

# DECISIONS

## APPEALS CHECK LIST

REG. REF. NO. 91A 1002

1	ENTERED IN OBJECTORS REGISTER	✓
2	ENTERED IN BLUE FOLDER	✓
2	ENTERED IN APPEALS REGISTER	✓
4	ENTERED IN PLANAPS: I.E.:	/
	Appeal Decision:	/
	Appeal Date:	/
3	COPY OF DECISION FOR WEEKLY LIST (LAURA/MARY)	/
6	DECISION CIRCULATED TO LISTED PERSONS	/
6	TO BONDS & CONTRIBUTIONS FOR FINANCIAL ASSESSMENT	
7	TO L. DOYLE FOR NOTING	

**CHANGE STATUS IN PLANAPS:**

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 WITHDRAWN:.....54  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

91A/1002

CERTIFICATE NO: 25694

PROPERTY:
LOCATION:
APPLICANT:

Change use from Manufactory to Wholesaling
Blackchurch, Rathcoole
Johnston Haulage Co Ltd

Table with 7 columns: 1 DWELLINGS/AREA LENGTH/STRUCT, 2 RATE, 3 AMT. OF FEE RES., 4 AMOUNT LOGGED, 5 BALANCE DUE, 6 BALANCE DUE, 7 DATE/RECEIPT NO. Includes handwritten entries for 'Dwellings', '2492 m2', and numerical values like 4361, 3435.75, 928.25.

Handwritten note in a circle: 925.25 9/7/91 N44130

Signature: J. Y... D/TI 21/6/91

Signature: R.H.D.

Signature: S.O. 21/6/91

Items 2, 3, 4, 5, 6 & 7 Guaranteed Signed

Items 2, 3, 4, 5, 6 & 7 Enclosed Signed

Grass:
Date:



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

Register Reference : 91A/1002

Date : 25th June 1991

Dear Sir/Madam,

Development : Construct 3 no. extensions to existing buildings, also to change the use from manufacturing with offices to warehouses with offices and also to construct a canopy over an outdoor storage area and for diesel and water storage tanks and to relocate the entrance point to the site

LOCATION : Naas Road, Blackchurch, Rathcoole.

Applicant : Johnston Haulage Co. Ltd

App. Type : OUTLINE PERMISSION

Date Recd : 18th June 1991

Your application in relation to the above was submitted with a fee of 3435.75.

On examination of the plans submitted it would appear that the appropriate amount should be 4361.00.

I should be obliged if you would submit the balance of 925.25 as soon as possible as a decision cannot be made on this application until the correct fee is received.

Yours faithfully,

A handwritten signature in black ink, appearing to be 'M. W. ...', written over a horizontal dotted line.

PRINCIPAL OFFICER

O'Dowd O'Herlihy Horan, Architects  
3 Bath Place,  
Blackrock,  
Co. Dublin.

LOCATION GOVERNMENT (PLANNING AND DEVELOPMENT) ACTS, 1983 TO 1982

ASSESSMENT OF FINANCIAL CONTRIBUTION

EG. REF.: *91A/1002*

CONT. REF.:

SERVICES INVOLVED: WATER/FOUL SEWER/SURFACE WATER

REA. OF SITE:

TOT. AREA OF PRESENT PROPOSAL: *26825 FT<sup>2</sup>*

MEASURED BY:

*J. Y.  
21/6/91*

CHECKED BY:

METHOD OF ASSESSMENT:

TOTAL ASSESSMENT

AWARDER'S ORDERED NO: P/ /  
DATED

ENTERED IN CONTRIBUTIONS REGISTER:

DEVELOPMENT CONTROL ASSISTANT GRADE

P/1682/92

# COMHAIRLE CHONTAE ÁTHA CLIATH

FINANCIAL CONTRIBUTION :-
AMOUNT € Nil
F/Refusal.

## Record of Executive Business and Manager's Orders

BELGARD

Proposal to construct 3 no. extensions to existing buildings, also to change the use from manufacturing with offices to warehouses with offices and also to construct a canopy over an outdoor storage area and for diesel and water storage tanks and to relocate the entrance point to the site at Naas Road, Blackchurch, Rathcoole for Johnston Haulage Co. Ltd. By order P/3837/91 dated 15.08.91 the Council made a decision to refuse outline permission for this proposal. On Appeal, An Bord Pleanála made the following order on 31st March, 1992:-

PL6/5/86696

### AN BORD PLEANÁLA

LOCAL GOVERNMENT (PLANNING AND DEVELOPMENT) ACTS 1963 TO 1990

County Dublin

Planning Register Reference Number: 91A/1002

#### WHEREAS

1. On the 18th day of June, 1991, Johnstown Haulage Company Limited of Blackchurch, Rathcoole, County Dublin (hereinafter called "the applicant") made an application to Dublin County Council (hereinafter called "the planning authority") for outline permission for development comprising the construction of three extensions to buildings, change of use from manufacturing with offices to warehouses with offices, construction of canopy over an outdoor storage area, for diesel and water storage tanks and for relocation of entrance point to site, all at Naas Road, Blackchurch, Rathcoole, County Dublin:
2. On the 15th day of August, 1991, the planning authority decided to refuse outline permission for the said development.
3. The applicant appealed to An Bord Pleanála against the said decision.
4. On the 28th day of February, 1992, Auveen Byrne and Associates, acting on behalf of the applicant, withdrew the application.

#### NOW THEREFORE

An Bord Pleanála hereby declares that, as the said application has been withdrawn, it is no longer before the Board for determination and that there is, therefore, now no appeal in relation to the application before the Board.

# COMHAIRLE CHONTAE ÁTHA CLIATH

## Record of Executive Business and Manager's Orders

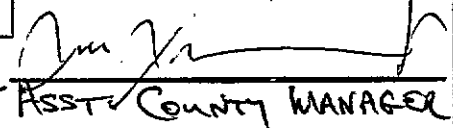
PL6/5/86696

AN BORD PLEANÁLA

LOCAL GOVERNMENT (PLANNING AND DEVELOPMENT) ACTS 1963 TO 1990

County Dublin

Planning Register Reference Number: 91A/1002

Order Noted: <u>LD</u>	
Dated: <u>13<sup>th</sup> April '92</u>	
ASST. COUNTY MANAGER	
to whom the appropriate powers have been delegated by order of the Dublin City and County Manager.	
Dated <u>10<sup>th</sup></u> day of <u>FEBRUARY</u> 19 <u>92</u>	



P.O. Box 174.  
Bosca 174.  
46 / 49 Sraid O'Connail Uacht,  
46 / 49 Upper O'Connell Street,  
Baile Atha Cliath  
Dublin 1.  
Telephone. (01)727777.  
Fax. (01)727434

Attention: Mr. L. Doyle

Mr. A. Smith,  
Principal Officer,  
Planning

Our Ref.  
Your Ref. 27.1.92  
Date

Re: Johnston Haulage Co. Ltd., Naas Road - Ref. 91A-1002

We refer to your letter of 16.1.91 concerning the applicants appeal to An Bord Pleanala.

We would refer you to Roads Department report of 11.7.91 and advise that nothing stated in the applicant's submission to An Bord Pleanala gives us any reason to ammend or alter the recommendations of our report.

A handwritten signature in black ink, appearing to read 'T. Brick'.

T. Brick,  
S.E.E.

*Appeals*

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

REG. REF. 91A/1002

RE: Proposed outline permisison proposed to construct 3 no. extensions to existing buildings, change of use from manufacturing with offices to warehouses with offices, construct a canopy over an outdoor storage area, diesel and water storage tanks, and to relocate the entrance point to the site at Naas Road, Blackchurch, Rathcoole, Co. Dublin for Johnston Haulage Co. Ltd.

I attach for your observations memo/letter dated 28th November, 1991 from An Bord Pleanala.

Please reply before: 10th January, 1991

*S*  
for Principal Officer

DATED: 17 December 1991

OBSERVATIONS:

*Refer to Hds by. As report sub 18/12*

*issued 22/1*

~~*N. Prendergast*~~

*Roads Report dated 27/1/92 attached*

*10. advise on R.P. as above*

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

Countersigned: \_\_\_\_\_

*MP 31/1*  
(S.E.D.C.)

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

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

*[Handwritten signature]*



John Henry,  
Senior Engineer,  
Roads Department.

---

Our Ref: 91A/1002

16 January 1992

Re: Proposed outline permission proposed to construct 3 no. extensions to existing buildings, change of use from manufacturing with offices to warehouses with offices, construct a canopy over an outdoor storage area, diesel and water storage tanks, and to relocate the entrance point to the site at Naas Road, Blackchurch, Rathcoole, Co. Dublin for Johnston Haulage Co. Ltd.

Dear Sir,

I attach copy of grounds of appeal and Planning Officers report in regard to the above.

I should be most obliged to received your comments on same before 30th January, 1992.

PLEASE MARK YOUR REPLY FOR THE ATTENTION OF LES DOYLE

Yours faithfully,

L.D  
for Principal Officer.

## COMHAIRLE CHONTAE ÁTHA CLIATH

### Record of Executive Business and Manager's Orders

OUTLINE permission proposed to construct 3 no. extensions to existing buildings, change the use from manufacturing with offices to warehouses with offices, construct a canopy over an outdoor storage area, diesel and water storage tanks, and to relocate the entrance point to the site at Naas Road, Blackchurch, Rathcoole, Co. Dublin for Johnston Haulage Co. Ltd.

O'Dowd O'Herlihy Horan,  
3 Bath Place,  
Blackrock,  
Co. Dublin.

Reg. Ref.	91A/1002
App. Recd:	18.06.91
Floor Area:	2,492 sq.m.
Site Area:	25,966 sq.m.
Zoning:	

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Report of the Dublin Planning Officer, dated 14 August 1991

This is an application for **OUTLINE PERMISSION** to construct 3 no. extensions to existing buildings, change the use from manufacturing with offices to warehouses with offices, construct a canopy over an outdoor storage area, diesel and water storage tanks, and to relocate the entrance point to the site at Naas Road, Blackchurch, Rathcoole, Co. Dublin for Johnston Haulage Co. Ltd.

The proposed site (former Telescreen site) which has a stated area of 25,966 sq.m. is located to the north of the Naas Dual-Carriageway in an area zoned B, "to protect and provide for the development of agriculture" in the Dublin County Development Plan, 1983.

The proposed site has a frontage of c. 160 metres along the Naas Dual-Carriageway. Existing buildings (2 no.) are located on the western position of the site. These are surrounded by a hard-standing area. A large area to the east/north has a rough/gravel/hardcore surface. -The balance of the site to the rear is grassed.

The existing site is currently occupied by Johnson Haulage and appears to be used for warehouse/distribution purposes. On site inspection a number of articulated lorries were being unloaded and various goods (including large drums) were stored outside the main buildings.

It is understood that manufacturing activity on this site has ceased for some time and that the site was sold early this year.

Over .....

# COMHAIRLE CHONTAE ÁTHA CLIATH

## Record of Executive Business and Manager's Orders

OUTLINE permission proposed to construct 3 no. extensions to existing buildings, change the use from manufacturing with offices to warehouses with offices, construct a canopy over an outdoor storage area, diesel and water storage tanks, and to relocate the entrance point to the site at Naas Road, Blackchurch, Rathcoole, Co. Dublin for Johnston Haulage Co. Ltd.

### PLANNING HISTORY

Reg. Ref. No. TA.673 refers to an application for permission for the retention of commercial buildings at this site for Dennison Truck Manufacturing Ltd. This application was withdrawn on 09.04.80.

Reg. Ref. No. TA.1161 refers to a grant of permission for retention of buildings and new entrance at Blackchurch, Rathcoole for Dennison Truck Manufacturing Ltd. Under this grant of planning permission conditions were imposed restricting commercial activities in certain areas of the overall site. The balance of the site (field to the north of the service yard) was to be maintained for agricultural use. Condition No. 17 of this grant of permission required that the applicants enter into a Section 38 Agreement to provide for the sterilisation of these lands. ~~There is nothing on the Register file to suggest that such an agreement has not been entered into to date.~~

Reg. Ref. No. 85A/1094 refers to a grant of permission for an extension to existing factory and septic tank including single-storey extension to manufacturing area and 3-storey extension to offices at this site for Telescreen (Ireland) Ltd. This grant of permission provided for substantial (1,384 sq.m.) additions to the existing premises was not implemented and an application to extend the permission (made in November 1990) was required on the basis that substantial works had not been carried out and that the development would not be completed in a reasonable time.

Reg. Ref. No. 87A/0490 refers to a grant of planning permission for a single-storey extension to factory at Bustyhill, Blackchurch for Telescreen Ltd. (extension to existing unit to the rear). This permission, which expires in 1992, has not been implemented to dated.

Reg. Ref. No. 89A/1966 refers to a refusal of planning permission by both Dublin County Council and An Bord Pleanala for an industrial unit and yard at Blackchurch, Naas Road for Telescreen (Irl.) Ltd. This industrial unit was to be located on the eastern part of the overall site which was required to be reserved solely for agricultural use under the previous grants of permission. An Bord Pleanala's reason for refusal referred to traffic reasons and also to the fact that the proposed development did not appear to be a necessary or reasonable expansion.

Over .....

## COMHAIRLE CHONTAE ÁTHA CLIATH

### Record of Executive Business and Manager's Orders

OUTLINE permission proposed to construct 3 no. extensions to existing buildings, change the use from manufacturing with offices to warehouses with offices, construct a canopy over an outdoor storage area, diesel and water storage tanks, and to relocate the entrance point to the site at Naas Road, Blackchurch, Rathcoole, Co. Dublin for Johnston Haulage Co. Ltd.

The current application is for OUTLINE PERMISSION only for:

- (1) change of use from the established manufacturing use to warehousing, and
- (2) extensions and additions.

According to the Dublin County Development Plan warehousing is not permitted in areas zoned 'B' for agriculture. Therefore, notwithstanding the fact that there is an authorised (non-conforming) manufacturing use at the site, the proposed change of use to warehousing is considered to represent a material contravention of the County Development Plan and so is unacceptable on that basis.

The proposed development also involves extensions to the existing building to include:

1. Two no. extensions on either side of principle building on site of floor area 1120 sq.m. each.
2. Lodged plans also indicate the extension to the building to the rear (granted planning permission under Reg. Ref. No. 87A/0490) - ~~floor area~~.
3. An additional extension (floor area 260 sq.m.) adjoining the proposed extension the subject of Reg. Ref. No. 87A/490 to the west.
4. The provision of a canopy over an open storage area (1100 sq.m.) to the west of the site.
5. A revised entrance arrangement providing for slip lane in and out.
6. Revisions to the roof profile of existing building to provide a standard roof height of 9.4 metres.

The proposed development provides for extensive additions to the existing premises. These extensions are to have a floor area of 2492 sq.m. This exceeds that permitted under Reg. Ref. No. 85A/1094 (now expired) by c. 1000 sq.m. and would, if permitted, effectively more than double existing floor areas at this "Telescreen Site".

Over .....

## COMHAIRLE CHONTAE ÁTHA CLIATH

### Record of Executive Business and Manager's Orders

OUTLINE permission proposed to construct 3 no. extensions to existing buildings, change the use from manufacturing with offices to warehouses with offices, construct a canopy over an outdoor storage area, diesel and water storage tanks, and to relocate the entrance point to the site at Naas Road, Blackchurch, Rathcoole, Co. Dublin for Johnston Haulage Co. Ltd.

Lodged plans also provide for a canopy to be constructed over an additional 1100 sq.m. to the south of the site for use as "open storage". If this is taken into account the overall area covered by buildings/canopy would be 5632 sq.m. and would involve increasing existing floor areas by c. 176% or 3592 sq.m. This is considered excessive having regard to the particular location and zoning of this site. While largescale extensions have been permitted previously at this site, these were permitted within the context of reasonable extensions to a non-conforming use within the area of the overall site confined to manufacturing uses. In this instance the proposed development involves not only largescale extensions but also change of use and, therefore, cannot be considered within the context of reasonable extensions to a non-conforming use as outlined in Para. 3.1.7 of the County Development Plan.

In addition it is noted that the area of the site devoted to circulation/parking etc. to the north appears to encroach onto the area of land conditioned to be sterilised under previous grants of permission. I refer in particular to the most recent grant under Reg. Ref. No. 87A/0490 which stated in Condition 11:

"11(a) That a field to the north of the existing and proposed development and car parking; and (b) the area of the site to the east of the car parking and fencing; shall not be used for any building or storage of plant, materials, vehicles, machinery, spare parts of refuse, but shall be maintained solely for agricultural use. In this regard, the hard surfaced areas on site shall be confined to the service yard and car park and shall not extend on the northern part of the site, beyond the area indicated as 'edge of proposed concrete area'."

The 'edge of the proposed concrete area' to the north of the site was shown on maps lodged as being some 4 metres from the existing and proposed buildings to the rear of the site. The current application provides for the relocation of this boundary to c. 17-20 metres from the abovementioned buildings.

Correspondence lodged with the current application outlines the activities of the applicants Johnston Haulage Co. (who have been operating out of this site for a number of months) as follows: Johnston Haulage Co. have 34 no. employees and generate c. 30 no. truck movements per day. They note that a number of these truck movements (to the city) could be eliminated by their clients relocating their storage facilities to the proposed site.

Over ....

## COMHAIRLE CHONTAE ÁTHA CLIATH

### Record of Executive Business and Manager's Orders

OUTLINE permission proposed to construct 3 no. extensions to existing buildings, change the use from manufacturing with offices to warehouses with offices, construct a canopy over an outdoor storage area, diesel and water storage tanks, and to relocate the entrance point to the site at Naas Road, Blackchurch, Rathcoole, Co. Dublin for Johnston Haulage Co. Ltd.

The applicants state that the site layout will not encroach on areas which have been sterilised from industrial use and accommodates all the necessary truck parking plus one car space for each employee (possessing a car).

Lodged plans identify some 50 no. truck/container spaces, 10 no. staff car spaces and 16 management/visitor spaces. Additional drawings (No. 18-91-13) submitted identify how car parking can be accommodated to Development Plan Standards (calculated by the applicants as 150 spaces). However both layouts provide for car parking/circulation in part of the area previously 'sterilised'. In addition, the latter identifies the required car parking but does not provide for any truck parking - despite the fact that the applicants previously indicated a need for some 50 spaces as identified on Drawing No. 18-91-10. The car parking layout also eliminates the diesel tank, water storage and wash point which form part of the current application.

Roads Department report notes that the proposed development involves a substantial extension and a new access with a 42m. deceleration lane. Report refers to previous refusal of permission under Reg. Ref. No. 89A/1966 and recommends refusal in this instance also, for the following reasons:

1. The proposed development, by itself or by the precedent which the grant of permission for it would set for other relevant development, would adversely affect the use of a national road or other major road by traffic.
2. The proposed development would conflict with the following policies of the Planning Authority and of the Environment in that its location on the National would reduce the level of service of this proposed road and erode the large public investment therein:-

(a) Paragraphs 2.15.1; 2.15.5 and 4.49 of the Dublin County Development Plan.

*out of*  
(b) Paragraphs 3.14; 3.15, 3.16 and 3.19 of the Department of the Environment Policy Document "Development Control, Advice and Guidelines".

(c) Paragraphs 3.5 of the Department of the Environment Policy Document "Policy and Planning Framework for Roads".

Over .....

# COMHAIRLE CHONTAE ÁTHA CLIATH

## Record of Executive Business and Manager's Orders

OUTLINE permission proposed to construct 3 no. extensions to existing buildings, change the use from manufacturing with offices to warehouses with offices, construct a canopy over an outdoor storage area, diesel and water storage tanks, and to relocate the entrance point to the site at Naas Road, Blackchurch, Rathcoole, Co. Dublin for Johnston Haulage Co. Ltd.

In summary the proposed development is considered to be unacceptable in principle. It is located in an area zoned 'B' "to protect and provide for the development of agriculture". The proposed development provides for major additions to the existing premises plus change of use from an established non-conforming manufacturing use to warehousing. Such a use is inconsistent with the agricultural zoning objective and represents a material contravention of the County Development Plan. In addition the applicants are a haulage company who will use the site as a warehousing/distribution base. Correspondence lodged outlines the current traffic movements in to and out of the site. It is likely that these will increase with the likely intensification in activity which would occur on completion of the several large extensions proposed. The proposed site in an area zoned for agriculture and with direct access onto a national route is considered unsuitable for the use proposed.

I recommend that a decision to REFUSE OUTLINE PERMISSION be made under the Local Government (Planning and Development) Acts, 1963-1990, for the following ( 5 ) reasons:-

1. The proposed site is located in an area zoned "to protect and provide for the development of agriculture" in the Dublin County Development Plan, 1983. The proposed development which involves largescale extensions to the existing premises, together with change of use to warehousing would conflict with this zoning objective and as such would represent a material contravention of the Dublin County Development Plan, 1983 and would be contrary to the proper planning and development of the area.

*both used the site planned for the development of agriculture*

*contravention of the Dublin County Development Plan, 1983*

2. The proposed development involves, inter alia, largescale extensions, change of use to warehousing and relocating the entrance at the proposed site which fronts onto a heavily trafficked National Primary Route, the N7 (Naas Dual-Carriageway). The proposed development, by itself and by the precedent the grant of permission would set for other relevant development, would adversely affect the use of the N7, - Naas Dual-Carriageway by reason of traffic *creation*

*it would give rise to a serious traffic hazard.*

Over .....

# COMHAIRLE CHONTAE ÁTHA CLIATH

## Record of Executive Business and Manager's Orders

OUTLINE permission proposed to construct 3 no. extensions to existing buildings, change the use from manufacturing with offices to warehouses with offices, construct a canopy over an outdoor storage area, diesel and water storage tanks, and to relocate the entrance point to the site at Naas Road, Blackchurch, Rathcoole, Co. Dublin for Johnston Haulage Co. Ltd.

- 3. The proposed development provides for, inter alia, largescale extensions, change of use <sup>from</sup> manufacturing and relocated site entrance. Given the scale of development proposed and the location of the site with direct access onto the Naas Dual-Carriageway it is considered that the proposed development would reduce the level of service of this road and erode the large public investment therein and would conflict with Council Policy as outlined in Paragraphs 2.15.1, 2.15.5 and 4.4.9 of the Dublin County Development Plan, 1983 and Paragraph 3.5 of the Department of the Environment Policy document "Policy and Planning Framework for Roads" and as such would be contrary to the proper planning and development of the area.
- 4. Lodged plans provide for the location of car parking and circulation areas, diesel and water storage tanks and wash point to the north of the site. These uses are located outside the area of the site designated for manufacturing uses in previous grants of permission and in particular the most recent grant of permission under Reg. Ref. No. 87A/0490.

It is considered that the proposed disposition of uses on site would contravene materially condition No. 11 of the decision to grant permission under Reg. Ref. No. 87A/0490, dated, 26 August, 1987, and as such would be contrary to the proper planning and development of the area.

*not  
MG/AC) 5. the applicants current operations involve intrusion into the sterilized area of land along the Naas Rd. bridge.*

Endorsed:- *[Signature]*  
for Principal Officer

*[Signature]*  
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 (5) reasons set out above and OUTLINE PERMISSION is REFUSED accordingly.

Dated: 15 August, 1991.

*[Signature]*  
APPROVED OFFICER

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



PLANNING DEPT.  
DEVELOPMENT CONTROL SECT  
14.07.91  
9.00

DUBLIN COUNTY COUNCIL

REG. REF: 91A/1002.

DEVELOPMENT: Construct 3 no. extns. to existing buildings, also to change the use from manufacturing with offices to warehouses with offices and also to construct a canopy over an outdoor storage area and for diesel and water storage tanks and to relocate the entrance point to the site.

LOCATION: Naas Road, Blackchurch, Rathcoole.

APPLICANT: Johnston Haulage Co. Ltd.

DATE LODGED: 18.6.91.

The proposal is for a substantial extension and a change of use from manufacturing to warehousing. A new access with a 42 metre deceleration lane plus tapering is also proposed. One car parking space per employee is proposed. The applicant also shows how 150 car spaces can be provided should they be necessary.

A previous application for an extension (Reg. Ref: 89A/1966) which had a substandard access was refused for reasons including traffic hazard and Dublin Council and Department of the Environment policy with respect to National Primary access.

Permission should be refused on the grounds that:-

- 1) The proposed development, by itself or by the precedent which the grant of permission for it would set for other relevant development, would adversely affect the use of a national road or other major road by traffic.
- 2) The proposed development would in conflict with the following policies of the Planning Authority and of the Environment in that its location on the National would reduce the level of service of this proposed road and erode the large public investment therein:-

(a) Paragraphs 2.15.1; 2.15.5 and 4.49 of the Dublin County Development Plan.

(b) Paragraphs 3.14; 3.15, 3.16 and 3.19 of the Department of the Environment Policy Document "Development Control, Advice and Guidelines;"

(c) Paragraphs 3.5 of the Department of the Environment Policy Document "Policy & Planning Framework for Roads."

GC/BMCC  
11/7/91.  
SIGNED: \_\_\_\_\_

ENDORSED: *E. Madden*

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

DATE: *12<sup>th</sup> July '91*

Mary G.

DUBLIN COUNTY COUNCIL

REG. REF: 91A/1002.

DEVELOPMENT: Construct 3 no. extns. to existing buildings, also to change the use from manufacturing with offices to warehouses with offices and also to construct a canopy over an outdoor storage area and for diesel and water storage tanks and to relocate the entrance point to the site.

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  - (a) Paragraphs 2.15.1; 2.15.5 and 4.49 of the Dublin County Development Plan.
  - (b) Paragraphs 3.14; 3.15, 3.16 and 3.19 of the Department of the Environment Policy Document "Development Control, Advice and Guidelines;"
  - (c) Paragraphs 3.5 of the Department of the Environment Policy Document "Policy & Planning Framework for Roads."

*J.G.C.*  
 GC/BMCC  
 11/7/91.  
 SIGNED: \_\_\_\_\_

ENDORSED: *E. Madden*

DATE: \_\_\_\_\_ DATE: *12<sup>th</sup> July '91*

PLANNING DEPT.	
DEVELOPMENT CONTROL SECT	
Date .....	<i>16.07.91</i>
Time .....	<i>2.00</i>

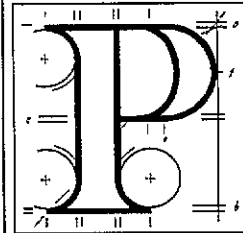
Our Ref: PL 6/5/86696  
P.A. Reg. Ref: 91A/1002

J. Boothman

EM

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: 31 MAR 1992

Appeal re: Extension to existing buildings, change of use, erection of canopy, storage tanks and relocation of entrance at Naas Road, Blackchurch, Rathcoole, County Dublin.

Dear Sir/Madam,

An order has now been made by An Bord Pleanála on foot of the withdrawal of the above-mentioned application which was before the Board on appeal. A copy of the order is enclosed.

As the application has been withdrawn it will not now be determined by the Board and no permission can be granted by the planning authority on foot of their decision on the application.

Yours faithfully,

  
Suzanne Lacey

Encl.

AN BORD PLEANÁLA

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

County Dublin


Planning Register Reference Number: 91A/1002

**WHEREAS**

1. On the 18th day of June, 1991, Johnstown Haulage Company Limited of Blackchurch, Rathcoole, County Dublin (hereinafter called "the applicant") made an application to Dublin County Council (hereinafter called "the planning authority") for outline permission for development comprising the construction of three extensions to buildings, change of use from manufacturing with offices to warehouses with offices, construction of canopy over an outdoor storage area, for diesel and water storage tanks and for relocation of entrance point to site, all at Naas Road, Blackchurch, Rathcoole, County Dublin:
2. On the 15th day of August, 1991, the planning authority decided to refuse outline permission for the said development.
3. The applicant appealed to An Bord Pleanála against the said decision.
4. On the 28th day of February, 1992, Auveen Byrne and Associates, acting on behalf of the applicant, withdrew the application.

**NOW THEREFORE**

An Bord Pleanála hereby declares that, as the said application has been withdrawn, it is no longer before the Board for determination and that there is, therefore, now no appeal in relation to the application before the Board.

  
\_\_\_\_\_  
F. D' *Kuffy*  
Member of An Bord Pleanála duly  
authorised to authenticate the  
seal of the Board.

Dated this 31<sup>st</sup> day of *March* 1992.

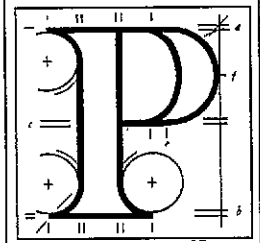
Our Ref: PL 6/5/86696  
P.A. Reg. Ref: 91A/1002

VPL/unclett

6/11/91

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

Án Bord Pleanála



Date: 28th November 1991.

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

Appeal re: 3 no. extension to existing buildings,  
change of use to office/warehouse, relocate entrance  
at Naas Road, Blackchurch, Rathcoole, County Dublin.

Dear Sir/Madam,

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

065

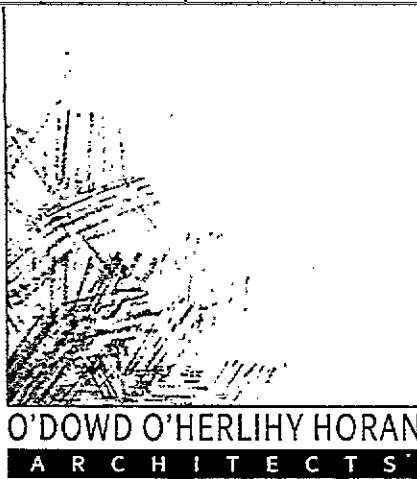
Please quote the above appeal reference number in any  
further correspondence.

Yours sincerely,

Suzanne Lacey  
Suzanne Lacey

BP 553A





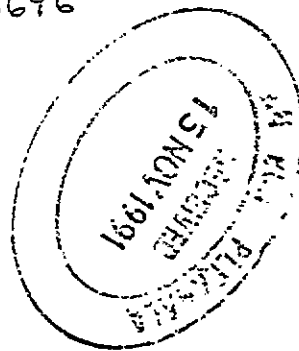
Our Ref: 18/91 ?

12th November 1991.

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

6/5/86696

RE: JOHNSTON HAULAGE COMPANY LTD.



Dear Sirs,

Having examined the documentation on the above mentioned file in the offices of Dublin Corporation, we would like to make the following comments:

(1) PLANNING HISTORY:

My clients are fully aware that this site has been the subject of a rather checkered planning history over a number of years. During the initial discussions with Dublin County Council, general dissatisfaction was expressed in the manner in which previous owners had failed to live up to their responsibilities regarding conditions which had been imposed at the time various planning permissions were granted.

(2) The applicants Johnston Haulage, the present owners of the site, are anxious that it can be used in an economic way for the carrying on of their haulage business and the Local Authorities could expect full co-operation from that Company were the Planning Permissions to be granted.

(3) CURRENT APPLICATION FOR OUTLINE PERMISSION FOR CHANGE OF USE TO WAREHOUSING:

The applicants are aware that the current manufacturing use on the site is non-conforming but it is generally felt that the proposed use of warehousing is less injurious to the environment and should be seen as more compatible with the agricultural zoning of the surrounding lands.

3 BATH PLACE BLACKROCK CO. DUBLIN  
TELEPHONE 2886742, FAX 2886544

NAISH O'DOWD Dip Arch FRIAI  
LIAM O'HERLIHY B Arch MRIAI  
JAMES HORAN Dip Arch MRIAI MSDI

- 2 -

(4) PROPOSED EXTENSIONS:

The extensions which are proposed are broadly in line with the various permissions which had been granted in the past and have now lapsed. The proposed extensions include the construction of a large wall along the portion of the site which addresses the Naas dual carriage-way to reduce the visual impact of the site activities from traffic on the carriage-way and in general make the entire operation as unobtrusive as possible. A full planting programme in conjunction with the construction of this wall is envisaged.

The application includes for a revised entrance. This has been designed in order to increase the safety of vehicles entering and leaving the site from the dual carriage-way. Notwithstanding the Traffic Engineer's objection to the scheme in principle, discussions with them revealed that this type of arrangement would be considered the most satisfactory should any change on the site be permitted.

In general, the proposals are intended to totally rationalise the site in its entirety and to avoid the haphazard treatment which has been characteristic of this site in the past.

(5) STERILISED AREA:

During our discussions with the Planning Officers and on examination of drawings provided by previous owners it has been the intention of the applicant not to encroach on the areas identified for sterilization. However, from the documents in Dublin County Council's file it appears unclear as to where this boundary of sterilization exists.

Our clients are prepared to ensure that the areas to be sterilized from building development remain as such and that a portion of the site which had been covered by rubble by the previous owners would be re-instated to green open space.

(6) CAR PARKING AND TRUCK PARKING:

The submitted application to Dublin County Council shows the parking for cars and trucks as envisaged by the applicants in the context of their operation both as a haulage company and the parking requirements for staff cars. The second drawing submitted indicating the capacity of the site to contain 150 cars was merely an exercise to indicate to the Planning Officer that should the site cease to be used by Johnston Haulage at any future date that it is capable of providing car parking spaces in relation to the total warehousing area as expressed by the Local Authority in its development plan. This drawing does not represent an intention by Johnston Haulage to provide this number of spaces but merely indicates that the overall site is capable of providing them.

- 3 -

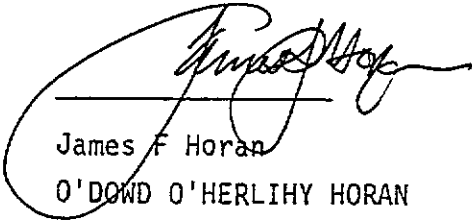
(7) DUBLIN COUNTY COUNCIL'S ROADS DEPARTMENTS OBJECTIONS:

As already stated in correspondance to Dublin County Council and in an earlier part of this letter the changes to the entrance proposed are to introduce a further element of safety with regard to vehicle movements on and off the site.

The vehicle movements which would be generated by Johnston Haulage are as stated in our original application and would be unlikely to exceed those expected of any manufacturing industry on the same site. The Johnston Haulage movements however, occur at times of the day which are less in conflict with the general pattern of the traffic movments along the Naas dual carriage-way.

It is ultimately argued that while the proposed change of use and proposed extensions may be in conflict with the overall planning intention for the area that the effect on the area as a result of this proposal would be significantly less than the impact that the manufacturing industry would have had had the previous permissions granted by Dublin County Council been acted upon.

Yours faithfully,



James F Horan  
O'DOWD O'HERLIHY HORAN

c.c. Mr. Albert Johnston





COMHAIRLE CHONTAE ATHA CLIATH

Tel.: 724755  
Ext. 268/269

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

Your Ref.: PL6/5/86696

25.09.91

Our Ref.: 91A-1002.

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

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

Proposal: ~~3 no extensions to existing buildings, e.o.v. to office/warehouse, relocate entrance at Naas rd, Blackchurch, Rathcoole~~

Applicant: ~~Johnston Haulage Co. Ltd.~~

Dear Sir,

With reference to your letter dated 16.09.91 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

~~TRASH PROCES 14.06.91~~

(4) The plan(s) received from the applicant on 18.06.91.

(6) & (7) A certified copy of Manager's Order A/3837/91.

DATED, 15.08.91 together with technical reports in connection with the application.

(8) History files enclosed 89A-1094 and 87A-490

For 89A-1966 see PL 6/5/84426

Yours faithfully,

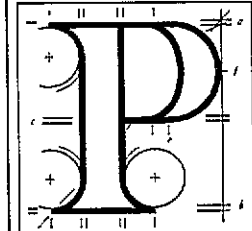
M. M. T. O'Connell  
for Principal Officer.  
Encls.

Our Ref: PL 6/5/86696  
Your Ref: 91A/1002

*PA*  
An Bord Pleanála

*Recd  
20/9*

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



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

Date: 16th September 1991.

**Planning authority decision re:** 3 no. extension to existing buildings, change of use to office/warehouse, relocate entrance at Naas Road, Blackchurch, Rathcoole, County Dublin.

Dear Sir/Madam,

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

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

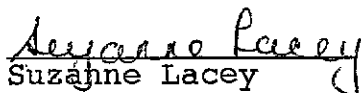
Please note that the other party/parties to the appeal are being notified that copies of the planning authority documents relevant to the decision which gave rise to the above-mentioned appeal will be available for inspection at your offices after the expiration of a period of fourteen days from the date of this letter. It would be appreciated if parties could be facilitated in this regard.

Copies of the representations or observations made to the planning authority in relation to the application should not be sent to the Board. It is assumed that the planning authority has notified observers of the decision made and of the right of appeal.

The planning authority may make to the Board, in writing, such observations on the appeal as it thinks fit. Where practicable, any such observations should be submitted with the documents listed above but the furnishing of the documents should not be held up until observations are available. In any event, to ensure that they will be taken into account in the determination of the appeal, any such observations should be furnished within one month of the date of this letter.

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

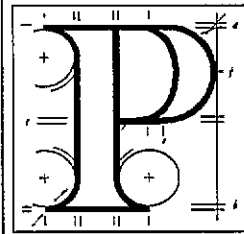
Yours faithfully,

  
Suzanne Lacey

Encl.

BP 005

An Bord Pleanála



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



O'DOWD O'HERLIHY HORAN  
ARCHITECTS

AN BORD PLEANALA
Received <u>29.8.91</u>
Fees: <u>Pico chg.</u>
Receipt No. <u>R 21654</u>

Our Ref: 18.91

21st August 1991.

An Bord Pleanala,  
Irish Life Centre,  
Lower Abbey Street,  
Dublin 1.

RE: PLANNING REF NO. 91A/1002 - APPEAL AGAINST THE DECISION OF DUBLIN COUNTY COUNCIL TO REFUSE OUTLINE PERMISSION TO CONSTRUCT 3 NO. EXTENSIONS TO EXISTING BUILDINGS, CHANGE THE USE FROM MANUFACTURING WITH OFFICE TO WAREHOUSES WITH OFFICES, CONSTRUCT A CANOPY OVER AN OUTDOOR STORAGE AREA, DIESEL AND WATER STORAGE TANKS AND TO RE-LOCATE THE ENTRANCE POINT TO THE SITE AT NAAS ROAD, BLACKCHURCH, RATHCOOLE, CO. DUBLIN FOR JOHNSTON HAULAGE CO. LTD.

Dear Sir,

On behalf of our clients, Johnston Haulage Co Ltd., we wish to appeal against the above mentioned Decision to Refuse by Dublin County Council.

In support of this Planning Appeal we submit a copy of our covering letter to Dublin County Council on the 17th June 1991, which outlines our clients activities and the rational behind the Planning Application.

While the site is indeed zoned "to protect and provide for the development of agriculture" in the Dublin County Development Plan of 1983, it has been in continuous use for industrial purposes from times which pre-date the Planning Act.

It was generally felt, by our clients and ourselves, that a change of use to warehousing and storage was preferrable to the manufacturing industry use carried out on the site heretofore.

In our discussions with Dublin County Council prior to lodging the Planning Application it became apparent that the previous owner and applicants on site had failed to comply with many of the conditions which formed part of previously granted applications (now expired). It was

3 BATH PLACE BLACKROCK CO. DUBLIN  
TELEPHONE 2886742. FAX 2886544

NAISH O'DOWD Dip Arch FRIAI  
LIAM O'HERLIHY B Arch MRIAI  
JAMES HORAN Dip Arch MRIAI MSDI

- 2 -

further felt that the attitude of previous owners had succeeded in eroding whatever good will Dublin County Council might have had towards the development.

In the past, Planning Permissions have been granted for extensions on this site despite the similar zoning at that time.

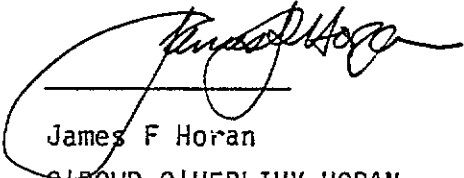
With regards to the effects on traffic we have pointed out to Dublin County Council that the traffic movements generated by the Johnston Haulage Company do not take place during, what might be considered, heavy trafficked hours but many of the movements occur during the night and in the early hours of the morning.

To assist the easy movement of traffic we have proposed a redesign of the access point which would make entering and leaving the site considerably safer.

In the broader understanding of traffic movements in the country generally the relocation of the Johnston Haulage Company on the Naas Road as opposed to in the city centre would have the effect of significantly reducing heavy vehicle movements in and out of the city itself.

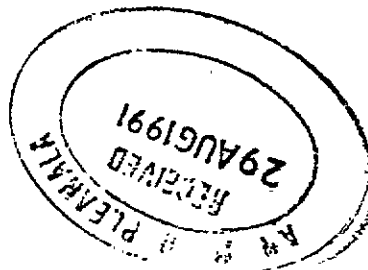
I should be most grateful if you could consider this appeal at your earliest convenience. I enclose a cheque valued £100.00.

Yours sincerely,

  
James F Horan

O'DOWD O'HERLIHY HORAN

Encl/



# 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..... O'Dowd O'Herlihy Horan, ..... Register Reference No. .... 91A/1002  
..... 3. Bath Place, ..... Planning Control No. ....  
..... Blackrock, ..... Application Received .... 18.06.91  
..... Co. Dublin. .... Additional Information Received .....  
Applicant ..... Johnston Haulage Co. 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/ ~~P/3837/91~~ dated 15.08.91 decided to refuse:

OUTLINE PERMISSION ~~PERMISSION~~ APPROVAL

For permission proposed to construct 3 no. extensions to existing buildings, change the use from manufacturing with offices to warehouses with offices, construct a canopy over an outdoor storage area, diesel and water storage tanks, and to relocate the entrance point to the site at Naas Road, Blackchurch, Rathcoole, Co. Dublin for Johnston Haulage Co. Ltd. ....  
for the following reasons:

1. The proposed site is located in an area zoned "to protect and provide for the development of agriculture" in the Dublin County Development Plan, 1983. The proposed development which involves largescale extensions to the existing premises, together with change of use to warehousing would conflict with this zoning objective and as such would materially contravene a development objective of the Dublin County Development Plan, 1983 for the use of the site primarily for the development of agriculture and would be contrary to the proper planning and development of the area.
2. The proposed development involves, inter alia, largescale extensions, change of use to warehousing and relocating the entrance at the proposed site which fronts onto a heavily trafficked National Primary Route, the N7 (Naas Dual-Carriageway). The proposed development, by itself and by the precedent the grant of permission would set for other relevant development, would adversely affect the use of the N7, Naas Dual-Carriageway by reason of traffic generation and would give rise to a serious traffic hazard.

Over .....

Signed on behalf of the Dublin County Council .....

  
for PRINCIPAL OFFICER

Date .....

15 August 1991

### 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.

COMHAIRLE CHONTAE ÁTHA CLIATH

RECEIPT CODE

PAID BY  
CASH  
CHEQUE  
M.O.  
B.L.  
I.T.

DUBLIN COUNTY COUNCIL

46/49 UPPER O'CONNELL STREET  
DUBLIN 1.

Issue of this receipt is not an acknowledgement that the fee tendered is the prescribed application fee

N 14130  
Balance

£925.25

Received this 9th day of July 1991

from A. J. Johnston  
Naas Rd,  
Blackchurch

the sum of nine hundred & twenty five Pounds  
twenty five Pence, being Balance

of fee on 91A/1002

Nolan Deane Cashier

S. CARE Principal Officer  
Class 4 Bal.



O'DOWD O'HERLIHY HORAN  
ARCHITECTS

Our Ref: 18.91

8th July 1991.

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

RE: JOHNSTON HAULAGE CO. LTD - NAAS ROAD  
REGISTER REF : 91A / 1002.

Dear Sirs,

Further to your letter dated 25th June 1991, we submit the balance due, in the sum of £925.25, for Outline Permission in respect of the above.

Could you please forward a receipt at your convenience.

Yours faithfully,



James F Horan  
O'DOWD O'HERLIHY HORAN

09 JUL 91

Encl/

3 BATH PLACE BLACKROCK CO. DUBLIN  
TELEPHONE 886742, FAX 886544

NAISH O'DOWD Dip Arch FRIAI  
LIAM O'HERLIHY B Arch MRIAI  
JAMES HORAN Dip Arch MRIAI MSDI



COPY



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/1002

Date : 25th June 1991

Dear Sir/Madam,

Development : Construct 3 no. extensions to existing buildings, also to change the use from manufacturing with offices to warehouses with offices and also to construct a canopy over an outdoor storage area and for diesel and water storage tanks and to relocate the entrance point to the site

LOCATION : Naas Road, Blackchurch, Rathcoole

Applicant : Johnston Haulage Co. Ltd

App. Type : OUTLINE PERMISSION

Date Recd : 18th June 1991

Your application in relation to the above was submitted with a fee of 3435.75.

On examination of the plans submitted it would appear that the appropriate amount should be 4361.00.

I should be obliged if you would submit the balance of 925.25 as soon as possible as a decision cannot be made on this application until the correct fee is received.

Yours faithfully,

PRINCIPAL OFFICER

*Reimbursed Amt*

O'Dowd O'Herlihy Horan, Architects  
 3 Bath Place,  
 Blackrock,  
 Co. Dublin.

O'DOWD, O'HERLIHY HORAN, ARCH.			
PASS	JH		
COPY			
REC'D	31 JUN 1991		
	Clock		
ENCL.			
FILE	18	91	

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/1002

Date : 19th June 1991

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

Dear Sir/Madam,

DEVELOPMENT : Construct 3 no. extensions to existing buildings, also to change the use from manufacturing with offices to warehouses with offices and also to construct a canopy over an outdoor storage area and for diesel and water storage tanks and to relocate the entrance point to the site

LOCATION : Naas Road, Blackchurch, Rathcoole

APPLICANT : Johnston Haulage Co. Ltd

APP. TYPE : OUTLINE PERMISSION

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

Yours faithfully,

.....

PRINCIPAL OFFICER

O'Dowd O'Herlihy Horan, Architects  
3 Bath Place,  
Blackrock,  
Co. Dublin.



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 BLACKCHURCH · RATHCOOLE · CO. DUBLIN  
(If none, give description sufficient to identify).....

3. Name of applicant (Principal not Agent) JOHNSTON HAULAGE Co. LIMITED.  
Address BLACKCHURCH, RATHCOOLE · Co. DUBLIN Tel. No. 588213.

4. Name and address of O'DOWD O'HERLIHY HORAN ARCHITECTS.  
person or firm responsible  
for preparation of drawings 3, BATH PLACE, BLACKROCK Co DUB. Tel. No. 2886742

5. Name and address to which TO THE ARCHITECTS  
notifications should be sent BYE LAW APPLICATION  
REL. No. NIL

6. Brief description of proposed development CHANGE OF USE FROM MANUFACTURING TO WAREHOUSING, EXTENSIONS TO WAREHOUSING, COVERED AREA, ENTRANCE TANKS.

7. Method of drainage SEPTIC TANK 8. Source of Water Supply PUBLIC SUPPLY.

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. MANUFACTURING + STORAGE, OFFICES

(b) Proposed use of each floor WAREHOUSING, OFFICES.

*Irish Press 14/6/91*

10 Does the proposal involve demolition, partial demolition or change of use of any habitable house or part thereof? NO.

**RECEIVED**  
23435-75 18/6  
241267  
Sq. m.  
Sq. m.

11.(a) Area of Site 25,966

(b) Floor area of proposed development 2492

(c) Floor area of buildings proposed to be retained within site 2040

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

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 into account  
DRAFT BUILDING REGULATIONS WILL BE CONSIDERED

**CO. DUBLIN** We hereby apply to Dublin Co. Council for outline planning permission for to construct 3 no. extensions to existing buildings at Nass Road, Blackchurch, Rathcoole, Co. Dublin and we apply to change the use from manufacturing with offices to warehouses with offices. We apply for outline permission to construct a canopy over an outdoor storage area and for diesel and water storage tanks. We apply for outline permission to relocate the entrance point to the site. Signed Johnston Haulage Co. Ltd.

**ROYAL STAGE**  
1.04

15.List of documents enclosed with application. 3 NO. COPIES OF DRNGS.

18.91.10 - 18.91.14 INC. PAGE IRISH PRESS. DATED.

COVERING LETTER, CHEQUE VALUED # 3435-75.

16.Gross floor space of proposed development (See back) 2492 Sq. m.

No of dwellings proposed (if any) 1 Class(es) of Development 1-8 JUN 91

Fee Payable £ 3435-75 Basis of Calculation SEE COVERING LETTER.

Signature of Applicant (or his Agent) James P. Johnston Date 14th June 1991

Application Type OUTLINE FOR OFFICE USE ONLY

Register Reference 91A/1002

Amount Received £ 2,210

Receipt No 2 P-116

Date .....

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 <sup>2</sup> (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 <sup>2</sup> 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 <sup>2</sup> (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

RECEIPT CODE

PAID BY

DUBLIN COUNTY COUNCIL

46/49 UPPER O'CONNELL STREET  
DUBLIN 1.

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

N 41267

- CASH
- CHEQUE
- M.O.
- B.L.
- L.T.

€3435.75

Received this 18th day of June 1991

from A. J. Johnston,  
Blackchurch,  
Rathcoole

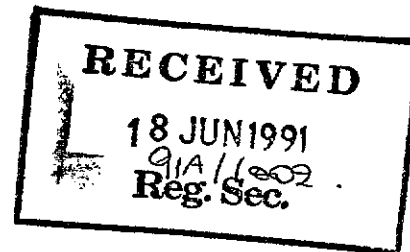
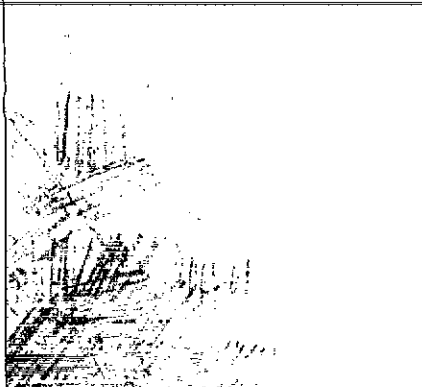
the sum of three thousand four hundred and thirty five Pounds  
seventy five Pence, being

planning application at Blackchurch

Noeleen O'Keefe Cashier

S. CAREY  
Principal Officer

Class 4



O'DOWD O'HERLIHY HORAN  
ARCHITECTS

Our Ref: 18.91

17th June 1991.

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

18 JUN 91

RE: OUTLINE PLANNING PERMISSION FOR JOHNSTON  
HAULAGE LTD, BLACKCHURCH, RATHCOOLE, CO DUBLIN

Dear Sir,

On behalf of our clients, Johnston Haulage Co. Ltd., we submit an application for Outline Planning Permission to change use, construct extensions and carry out alterations to their site at Blackchurch, Rathcoole, Co Dublin.

The site, formerly used by Telescreen Ltd., currently contains 2 No. existing buildings marked "A" and "B". The buildings have been used for industrial purposes.

Building "A" received Planning Permission for a single storey extension (452m<sup>2</sup>) on 17/07/87 Register Ref. No. 87A/490.

This outline application proposes that all of the buildings both existing and proposed - except areas designated for office use - should now be used for warehousing and storage.

With this in mind it is proposed to construct the extensions as indicated on the drawings and modify the roofs of the existing buildings to provide an increase of eaves from 5400mm to 7200mm.

In addition to the existing buildings it is proposed to construct the extension, referred to above, a further 2324m<sup>2</sup> of additional warehousing, and a bunded area with a canopy covering 1100m<sup>2</sup>. The application also includes for Diesel and water storage and a truck wash facility.

3 BATH PLACE BLACKROCK CO. DUBLIN  
TELEPHONE 886742, FAX 886544

NAISH O'DOWD Dip Arch FRIAI  
LIAM O'HERLIHY B Arch MRIAI  
JAMES HORAN Dip Arch MRIAI MSDI

- 2 -

Following discussions with the Roads Department of Dublin County Council the entrance to the site has been relocated and redesigned.

The Application includes for a screen wall to be constructed across the entire front of the site to provide a visual barrier between the sites activities and the Naas Road.

The area between the screen wall and the Naas Road will then be landscaped in accordance with the landscape design prepared by Mitchell & Associates Landscape Architects.

**JOHNSTON HAULAGE CO. - ACTIVITIES:**

Johnston Haulage, who employ 34 people, are responsible for approximately thirty truck movements per day. Half of these (15) travel south out of Dublin between 4.30am and 7.30am each day returning in the evening between 5pm and 8pm.

The other 15 truck movements are to Dublin city where they serve 2 major international clients in the city. These 2 clients also generate some truck traffic between Dublin city and the port of Waterford.

Should Dublin County Council consider it appropriate to grant this application, the two above mentioned clients would relocate their storage facilities at the Rathcoole site, thus eliminating at least 10 of the 15 daily truck movements to Dublin by Johnston Haulage, and eliminating the truck traffic to these clients from Waterford Port.

The site layout, which does not encroach on any of the areas which have been sterilised from industrial use - accommodates all the necessary truck spaces plus one car space for each employee (not all employees possess cars).

Our additional layout drawing 18/19/14, show it can accommodate parking for 150 cars, to comply with the required car spaces for industrial and warehousing use.

- 3 -

In support of this application we enclose the following documentation:

3 No. copies of drawings Nos.

18.91.10	Site Layout	1:500	
18.91.11	Elevation : Sections	1:500	
18.91.12	Axonometric Projection		
18.91.13	Alternative Layout	1:500	
18.91.04	General Landscape Proposals	1:500	
18.91.14	Site Location Plan	1:2500	
91.11.01	Specific Landscape Details	1:200	1:20

Completed Planning Application Form

Page of Irish Press dated 14th June 1991.


Cheque valued £3,435.75.

BASIS OF CHEQUE VALUATION:

Proposed New Buildings: 2324 ss.m. @ 1.75	4,361.00
Alterations to roofs of existing buildings "A" and "B"	80.00
Canopy over bunded area	40.00
Water and Diesel Storage Tanks	100.00
	<hr/>
	4,581.00
	<hr/>
$\frac{3}{4}$ of Fee for Outline Permission	3,435.75
	<hr/>

Trusting you can deal with this application.

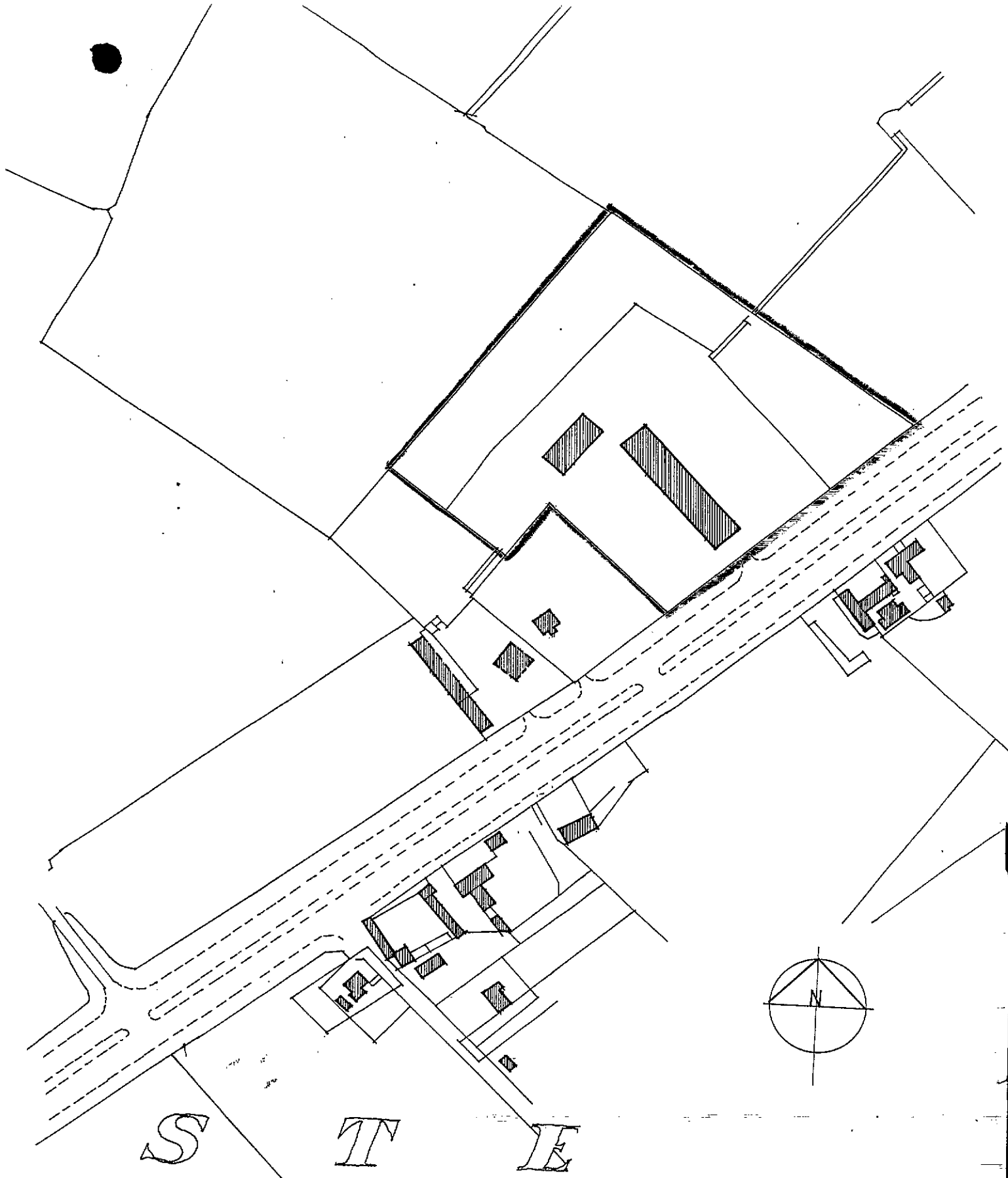
Yours faithfully,



James F Horan  
O'DOWD O'HERLIHY HORAN

Encl/

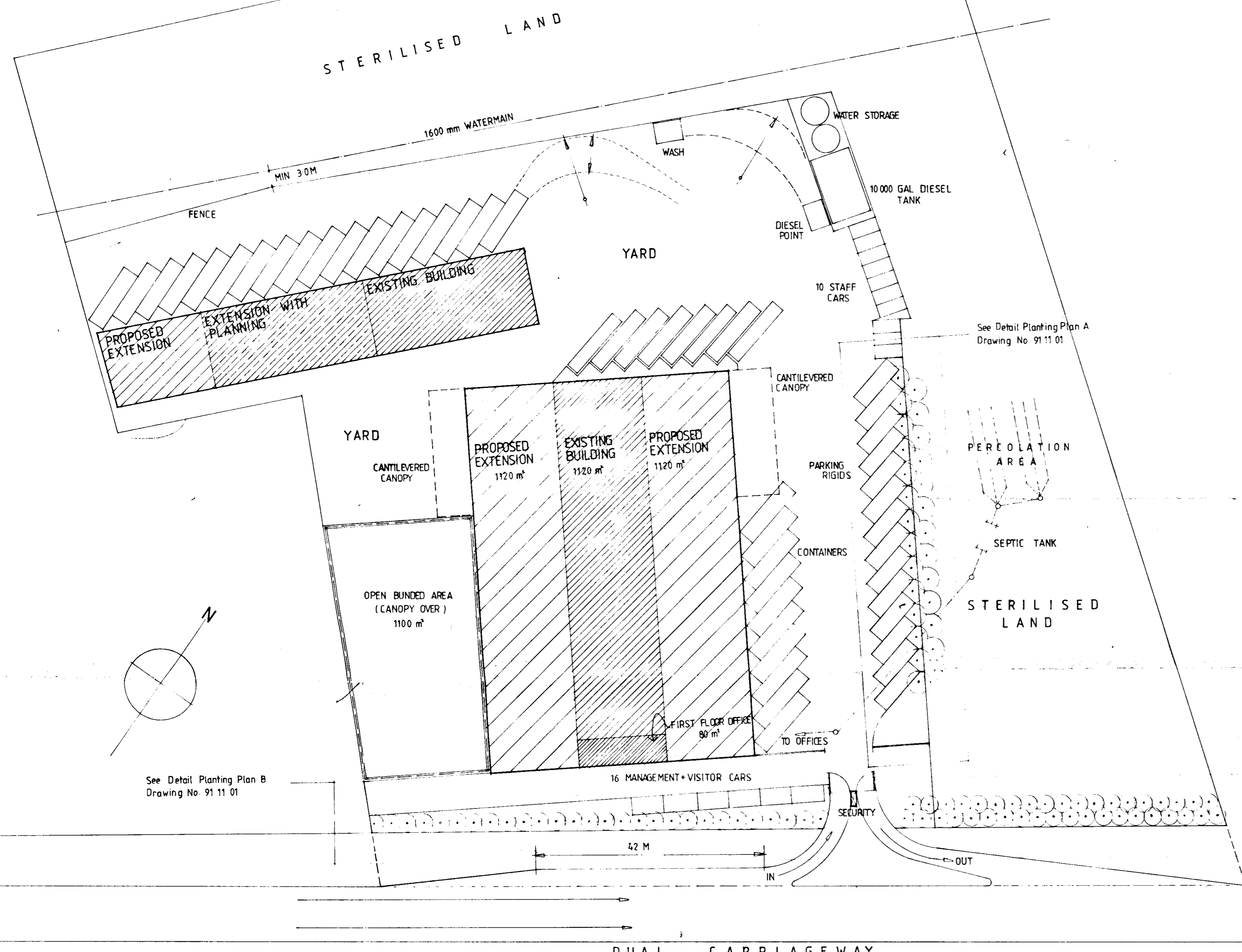




JOB  
 JOHNSTON HAULAGE CO. LTD.

O DOWD O HERLIHY HORAN ARCHITECTS  
 3 BATH PLACE BLACKROCK CO DUBLIN PH2886742

DRAWING	SCALE 1:2500
LOCATION MAP	DATE 6/91
© OS: 20/16	NUMBER 18/91 - 14



See Detail Planting Plan B  
Drawing No. 91 11 01

See Detail Planting Plan A  
Drawing No. 91 11 01

**RECEIVED**  
18 JUN 1991  
17/1/92  
Reg. Sec.

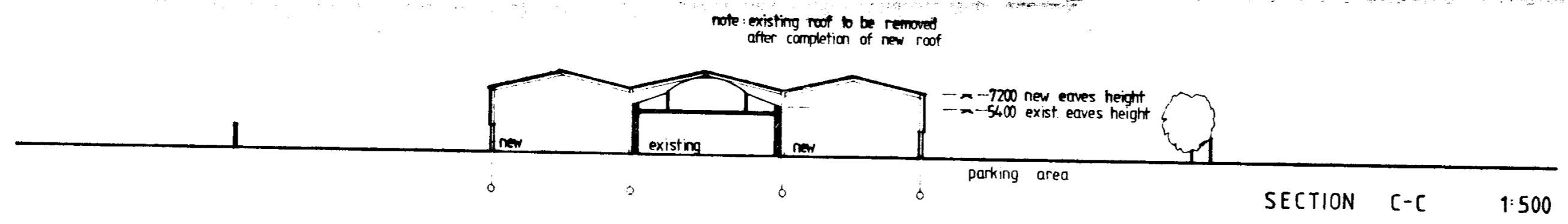
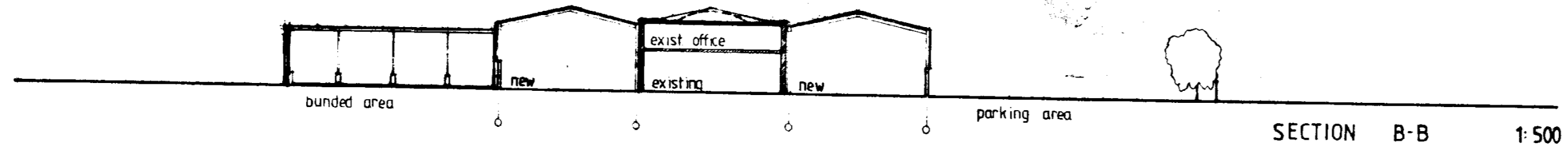
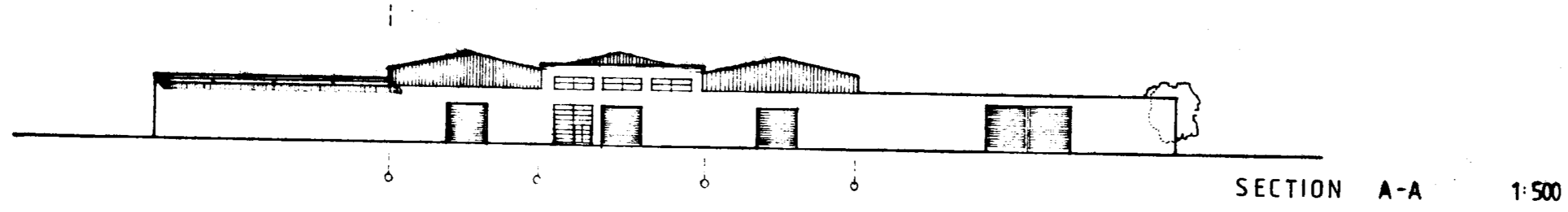
H	_____
G	_____
F	_____
E	_____
D	_____
C	_____
B	_____
A	_____
REVISIONS	

NOTES: 1. ALL DIMENSIONS TO BE CHECKED ON SITE  
2. DO NOT SCALE THIS DRAWING - ONLY FIGURED DIMENSIONS TO BE TAKEN AS ACCURATE  
3. ARCHITECTS TO BE INFORMED IMMEDIATELY OF ANY DISCREPANCIES

PROJECT: \_\_\_\_\_  
CLIENT: JOHNSTON HAULAGE CO. LTD.

**O'DOWD O'HERLIHY HORAN ARCHITECTS**  
3 BATH PLACE BLACKROCK CO DUBLIN PH 886742  
DRAWING: SITE PLAN  
SCALE: 1:500  
DATE: APRIL 1991  
NUMBER: 18-91-04





**RECEIVED**  
 18 JUN 1991  
 91A/1652  
 Reg. Sec.

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REVISIONS	

NOTES: 1. ALL DIMENSIONS TO BE CHECKED ON SITE  
 2. DO NOT SCALE THIS DRAWING - ONLY FIGURED DIMENSIONS TO BE TAKEN AS ACCURATE  
 3. ARCHITECTS TO BE INFORMED IMMEDIATELY OF ANY DISCREPANCIES

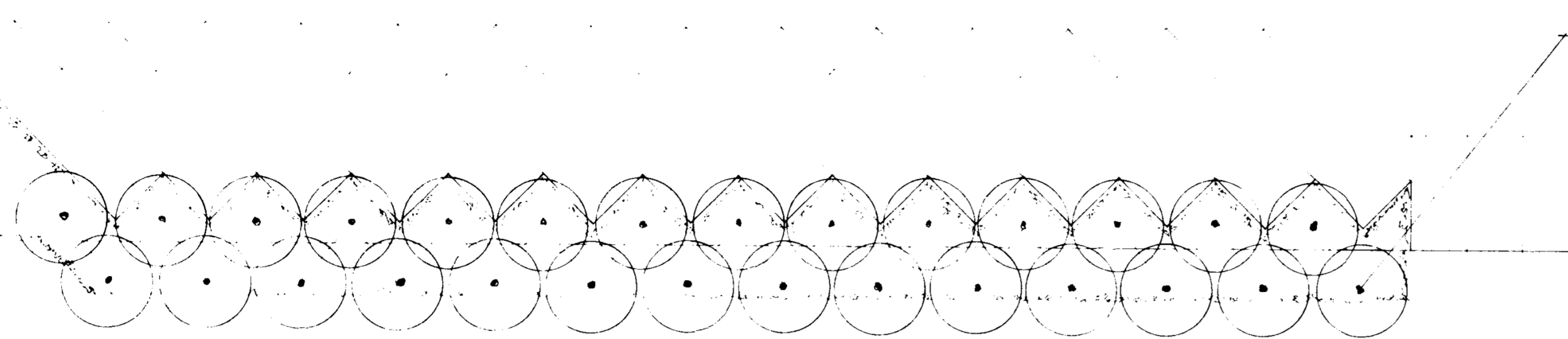
PROJECT  
 CLIENT  
**JOHNSTON HAULAGE CO. LTD**

**O'DOWD O'HERLIHY HORAN ARCHITECTS**  
 3 BATH PLACE BLACKROCK CO DUBLIN PH 806742  
 DRAWING SCALE 1:500  
 SECTIONS DATE 6/91  
 NUMBER B-91-11



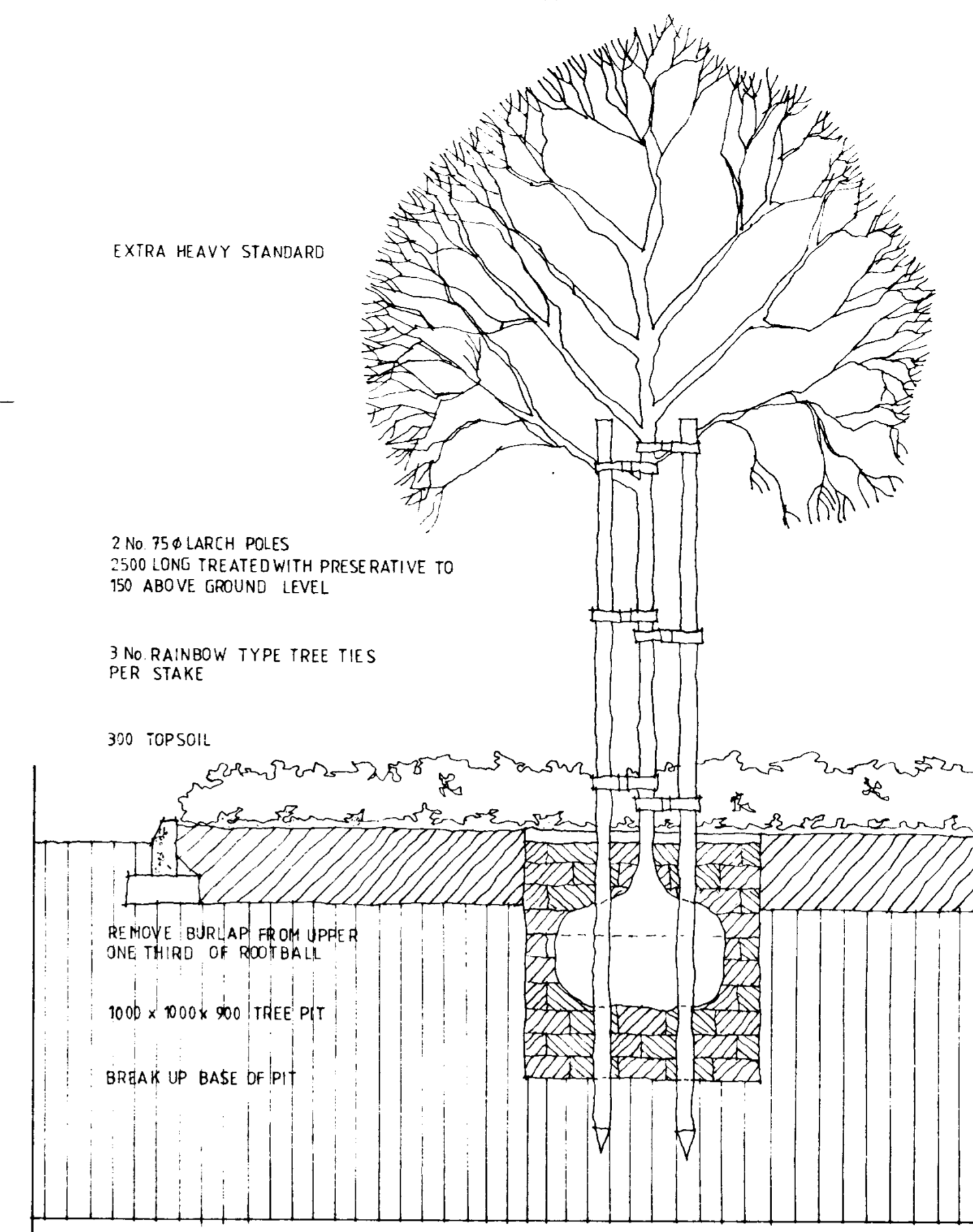


DETAIL PLANTING PLAN A 1:200



GROUND COVER  
993 No. Hypericum 'Midcote'  
3 per sqm 400mm high

28 No. Tilia euchlona  
STANDARD



EXTRA HEAVY STANDARD

2 No. 75mm LARCH POLES  
2500 LONG TREATED WITH PRESERVATIVE TO  
150 ABOVE GROUND LEVEL

3 No. RAINBOW TYPE TREE TIES  
PER STAKE

300 TOPSOIL

REMOVE BURLAP FROM UPPER  
ONE THIRD OF ROOTBALL

1000 x 1000 x 900 TREE PIT

BREAK UP BASE OF PIT

SECTION THROUGH EXTRA HEAVY STANDARD 1:20

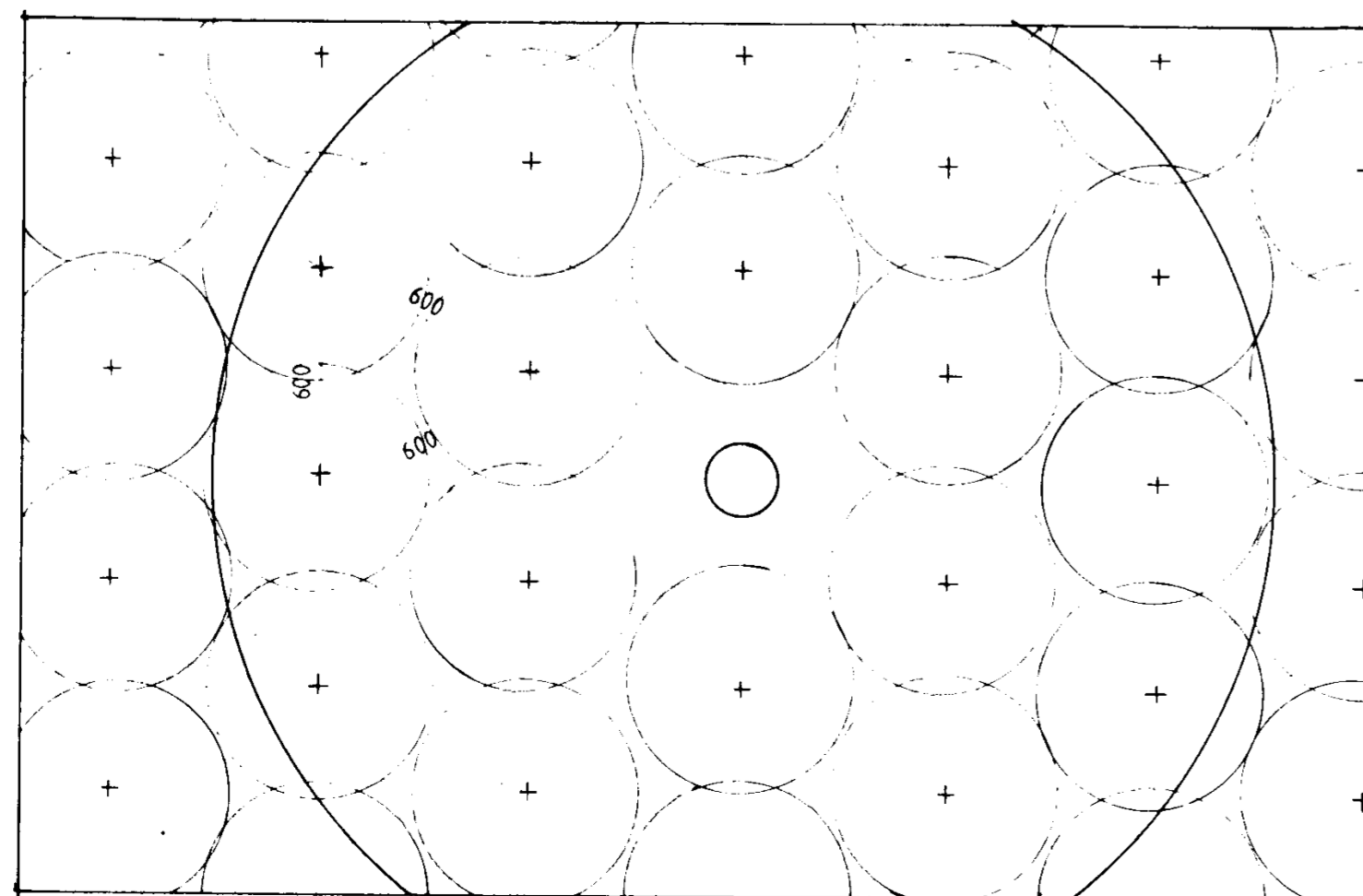
28 No. Cornus betulus fastigiata  
EXTR HEAVY STANDARD

GROUND COVER  
1356 No. Beberis 'telestar'  
3 per sqm 400mm high

GROUND COVER  
1257 No. Beberis 'telestar'  
3 per sqm 400mm high

30 No. Cornus betulus fastigiata  
EXTRA HEAVY STANDARD

DETAIL PLANTING PLAN B 1:200



SPACING DIAGRAM FOR SHRUB PLANTING 1:20

**RECEIVED**  
18 JUN 1991  
M.A. (I.C.S.)  
Reg. Sec.

<b>MITCHELL &amp; Associates</b>		47 Upper Leeson Street Dublin 4
Architects · Landscape Architects · Land Planners		Telephone (01) 603307 Fax (01) 682894
Date	MAY 1991	Scale 1:20 1:200
Revisions		
JOHNSTON HAULAGE CO. LTD for O'DOWD O'HERLIHY HORAN ARCHITECTS		
Drawing title		Checked
LANDSCAPE DETAILS		91 11 01