

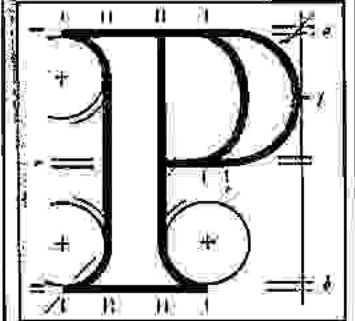
Our Ref: PL 6/5/88188
P.A. Reg. Ref: 91A/1972

ED 'H

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

COUNCIL
PLANNING DEPT.
RECEIVED
12 MAY 1992

An Bord Pleanála



Date: 08 MAY 1992

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

Appeal re: Erection of new offices and stores at
Club Road, Off Robinhood Road, Clondalkin, Dublin
22.

Dear Sir/Madam,

An order has been made by An Bord Pleanála
dismissing the above mentioned appeal under section
16(1) of the Local Government (Planning and
Development) Act, 1983. A copy of the order is
enclosed.

Your attention is drawn to Section 26 (11) of the
Local Government (Planning and Development) Act,
1963 which provides that "a person shall not be
entitled solely by reason of a permission or
approval under this Section to carry out any
development".

Yours faithfully,

Suzanne Lacey
Suzanne Lacey

Encl.

BP 402

PLANNING DEPARTMENT
11 MAY 1992
CONTROL

AN BORD PLEANÁLA

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

County Dublin

Planning Register Reference Number: 91A/1972

WHEREAS on the 27th day of February, 1992, John Byrne care of Kearns Price and Company of Ulster Bank Chambers, 2-4 Lower O'Connell Street, Dublin appealed to An Bord Pleanála against the decision made on the 7th day of February, 1992, by the Council of the County of Dublin to grant subject to conditions a permission to C.L.G. Builders Limited care of Patrick Joyce Associates of 4 Boden Wood, Rathfarnham, Dublin for the erection of new offices/stores at Club Road, off Robinhood Road, Clondalkin:

AND WHEREAS, having considered the grounds of appeal, which relate to matters of legal interest, the Board is of opinion that the appeal is without substance or foundation:

NOW THEREFORE An Bord Pleanála, in exercise of the powers conferred on it by subsection (1) of section 16 of the Local Government (Planning and Development) Act, 1983, hereby dismisses the said appeal.



M. J. Connell

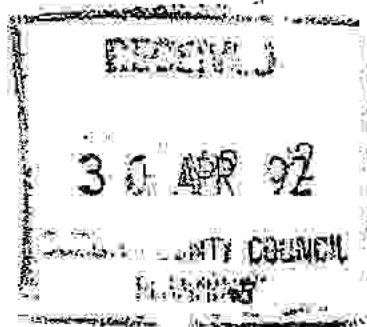
Member of An Bord Pleanála duly
authorised to authenticate the
seal of the Board.

Dated this 6th day of *May* 1992.

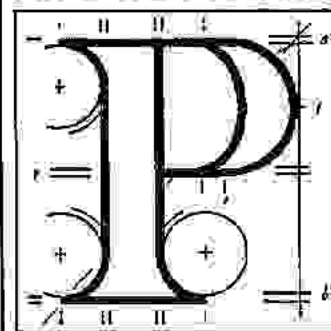
Our Ref: PL 6/5/88188
P.A. Reg. Ref: 91A/1972

EO 14

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



An Bord Pleanála



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

Date: 29th April 1992

Appeal re: Retention of change of use of part of a domestic garage to milk refrigeration unit and general purpose shed in the townland of Corragh.

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

Encl.

BP 555

KEARNS, PRICE & Co.
SOLICITORS.
COMMISSIONERS FOR OATHS

PAUL D. KEARNS
COLM PRICE

OUR REF: KP4111PDK/NH

YOUR REF:

ULSTER BANK CHAMBERS,
2-4 LOWER O'CONNELL STREET,
DUBLIN 1.
D.D.E. 139
Telephone: 742131 & 742132
- Vat No. F0047902G
Fax No. 740709

The Secretary,
An Bord Pleanála,
Floor 3,
Blocks 6/7,
Irish Life Centre,
Lr. Abbey Street,
Dublin 1



27th April 1992

6/88188

Re: erection of new offices and stores at Club Road, off Robinhood Road,
Clondalkin, Dublin 22
Applicant: CLG Builders Ltd
Our client: John Byrne

Dear Sir,

In this matter we thank you for your letter to us of 31st. ult with which you sent us a copy of the letter which you had received from Messrs. L. K. Shields & Partners dated 24th. ult. We regret some delay in replying which was caused by the Easter break. We now wish to reply to the points raised by Messrs. L.K. Shields & Partners in their letter and the following paragraphs are numbered to correspond with the numbered paragraphs in their letter:-

1. We agree that there are considerable areas of dispute between our client and CLG Builders Ltd (to which we will refer throughout this letter as "CLG") and as a result of that dispute our client has been forced to issue proceedings against CLG.

2. The Solicitors allege that CLG reached verbal agreement with our client for the purchase of the property at £35,000.00 but they make no mention of the date of the alleged agreement which was in fact early August 1987, the better part of five years ago. The negotiations were of course subject to contract and we were also on agreed terms in regard to payment of the purchase price by three instalments, of which the first and second were to be paid on or before 30th September 1987.

On the instructions of our client we issued a draft contract to the Solicitors then acting for CLG who were Messrs. James Cody & Sons of Bagenalstown, Co. Carlow. That draft contract provided for payment of a deposit of £5,000.00.; £15,000.00. on the closing date 30th September 1987; and the balance of £15,000.00. on or before 30th September 1988. The final balance was to be secured by a

AUTHORISED INSURANCE AGENT FOR INSURANCE CORPORATION OF IRELAND P.L.C.

Charge against the property. None of those sums was ever paid to us or tendered to us and after a small amount of desultory correspondence over the following months the said Solicitors and CLG appeared to lose interest in the proposed purchase. The situation was aggravated at that time by notices served by Dublin Co. Council stating that CLG had more than the permitted number of Portakabins on the site and were wrongfully using the domestic sewer. Although notification of those complaints was given to CLG and their Solicitors nothing was done by CLG about the complaints. The draft contract then appeared to have been totally forgotten and we or our client were certainly no longer interested in it but we received a letter from the said Solicitors dated 30th. October 1991 with which they sent us that draft contract purported to be signed by P. Connor for CLG Builders. They also sent us a cheque for £5,000.00. and told us that their client had got Planning Permission. When the reference for the Planning Permission was supplied we recognised it as applying to a Notification of Decision to Grant Permission subject to nine conditions which was issued on 11th. November 1988 and which provided that the structures authorised by that permission should be removed on or before 30th October 1990 unless before that date permission for their retention was granted by the Planning Authority or by An Bord Pleanala. A further condition was that when the buildings were being removed CLG should notify the Sanitary Authority who would supervise the sealing of drainage connections at the applicant's expense. We brought that to the attention of the Solicitors and pointed out that CLG were being nonsensical. We had earlier returned the cheque for £5,000.00. which had been tendered to us as a deposit. The document which was sent to us as a signed contract was meaningless because it still referred to payments of £15,000.00. to be made by 30th September 1987 and 30th September 1988.

We have gone into some detail on this subject and we trust you are satisfied that there is no contract between our client and CLG. If you require further details from us then we will be glad to supply same.

3. At the beginning of this paragraph it is alleged that our client is trying to dispose of the lands at a price greater than the alleged "previously agreed price". It is further alleged that our client is utilising the appeals process of an Bord Pleanala for mischievous purposes. All that is totally untrue. To the final sentence of this paragraph the Solicitors state that it is respectfully submitted by their client that our client's unsupported appeal amounts to abuse of process. In that sentence CLG show a remarkable lack of respect for either the Planning process or An Bord Pleanala.

4. In this paragraph it is stated by the Solicitors that their client is entitled to seek a new tenancy under the Landlord & Tenant Acts. That is not a matter over which An Bord Pleanala has any jurisdiction but the matter will come before the court

RECEIVED
28 APR 1992

in due course. However, if it was assumed that CLG were entitled to a long Lease, which is not admitted, they would still be subject to the constraints imposed by such Lease and in particular to the consent of the landlord in regard to any proposed development. They do not have that consent and would be unlikely to get it.

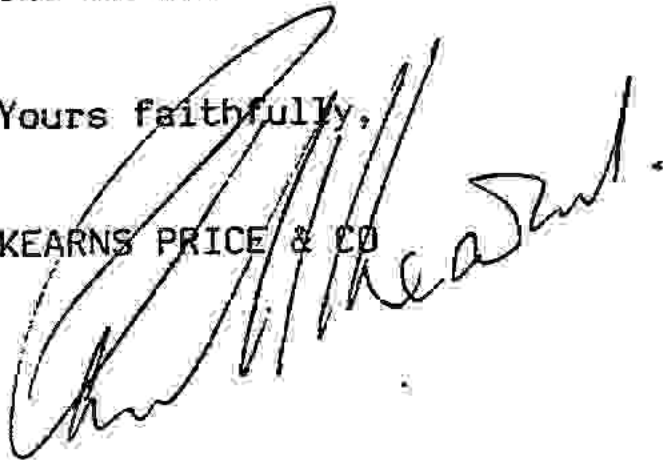
5. Our comments in the above paragraph appear to deal with the submission made in paragraph 5.

6. Again the Solicitors for CLG refer to proceedings in the courts over which An Bord Pleanála has no jurisdiction whatever.

7. This paragraph again refers to the alleged legal interest of CLG in the property, with which we have dealt fully. They make the totally unfounded and unwarranted allegation that our client's opposition to the permission is motivated solely by the desire of our client to harm the interest of CLG. Nothing could be further from the truth.

Yours faithfully,

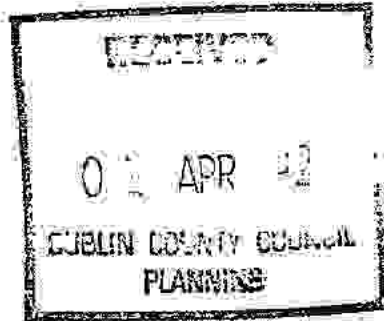
KEARNS PRICE & CO



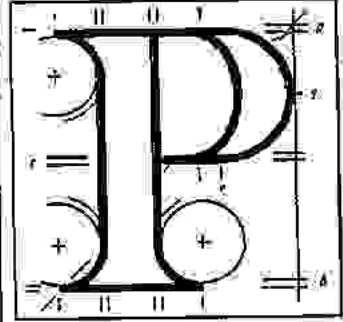
Our Ref: PL 6/5/88188
P.A. Reg. Ref: 91A/1972

EOH

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: 31st March 1992.

Appeal re: Erection of new offices and stores at
Club Road, Off Robinhood Road, Clondalkin, Dublin
22.

Dear Sir/Madam,

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

Yours faithfully,

Suzanne Lacey
Suzanne Lacey

Encl.

BP 555



L. K. SHIELDS & PARTNERS
SOLICITORS • COMMISSIONERS FOR OATHS

31 MERRION SQUARE, DUBLIN 2, IRELAND.
TEL: (01) 610866 - FAX: (01) 610883 - D.D.E. BOX NO.: 123

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

OUR REF: EB/BC

YOUR REF: PL 6/5/88188

24th March 1992.

Re: Our client : CLG Builders Limited
Planning Authority Decision re erection of New Offices and
Stores at Club Road, off Robinhood Road, Clondalkin, Dublin 22.
P.A. Reg. Ref : 91A/1972

Dear Sirs,

Your letter of 2nd March addressed to Patrick Joyce Associates in relation to our above named client has been passed to us for our attention.

In response to the letter of appeal sent to you by Messrs Kearns Price & Co, on behalf of John Byrne, we respond as follows :-

1. Our client and Mr. Byrne are in dispute in relation to certain matters concerning the occupation by our client of the premises which is the subject matter of the decision to grant permission.
2. Our client reached a verbal agreement with Mr. Byrne for the purchase of the relevant lands at a price of £35,000. The agreement was conditional upon suitable planning permission being obtained by our client to develop the lands. The agreement was not the subject of a formalised signed written contract between the parties but Mr. Byrne did execute a handwritten document which we hold on file and which appears, together with prior and subsequent correspondence, clearly to evidence the important aspects of the agreement for the sale of the relevant lands. Our client has been advised that the written document from Mr. Byrne may constitute a note or memorandum adequate to satisfy the Statute of Frauds.
3. Mr. Byrne now appears to be endeavouring to dispose of the lands at a price greater than the previously agreed price

26 MAR 1992

referred to at paragraph 2 above. Our client considers that Mr. Byrne is utilizing the appeal process of an Bord Pleanala for the sole purpose of causing expense, delay and difficulty to our client in the development of the lands. For that reason it is respectfully submitted by our client that Mr. Byrne's unsupported appeal amounts to abuse of process.

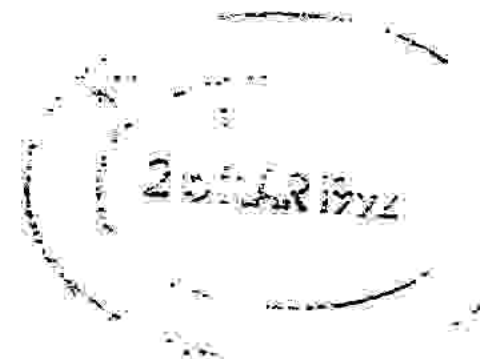
4. Quite apart from the purchase contract which our client appears to have with Mr. Byrne at a price of £35,000, it is undisputed that our client has been in exclusive possession as tenant of the relevant lands for a period well in excess of three years and on this basis alone, our client is clearly entitled and is about to serve Notice of Intention to claim relief under the Landlord and Tenant Acts. The relief which our client shall seek is an Order directing Mr. Byrne to enter into a thirty five year lease with our client in respect of the relevant premises.
5. Having regard to the facts set out at paragraphs 3 and 4 above, it is respectfully submitted that our client clearly has sufficient legal interest in the relevant lands to have made the application the grant of which is now under appeal by Mr. Byrne.
6. The Circuit Court proceedings bearing record number 2155/92 referred to in the letter from Messrs Kearns Price will be vigorously defended. Likewise, any attempt to seek to have our client ejected from the premises on foot of the Notice to Quit will be vigorously opposed. Finally, our client will, if necessary, issue proceedings in the High Court directing Mr. Byrne to specifically perform the contract for the sale of his interest in the relevant lands at a price of £35,000.
7. We trust that by virtue of the foregoing, you will accept that our client has a legal interest in the land sufficient to entitle our client to have made application for the permission granted and that Mr. Byrne's opposition to the permission granted is motivated solely by Mr. Byrne's desire to harm our client's interests.

Please do not hesitate to contact us should any further information or documentation be required.

We look forward to hearing from you.

Yours faithfully,

L.K. Shields & Partners
L.K. Shields & Partners.



COMHAIRLE CEANTAE ATHA CLIATH

Tel.: 724755
Ext. 268/269

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

Your Ref.: PL6/5/ 8888

Our Ref.: 91A-1972

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

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

Proposal: New offices/stores at Club Road, off Raha hood Road

Applicant: ChG Builders Ltd.

Dear Sir,

With reference to your letter dated 3/3/92 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 10/12/91
- (4) The plan(s) received from the applicant on 2/12/91
- (5) & (7) A certified copy of Manager's Order P/576/92
DATED, 7/2/92 together with technical reports in connection with the application.
- (8) Histories to follow

Yours faithfully,

Ruth Farrell
for Principal Officer.
Encls.

Our Ref: PL 6/5/88188
Your Ref: 91A/1972

~~MA~~ EDC

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

Date 2nd March 1992.

03 MAR 92

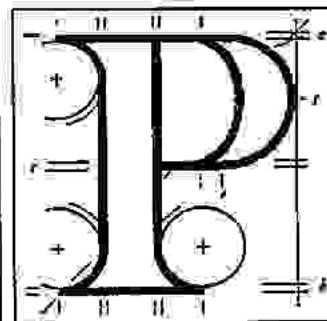
Planning authority decision re: Erection of new offices and stores at Club Road, Off Robinhood Road, Clondalkin, Dublin 22.

Dear Sir/Madam,

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

- (1) The application made to the planning authority.
- (2) Particulars of the applicant's interest in the land or structure, as supplied to the planning authority.
- (3) A copy of the public notice, whether published in a newspaper or on the site.
- (4) Any drawings, maps, particulars, information, evidence or written study received or obtained from the applicant, including the ordnance survey number.
- (5) Copies of requests (if any) to the applicant for further information relating to the application under appeal and copies of reply and documents (if any) submitted in response to such requests.
- (6) A certified copy of the relevant Manager's Order.
- (7) Copies of any technical or other reports relevant to the decision on the application.
- (8) Particulars and relevant documents relating to previous decisions affecting the same site or relating to applications for similar development close by.

An Bord Pleanála



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

DEVELOPMENT
- 4 MAR 1992
CONTROL

Please note that the other 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.

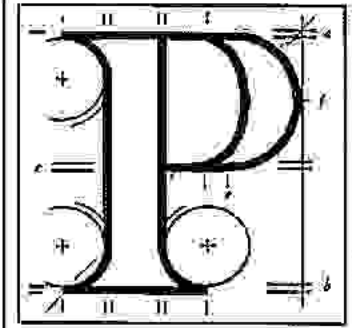
Yours faithfully,


Suzanne Lacey

Encl.

BP 005

An Bord Pleanála



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

KEARNS, PRICE & Co.
SOLICITORS
COMMISSIONERS FOR OATHS

PAUL D. KEARNS
COLM PRICE

OUR REF: KP 4111 PDK/NH

YOUR REF:

ULSTER BANK CHAMBERS,
2-4 LOWER O'CONNELL STREET,
DUBLIN 1.
D.D.E. 139
Telephone: 742131 & 742132
Vat No. F0047902G
Fax No. 740709

The Secretary,
An Bord Pleanála,
Blocks 6/7,
Irish Life Centre,
Lr. Abbey Street,
Dublin 1]

AN BORD PLEANALA	
RECEIVED	27/2/92
Fee:	£100.00.
Receipt No.	8

27th February 1992



RE: Development; New Offices/Stores
Location: Club Road, off Robinhood Road, Clondalkin Co Dublin
Applicant: CLG Builders Ltd
Notification of Decision to Grant Permission dated 11th. February 1992
Decision Order No: P/0526/92 Register Ref: 91A/1972

Dear Sir,

On behalf of our client Mr. John Byrne of Snowdrop House, Fox and Geese, Clondalkin Co. Dublin we hereby appeal against the Decision to Grant the above Permission. Our client is the freehold owner of the main property affected by the above development.

The principal ground of appeal is that on the Planning Application Form the applicant's legal interest in the site is stated as "Tenant with option to purchase". The tenancy of applicant has been determined by a Notice to Quit served by us on 23rd. January 1992 which expires on 2nd. March 1992 and the applicant does not now and never had the option to purchase the property. We have further to state that on behalf of our said client we issued on 5th. February 1992 Trespass Proceedings against the said applicant and those proceedings bear the Record No 2155/92.

There are other grounds on which we could object but we are advised that the above reasons are sufficient to ground this Appeal.

We send herewith the cheque of our client in your favour for £50.00. in respect of this Appeal.

Yours faithfully,

KEARNS PRICE & CO

AUTHORISED INSURANCE AGENT FOR INSURANCE CORPORATION OF IRELAND P.L.C.

100 rec'd
81



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

CN 9798

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

Decision Order Number : P/ 0526 /92 Date of Decision : 7th February 1992

Register Reference : 91A/1972 Date Received : 12th December 1991

Applicant : CLG Builders Limited

Development : New offices/stores

Location : Club Road, off Robinhood Road, Clondalkin

Floor Area : Sq.Metres

Time Extension(s) up to and including :

Additional Information Requested/Received : //

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

Subject to the conditions on the attached Numbered Pages.

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

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

Date: ...10/2/92...

Patrick Joyce Associates,
Consulting Engineers,
4 Boden Wood,
Rathfarnham,
Dublin 14

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/1972
Decision Order No. P/ 0526 /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 save as may be required by the other conditions attached hereto.
REASON: To ensure that the development shall be in accordance with the permission and that effective control be maintained.
- 02 That before development commences, approval under the Building Bye- Laws be obtained and all conditions of that approval be observed in the development.
REASON: In order to comply with the Sanitary Services Acts, 1878-1964.
- 03 That 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.
- 04 That the requirements of the Supervising Environmental Health Officer be ascertained and strictly adhered to in the development.
REASON: In the interest of health.
- 05 That a financial contribution in the sum of £2220.00 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.
- 06 That the water supply and drainage arrangements, including the disposal of surface water, be in accordance with the requirements of the County Council.
REASON: In order to comply with the Sanitary Services Acts, 1878-1964.
- 07 That no advertising 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 Before any development commences the applicant shall submit for the written agreement of the Planning Authority a revised site layout plan which shall provide for the provision of landscaping of the entire site. Provision shall be made in particular for a landscaped area along the southern boundary of the site at least 2.5 metres wide suitably planted with trees. The applicant shall also submit a programme for implementation and subsequent maintenance of landscaping on the site.

NOTES

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Irish Life Centre,
Lower Abbey Street,
Dublin 1.

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

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



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

Reg. Ref. 91A/1972

Decision Order No. P/ 0526 /91

Page No: 0003

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

09 The offices shall be subsidiary and ancillary to the industrial use of the site.

REASON: To prevent unauthorised development.

10 The access arrangements are to be in accordance with the requirements of the County Council. In this regard the applicant is to submit to the Planning Authority a block plan, to suitable scale, on which the proposed access arrangements to the public road have been clearly marked. The applicant is also to submit satisfactory written evidence of this right of way across the neighbouring land to the public road. These to be submitted to the Planning Authority for written agreement prior to commencement of development.

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

11 That permanent access to this site shall be from Robinhood Road over adjoining industrial lands to the west when a new road on these lands becomes available. The access via Club Road shall be closed off when this permanent access becomes available.

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

NOTE: Compliance with one or more of the conditions of this permission may result in material alterations to the development as initially proposed and, accordingly, may require the submission of a further planning application.

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.

PATRICK JOYCE ASSOCIATES

Consulting Engineers

4 Boden Wood
Rathfarnham
Dublin 14

Telephone: (01) 946745
Fax: (01) 946745

PATRICK C. JOYCE BE, MBA, C. Eng, MIEI, MIWEM

Dublin County Council,
Planning Department,
Irish Life Centre,
1r. Abbey Street,
Dublin 1.

17 DEC 91

10th December 1991

Re: Planning Application for Proposed New Offices/Stores at
Club Road, Clondalkin, Dublin 22 for CLG Builders Ltd.

Dear Sirs,

Please find enclose completed Application Form and relevant documentation for above. The application is in respect of proposed new offices and stores for CLG Builders Limited. These new offices/stores will replace the portacabins which are on the site at present. If there are any queries regarding the application, please contact the undersigned. Thanking you for your attention.

Yours faithfully,

Patrick C. Joyce
Patrick C. Joyce

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/1972

Date : 13th December 1991

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

Dear Sir/Madam,

DEVELOPMENT : New offices/stores

LOCATION : Club Road, off Robinhood Road, Clondalkin

APPLICANT : CLG Builders Limited

APP. TYPE : PERMISSION

With reference to the above, I acknowledge receipt of your application received on 12th December 1991.

Yours faithfully,

.....
for PRINCIPAL OFFICER

Patrick Joyce Associates,
Consulting Engineers,
4 Boden Wood,
Rathfarnham,
Dublin 14



PLEASE READ INSTRUCTIONS AT BACK BEFORE COMPLETING FORM. ALL QUESTIONS MUST BE ANSWERED.

1. Application for Permission Outline Permission Approval Place in appropriate box.
Approval should be sought only where an outline permission was previously granted. Outline permission may not be sought for the retention of structures or continuances of uses.

2. Postal address of site or building CLUB ROAD, OFF ROBINHOOD ROAD
(If none, give description sufficient to identify)..... CLONDALKIN, DUBLIN 22

3. Name of applicant (Principal not Agent)..... CLG BUILDERS LIMITED
Address..... CLUB ROAD, OFF ROBINHOOD ROAD, CLONDALKIN, DUBLIN 22 Tel. No..... 505124

4. Name and address of PATRICK JOYCE ASSOCIATES, CONSULTING ENGINEERS,
person or firm responsible for preparation of drawings 4 BODEN WOOD, RATHFARNHAM, DUBLIN 14 Tel. No 946745

5. Name and address to which PATRICK JOYCE ASSOCIATES, CONSULTING ENGINEERS
notifications should be sent 4 BODEN WOOD, RATHFARNHAM, DUBLIN 14

6. Brief description of
proposed development New Offices / STORES

7. Method of drainage Public system 8. Source of Water Supply Public mains

9. In the case of any building or buildings to be retained on site, please state:
(a) Present use of each floor or use when last used.

CO. DUBLIN Permission sought for new offices/stores at Club Road, off Robinhood Road, Clondalkin for CLG Builders Ltd

(b) Proposed use of each floor
10 Does the proposal involve demolition, partial demolition or change of use of any habitable house or part thereof? No

Irish
Eves
10/12/91

11. (a) Area of Site 1850 Sq. m.

(b) Floor area of proposed development 281 Sq. m.

(c) Floor area of buildings proposed to be retained within site Sq. m.

12. State applicant's legal interest or estate in site (i.e. freehold, leasehold, etc.) Tenant with option to purchase

13. Are you now applying also for an approval under the Building Bye Laws?
Yes No Place in appropriate box. Separate submission later

14. Please state the extent to which the Draft Building Regulations have been taken in account in your proposal:
Fully

15. List of documents enclosed with application.
Drawings D/9110/01, D/9110/02, D/9110/03

16. Gross floor space of proposed development (See back) 281 sq. m. Sq. m.

No of dwellings proposed (if any) Class(es) of Development 4

Fee Payable € 491-75 Basis of Calculation 281 sq. m x €1.75 = £491-75

If a reduced fee is tendered details of previous relevant payment should be given

Signature of Applicant (or his Agent) Patrick C. Joyce Date 7/12/91

Application Type P 91A/1972 FOR OFFICE USE ONLY

Register Reference Amount Received € 2.12.0

Receipt No Date 10/13

LOCAL GOVERNMENT (PLANNING & DEVELOPMENT) REGULATIONS 1977 to 1984.

Outline of requirements for applications for permission or Approval under the Local Government (Planning & Development) Acts 1963 to 1983. The Planning Acts and Regulations made thereunder may be purchased from the Government Publications Sales Office, Sun Alliance House, Molesworth Street, Dublin 2.

1. Name and Address of applicant.
 2. Particulars of the interest held in the land or structure, i.e. whether freehold, leasehold, etc.
 3. The page of a newspaper, circulating in the area in which the land or structure is situate, containing the required statutory notice. The newspaper advertisement should state after the heading Co. Dublin.
 - (a) The address of the structure or the location of the land.
 - (b) The nature and extent of the development proposed. If retention of development is involved, the notice should be worded accordingly. Any demolition of habitable accommodation should be indicated.
 - (c) The name of the applicant.
- NB. Applications must be received within 2 weeks from date of publication of the notice.**
4. Four (4) sets of drawings to a stated scale must be submitted. Each set to include a layout or block plan, proposed and existing services to be shown on this drawing, location map, and drawings of relevant floor plans, elevations, sections, details of type and location of septic tank (if applicable) and such other particulars as are necessary to identify the land and to describe the works or structure to which the application relates (new work to be coloured or otherwise distinguished from any retained structures). Buildings, roads, boundaries and other features bounding the structure or other land to which the application relates shall be shown on site plans or layout plans. The location map should be of scale not less than 1: 2500 and should indicate the north point. The site of the proposed development must be outlined in red. Plans and drawings should indicate the name and address of the person by whom they were prepared. Any adjoining lands in which the applicant has an interest must be outlined in blue.
 5. In the case of a proposed change of use of any structure or land, requirements in addition to 1, 2, & 3 are.
 - (a) a statement of the existing use and the proposed use, or, where appropriate, the former use and the use proposed.
 - (b) (i) Four (4) sets of the drawings to a stated scale must be submitted. Each set to consist of a plan or location map (marked or coloured in red so as to identify the structure or land to which the application relates) to a scale of not less than 1:2500 and to indicate the North point. Any adjoining lands in which the application has an interest must be outlined in blue.
 - (ii) A layout and a survey plan of each floor of any structure to which the application relates.
 - (c) Plans and drawings should indicate the name and address of the person by whom they were prepared.
 6. Applications should be addressed to: Dublin County Council, Planning Department, Irish Life Centre, Lr. Abbey Street, Dublin 1, Tel. 724755.

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 are to be in accordance with I.I.R.S. S.R. 6:75.

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.

Applicants to comply in full with the requirements of the Local Government (Water Pollution) Act, 1977 in particular the licencing provisions of Sections 4 and 16.

PLANNING APPLICATIONS

BUILDING BYE-LAW APPLICATIONS

CLASS NO.	DESCRIPTION	FEE	CLASS NO.	DESCRIPTION	FEE
1.	Provision of dwelling — House/Flat.	£32.00 each	A.	Dwelling (House/Flat)	£55.00 each
2.	Domestic extensions/other improvements.	£16.00	B.	Domestic Extension (improvement/alteration)	£30.00 each
3.	Provision of agricultural buildings (See Regs.)	£40.00 minimum	C.	Building — Office/Commercial Purposes	£3.50 per m ² (min. £70.00)
4.	Other buildings (i.e. offices, commercial, etc.)	£1.75 per sq. metre (Min. £40.00)	D.	Agricultural Buildings/Structures	£1.00 per m ² in excess of 300 sq. metres (min. - £70.00) (Max. - £300.00)
5.	Use of land (Mining, deposit or waste)	£25.00 per 0.1 ha (Min £250.00)	E.	Petrol Filling Station	£200.00
6.	Use of land (Camping, parking, storage)	£25.00 per 0.1 ha (Min. £40.00)	F.	Development or Proposals not coming within any of the foregoing classes.	£9.00 per 0.1 ha (£70.00 min.)
7.	Provision of plant/machinery/tank or other structure for storage purposes.	£25.00 per 0.1 ha (Min. £100.00)			Min. Fee £30.00
8.	Petrol Filling Station.	£100.00			Max. Fee £20,000
9.	Advertising Structures.	£10.00 per m ² (min £40.00)			
10.	Electricity transmission lines.	£25.00 per 1,000m (Min. £40.00)			
11.	Any other development.	£5.00 per 0.1 ha (Min. £40.00)			

Cheques etc. should be made payable to: Dublin County Council.

Gross Floor space is to be taken as the total floor space on each floor measured from the inside of the external walls.

For full details of Fees and Exemptions see Local Government (Planning and Development) (Fees) Regulations 1984.

COMHARLE CHONTAE ÁTHA CLIATH

RECEIPT CODE

PAID BY

DUBLIN COUNTY COUNCIL

46/49 UPPER O'CONNELL STREET,

DUBLIN 1.

CASH

CHEQUE

M.O.

B.L.

N 54086

€ 491.75
1312

Received this

day of

December 1991

from

C. J. Builders Ltd.
Club Rd.
Clontarf

the sum of

four hundred and ninety one
seventy five

Pounds

Pence, being

planning application at Club Road

John Deane

Cashier

S. CAREY
Principal Officer

Class 4