

APPEALS DECISIONS

APPEALS CHECK LIST

REG. REF. NO. 91A 1001

M0846

1	ENTERED IN OBJECTORS BOOK	✓
2	ENTERED IN BLUE FOLDER	✓
3	ENTERED IN APPEALS BOOK	✓
4	ENTERED IN PLANAPS: I.E.:	—
	APPEALS DECISION R.O.	✓
	CHANGE STATUS <i>SS</i>	✓
	APPEALS DATE <i>7/7/92</i>	✓
5	COPY OF DECISION FOR WEEKLY LIST (MARY/LAURA)	✓
6	DECISION CIRCULATED TO LISTED PERSONS	✓
7	TO BONDS & CONTRIBUTIONS FOR FINANCIAL ASSESSMENT	
8	TO L. DOYLE FOR NOTING	
9		
10		

CHANGE STATUS IN PLANAPS:

REFUSAL.....55
 GRANT.....62
 WITHDRAWN.....54
 CONDITIONS.....53

Dublin County Council Comhairle Chontae Atha Cliath Planning Department



Bloc 2, Ionad Bheathar 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

Register Reference : 91A/1001

Date : 19th February 1992

Dear Sir/Madam,

Development : Construct two 2 storey houses

LOCATION : 111 and 112 Dargle Wood (at existing entrance road as originally intended), Knocklyon

Applicant : Appledon Investments Limited

App. Type : Additional Information

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

.....*[Signature]*.....

for PRINCIPAL OFFICER

Christopher Mc Greal,
113 Dargle Wood,
Knocklyon,
Dublin 16.



Bloc 2, Ionad Bheatha na hEireann,
Bloc 2, Irish Life Centre,
Sraid na Mainistreach Iacht,
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Yours faithfully,

.....L.D.....

for PRINCIPAL OFFICER

Martin C. Nolan,
50 Dargle Wood,
Knocklyon Road,
Templeogue.

Dublin County Council Comhairle Chontae Atha Cliath Planning Department



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.....L.D.....

for PRINCIPAL OFFICER

Ms. R. Thompson,
110 Dargle Wood,
Knocklyon Road,
Templeogue, Dublin 16.



Bloc 2, Ionad Bheathnacha hEireann,
Bloc 2, Irish Life Centre,
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I wish to inform you that by Order dated 17.01.92 it was decided to REFUSE OUTLINE 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 Pleanala 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 Pleanala within three weeks beginning on the date of decision. Interested parties are advised to consult the Planning Authority or An Bord Pleanala 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 Pleanala, Blocks 6 & 7 Irish Life Centre, Lower Abbey Street, Dublin 1. (Tel. 728011). Any appeal made to An Bord Pleanala will be invalid unless the correct fee is received by An Bord Pleanala within the statutory appeal period. The fee in respect of an appeal by an applicant for permission relating to commercial development is £100; any other appeal is £50.

Submissions or observations made to An Bord Pleanala 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 £15.

Ms. R. Thompson,
110 Dargle Wood,
Knocklyon Road,
Templeogue, Dublin 16.

Dublin County Council Comhairle Chontae Atha Cliath Planning Department



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Martin C. Nolan,
50 Dargle Wood,
Knocklyon Road,
Templeogue.



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Christopher Mc Greal,
113 Dargle Wood,
Knocklyon,
Dublin 16.

Dublin County Council Comhairle Chontae Atha Cliath Planning Department



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Bloc 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/1001

Date : 21st January 1992

Yours faithfully,

..... L. D.

for PRINCIPAL OFFICER

Councillor T. Kitt, T.D.,
3 Pine Valley Drive,
Rathfarnham,
Dublin 16.

Our Ref.: 91A/1001

20 January 1992

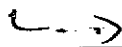
RE: Proposed construction of two 2-storey houses at 111 and 112 Dargle Wood (at existing entrance road as originally intended) Knocklyon, for Appledon Investments Ltd.

Dear Councillor Kitt,

I refer to your recent representations on behalf of Darglewood Residents Association in connection with the above planning application.

I now wish to inform you that by Order Dated 17th January, 1992 it was decided to REFUSE OUTLINE PERMISSION for the above proposal.

Yours faithfully,



for Principal Officer.



Bosca 174
 P. O. Box 174
 11 Cearnog Parnell,
 11 Parnell Square,
 Baile Atha Cliath 1
 Dublin 1.
 Telephone. (01)727777
 Fax. (01)727247

Mr. E. O'Hare,
 Administrative Officer,
 Planning Department,
 Dublin County Council.

Our Ref. REF. 2098

Your Ref.

Date 14th August, 1991

RE: Appledon Investments Ltd.

The above company, No. 115717 in the Companies Office, was incorporated as a limited company on 25th July, 1986. On 3rd December, 1986 a Debenture was lodged, held by Bank of Ireland, the undertaking being all property and assets. The amount being secured was not stated. Since then no other document was lodged, i.e., no certificate of registered address, no annual returns etc.

According to the documents that were lodged to form the company, the first Directors are:-

John Edward Nolan and
 Breda Colette Nolan
 both of Owenacurra, 33, Monastery Drive, Clondalkin.

John Edward Nolan is also the first Secretary.

At that time the Nolans were also Directors of the following Companies:-

Company Name	Company No.	Date of Incorporation.
Satinada Manufacturing Co. Ltd.	87538	9/2/1982
Tantaliza Hair Creations Ltd.	86804	22/1/1981
Bia Food Co. Ltd.	86222	20/11/1981
Foyglaze Building Co. Ltd.	87677	16/2/1982
Dufflinne Clothing Co. Ltd.	87675	16/2/1982
Wibert Haulage Co. Ltd.	86520	8/12/1981
Drew Electrical Co. Ltd.	87653	10/2/1982
Tristan Haulage Co. Ltd.	86550	9/12/1981

FILE DISCUSSED AT COUNCIL/COMMITTEE MEETING

FILE REF: 91A ¹⁰⁰¹ ~~7007~~

MEETING	COMMENTS	NOTED IN DEV. CONTROL	NOTED BY
<p>BELGARD H + P 20/12/91 == ==</p>	<p>CCS Muldoon opposed to the appln. of site used as a temp access since 1974 or so Residents dont want it closed. Is there now a Right of Way over this?</p>		

91A-1001

22 October 1991

Councillor T. Kitt, T.D.,
3, Pine Valley Drive,
Rathfarnham,
Dublin 16.

Dear Councillor Kitt,

I wish to refer to your recent letter on behalf of the Darglewood Residents Association in which you express your objection to an application for planning permission submitted on behalf of Appleton Investments Limited for the construction of two houses at 111 and 112 Dargle Wood (at existing entrance road as originally intended), Knocklyon.

I wish to inform you that this application, 91A/1001, was received in this Department on the 18th June, 1991. On the 16th August, 1991 the applicant was requested to submit additional information in respect of this proposal. This information has not been received to date.

Your objection has been noted and will be brought to the attention of the Planning Officer for the area.

Yours faithfully,

for PRINCIPAL OFFICER

DD/MC



Tom Kitt, T.D., M.C.C.

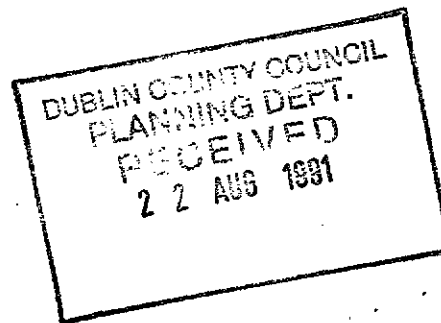
3, PINE VALLEY DRIVE, RATHFARNHAM, DUBLIN 16.

Tel: 946507. (Home)
789911 ext. 759/610264 (direct) Dail Eireann

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

21 August 1991

Mr. Al Smith, P.O.
Dublin County Council,
Planning Department,
Block 2 Irish Life Centre,
Lr. Abbey St.
Dublin 1.



Dear Al,

I enclose correspondence from Martin C. Nolan, Hon. Sec.,
Darglewood Residents' Association, 50 Dargle Wood, Knocklyon Rd.
Templeogue, D.16 and I would like register my objection to
planning application Ref. 91A/1001 for construction of two houses
at Dargle Wood.

Please keep me informed of developments.

Yours sincerely,

Tom Kitt, T.D.



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/1001

Date : 24th July 1991

Dear sir/Madam,

Development : Construct two 2 storey houses

LOCATION : 111 and 112 Dargle Wood (at existing entrance road as originally intended), Knocklyon

Applicant : Appledon Investments Limited

App. Type : OUTLINE PERMISSION

Date Recd. : 18th June 1991

I wish to acknowledge receipt of your letter in connection with the above planning application. It should be noted that the County Council as Planning Authority will consider this application strictly in accordance with the provisions of the Dublin County Development Plan. The contents of your letter will be brought to the attention of the Dublin Planning Officer during the course of consideration of the above application and you will be informed of the decision in due course. Please also note that all current applications are available for inspection at the public counter.

Your attention is drawn to the register, maintained in accordance with Section 8 of the Local Government (Planning and Development) Act 1963, in which full particulars concerning planning applications, including decisions thereon, are recorded. This register and the Dublin County Development Plan may be consulted at the above address during the hours of 9 a.m. - 12.30 p.m. and 2.15 p.m. - 4.30 p.m. Please note that a weekly list of planning applications and decisions is available for inspection on request at all Dublin County Council Libraries.

Yours faithfully,

.....
.....

for PRINCIPAL OFFICER

Martin C. Nolan,
50 Dargle Wood,
Knocklyon Road,
Templeogue.

50 Dargle Wood
Knocklyon Road
Templeogue
Dublin 16

18 July 1991

The Principal Officer
Dublin County Council
Planning Department
Irish Life Centre
Lower Abbey Street
Dublin 1

Dear Sir,

RE. *Application for Outline Planning Permission*

Applicant : Appledon Investments Ltd.
Planning Reg. Ref. 91A/1001
Location : 111 and 112 Dargle Wood,
Knocklyon, Dublin 16

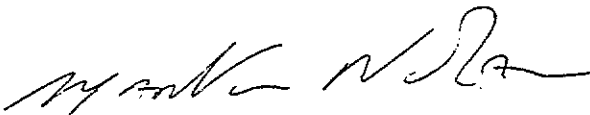
At a recent meeting of the Committee of the Dargle Wood Residents' Association it was unanimously agreed that our Association should object to the above mentioned application.

The main grounds for our objection are :

1. The proposed development would be in the middle of the present and only entrance to Phase II of Dargle Wood - the entrance serves 72 houses.
2. The proposal would prevent residents from access to the local shopping centre, church and schools which they have been using over the last 14 years.
3. The number of houses actually built in the Estate exceeds by 8 the number for which planning permission was originally granted. There is no need whatsoever for additional housing in the Estate. The erection of new houses would exacerbate the situation and mar the mature aspect of the Estate.
4. The proposed development would seriously damage the existing access to houses no. 108, 109, 110, 113, 114 and 115. A very difficult Cul-de-Sac shape would be created as has been evidenced in Phase I of Dargle Wood where additional houses were squeezed into unsuitable spaces. The residents do not want a development which does not take their interests into account.

The residents totally reject this second attempt, previous Ref. 88A/1178, by Appledon Investments Limited to encroach on their mature estate.

Yours faithfully,



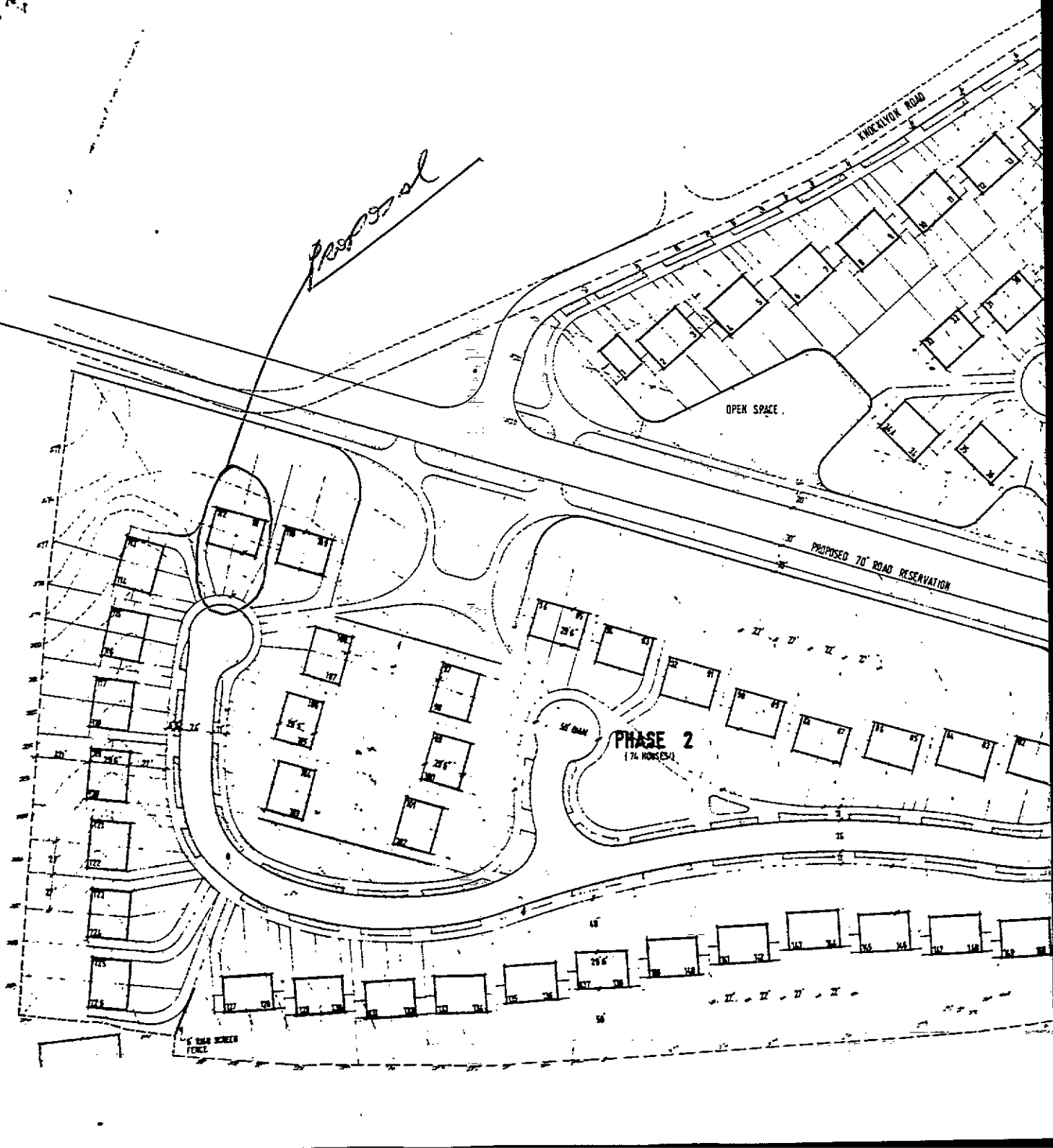
MARTIN C. NOLAN
Hon. Secretary
Darglewood Residents' Association

PHASE 1

AREA OF SITE 9.56 ACRES
NO. OF HOUSE UNITS 86 HOUSES



Proposed



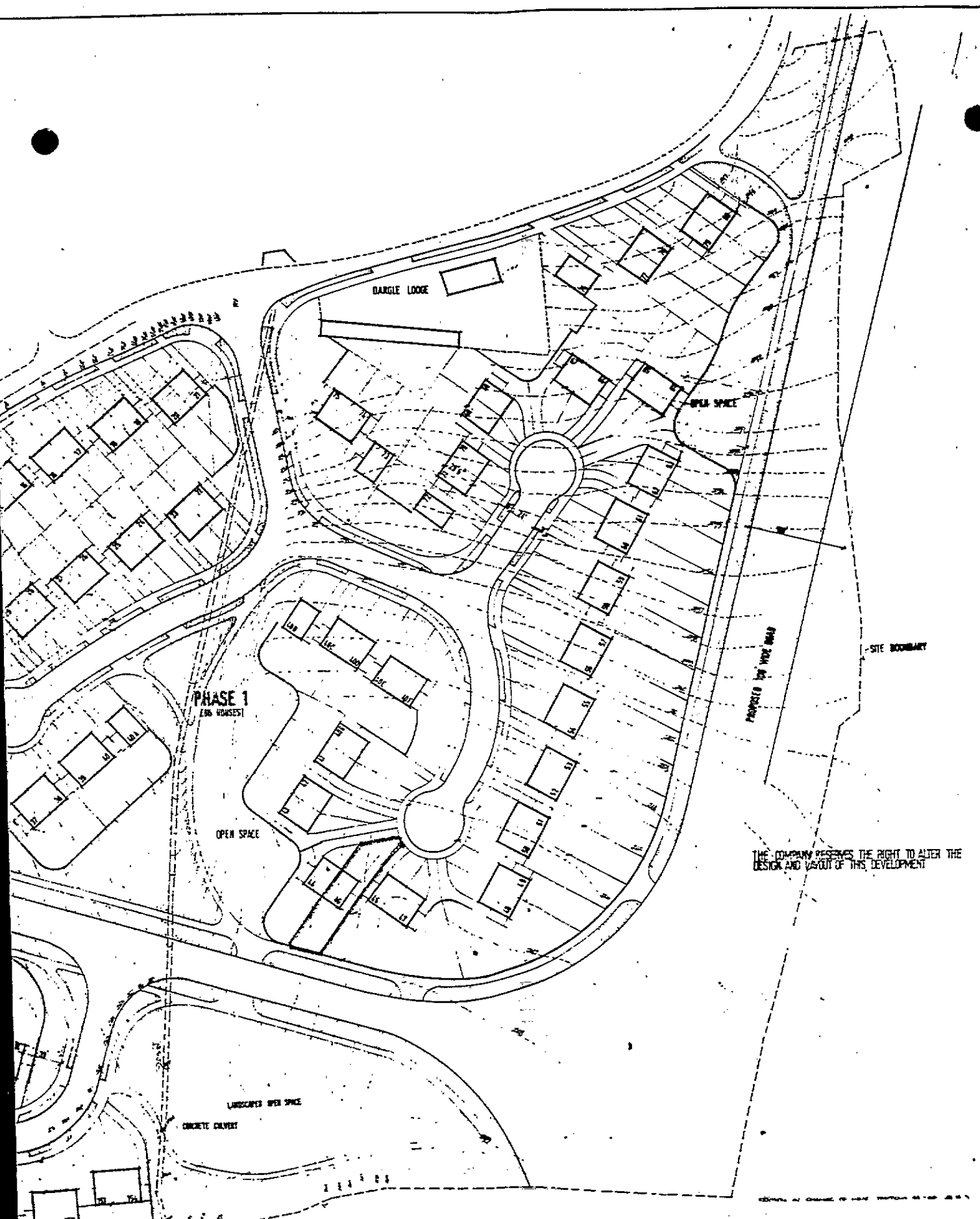
OPEN SPACE

KINGLIVOR ROAD

PROPOSED 70' ROAD RESERVATION

PHASE 2
(74 HOUSES)

5' ROAD WIDTH FENCE



DARGLE LODGE

OPEN SPACE

PHASE 1
(EAST HOUSES)

OPEN SPACE

SITE BOUNDARY

THE COMPANY RESERVES THE RIGHT TO ALTER THE DESIGN AND LAYOUT OF THIS DEVELOPMENT

LANDSCAPED OPEN SPACE

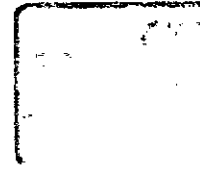
CONCRETE CULVERT

SITE BOUNDARY

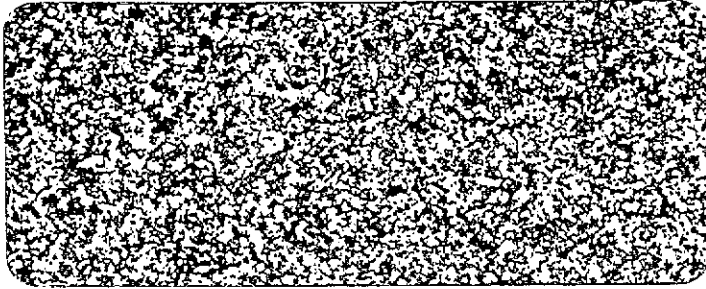
ARNEY HOMESTEADS LIMITED
62 UPPER HURST STREET
DUBLIN 2

DARGLE WOOD

Scale 1:500



Postage Paid
Postas foicta



Oireachtas

FILE DISCUSSED AT COUNCIL/COMMITTEE MEETING

FILE REF:

91A/1001

MEETING	COMMENTS	NOTED IN DEV. CONTROL	NOTED BY
Belgard 24/9/91	Cllr M Muldoon stated that local residents totally opposed to development o recs. Refusal		



Bloc 2, Ionad Bheatha na hÉireann,
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/1001

Date : 19th August 1991

Dear Sir/Madam,

Development : Construct two 2 storey houses

LOCATION : 111 and 112 Dargle Wood (at existing entrance road as originally intended), Knocklyon

Applicant : Appledon Investments Limited

App. Type : OUTLINE PERMISSION

With reference to the above, additional information was requested in relation to this application on 16.08.91 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,

.....
.....

for PRINCIPAL OFFICER

Ms. R. Thompson,
110 Dargle Wood,
Knocklyon Road,
Templeogue, Dublin 16.



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Yours faithfully,

.....*LND*.....

for PRINCIPAL OFFICER

Martin C. Nolan,
50 Dargle Wood,
Knocklyon Road,
Templeogue.



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..... L - >

for PRINCIPAL OFFICER

Christopher Mc Greal,
113 Dargle Wood,
Knocklyon,
Dublin 16.

91A/1001

696

02 AUG 91

110 Dergle Wood,
Knock Lyon Rd,
Templeogue
Dublin 16.
1.8.91

DEVELOPMENT
- 6 AUG 1991
CONTROL

Planning Ref No. 91A/1001.

Dear Sir, I am writing to object most strongly to the building of two houses at 111, 112, Dergle Wood.

1.

If these houses are built I will have to share my outside wall. I did not know I would have to do this when I bought my house.

2.

The County Council planted trees along the side of my house and the branches hang over my back wall therefore the roots are gone under my wall, and if they are uprooted they will damage my wall.

3.

There will be no room for parking, when my family and friends visit me.

4.

The mud and dirt that will be coming into my home if these houses are being built.

I do not want two houses built beside me, there isn't enough room for them, and I object to this planning permission being given, in the strongest terms.

Yours Sincerely

Rosalie Thompson

PK

50 Dargle Wood
Knocklyon Road
Templeogue
Dublin 16

91A/1001
628

18 July 1991

The Principal Officer
Dublin County Council
Planning Department
Irish Life Centre
Lower Abbey Street
Dublin 1

OBJECT

Dear Sir,

RE. *Application for Outline Planning Permission*

*Applicant : Appledon Investments Ltd.
Planning Reg. Ref. 91A/1001
Location : 111 and 112 Dargle Wood,
Knocklyon, Dublin 16*

22 JUL 91

At a recent meeting of the Committee of the Dargle Wood Residents' Association it was unanimously agreed that our Association should object to the above mentioned application.

The main grounds for our objection are :

1. The proposed development would be in the middle of the present and only entrance to Phase II of Dargle Wood - the entrance serves 72 houses.
2. The proposal would prevent residents from access to the local shopping centre, church and schools which they have been using over the last 14 years.
3. The number of houses actually built in the Estate exceeds by 8 the number for which planning permission was originally granted. There is no need whatsoever for additional housing in the Estate. The erection of new houses would exacerbate the situation and mar the mature aspect of the Estate.
4. The proposed development would seriously damage the existing access to houses no. 108, 109, 110, 113, 114 and 115. A very difficult Cul-de-Sac shape would be created as has been evidenced in Phase I of Dargle Wood where additional houses were squeezed into unsuitable spaces. The residents **do not** want a development which does not take their interests into account.

The residents totally reject this second attempt, previous Ref. 88A/1178, by Appledon Investments Limited to encroach on their mature estate.

Yours faithfully,

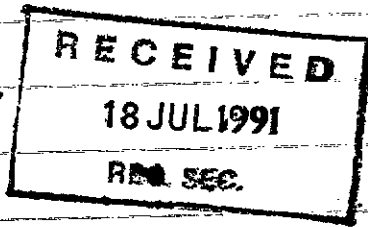
Martin C. Nolan
MARTIN C. NOLAN
Hon. Secretary
Darglewood Residents' Association

DEVELOPMENT
23 JUL 1991
CONTROL

91A/1001

595

Principle Officer
Planning Dept
Dublin Co. Council



113 Dangle Wood
Knocklyon

Dublin 16

14 July 91

re: Application for outline Planning Permissions
for 2 houses at 111 & 112 Dangle Wood
Knocklyon Dublin 16

Applicant: Appledorn Investments Ltd.
Planning Ref Ref 91A/1001

Dear Sir, Madam

I wish to object to the above mentioned
application for the following reasons.

1. At present visiting cars to my house & others
have sufficient road frontage in which to
park their cars without causing an obstruction.
If these two houses were to be built
I would cause ten driveways to converge
onto the turning circle. The turning
circle was initially badly set out with
the result that it is elliptical in shape
thereby reducing the amount of frontage available
to myself & my neighbour to exit.
2. When I purchased my house I bought it
with access on to a road and not onto
a turning circle as it would be if the houses
were built.

3. The parks dept. have gone to the expense of planting trees + landscaping the area where it is proposed to site the houses. Further it will cause the destruction of these well established trees to accommodate the houses.

4. My understanding about the initial development of Dangle Wood was that the 2 houses were part of the scheme but that the builder (Abbey Homesteads now defunct) gave them up so that he could speedily develop Phase II of Dangle Wood. In so doing I maintain, he has made the choice and therefore should not be able to seek compensation or sympathy from the Council.

Yours Truly
Christopher McCreath

LOCATION GOVERNMENT (PLANNING AND DEVELOPMENT) ACTS, 1953 TO 1982

ASSESSMENT OF FINANCIAL CONTRIBUTION

REG. REF.:

CONT. REG.:

SERVICES INVOLVED: WATER/FOUL SEWER/SURFACE WATER

AREA OF SITE:

FLOOR AREA OF PRESENT PROPOSAL:

MEASURED BY:

CHECKED BY:

METHOD OF ASSESSMENT:

TOTAL ASSESSMENT

MANAGER'S ORDERED NO: /
DATED

ENTERED IN CONTRIBUTIONS REGISTER

DEVELOPMENT CONTROL ASSISTANT GRADE

PL 6/5/88010

Dub. / S.
P / 3556 / 92
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/1001

APPEAL by Appledon Investments Limited care of Peter White Associates of 34 Belgrave Square, Rathmines, Dublin against the decision made on the 17th day of January, 1992 by the Council of the County of Dublin to refuse an outline permission for development comprising the erection of two two-storey houses at 111 and 112 Dargle Wood (at existing entrance road as originally intended) Knocklyon, County Dublin:

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

SCHEDULE

1. The proposed development would contravene materially conditions attached to a permission for development namely, conditions numbers 4 and 5 attached to the permission granted by Dublin County Council on the 5th day of March, 1976 under planning register reference number K.28 and would, therefore, be contrary to the proper planning and development of the area.
2. The appeal site provides the only means of access to Phase II of the Dargle Wood Estate. The proposed development would result in the removal of the only existing vehicular access serving these houses and would contravene materially the zoning objective for this area which is "to protect and/or improve residential amenity", which objective is considered to be reasonable. The development would, therefore, be contrary to the proper planning and development of the area.
3. The proposed development would seriously injure the amenities and depreciate the value of property in the vicinity.

T. O' *Kurby*
Member of An Bord Pleanála duly
authorised to authenticate the
seal of the Board.

Dated this 7th day of *July* 1992.

P / 3556 / 92


PL 6/5/88010

AN BORD PLEANÁLA

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

County Dublin

Planning Register Reference Number: 91A/1001

Order Noted: L.D.	
Dated 2nd July '92	ASST. COUNTY MANAGER
to whom the appropriate powers have been delegated by order of the Dublin City and County Manager.	
Dated _____ day of July	1992

Order No. P/131/92
COMHAIRLE CHONTAE ATHA CLIATH

Record of Executive Business and Manager's Orders

Proposed construction of two 2-storey houses at 111 and 112 Dargle Wood (at existing entrance road as originally intended) Knocklyon, for Appledon Investments Limited.

Peter White Associates,
34 Belgrave Square,
Dublin 6.

Reg. Ref. 91A/1001
App. Recd: 18.06.91
A. I. Rec'd: 19.11.1991
Site Area: 1100 sq.m.
Zoning:

Report of the Dublin Planning Officer, dated 16th January, 1992.

This is an application for **OUTLINE PERMISSION** for the construction of two 2-storey houses at 111 and 112 Dargle Wood (at existing entrance road as originally intended) Knocklyon. The applicant is Appledon Investments Limited which is stated to be the owner of the site.

The site of the proposed development is presently in use as a temporary road serving Phase 2 of Dargle Wood. Under Reg. Ref. K.28 permission was granted for proposed revisions of house types and layout (74 no. dwelling-houses) for Phase 2, Dargle Wood, Knocklyon Road (see Order P/646/76, dated 05.03.76), condition nos. 4 & 5 of that permission states:

"4. That building of houses on site numbers 111 and 112 shall be postponed and a 24 ft. wide carriageway and footpaths shall be constructed across these sites from the end of the proposed turning circle at the west of the site to Knocklyon Road and the carriageway, footpaths and the junction with Knocklyon Road shall be constructed to a standard and design to be agreed with the Planning Authority or in default of agreement, as may be determined by the Minister for Local Government. The applicants must submit details of the proposed temporary access, after consultation with the Roads Engineer, to the County Council for approval. The temporary access must provide for vision splays of 300 ft. from a 30 ft. set back. The applicants must also agree the necessary frontage works required for the purpose of providing adequate and satisfactory footpath facilities between the temporary access point and house no. 1 (one) of the proposed Phase 1, development with the Roads Department".

"5. On completion of the said east/west main road, the temporary carriageway and paths shall be removed and the land comprising sites 111 and 112 shall be made good preparatory to construction of houses thereon."

(Continued)

Order No. P/3691/91
COMHAIRLE CHONTAE ÁTHA CLIATH

Record of Executive Business and Manager's Orders

Proposed construction of two 2-storey houses at 111 and 112 Dargle Wood (at existing entrance road as originally intended) Knocklyon, for Appledon Investments Limited.

Under Reg. Ref. 88A/1178 permission was refused by Dublin County Council and subsequently on appeal by An Bord Pleanala for the construction of two 2-storey semi-detached houses beside 81 Dargle Wood (Ref. PL 6/5/78226 dated 26.06.89).

Reason No. 1 of the refusal stated:

"The proposed development is located at the designated permanent access to Dargle Wood from the proposed east/west distributor road. The development would render permanent the existing temporary access, thereby creating a substandard junction spacing between the existing entrance and the new junction with Knocklyon Road on the east/west distributor Road.

The Roads Department report dated 15.07.91 states that the proposed development to build 2 houses on the site where the temporary access to Dargle Wood is located would leave Phase 2 of the overall development inaccessible until such time as a sufficient portion of the east/west distributor road has been constructed. The Roads Department recommend that permission be refused for the proposed development on the grounds that "development of the kind proposed would be premature pending the determination by the Planning Authority or the road authority of a road layout for the area or any part thereof".

The Roads Department also notes that as the existing access across the site has been in operation for a number of years, a public right of way across the site of the proposed development may exist.

Letters of objection to the proposed development have been received, including one submitted on behalf of the Dargle Wood Resident's Association.

Additional information was requested from the applicant with regard to the following by order dated 16th August, 1991:-

1. The applicant is requested to submit evidence that it has sufficient legal interest in the site to carry out the development proposed.
2. It is noted that the Companies Office Records do not include a certificate of registered address for Appledon Investments Ltd., nor do they contain any annual returns since 1986. The applicants are requested to supply evidence of the Companys' registered address and to give details of its current Directors and/or beneficial shareholders.

(Continued)

COMHAIRLE CHONTAE ÁTHA CLIATH

Record of Executive Business and Manager's Orders

Proposed construction of two 2-storey houses at 111 and 112 Dargle Wood (at existing entrance road as originally intended) Knocklyon, for Appledon Investments Limited.

(Continued)

3. The site of the proposed development has been in use for approximately fifteen years as a pedestrian and vehicular right-of-way leading to houses in Dargle Wood. It appears to the Planning Authority that a public right-of-way exists across the site. Applicant is requested to supply evidence to establish that no such right-of-way exists.

The applicant states that the registered owner of the site in Appledon Investments Ltd. The applicant has not submitted the additional information requested in item (2) stating that it is not a matter that would affect the Planning decision. Finally in relation to item (3) the applicant states that it does not have the competence to advise the Planning Authority in relation to this.

The Roads report dated 12th December, 1991, recommends that permission be refused for a number of reasons.

The Roads engineers note that the proposed development would result in the residents of Phase 2 of Dargle Wood being forced to traverse a grassed area which is assigned as a road reservation, as well as an area of public open space, to reach the existing road network serving Phase 1 of Dargle Wood Estate. This arrangements, the Roads Department state, would be impractical and prejudicial to public safety. The Roads Department further states that the proposed development may preempt the outcome of the process of closing a public right of way which may or may not exist over the site. The east-west distributor road, which is indicated in the 1983 County Development Plan as a specific five years road proposal has not been constructed to date. It has not been included as a specific objective in the 1991, Draft Development Plan.

The proposed development would leave phase 11 of Dargle Wood inaccessible, and is, therefore, unacceptable.

Permission should be refused on the grounds that the proposed development is premature pending the determination by the Planning Authority or the Roads Authority of a road layout for the area.

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

1. The proposed development would contravene materially conditions 4 and 5 of decision order P/646/76 dated 5th March, 1976 (Reg. Ref. K 28) in that the site of the proposed development is required to maintain the only existing access to a section of Dargle Wood Estate and the proposed development would be, therefore, contrary to the proper planning and development of the area.

COMHAIRLE CHONTAE ÁTHA CLIATH

Record of Executive Business and Manager's Orders

Proposed construction of two 2-storey houses at 111 and 112 Dargle Wood (at existing entrance road as originally intended) Knocklyon, for Appledon Investments Limited.

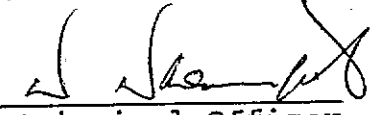
(Continued)

2. The site the subject of the application provides the only means of access to Phase II of Dargle Wood Estate#. The proposed development would result in the removal of the only existing vehicular access serving these houses and would contravene the zoning objective for this area which is "to protect and improve residential amenities" and would be contrary to the proper planning and development of the area.
3. The proposed development would seriously injure the amenities of, and devalue, property in the vicinity.
4. The proposed development would adversely affect vehicular access to this site and the absence of an alternative access would be likely to give rise to a conflict of vehicular traffic and pedestrian movements in the area and would thereby endanger public safety by reason of traffic hazard.
5. The proposal would tend to create serious traffic congestion.
6. The lands in question have been used for approximately fifteen years as a public right of way for vehicular and pedestrian traffic. As a public right of way exists over the lands it is considered that the applicant does not have sufficient legal interest in the site to carry out the development proposed.

omit 7.

~~The applicant is stated to be "Appledon Investments Ltd.", i.e. a limited company. No such company is registered in the Company's Office. The Planning Authority has not been satisfied that the applicants exist as a legal entity and, therefore, the Planning Authority is not satisfied that the applicants have sufficient legal interest in the site to carry out the development proposed.~~

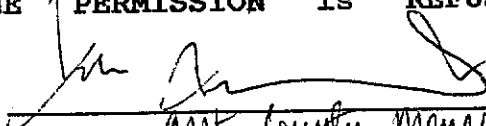
(MOS/DK)

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 OUTLINE PERMISSION** for the above proposal is hereby made by the Council for the (36) reasons set out above and **OUTLINE PERMISSION** is **REFUSED** accordingly.

Dated: 17th January, 1992.


District Council Manager

to whom the appropriate powers have been delegated by Order of the Dublin City and County Manager, dated 10th December 1992.

DUBLIN COUNTY COUNCIL

REG. REF: 91A/1001.
DEVELOPMENT: 2 houses.
LOCATION: Dargle Wood.
APPLICANT:
DATE LODGED: A.I. 19.11.91.

PLANNING DEPT.
DEVELOPMENT CONTROL SECT
Date 16.12.91
Time 4.30

This submission is additional information. We refer to the previous Roads report 15.7.91.

On this submission the applicants architect states that the applicant does not have the competence to advise the planning office on matters relating to a right of way.

A grant of permission on this site may preempt the outcome of the process of closing a public right of way which may or may not exist across this site. Also the scheduling of the building of the east/west distributor road, (if it is decided by Dublin County Council to build it), is a matter to be determined by Dublin County Council. Obviously a grant of permission which isolates a group of existing house will "tend to create a serious traffic congestion" and obstruct road users. These houses will have no access to a public road.

Permission should be refused as:-

1. Development of the kind proposed would be premature pending the determination by the Planning Authority or the road authority of a road layout for the area or any part thereof.
2. The proposal would tend to create traffic congestion.
3. The proposal would endanger public safety by reason of obstruction of road users.
4. By building over the route of the existing estate's access, the residents would be forced to exit via the road to the north east and from thence traverse a grassed area assigned as a road reservation, north of the Phase 11 area of the estate. This is impractical and would thereby endanger public safety by reason of a traffic hazard.

5. The proposed development materially contravenes conditions No. 1 ^{and} 5 of the permission granted by Order No P/646/76 GC/BMcC 6.12.91. dated 5th March 1976 Reg. Ref. K28

SIGNED: Janett Cune
DATE: 10/12/91

ENDORSED: 4.B.L
DATE: 12/12/91

4B.

SS

Register Reference : 91A/1001

Date : 1st July 1991

Development : Construct two 2 storey houses

LOCATION : 111 and 112 Dargle Wood (at existing entrance road as originally intended), Knocklyon

Applicant : Appledon Investments Limited

App. Type : OUTLINE PERMISSION

Planning Officer : M.O'SHEE

Date Recd. : 18th June 1991

PLANNING DEPT.
DEVELOPMENT CONTROL SECT
Date 20.08.91
Time 4.00

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

Yours faithfully,

Paul Jones

Date received in Sanitary Services

DUBLIN Co. COUNCIL
- 3 JUL 1991
SAN SERVICES

DUBLIN Co. COUNCIL
SANITARY SERVICES
- 8 AUG 1991
Returned *[Signature]*

FOUL SEWER

Available

SURFACE WATER

Available.

L. O'Sullivan 6/8/91.

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

Register Reference : 91A/1001

Date : 1st July 1991

PLANNING DEPT.
DEVELOPMENT CONTROL SECT
Date 20.08.91
Time 4.00

.....
ENDORSED _____

DATE _____

WATER SUPPLY.....

Available for zone in 24
hour storage to be provided.

[Signature]
3/7/91

.....
ENDORSED _____

DATE _____

[Signature] 7-8-91

COMHAIRLE CHONTAE ÁTHA CLIATH

Record of Executive Business and Manager's Orders

Proposed construction of two 2-storey houses at 111 and 112 Dargle Wood (at existing entrance road as originally intended) Knocklyon, for Appledon Investments Limited.

Peter White Associates,
34 Belgrave Square,
Dublin 6.

Reg. Ref. 91A/1001
App. Recd: 18.06.91
Floor Area:
Site Area: 1100 sq.m.
Zoning:

Report of the Dublin Planning Officer, dated 6 August 1991

This is an application for **OUTLINE PERMISSION** for the construction of two 2-storey houses at 111 and 112 Dargle Wood (at existing entrance road as originally intended) Knocklyon. The applicant is Appledon Investments Limited which is stated to be the owner of the site.

The site of the proposed development is presently in use as a temporary road serving Phase 2 of Dargle Wood. Under Reg. Ref. K.28 permission was granted for proposed revisions of house types and layout (74 no. dwelling-houses) for Phase 2, Dargle Wood, Knocklyon Road (see Order P/646/76, dated 05.03.76), condition nos. 4 & 5 of that permission states:

"4. That building of houses on site numbers 111 and 112 shall be postponed and a 24 ft. wide carriageway and footpaths shall be constructed across these sites from the end of the proposed turning circle at the west of the site to Knocklyon Road and the carriageway, footpaths and the junction with Knocklyon Road shall be constructed to a standard and design to be agreed with the Planning Authority or in default of agreement, as may be determined by the Minister for Local Government. The applicants must submit details of the proposed temporary access, after consultation with the Roads Engineer, to the County Council for approval. The temporary access must provide for vision splays of 300 ft. from a 30 ft. set back. The applicants must also agree the necessary frontage works required for the purpose of providing adequate and satisfactory footpath facilities between the temporary access point and house no. 1 (one) of the proposed Phase 1, development with the Roads Department".

"5. On completion of the said east/west main road, the temporary carriageway and paths shall be removed and the land comprising sites 111 and 112 shall be made good preparatory to construction of houses thereon."

Over

COMHAIRLE CHONTAE ÁTHA CLIATH

Record of Executive Business and Manager's Orders

Proposed construction of two 2-storey houses at 111 and 112 Dargle Wood (at existing entrance road as originally intended) Knocklyon, for Appledon Investments Limited.

Under Reg. Ref. 88A/1178 permission was refused by Dublin County Council and subsequently on appeal by An Bord Pleanála for the construction of two 2-storey semi-detached houses beside 81 Dargle Wood (Ref. PL 6/5/78226 dated 26.06.89).

Reason No. 1 of the refusal stated:

"The proposed development is located at the designated permanent access to Dargle Wood from the proposed east/west distributor road. The development would render permanent the existing temporary access, thereby creating a substandard junction spacing between the existing entrance and the new junction with Knocklyon Road on the east/west distributor Road.

The Roads Department report dated 15.07.91 states that the proposed development to build 2 houses on the site where the temporary access to Dargle Wood is located would leave Phase 2 of the overall development inaccessible until such time as a sufficient position of the east/west distributor road has been constructed. The Roads Department recommend that permission be refused for the proposed development on the grounds that "development of the kind proposed would be premature pending the determination by the Planning Authority or the road authority of a road layout for the area on any part thereof".

The Roads Department also notes that as the existing access across the site has been in operation for a number of years, a public right of way across the site of the proposed development may exist.

Letters of objection to the proposed development have been received, including one submitted on behalf of the Dargle Wood Resident's Association.

The proposed development would leave Phase 2 of Dargle Wood inaccessible and is considered unacceptable.

Over

COMHAIRLE CHONTAE ÁTHA CLIATH

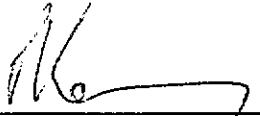
Record of Executive Business and Manager's Orders

Proposed construction of two 2-storey houses at 111 and 112 Dargle Wood (at existing entrance road as originally intended) Knocklyon, for Appledon Investments Limited.

I recommend that Additional information be requested from the applicant with regard to the following:-

1. The applicant is requested to submit evidence that it has sufficient legal interest in the site to carry out the development proposed.
2. It is noted that the Company's¹³ Office Records do not include a certificate of registered address for Appledon Investments Ltd., nor do they contain any annual returns since 1986. The applicants are requested to supply evidence of the Company's registered address and to give details of its current Directors and/or beneficial shareholders.
3. The site of the proposed development has been in use for approximately fifteen years as a pedestrian and vehicular right-of-way leading to houses in Dargle Wood. It appears to the Planning Authority that a public right-of-way exists across the site. Applicant is requested to supply evidence to establish that no such right-of-way exists.

Endorsed:-


for Principal Officer


For Dublin Planning Officer

16.5.91

Order:-

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

Dated: 16 August, 1991.


APPROVED OFFICER.

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

Marjorie O'Shea.

DUBLIN COUNTY COUNCIL

REG. REF: 91A/1001.

DEVELOPMENT: Construct two 2 storey houses.

LOCATION: 111 and 112 Dargle Wood (at entrance road as originally intended), Knocklyon.

APPLICANT: Appledon Investments Ltd.

DATE LODGED: 18.6.91.

The proposal is for completion of the development granted permission on application Reg. Ref: K.28. This entails the building of two houses where the existing temporary access onto Knocklyon Road is located, and the provision of the longer turn access onto the east/west distributor road. The east/west distributor road has not yet been constructed although the north/south distributor road east of the site has now been extended to Scholarstown Road. The carrying out of the works proposed would leave Phase 11 of the overall development inaccessible until such time as a sufficient position of the east/west distributor road has been constructed. Therefore, the proposed works are premature.

Permission should be refused on the grounds that:-

- 1) Development of the kind proposed would be premature pending the determination by the Planning Authority or the road authority of a road layout for the area on any part thereof.

Notes: Refer also to Roads Report on application Reg. Ref: 88A/1178 dated 6.9.88 and Report to Peter White Assoc. Architects ref: AMcS/T0'C dated 19.7.88.

Also as the existing access across the site has been in operation for a number of years, a public right of way (across the site of the proposed buildings) may exist.

GC/BMcC
15.7.91.

PLANNING DEPT.	
DEVELOPMENT CONTROL SECT	
Date	<i>26.07.91</i>
Time	<i>10.00</i>

SIGNED: _____

ENDORSED: *E. O'Shea*

DATE: _____

DATE: *15th July '91*

SS

Register Reference : 91A/1001

Date : 1st July 1991

Development : Construct two 2 storey houses

LOCATION : 111 and 112 Dargle Wood (at existing entrance road as originally intended), Knocklyon

Applicant : Appledon Investments Limited

App. Type : OUTLINE PERMISSION

Planning Officer : M.O'SHEE

Date Recd. : 18th June 1991

PLANNING DEPT.
DEVELOPMENT CONTROL SECT
Date 13.08.1991
Time.....

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

Yours faithfully,

Paul Jones

Date received in Sanitary Services

DUBLIN Co. COUNCIL for PRINCIPAL OFFICER
SANITARY SERVICES
- 3 JUL 1991
SAN SERVICES
DUBLIN Co. COUNCIL for PRINCIPAL OFFICER
SANITARY SERVICES
- 8 AUG 1991
Returned <i>gg</i>

FOUL SEWER

Available.

.....
SURFACE WATER

Available.

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

E. Sullivan 6/8/91.

PLANNING DEPT.
DEVELOPMENT CONTROL SECT
Date ..13-08-91.....
Time.....

Register Reference : 91A/1001

Date : 1st July 1991

.....
ENDORSED _____ DATE _____

WATER SUPPLY..... Available for zone one & 24
hand storage to be provided.

[Signature]
3/7/91

.....
ENDORSED Stancum DATE 7-8-91

Mayorie O'Shea

DUBLIN COUNTY COUNCIL

REG. REF: 91A/1001.
DEVELOPMENT: Construct two 2 storey houses.
LOCATION: 111 and 112 Dargle Wood (at entrance road as originally intended), Knocklyon.
APPLICANT: Appledon Investments Ltd.
DATE LODGED: 18.6.91.

The proposal is for completion of the development granted permission on application Reg. Ref: K.28. This entails the building of two houses where the existing temporary access onto Knocklyon Road is located, and the provision of the longer turn access onto the east/west distributor road. The east/west distributor road has not yet been constructed although the north/south distributor road east of the site has now been extended to Scholarstown Road. The carrying out of the works proposed would leave Phase 11 of the overall development inaccessible until such time as a sufficient position of the east/west distributor road has been constructed. Therefore, the proposed works are premature.

Permission should be refused on the grounds that:-

- 1) Development of the kind proposed would be premature pending the determination by the Planning Authority or the road authority of a road layout for the area on any part thereof.

Notes: Refer also to Roads Report on application Reg. Ref: 88A/1178 dated 6.9.88 and Report to Peter White Assoc. Architects ref: AMCS/T0'C dated 19.7.88.

Also as the existing access across the site has been in operation for a number of years, a public right of way (across the site of the proposed buildings) may exist.

GC/BMcC
15.7.91.

PLANNING DEPT.	
DEVELOPMENT CONTROL SECT	
Date ..	26.07.91
Time ..	4.00

SIGNED: _____ ENDORSED: E. Wadden
DATE: _____ DATE: 15th July '91



Bosca 174
P. O. Box 174
5 Rae Gardiner,
5 Gardiner Row,
Baile Atha Cliath 1.
Dublin 1.
Telephone. (01)727777
Fax. (01)727530

Mr. D. Drumgoole,
Senior Administrative Officer,
Planning Department.

Our Ref.

Your Ref.

Date 11.07.1991

RE/ Housing at Dargle Wood, Knocklyon. Reg. Ref. 91A/1001.

The land, subject of this application, consists in part of an existing access road to Dargle Wood Estate, and lands incidental to the road which have been landscaped and are maintained by the County Council. To date, the proposed road, as per K28, have not been provided. Accordingly, it is recommended that this application is refused.

SENIOR PARKS SUPERINTENDENT

PLANNING DEPT.
DEVELOPMENT CONTROL SECT
Date 14.07.91
Time 12:15

DUBLIN COUNTY COUNCIL

REG. REF: 91A/1001.

DEVELOPMENT: Construct two 2 storey houses.

LOCATION: 111 and 112 Dargle Wood (at entrance road as originally intended), Knocklyon.

APPLICANT: Appledon Investments Ltd.

DATE LODGED: 18.6.91.

The proposal is for completion of the development granted permission on application Reg. Ref: K.28. This entails the building of two houses where the existing temporary access onto Knocklyon Road is located, and the provision of the longer turn access onto the east/west distributor road. The east/west distributor road has not yet been constructed although the north/south distributor road east of the site has now been extended to Scholarstown Road. The carrying out of the works proposed would leave Phase 11 of the overall development inaccessible until such time as a sufficient position of the east/west distributor road has been constructed. Therefore, the proposed works are premature.

Permission should be refused on the grounds that:-

- 1) Development of the kind proposed would be premature pending the determination by the Planning Authority or the road authority of a road layout for the area on any part thereof.

Notes: Refer also to Roads Report on application Reg. Ref: 88A/1178 dated 6.9.88 and Report to Peter White Assoc. Architects ref: AMCS/T0'C dated 19.7.88.

Also as the existing access across the site has been in operation for a number of years, a public right of way (across the site of the proposed buildings) may exist.

GC/BMcC
15.7.91.

PLANNING DEPT.	
DEVELOPMENT CONTROL SECT	
Date	26.07.91
Time	9.45

SIGNED: _____ ENDORSED: E. W. Addin

DATE: _____ DATE: 15th July '91

Marjorie O'Shea

DUBLIN COUNTY COUNCIL

REG. REF: 91A/1001.
 DEVELOPMENT: 2 houses.
 LOCATION: Dargle Wood.
 APPLICANT:
 DATE LODGED: A.I. 19.11.91.

PLANNING DEPT.	
DEVELOPMENT CONTROL SECT	
Date	12.12.91
Time	3.30

This submission is additional information. We refer to the previous Roads report 15.7.91.

On this submission the applicants architect states that the applicant does not have the competence to advise the planning office on matters relating to a right of way.

A grant of permission on this site may preempt the outcome of the process of closing a public right of way which may or may not exist across this site. Also the scheduling of the building of the east/west distributor road, (if it is decided by Dublin County Council to build it), is a matter to be determined by Dublin County Council. Obviously a grant of permission which isolates a group of existing house will "tend to create a serious traffic congestion" and obstruct road users. These houses will have no access to a public road.

Permission should be refused as:-

1. Development of the kind proposed would be premature pending the determination by the Planning Authority or the road authority of a road layout for the area or any part thereof.
2. The proposal would tend to create traffic congestion.
3. The proposal would endanger public safety by reason of obstruction of road users.
4. By building over the route of the existing estate's access, the residents would be forced to exit via the road to the north east and from thence traverse a grassed area assigned as a road reservation, north of the Phase 11 area of the estate. This is impractical and would thereby endanger public safety by reason of a traffic hazard.

5. The proposed development materially contravenes conditions No. 1 ^{and} 5 of the permission granted by Order No P/646/76 GC/BMCC 6.12.91. dated 5th March 1976 Reg. Ref. K28

48.

SIGNED: Janett Cune
 DATE: 10/12/91

ENDORSED: G.B.L.
 DATE: 12/12/91

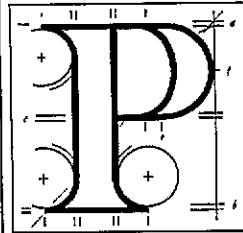
Our Ref: PL 6/5/88010
P.A. Ref: 91A/1001

EDH

DUBLIN COUNTY COUNCIL
PLANNING DEPT.
09 JUL 1992
RECEIVED

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: - 8 JUL 1992

Appeal re: Construction of 2 two-storey houses at
111 and 112 Dargle Wood, Knocklyon, County Dublin.

DEVELOPMENT
CONTROL
10 JUL 1992

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

AN BORD PLEANÁLA

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

County Dublin

Planning Register Reference Number: 91A/1001

APPEAL by Appledon Investments Limited care of Peter White Associates of 34 Belgrave Square, Rathmines, Dublin against the decision made on the 17th day of January, 1992 by the Council of the County of Dublin to refuse an outline permission for development comprising the erection of two two-storey houses at 111 and 112 Dargle Wood (at existing entrance road as originally intended) Knocklyon, County Dublin:

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

SCHEDULE

1. The proposed development would contravene materially conditions attached to a permission for development namely, conditions numbers 4 and 5 attached to the permission granted by Dublin County Council on the 5th day of March, 1976 under planning register reference number K.28 and would, therefore, be contrary to the proper planning and development of the area.
2. The appeal site provides the only means of access to Phase II of the Dargle Wood Estate. The proposed development would result in the removal of the only existing vehicular access serving these houses and would contravene materially the zoning objective for this area which is "to protect and/or improve residential amenity", which objective is considered to be reasonable. The development would, therefore, be contrary to the proper planning and development of the area.
3. The proposed development would seriously injure the amenities and depreciate the value of property in the vicinity.

P. O' Kuffy

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

Dated this 7th day of *July* 1992.

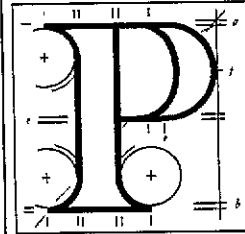
Our Ref: PL 6/5/88010
P.A. Reg. Ref: 91A/1001

EDH.

R Cooney

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

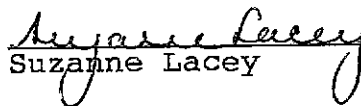
Date: 28th May 1992.

Appeal re: Construction of two two-storey houses at 111
and 112 Dargle Wood, Knocklyon, 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.

Yours faithfully,


Suzanne Lacey

DEVELOPMENT
- 8 JUN 1992
CONTROL

DUBLIN COUNTY COUNCIL
PLANNING DEPT.

- 3 JUN 1992

RECEIVED

Encl.

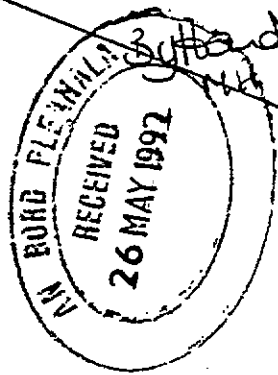
BP 555

Peter White Associates Architects

Peter White b.arch. m.r.i.a.i. r.i.b.a.
34, Belgrave Square, Rathmines, Dublin 6

☎ 962949

Planning Appeal Board



25th May, 1992

RE: 111 & 112, DARGIE WOOD. PI 6/5/88010

Dear Sirs,

We are in receipt of the letter from the Dargle Wood Residents Association of 20th May, 1992.

We understand that the residents are concerned for their environment, and will not want the area adversely affected, but they should have little interest in whether our client receives compensation or not, otherwise.

However, the point remains that the developer, and the purchasers of houses in the estate, and local residents expected that the area outside the proposed Nos. 111 & 112 was going to be a cul-de-sac, with the access coming in from the east end of the site, as foreseen also in the development plan.

As long as there is no other proper access into this site then Nos. 111 & 112 cannot be built. We now know that Dublin County Council do not intend to build the road network as had been planned in 1974. We cannot accept, however, that they are free to cancel the development of these two houses without compensation.

Yours faithfully,

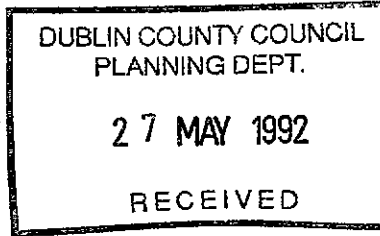
Peter White Associates.

Associate: Paul Leech b.e b.arch m.r.i.a.i. m.i.e.i.

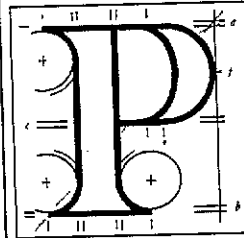
Our Ref: PL 6/5/88010
P.A. Reg. Ref: 91A/1001

EO46

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 May 1992.

Appeal re: Construction of 2 two-storey houses at 111 and 112 Dargle Wood, Knocklyon, County Dublin.

Dear Sir/Madam,

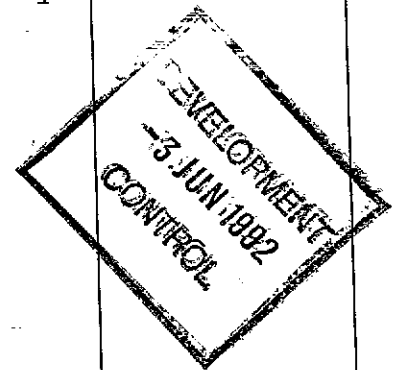
Enclosed for your information is a copy of correspondence received in relation to the above-mentioned appeal. While it is not necessary for you to furnish any comments on the correspondence, you may do so if you wish. Any such comments should be forwarded within seven days from the date of this letter 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 sincerely,

Suzanne Lacey
Suzanne Lacey

BP 553A



065

50, DARGLE WOOD KNOCKLYON ROAD TEMPLEOGUE DUBLIN 16

20 May 1992

AN BORD PLEANALA
FLOOR 3
BLOCKS 6 AND 7
IRISH LIFE CENTRE
LOWER ABBEY STREET
DUBLIN 1

Dear Sir,

Re. Development : 111 and 112 Dargle Wood, Knocklyon
Applicant : Appledon Investments Limited

Appeal List No. : PL/6/5/88010
Ref. : 91A/1001 D.C.C.

AN BORD PLEANALA
Received 21/5/92
Fees: £300.00
Receipt No. B28052

We refer to the above development which is under appeal by Appledon Investments Limited to An Bord Pleanala.

The Dargle Wood Residents' Association Committee have considered the basis of the aforementioned appeal and would like to make the following comment :

If compensation is awarded to the applicant, then under no circumstances should the compensation involve providing an alternative building site within Phase I or Phase II of Dargle Wood or any lands attaching to Dargle Wood (Phase I or Phase II).

In addition, we would like to make the following observations regarding this Appeal, particularly Point 2 of the appellant's grounds of appeal letter dated 24.1.1992. The history of this access into Phase II of our estate is worthy of consideration in determining the outcome of the appeal.

From our understanding, the creation of the access back in 1976 was due to the original decision of Dublin County Council to refuse planning permission for Phase II of Dargle Wood estate, Ref. G2165 of the 26 November 1974 for the following reason :

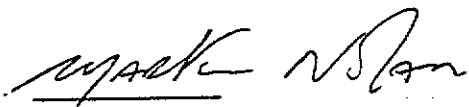
" The proposed development on Phase II would be premature pending the construction of the main East West road dividing Phase I and II and which will provide the main access to the second phase of the development. "

This refusal was appealed by the then developer, Gallagher Abbey Group, to the Minister of Local Government on the grounds that an adequate temporary access could be created into Phase II by the omission of two houses.

Presumably the Minister granted permission based on the developer conceding to the omission of the two houses in order to develop the Phase II prematurely and against the wishes of Dublin County Council. The developer subsequently made another application for the estate, Ref. K28, presumably for marketing reasons, i.e., change of house type, and was subsequently granted permission with conditions. Conditions 4 and 5 of the permission Reg. Ref. K28 referred to the temporary access.

Considering the background to this access, it is difficult to see how the appellant can sustain the reason that "had the developer known that the road would not have been constructed within 5 years, it is likely that the permission would have been appealed". This argument, according to our understanding, would have amounted to appealing and appeal ! We would, therefore, conclude that there is no apparent justification for a claim for compensation in this case.

Yours faithfully,



Martin Nolan
Hon. Secretary
Dargle Wood Residents' Association



COMHAIRLE CEONTAE ATHA CLIATH

Tel.: 724755
Ext. 268/269

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

Your Ref.: PE6/3/ 88010

Our Ref.: 91A/1001

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: Construct two 2 storey houses at 111 & 112
Dock ward (at existing entrance road on originally
abandoned) Knocklyon.

Applicant: Applodon Investments Ltd.

Dear Sir,

With reference to your letter dated 11/2/91 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.
Evening Herald 12/6/91.
- (4) The plan(s) received from the applicant on 18/2/91.
- (5) & (7) A certified copy of Manager's Order P/131/91,
DATED, 11/1/92 together with technical reports in
connection with the application.

(8)

Yours faithfully,

for Principal Officer.
Encls.

Our Ref: PL 6/5/88010
Your Ref: 91A/1001

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

Date: 11th February 1992.

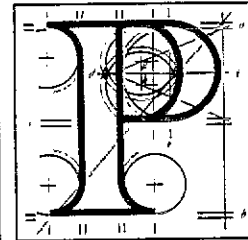
Planning authority decision re: Construction of 2
two-storey houses at 111 and 112 Dargle Wood,
Knocklyon, County Dublin.

Dear Sir/Madam,

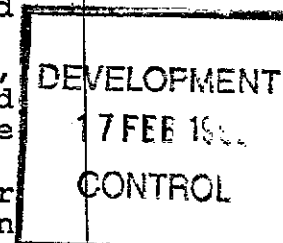
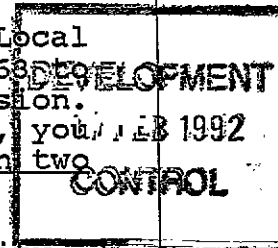
Enclosed is a copy of an appeal under the Local
Government (Planning and Development) Acts, 1963
1990, in relation to the above-mentioned decision.
So that consideration of the appeal may proceed, you
are requested to forward to the Board within two
weeks:

- (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



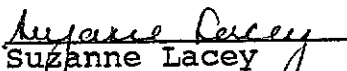
Please note that the other party to the appeal are being notified that copies of the planning authority documents relevant to the decision which gave rise to the above-mentioned appeal will be available for inspection at your offices after the expiration of a period of fourteen days from the date of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

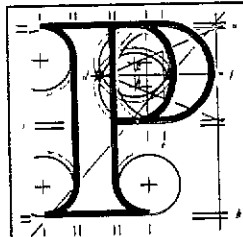
Yours faithfully,


Suzanne Lacey

Encl.

BP 005

An Bord Pleanála



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

Peter White Associates Architects

AN CORD B'CANALA
RECEIVED 7-2-92
FOR £100 CHEQUE (BY HAND)
Receipt No. B26811

Peter White b.arch. m.r.i.a.i. r.i.b.a.
Belgrave Square, Rathmines, Dublin 6
☎ 962949

The Planning Appeals Board

24th January, 1992

RE: 2 HOUSES AT 111 and 112 DARGLE WOOD
Reg. Ref. 91A 1001

Dear Sirs,

Further to the planning refusal on the above, we hereby appeal this decision to yourselves, and attach herewith a cheque of £100.

The grounds of our appeal are as follows:

(1) In essence the original development at Dargle Wood was designed in collaboration with Dublin County Council to facilitate the roads proposals. The permission granted confirmed the proposals which allowed a temporary access at 111 and 112 pending the new road construction. For the same reason houses were omitted beside 81, Dargle Wood to allow access onto the new roads later, and to permit houses 111 and 112 to be built. Our client now finds that Dublin County Council have no intention of completing the roads as then intended, and refuse to either (a) allow building of the two intended houses temporarily delayed; (b) or to allow construction of the two houses beside No. 81 Dargle Wood; or (c) to show any intention to compensate our client for the loss of the two house sites.

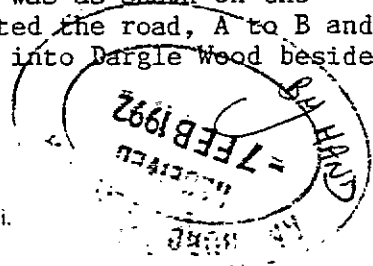
(2) The development plan of 1983 showed these roads to be constructed within 5 years. Had the developer understood that the roads would not be constructed, it is likely that the permission would have been appealed, in order to maximise the achievable density. At that stage he had permission in the long term for two further houses.

(3) In 1988 our client applied for permission for two houses beside No. 81 Dargle Wood - Ref: 88A. 1178, refused as shown on the attached refusal, upheld by the Planning Appeals Board. We understand the reasons for refusal, but believe that this gives reason why the County Council should make a settlement with our client on the loss of two house sites at Nos. 111 and 112.

(4) The original proposed road structure was as shown on the attached plan. In 1990, the County Council completed the road, A to B and made no provision for the originally proposed spur into Dargle Wood beside 81. (See photos).

1.

Associate: Paul Leech b.e. b.arch. m.r.i.a.i. m.i.e.i.



(5) The current draft development plan shows that the proposed spur is no longer an objective.

(6) In their request for additional information of 16th August 1991, and in the planning refusal of 17th January, 1992, the County Council maintain that the applicant does not have sufficient legal interest in the lands, as a public right of way has been created through the continued use of the land over 15 years. If such exists, it is because the County Council imposed planning conditions, and subsequently failed to complete the road works which would then have permitted the permitted houses to be built.

We understand from section 26 (1) that the planning authority are restricted to considering the proper planning and development of the area when deciding on applications. This would surely preclude such reasons for refusal as

(a) the applicant does not have sufficient legal interest in the lands (reason 6). We would also question their request for additional information on the 3 grounds named of a) sufficient legal interest, b) company details of the applicant, and c) questioning whether they have a right of way. (See Planning Act 1963).

(7) We feel that the Planning Department have misused the planning laws to appropriate these lands for a public highway, and have prevented the intentions of planning permission K. 28 from being implemented. Section 48 of the Act sets out a process for creating a right of way by the Planning Authority. We presume that they are aware of their rights and obligations, and that they have not sought to create this.

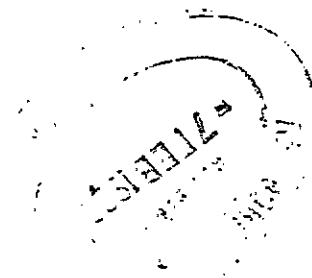
(8) The applicant does not expect the Board to grant permission; but suggests that in natural justice, and to confirm that such land cannot be appropriated free of charge, the decision of the Board, if it is to refuse, should be made on grounds that will allow for compensation as catered for in the 1943 Planning Act.

We look forward to hearing from you.

Yours faithfully,

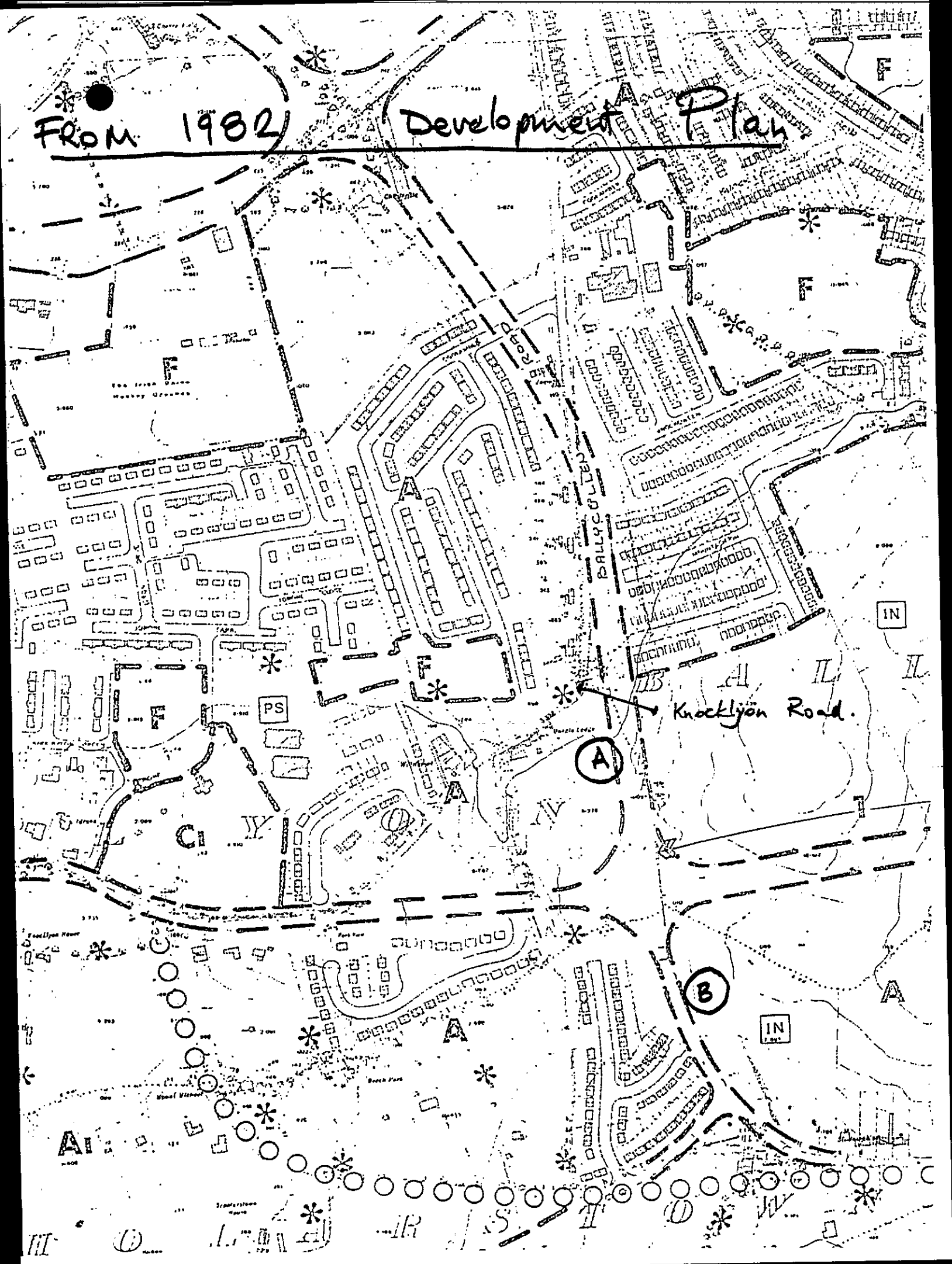
Peter White.

Peter White Associates.



FROM 1982

Development Plan



DUBLIN COUNTY COUNCIL

Tel. 724755 (ext. 262/264)

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

NOTIFICATION OF A DECISION TO REFUSE:

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

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

To Peter White Associates, Register Reference No. 91A/1001
34. Belgrave Square, Planning Control No.
Dublin 6. Application Received 18.06.1991
Additional Information Received 19.11.1991
Applicant Appledon Investments Limited

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/ ...131/92 dated 17.01.1992 decided to refuse:

OUTLINE PERMISSION ~~PERMISSION~~ ~~APPROVAL~~

For construction of two 2-storey houses at 111 and 112 Dargle Wood (at existing entrance road as originally intended) Knocklyon.

for the following reasons:

1. The proposed development would contravene materially conditions 4 and 5 of decision order P/646/76 dated 5th March, 1976 (Reg. Ref. K 28) in that the site of the proposed development is required to maintain the only existing access to a section of Dargle Wood Estate and the proposed development would be, therefore, contrary to the proper planning and development of the area.
2. The site the subject of the application provides the only means of access to Phase II of Dargle Wood Estate. The proposed development would result in the removal of the only existing vehicular access serving these houses and would contravene the zoning objective for this area which is "to protect and improve residential amenities" and would be contrary to the proper planning and development of the area.
3. The proposed development would seriously injure the amenities of, and devalue, property in the vicinity.
4. The proposed development would adversely affect vehicular access to this site and the absence of an alternative access would be likely to give rise to a conflict of vehicular traffic and pedestrian movements in the area and would thereby endanger public safety by reason of traffic hazard.

Contd.../

Signed on behalf of the Dublin County Council

[Signature]
for PRINCIPAL OFFICER

17th January, 1992.

Date

IMPORTANT:

NOTE: (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. The appeal shall be in writing and shall state the subject matter of the appeal and grounds of 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 £36. (Thirty-six 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 £36. (Thirty-six 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.

FORM G - FUTURE PRINT LTD.

DUBLIN COUNTY COUNCIL

724755 (ext. 262/264)

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

NOTIFICATION OF A DECISION TO REFUSE:

~~OUTLINE PERMISSION~~ PERMISSION: ~~APPROVAL~~
LOCAL GOVERNMENT (PLANNING AND DEVELOPMENT) ACTS, 1963-1983

To Peter White Assocs., Register Reference No. 88A-1178
34 Belgrave Square, Planning Control No.
Dublin 6. Application Received 6/9/88
..... Additional Information Received
Applicant Appledon Investments Ltd.

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/ 3834/88 dated 4/11/88 decided to refuse:

~~OUTLINE PERMISSION~~ PERMISSION ~~APPROVAL~~

For Construction of two 2-storey semi-detached houses beside 81 Darglewood, Knocklyon Road

for the following reasons:

1. The proposed development is located at the designated permanent access to Dargle Wood from the proposed east-west distributor Road. The development would render the existing temporary access permanent thereby creating a substandard junction spacing between the existing entrance and the new junction with Knocklyon Road on the east-west distributor Road.
2. The proposed development materially contravenes Conditions No. 1 and 5 of the permission granted by Order No. P/646/76, dated 5th March, 1976, Reg. Ref. K.28.
3. Part of the site of the proposed development is dedicated public open space. The applicant does not have sufficient legal interest to develop this portion of the site.
4. The proposed development would be prejudicial to public health as an existing foul sewer passes under the proposed houses.

Signed on behalf of the Dublin County Council


for PRINCIPAL OFFICER

Date 4th November, 1988.

IMPORTANT:

NOTE: (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. The appeal shall be in writing and shall state the subject matter of the appeal and grounds of 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 £36. (Thirty-six 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 £36. (Thirty-six 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.

AN BORD PLEANÁLA

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

County Dublin

Planning Register Reference Number: 88A/1178

APPEAL by Appledon Investments Limited care of Peter White Associates of 34 Belgrave Square, Rathmines, Dublin, against the decision made on the 4th day of November, 1988, by the Council of the County of Dublin to refuse a permission for the construction of two 2-storey semi-detached houses beside 81 Dargle Wood, Knocklyon Road, County Dublin:

DECISION: Pursuant to the Local Government (Planning and Development) Acts, 1963 to 1983, permission is hereby refused for the construction of the said two 2-storey semi-detached houses for the reasons set out in the Schedule hereto.

SCHEDULE

1. The proposed development is located at the designated permanent access to Dargle Wood from the proposed east/west distributor road. The development would render permanent the existing temporary access, thereby creating a substandard junction spacing between the existing entrance and the new junction with Knocklyon Road on the east/west distributor road.
2. The proposed development would materially contravene conditions numbers 1 and 5 attached to the permission granted by Dublin County Council under planning register reference number: K28, dated 5th day of March, 1976.
3. The proposed development would be prejudicial to public health as an existing foul sewer passes under the proposed house plots.



J. Ahern

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

Dated this 26th day of June

1989.



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

Peter White Associates,
34 Belgrave Square,
Dublin 6.

91A/1001

17 January 1992

Re: Proposed construction of two 2-storey houses at 111 and 112 Dargle Wood (at existing entrance road as originally intended) Knocklyon, for Appledon Investments Ltd.

I, the undersigned, hereby acknowledge receipt of Notification of Decision, dated 17 January 1992, in connection with the above.

Signed:

A handwritten signature in black ink, appearing to read 'Peter White', written over a horizontal line.

On behalf of:

(Name)

(Address)

I hereby certify that the above Notification, dated 17 January 1992, was handed by me to the above signed today.

SIGNED:

Mary Murphy

DATED:

17.01.92

DUBLIN COUNTY COUNCIL

Tel. 724755 (ext. 262/264)

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

NOTIFICATION OF A DECISION TO REFUSE:

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

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

To Peter White Associates, Register Reference No. 91A/1001
..... 34 Belgrave Square, Planning Control No.
Dublin 6. Application Received 18.06.1991
..... Additional Information Received 19.11.1991
Applicant Appledon Investments Limited.....

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/ ... 131/92 dated 17.01.1992 .. decided to refuse:

OUTLINE PERMISSION ~~PERMISSION~~ ~~APPROVAL~~

For construction of two 2-storey houses at 111 and 112 Dargle Wood (at existing entrance road as originally intended) Knocklyon.

for the following reasons:

1. The proposed development would contravene materially conditions 4 and 5 of decision order P/646/76 dated 5th March, 1976 (Reg. Ref. K 28) in that the site of the proposed development is required to maintain the only existing access to a section of Dargle Wood Estate and the proposed development would be, therefore, contrary to the proper planning and development of the area.
2. The site the subject of the application provides the only means of access to Phase II of Dargle Wood Estate. The proposed development would result in the removal of the only existing vehicular access serving these houses and would contravene the zoning objective for this area which is "to protect and improve residential amenities" and would be contrary to the proper planning and development of the area.
3. The proposed development would seriously injure the amenities of, and devalue, property in the vicinity.
4. The proposed development would adversely affect vehicular access to this site and the absence of an alternative access would be likely to give rise to a conflict of vehicular traffic and pedestrian movements in the area and would thereby endanger public safety by reason of traffic hazard.

Contd.../

Signed on behalf of the Dublin County Council

[Signature]
for PRINCIPAL OFFICER

Date 17th January, 1992.

IMPORTANT:

NOTE: (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. The appeal shall be in writing and shall state the subject matter of the appeal and grounds of 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 £36. (Thirty-six 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 £36. (Thirty-six 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.

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



Blac 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/1001

Date : 20th November 1991

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

Dear Sir/Madam,

DEVELOPMENT : Construct two 2 storey houses

LOCATION : 111 and 112 Dargle Wood (at existing entrance road as
originally intended), Knocklyon

APPLICANT : Appledon Investments Limited

APP. TYPE : Additional Information

With reference to the above, I acknowledge receipt of additional information
received on 19th November 1991.

Yours faithfully,

.....

for PRINCIPAL OFFICER

Peter White Associates,
34 Belgrave Square,
Dublin 6.

Peter White Associates Architects

Peter White b.arch. m.r.i.a.i. r.i.b.a.

34, Belgrave Square, Rathmines, Dublin 6

☎ 962949

91A/1001

1.0.0

A.1

Dublin County Council Planning Department

14th November, 1991

RE: 2 houses at 111 and 112 Dargle Wood

Reg. Ref: 91 A /1001

19 NOV 91

Dear Sirs,

In response to your request for additional information of 16th August, 1991, we comment as follows, (with quadruplicate copies).

(1) Legal Interest

The land is registered in the Land Registry under Folio 1619 and Appledon Investments Ltd. is entitled to be registered as registered owner, having purchased the freehold of the Folio from the previous owner.

(2) Company details.

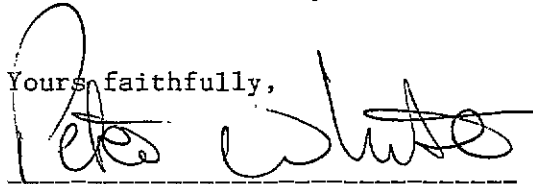
The Planning Department is confined by the 1963 Planning Act to dealing with planning applications on the basis of planning matters only. This is not a matter that would affect the planning decision.

(3) Right-of-way

The applicant does not have the competence to advise the planning office in this matter.

We look forward to your decision.

Yours faithfully,



Peter White Associates.

Associate: Paul Leech b.e b.arch m.r.i.a.i. m.i.e.i.

Peter White Associates,
34 Belgrave Square,
Dublin 6.

Reg. Ref. No. 91A/1001

16 August 1991

Re: Proposed construction of two 2-storey houses at 111 and 112 Dargle Wood (at existing entrance road as originally intended) Knocklyon, for Appledon Investments Ltd.

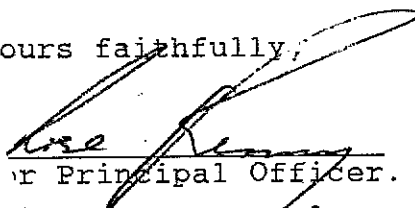
Dear Sir,

With reference to your outline planning application, received here on 18th June, 1991, in connection with the above, I wish to inform you, that before the application can be considered under the Local Government (Planning and Development) Acts, 1963-1990, the following additional information must be submitted in quadruplicate:-

1. The applicant is requested to submit evidence that it has sufficient legal interest in the site to carry out the development proposed.
2. It is noted that the Companies Office Records do not include a certificate of registered address for Appledon Investments Ltd., nor do they contain any annual returns since 1986. The applicants are requested to supply evidence of the Companies' registered address and to give details of its current Directors and/or beneficial shareholders.
3. The site of the proposed development has been in use for approximately fifteen years as a pedestrian and vehicular right-of-way leading to houses in Dargle Wood. It appears to the Planning Authority that a public right-of-way exists across the site. Applicant is requested to supply evidence to establish that no such right-of-way exists.

Please mark your reply "Additional Information" and quote the Reg. Ref. No. given above.

Yours faithfully,


Principal Officer.

Peter White Associates,
34 Belgrave Square,
Dublin 6.

Reg. Ref. No. 91A/1001

16 August 1991

Re: Proposed construction of two 2-storey houses at 111 and 112 Dargle Wood (at existing entrance road as originally intended) Knocklyon, for Appledon Investments Ltd.

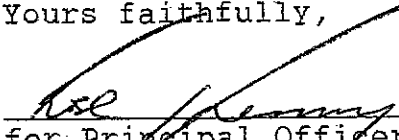
Dear Sir,

With reference to your outline planning application, received here on 18th June, 1991, in connection with the above, I wish to inform you, that before the application can be considered under the Local Government (Planning and Development) Acts, 1963-1990, the following additional information must be submitted in quadruplicate:-

1. The applicant is requested to submit evidence that it has sufficient legal interest in the site to carry out the development proposed.
2. It is noted that the Companies Office Records do not include a certificate of registered address for Appledon Investments Ltd., nor do they contain any annual returns since 1986. The applicants are requested to supply evidence of the Companies' registered address and to give details of its current Directors and/or beneficial shareholders.
3. The site of the proposed development has been in use for approximately fifteen years as a pedestrian and vehicular right-of-way leading to houses in Dargle Wood. It appears to the Planning Authority that a public right-of-way exists across the site. Applicant is requested to supply evidence to establish that no such right-of-way exists.

Please mark your reply "Additional Information" and quote the Reg. Ref. No. given above.

Yours faithfully,


for Principal Officer.

DUBLIN COUNTY COUNCIL
 PLANNING AND BUILDING CONTROL DEPARTMENTS

Register Reference : 91A/1001

Date Received : 18th June 1991

Applicant : Appledon Investments Limited

Appl.Type : OUTLINE

Development : Construct two 2 storey houses

LOCATION : 111 and 112 Dargle Wood (at existing entrance road as originally intended), Knocklyon

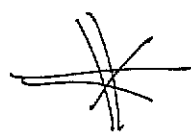
PLEASE INDICATE THE DEPARTMENTS/PUBLIC BODIES TO WHICH THIS APPLICATION SHOULD BE REFERRED.

SANITARY SERVICES DEPT.	<input checked="" type="checkbox"/>	WATER	<input type="checkbox"/>
		FOUL SEWER	<input type="checkbox"/>
		SURFACE WATER	<input type="checkbox"/>
ROADS DEPT.	<input checked="" type="checkbox"/>	ENVIRONMENTAL HEALTH OFFICER	<input type="checkbox"/>
PARKS DEPT.	<input checked="" type="checkbox"/>	DEVELOPMENT PLAN TEAM	<input type="checkbox"/>
FIRE OFFICER	<input type="checkbox"/>	DEVELOPMENT DEPT.	<input type="checkbox"/>
AN TAI SCE	<input type="checkbox"/>	BORD FAILTE	<input type="checkbox"/>
AN COMHAIRLE EALAOIN	<input type="checkbox"/>	OFFICE OF PUBLIC WORKS	<input type="checkbox"/>
DEPARTMENT OF DEFENCE	<input type="checkbox"/>	DUBLIN CORP. WATERWORKS DEPT.	<input type="checkbox"/>
FORWARD PLANNING	<input type="checkbox"/>	OTHER [SPECIFY]	<input type="checkbox"/>
ZONING	<input type="checkbox"/>	HISTORY REQUIRED	<input type="checkbox"/>

REFER TO MOS EXECUTIVE PLANNER. REFER TO EXECUTIVE ENGINEER

NOTES.....

SIGNED R.C. SIGNED
 S.E.D.C. DATE 28.6.91 S.E.E.





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 Sites 111 and 112, DARGLE WOOD
(If none, give description sufficient to identify) KNOCKLYON ROAD, DUBLIN.

3. Name of applicant (Principal not Agent) APPELDON INVESTMENTS LTD
Address HOGAN HOUSE, HOGAN PLACE D.R. Tel. No. 613022.

4. Name and address of person or firm responsible for preparation of drawings PETER WHITE ASSOCIATES
34 BELGRAVE SQUARE, DUBLIN 6. Tel. No. 962949

5. Name and address to which notifications should be sent AS 4 ABOVE.

6. Brief description of proposed development CONSTRUCTION OF 2 HOUSES - MATCH ADJACENT.

7. Method of drainage MAINS- 8. Source of Water Supply 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. N/A.

(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.

11.(a) Area of Site ± 1100 m². Sq. m.

(b) Floor area of proposed development ± 200 m². 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.) OWNER.

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

14.Please state the extent to which the Draft Building Regulations have been taken in account in your proposal:
The draft building regs are generally taken into account.

15.List of documents enclosed with

DUBLIN 16 - Permission is sought to construct two 2 storey houses at 111 and 112 Dargle Wood (at existing entrance road as originally intended) Knocklyon - Appledon Investments Limited. 91A/1001, 03. letter, cheque, advert.

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

No of dwellings proposed (if any) 2. Class(es) of Development ① outline application. 3/4

Fee Payable £ 48. Basis of Calculation 32 x 2 x 3/4 = £ 48

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

Signature of Applicant (or his Agent) Peter White. Date 14 June 1991.

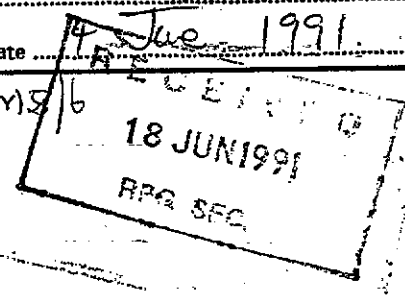
Application Type OUTLINE O-P. FOR OFFICE USE ONLY

Register Reference 91A/1001

Amount Received £ 2.8.0

Receipt No

Date



Er
terrell
13/6/91

Peter White Associates Architects

Dublin County Council.

Peter White b.arch. m.r.i.a.i. r.i.b.a.

34, Belgrave Square, Rathmines, Dublin 6

☎ 962949

5th June 1991.

DUBLIN COUNTY COUNCIL
Planning Dept. Reg. No. 100
APPLICATION RECEIVED

18 JUN 1991

REG No. 91A/1001
APPLICATION TYPE: 100 & 101

Re: Two Proposed houses at Dargle Wood, Knocklyon.

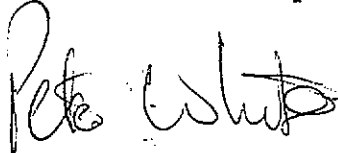
Dear Sirs,

Further to our previous application (Reg. Ref. 88A.1178), we attach herewith an application for permission to develop the two houses as originally anticipated.

The conditions of the original permission K.28, had postponed the construction of these two houses in 1976, pending the construction of the proposed roads. As we understand it, there is still no time specified (if ever) for constructing these roads, fifteen years later.

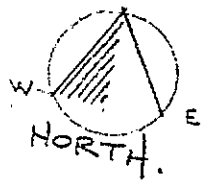
We look forward to hearing from you.

Yours faithfully,



Peter White, Architect.

Associate: Paul Leech b.e b.arch m.r.i.a.i. m.i.e.i.



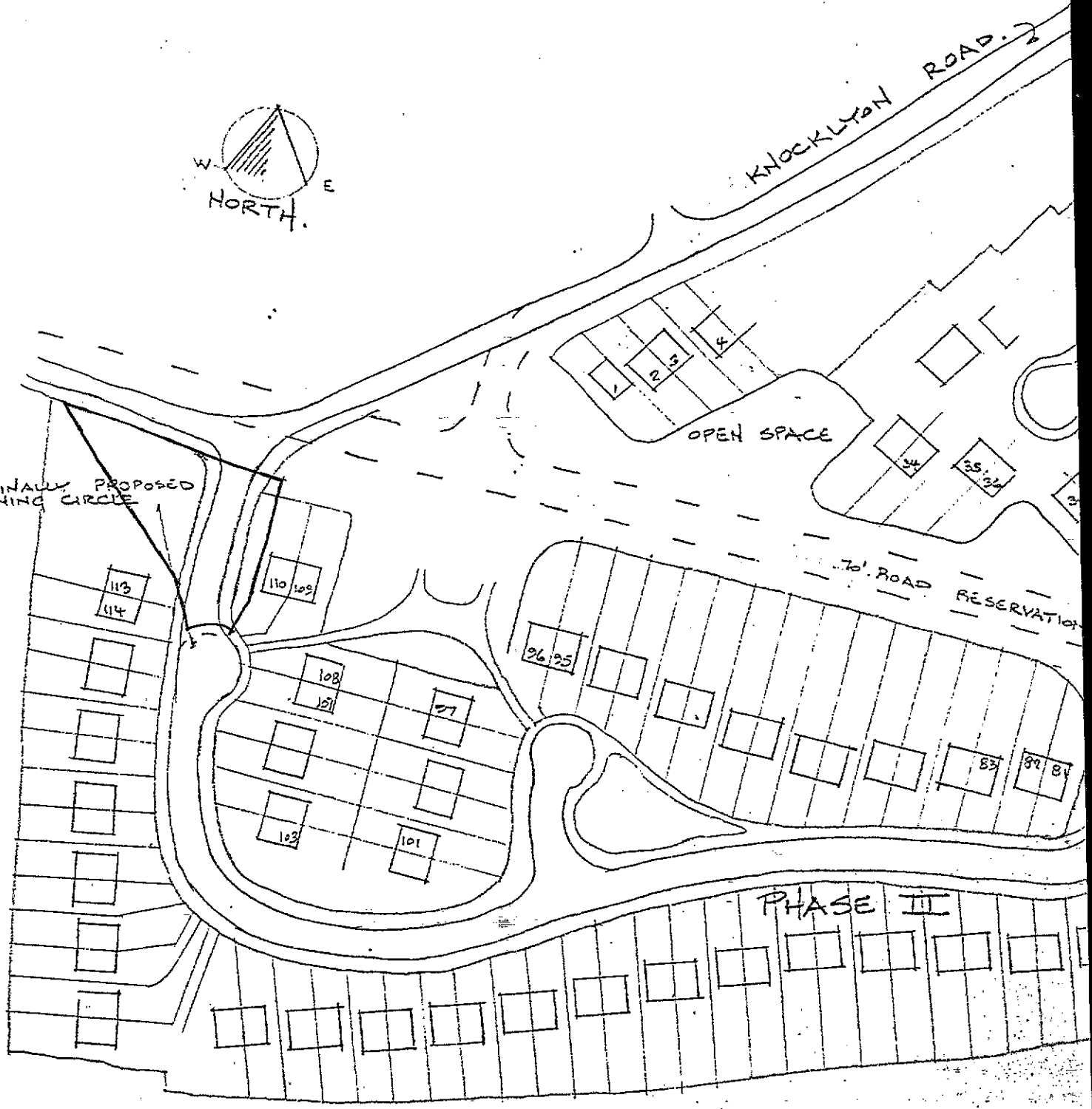
KNOCKLYON ROAD.

ORIGINALLY PROPOSED
TURNING CIRCLE

OPEN SPACE

70' ROAD RESERVATION

PHASE III



16 JUN 1991

REG No. 91A/10004
REGULATION TYPE
NO. L D S

DARQLE LODGE.

PHASE 1.

OPEN SPACE

PROPOSED 100' WIDE ROAD

ROAD CONSTRUCTED TO HERE

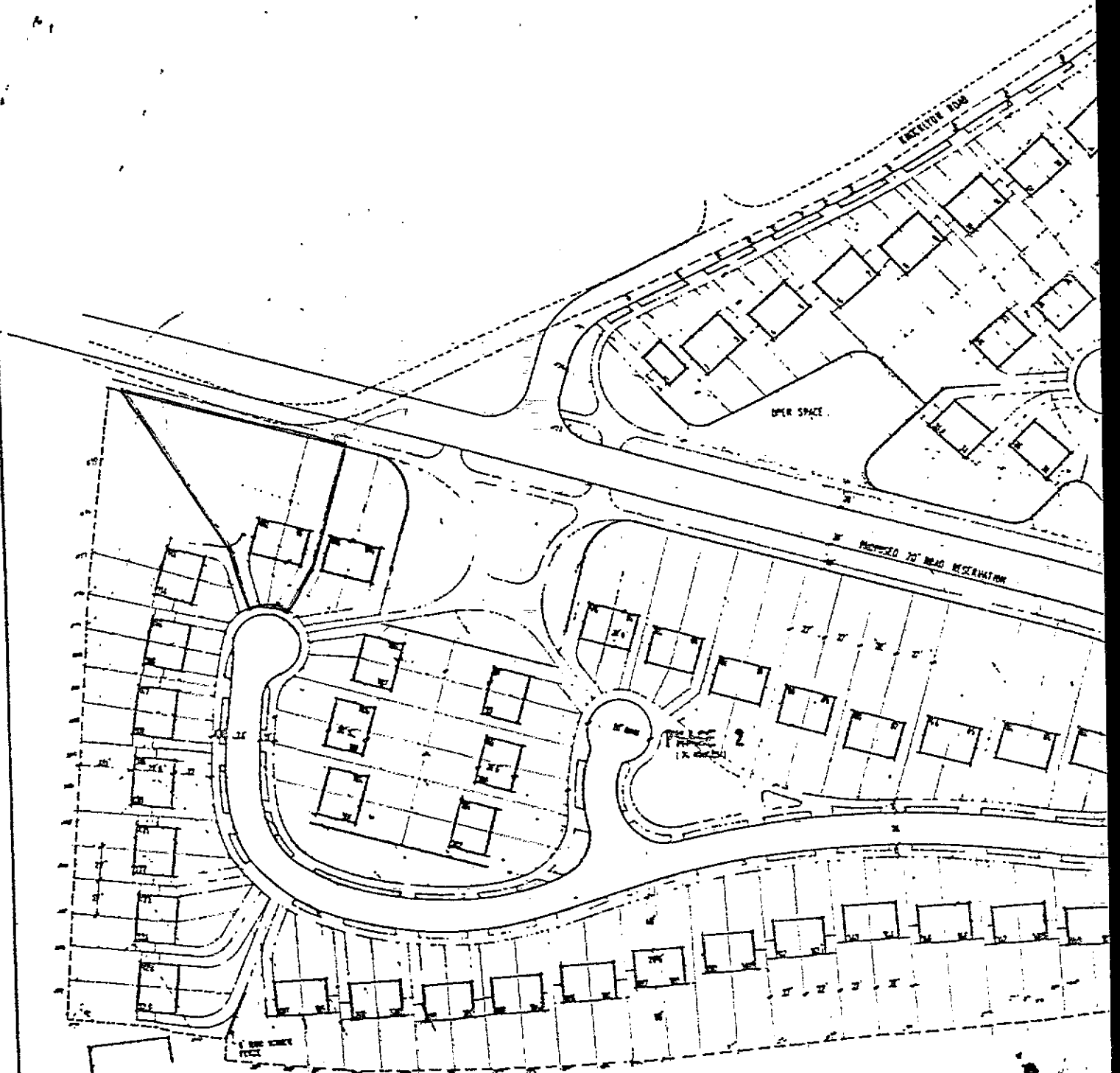
OPEN SPACE.

rev	
job 2 PROPOSED HOUSES AT DARQLE WOOD KNOCKLYON ROAD	
title SITE PLAN - AS EXISTING	
scale 1:1250	date AUG. 1988
drg no. 31.20/01	drawn P.W.

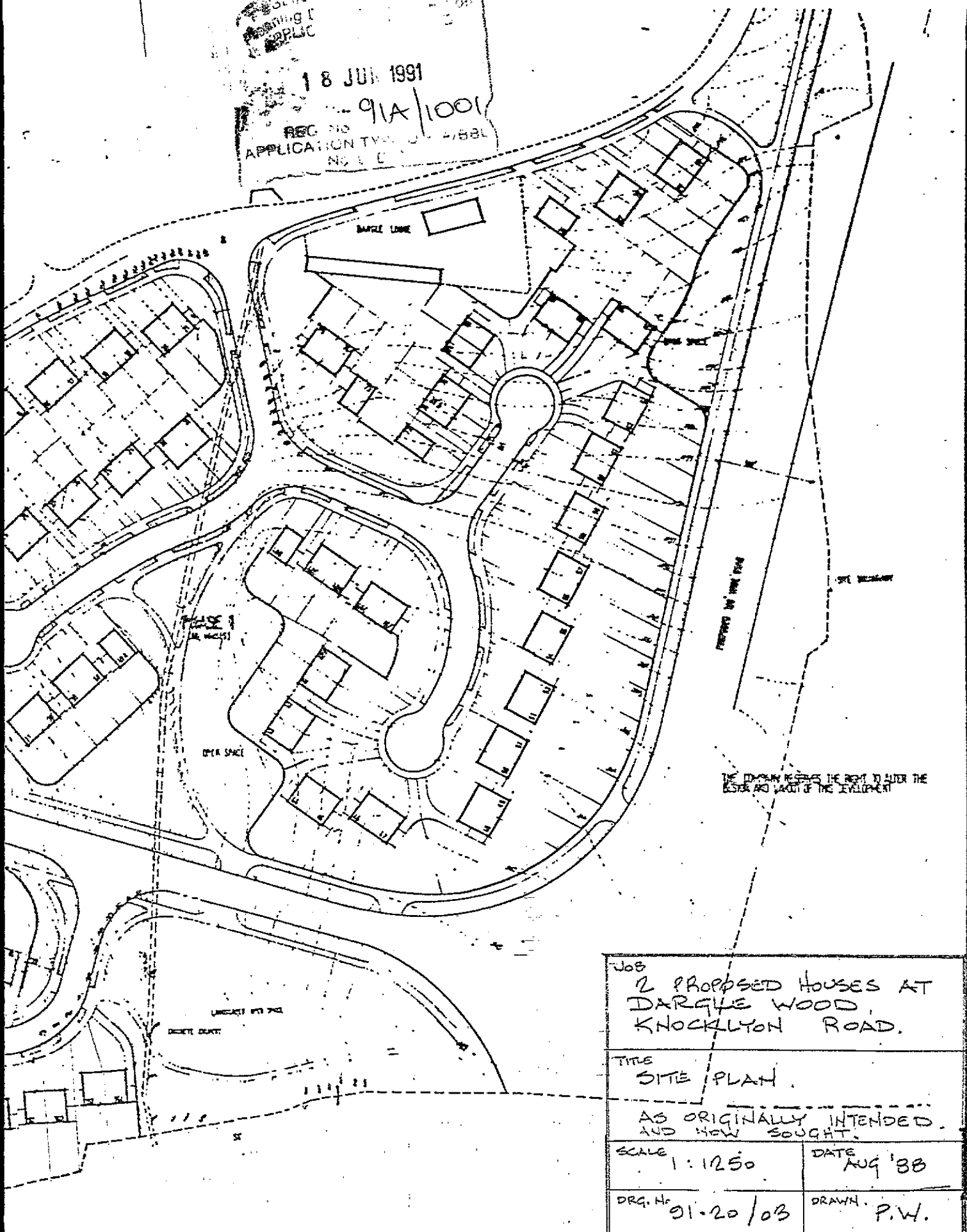
PETER WHITE ASSOCIATES
ARCHITECTS TEL. 952049
34 BELGRAVE SQ. DUBLIN 6

PHASE 1

AREA OF SITE 1.50 ACRES
NO. OF HOUSE UNITS 100 UNITS



18 JUN 1991
91A/1001
REG. NO. 91A/1001
APPLICATION TYPE: A/BBL
NO. 1 E



THE COMPANY RESERVES THE RIGHT TO ALTER THE
ORDER AND LAYOUT OF THE DEVELOPMENT

JOB 2 PROPOSED HOUSES AT DARGLE WOOD, KNOCKLYON ROAD.	
TITLE SITE PLAN	
AS ORIGINALLY INTENDED AND NOW SOUGHT.	
SCALE 1:1250	DATE AUG '88
DRG. NO. 91-20/03	DRAWN P.W.

PETER WHITE ASSOCIATES
ARCHITECTS TEL. 962949
34 BELGRAVE SQ., DUBLIN 6.

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/1001

Date : 19th June 1991

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

Dear Sir/Madam,

DEVELOPMENT : Construct two 2 storey houses

LOCATION : 111 and 112 Dargle Wood (at existing entrance road as originally intended), Knocklyon

APPLICANT : Appledon Investments Limited

APP. TYPE : OUTLINE PERMISSION

With reference to above, I acknowledge receipt of your application received on 18th June 1991.

Yours faithfully,

.....

PRINCIPAL OFFICER

Peter White Associates,
34 Belgrave Square,
Dublin 6.



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

- 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.
- Postal address of site or building Sites 111 and 112, DARGLE WOOD
(If none, give description sufficient to identify) KNOCKLYON ROAD, DUBLIN.
- Name of applicant (Principal not Agent) APPLEDON INVESTMENTS LTD
Address HOGAN HOUSE, HOGAN PLACE, D.2. Tel. No. 613022.
- Name and address of person or firm responsible for preparation of drawings PETER WHITE ASSOCIATES
34 BELGRAVE SQUARE, DUBLIN 6. Tel. No. 962949DN
- Name and address to which notifications should be sent AS 4 ABOVE. REC. NO. N/L

- Brief description of proposed development CONSTRUCTION OF 2 HOUSES - A MATCH ADJACENT.
- Method of drainage MAINS- 8. Source of Water Supply MAINS

- 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. N/A.

Er
Herald
13/6/91

- Does the proposal involve demolition, partial demolition or change of use of any habitable house or part thereof? No. REC. NO. 48 18/6
N 4/269
- (a) Area of Site ± 1100 m² Sq. m.
(b) Floor area of proposed development ± 200 m² Sq. m.
(c) Floor area of buildings proposed to be retained within site — Sq. m.

- State applicant's legal interest or estate in site (i.e. freehold, leasehold, etc.) OWNER.

- Are you now applying also for an approval under the Building Bye Laws?
Yes No Place / in appropriate box.

- Please state the extent to which the Draft Building Regulations have been taken in account in your proposal:
The draft building regs are generally taken into account.

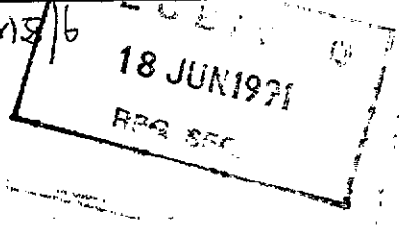
- List of documents enclosed with 91. 101, 03. letter, cheque, advert.

DUBLIN, 16 - Permission is sought to construct two 2 storey houses at 111 and 112 Dargle Wood (at existing entrance road as originally intended) Knocklyon - Appledon Investments Limited.

- Gross floor space of development (See back) 2. Sq. m.
No of dwellings proposed (if any) 2. Class(es) of Development ① outside application 3/4
Fee Payable € 48 Basis of Calculation 32 x 2 x 3/4 = 48
If a reduced fee is tendered details of previous relevant payment should be given

Signature of Applicant (or his Agent) Peter White Date 17 June 1991.

Application Type OUTLINE O-P. FOR OFFICE USE ONLY 15/6
Register Reference 91A/1001
Amount Received € 2.8.0
Receipt No 22-10
Date 18 JUN 1991



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.

COMHAIRLE CHONTAE ÁTHA CLIATH

PAID BY
DUBLIN COUNTY COUNCIL
46/49 UPPER O'CONNELL STREET
DUBLIN 1.
M.O.
B.L.
I.T.

Issue of this receipt is not an
acknowledgment that the fee
tendered is the prescribed application
fee. N 41269

£ 48.00

Received this 18th day of June 1991

from Peter White Assoc.,
34 Belgrave Square

the sum of forty eight Pounds

being fee for
plp application at 111 - 112 Darnley Wood

Madeline Deane Cashier

S. CAREY
Principal Officer

Class 1 x 2

Peter White Associates Architects

Dublin County Council.

Peter White b.arch. m.r.i.a.i. r.i.b.a.

34, Belgrave Square, Rathmines, Dublin 6

☎ 962949

5th June 1991.

Re: Two Proposed houses at Dargle Wood, Knocklyon.

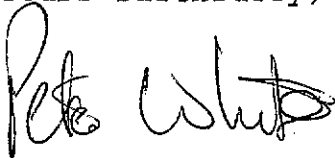
Dear Sirs,

Further to our previous application (Reg. Ref. 88A.1178), we attach herewith an application for permission to develop the two houses as originally anticipated.

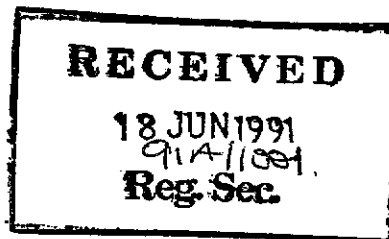
The conditions of the original permission K.28, had postponed the construction of these two houses in 1976, pending the construction of the proposed roads. As we understand it, there is still no time specified (if ever) for constructing these roads, fifteen years later.

We look forward to hearing from you.

Yours faithfully,



Peter White, Architect.



Associate: Paul Leech b.e b.arch m.r.i.a.i. m.i.e.i.



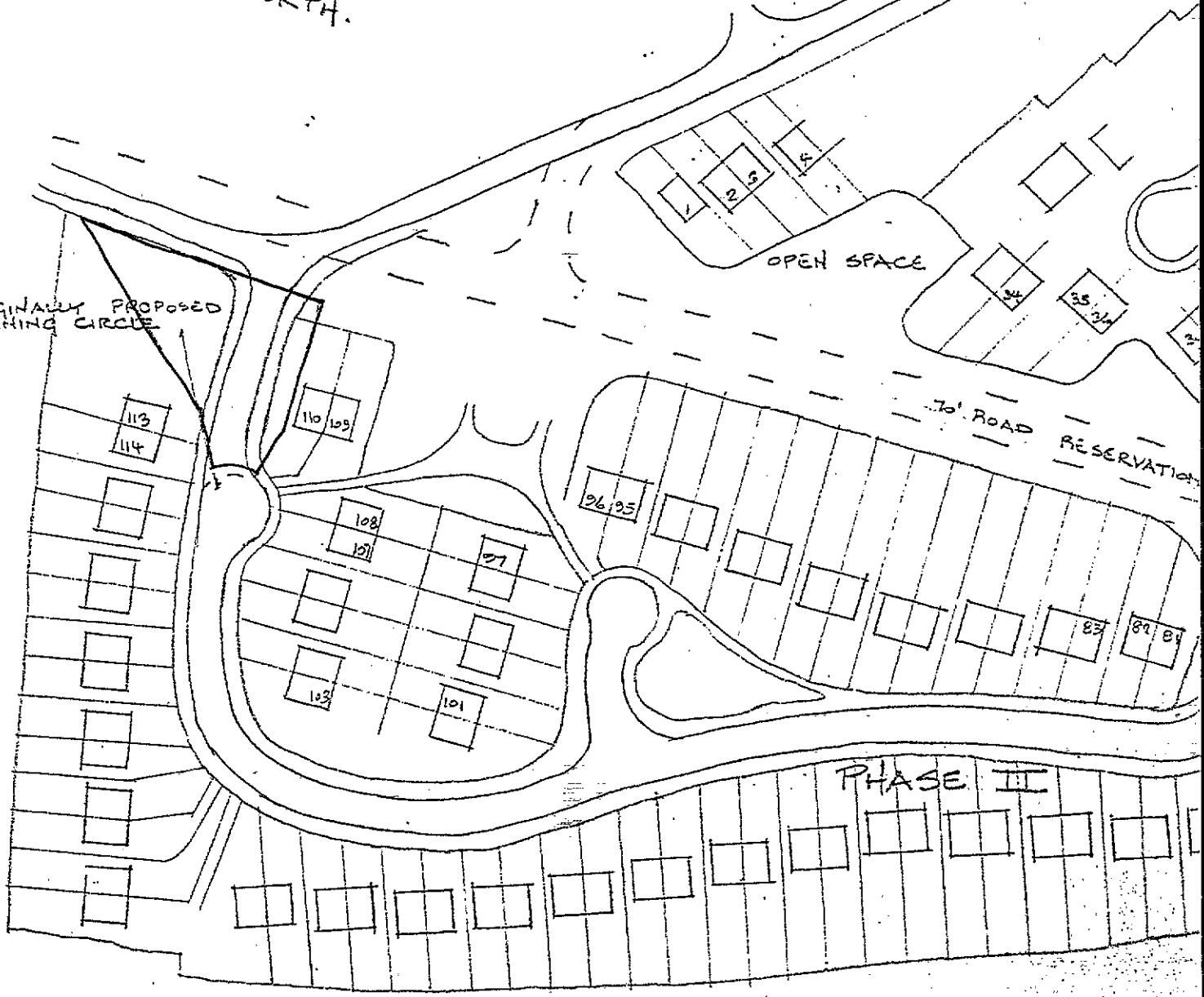
KNOCKLYON ROAD.

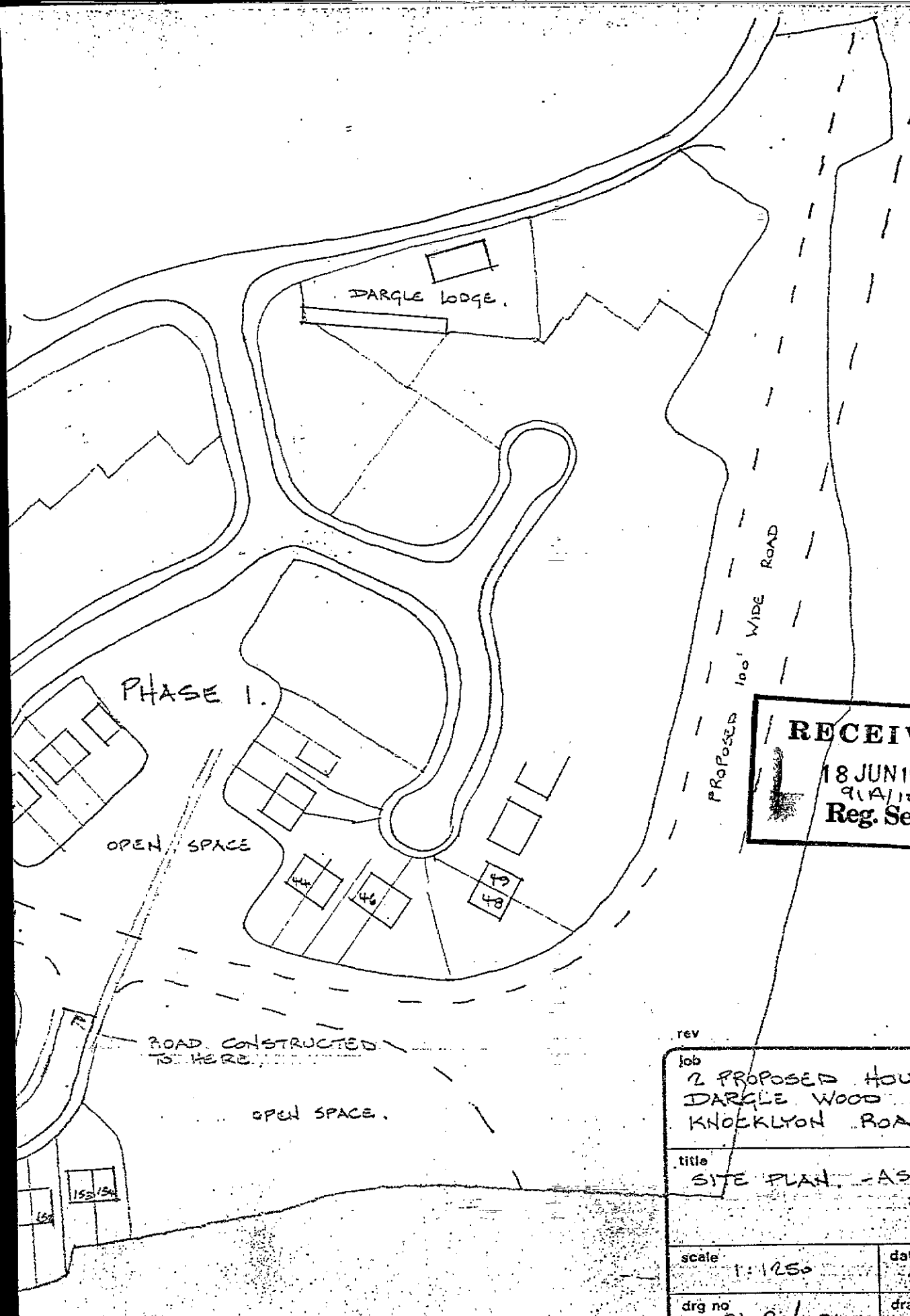
ORIGINALLY PROPOSED
TURNING CIRCLE

OPEN SPACE

70' ROAD RESERVATION

PHASE II





RECEIVED
 18 JUN 1991
 9(A)/1001
 Reg. Sec.

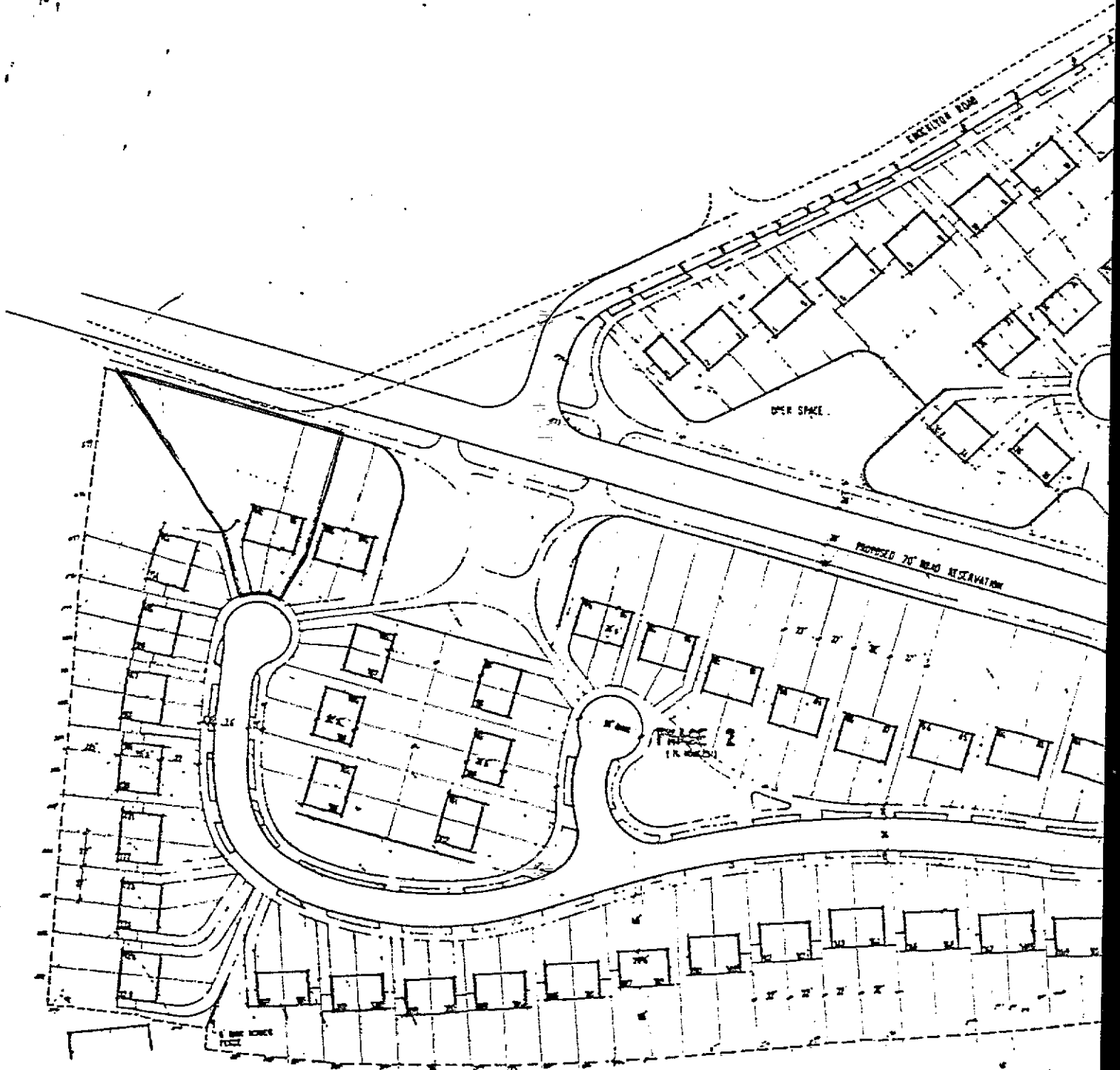
rev	
job 2 PROPOSED HOUSES AT DARCLE WOOD KNOCKLYON ROAD.	
title SITE PLAN - AS EXISTING	
scale 1:1250	date AUG. 1988
drg no 91.20/01.	drawn P.W.

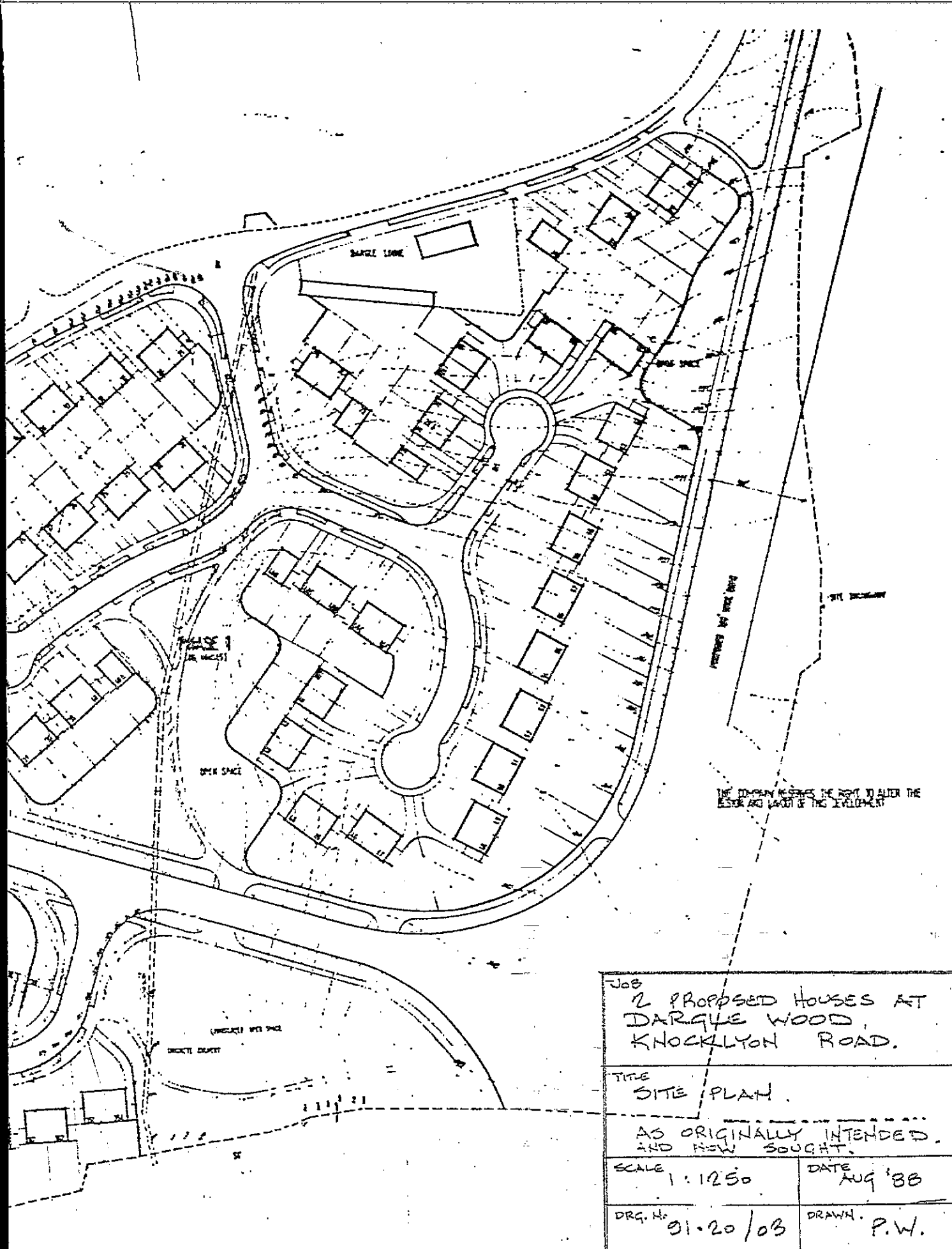
PETER WHITE ASSOCIATES
 ARCHITECTS TEL 982949
 34 BELGRAVE SQ. DUBLIN 6.

RECEIVED
18 JUN 1991
91A/1001
Reg. Sec.

PHASE 1

AREA OF SITE NO. OF HOUSE UNITS NO. OF HOUSES





JOB 2 PROPOSED HOUSES AT DARGLE WOOD, KNOCKLYON ROAD.	
TITLE SITE PLAN	
AS ORIGINALLY INTENDED AND NOW SOUGHT.	
SCALE 1:1250	DATE AUG '88
DRG. No. 01.20/03	DRAWN. P.W.

PETER WHITE ASSOCIATES
ARCHITECTS TEL. 962949
34 BELGRAVE SQ., DUBLIN 6.