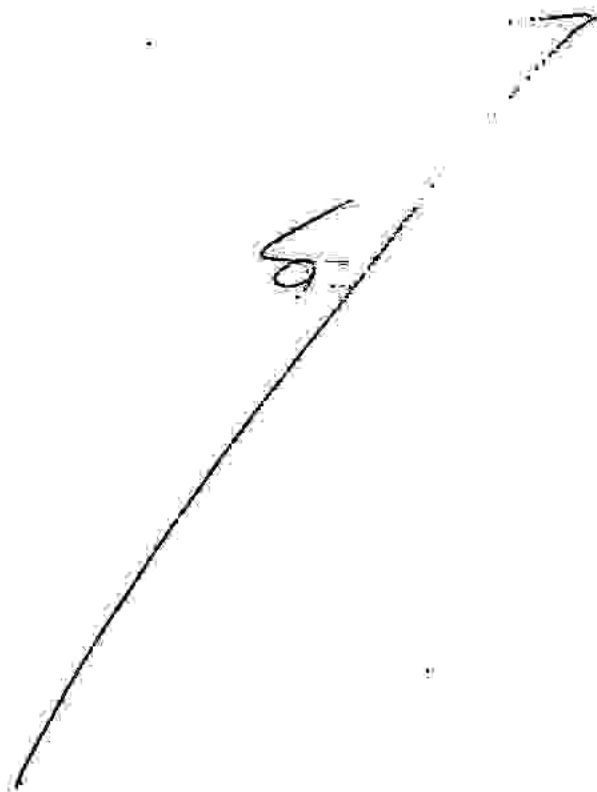
The current application provides for the retention of amendments to the structure. Lodged plans identify the building granted building bye-law approval under Reg. Ref. No. 85A-1036.

The proposed building extends 9.376 metres in height (to ridge level). This is 0.6 metres higher than that originally granted planning permission under Reg. Ref. No. 85A-1036, i.e. 8.725. However, lodged plans identify a finished floor level below that originally granted planning permission, i.e. -0.35 metres. The amended structure is, therefore, only 0.3 metres (c. 1 ft.) higher than the building originally approved under Reg. Ref. No. 85A-1036.

One objection has been received from the Department of Defence which states that the proposed development is located in the protected area zoned A around Baldonnell Aerodrome and that it exceeds by a 'considerable margin' the dimensions of the previously approved building. The report states that the proposed development is in the red (safety) area of the approach to runway 29.

I recommend that ADDITIONAL INFORMATION be requested from the applicant with regard to the following:-

- 01 The proposed site is located in zone A of the protected area around Casement Aerodrome, Baldonnell. An objection has been received from the Department of Defence who note that the proposed development exceeds by a considerable margin the dimensions of the previously approved building and also that it is in the safety area of the approach to runway 29. The applicant is requested to indicate whether it is possible to overcome these objections.



COMHAIRLE CHONTAE ÁTHA CLIATH

Record of Executive Business and Manager's Orders

[Signature]
.....
for Dublin Planning Officer

[Signature]
Endorsed:-.....
for Principal Officer

Order: I direct that ADDITIONAL INFORMATION be requested from the applicant for Permission as set out in the above report and that notice thereof be served on the applicant.

Dated : 21 June 1991
.....
to whom the appropriate powers have been delegated by order of the Dublin City and County Manager dated 19th June 1991



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

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

Decision Order Number : P/ 1310 /92 Date of Decision : 27th March 1992

Register Reference : 91A/0711 Date Received : 25th September 1991

Applicant : Rilmount Developments

Development : Retention of amendments to structure

Location : Brownsbarn, Baldonnell

Floor Area : Sq. Metres

Time Extension(s) up to and including :

Additional Information Requested/Received : 210691//250991

In pursuance of its functions under the above mentioned Acts, the Dublin County Council, being the Planning Authority for the County Health District of Dublin, did by Order dated as above make a decision to GRANT PERMISSION in respect of the above proposal.

Subject to the Conditions on the attached Numbered Pages.

NUMBER OF CONDITIONS:- ¹¹.....ATTACHED.

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

Date:..... 27/5/92

Rilmount Developments Ltd,
6 Killeen Road,
Dublin 10.

NOTES

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

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

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

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

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

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

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

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

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

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

5. Approval of the Council under the Building Bye-Laws must be obtained for new work and the terms of the approval must be complied with in the carrying out of the work before any development which may be permitted is commenced. Approval under the Building Bye-Laws is not applicable to garden walls and entrances etc. Approval under the Building Bye-Laws cannot be obtained in cases involving retention of works previously carried out.

Reg.Ref. 91A/0711
Decision Order No. P/ 1310 /91
Page No: 0002



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

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

01 The development to be carried out in its entirety in accordance with the plans, particulars and specifications lodged with the application, as amended by unsolicited additional information lodged 4/3/92, save as may be required by the other conditions attached hereto.

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

02 That the requirements of the Chief Fire Officer be ascertained and strictly adhered to in the development.

REASON: In the interest of safety and the avoidance of fire hazard.

03 That the requirements of the Supervising Environmental Health Officer be ascertained and strictly adhered to in the development.

REASON: In the interest of health.

04 That the water supply and drainage arrangements, including the disposal of surface water, be in accordance with the requirements of the County Council. In this regard applicants to obtain any necessary permissions for connection to the group water scheme operating in this area.

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

05 That no industrial effluent be permitted without prior approval from Planning Authority.

REASON: In the interest of health.

06 That off-street car parking facilities and parking for trucks be provided in accordance with the Development Plan Standards.

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

07 That no sign or structure be erected except those which are exempted development, without prior approval of Planning Authority.

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

08 That details of landscaping and boundary treatment be submitted to and agreed with the Planning Authority within 3 months of the Decision to Grant Permission. The scheme shall, inter alia, provide for a landscaped mound along the southern boundary of the site to screen the site from view from the nearby Naas Dual Carriageway and a timescale for the carrying out of landscaping works.

REASON: In the interest of visual amenity.

09 That the provision of the proposed septic tank be in accordance with the requirements of the Environmental Health Officer, Eastern Health Board.

REASON: In the interest of health.

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Reg.Ref. 91A/0711
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10 That the proposed structure be reduced in length to 30.91 metres by the removal of the northernmost frame of the building. The revised northern elevation to have a part brick/part clad finish to match existing. These works to be carried out within 3 months of the date of the decision to grant permission.

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

11 That a financial contribution in the sum of £812. be paid by the proposer to the Dublin county council towards the cost of provision of public services in the area of the proposed development and which facilitate this development; this contribution to be paid before the commencement of development on the site.

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

NOTE: This permission does not imply any consent or approval for the structural stability of works carried out.

NOTES

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