

~~DECISIONS~~  
APPEALS CHECK LIST

g. Booth 681  
12/3

2

REG. REF. NO. 91A 681

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

CHANGE STATUS IN PLANAPS:

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 WITHDRAWN:.....54  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

FILE DISCUSSED AT COUNCIL/COMMITTEE MEETING

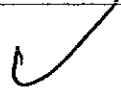
FILE REF: 91A 681

MEETING	COMMENTS	NOTED IN DEV. CONTROL	NOTED BY
BELGARD H + P 26-11-91 <del>6-11-91</del> <del>6-11-91</del> —	Noted by CW Quinn Green - Speculative Development		

91A (0681)

CERTIFICATE NO.

25134



PROPOSAL: Dullin  
 LOCATION: Crookanadreenagh Rathcoole  
 APPLICANT: G. Blannern

1	2	3	4	5	6	7
DWELLINGS/AREA LENGTH/STRUCT	RATE	AMT. OF FEE REQ.	AMOUNT LOGGED	BALANCE DUE	BALANCE DUE	DATE/ RECEIPT NO.
Dwellings	£232	424	424	/		
	£216					
	£200 per sq ft in excess of 3000 sq ft					
paths	£21.75 per sq ft of area					
x sq feet	£216 per sq ft					
x sq feet	£200 per sq ft					
x sq feet	£216 per sq ft					
x sq feet	£200 per sq ft					
x sq feet	£216 per sq ft					
x sq feet	£200 per sq ft					
x sq feet	£216 per sq ft					
x sq feet	£200 per sq ft					
x sq feet	£216 per sq ft					
x sq feet	£200 per sq ft					

Column 1 Certified: Signed: \_\_\_\_\_ Grade: \_\_\_\_\_ Date: \_\_\_\_\_  
 Column 1 Endorsed: Signed: \_\_\_\_\_ Grade: \_\_\_\_\_ Date: \_\_\_\_\_  
 Columns 2,3,4,5,6 & 7 Certified: Signed: Dullin Grade: S.O Date: 2/5/91  
 Columns 2,3,4,5,6 & 7 Endorsed: Signed: \_\_\_\_\_ Grade: \_\_\_\_\_ Date: \_\_\_\_\_

~~21~~ 21/7/92.

Architect Paul Cerraee discussed  
attached Arg. with me today.  
I in turn discussed it with Richard  
Cremis.

We both considered that this  
design would be unsuitable  
for the site, and that it  
would not comply with ABP's  
reasoning in Condition 1,  
Schedule 2, of their  
permission.

Architect has been advised  
of this opinion.

G.B.

21/7/92.

## COMHAIRLE CHONTAE ÁTHA CLIATH

BELGARD

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

Proposed replacement dwelling at Crockaunadreenagh, Rathcoole for G. Brennan Jnr. By order P/4313/91 dated 10.09.91 the Council made a decision to refuse outline permission for this proposal. On Appeal, An Bord Pleanála made the following order on 23rd April, 1992:-

PL6/5/87017

AN BORD PLEANÁLALOCAL GOVERNMENT (PLANNING AND DEVELOPMENT) ACTS 1963 TO 1990County DublinPlanning Register Reference Number: 91A/0681

**APPEAL** by Gerald Brennan of Mounthall, Newtown Upper, Redgap, Rathcoole, County Dublin against the decision made on the 10th day of September, 1991 by the Council of the County of Dublin to refuse outline permission for development comprising the construction of a replacement dwelling at Crockaunadreenagh, Rathcoole, County Dublin in accordance with plans and particulars lodged with the said Council:

**DECISION:** Pursuant to the Local Government (Planning and Development) Acts, 1963 to 1990, it is hereby decided, for the reason set out in the First Schedule hereto, to grant outline permission for the said development in accordance with the said plans and particulars, subject to the conditions specified in the Second Schedule hereto, the reasons for the imposition of the said conditions being as set out in the said Second Schedule and the said outline permission is hereby granted subject to the said conditions.

FIRST SCHEDULE

It is considered that the proposed development, which comprises the erection of a replacement dwelling, is acceptable in principle and that, subject to compliance with the conditions set out in the Second Schedule hereto, it would accord with the proper planning and development of the area.

SECOND SCHEDULE

1. No development shall be commenced on foot of this grant of outline permission until detailed plans and particulars relating to, inter alia, the layout, siting, height, design, finishes and external appearance of the proposed house have been lodged with the planning authority for approval and approval for the said plans and particulars has been granted by the planning authority or by An Bord Pleanála on appeal. The proposed house shall be of single storey construction and shall be generally as indicated on the plans received by An Bord Pleanála from the applicant's agent on the 31st day of October, 1991.

**Reason:** In the interest of clarity and orderly development.

2. No development shall be commenced on foot of this grant of outline permission and any approval consequent thereon until the existing dwelling on the site has been demolished.

**Reason:** In the interest of clarity and orderly development.

# COMHAIRLE CHONTAE ÁTHA CLIATH

## Record of Executive Business and Manager's Orders

-2-

PL 6/5/87017

### SECOND SCHEDULE (CONTD.)

3. Vehicular access to the site shall be provided in accordance with the requirements of the planning authority.

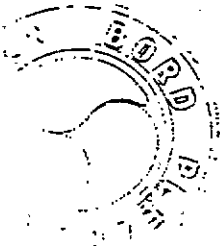
Reason: In the interest of traffic safety.

4. Existing trees and hedgerows on the site shall be retained save where removal is necessitated by the proposed development. In this regard, any application for approval shall include landscaping proposals to the satisfaction of the planning authority.

Reason: In the interest of visual amenity.

5. Water supply and drainage arrangements, including the provision of a septic tank/percolation area, shall comply in full with the requirements of the planning authority.

Reason: In the interest of public health.



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

Dated this 23<sup>rd</sup> day of April

1992.

P/2239/92

# COMHAIRLE CHONTAE ÁTHA CLIATH

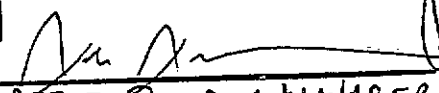
Record of Executive Business and Manager's Orders  
PL6/5/87017

AN BORD PLEANÁLA

LOCAL GOVERNMENT (PLANNING AND DEVELOPMENT) ACTS 1963 TO 1990

County Dublin

Planning Register Reference Number: 91A/0681

Order Noted:	L.D.
Dated:	18 <sup>th</sup> MAY 92
	 ASST. COUNTY MANAGER
to whom the appropriate powers have been delegated by order of the Dublin City and County Manager.	
Dated	10 <sup>th</sup> day of FEBRUARY 19 92

COMHAIRLE CHONTAE ATHA CLIATH

TO: G. Boothman,  
Executive Planner.

REG. REF. 91A/0681

RE: Proposed outline permission for a replacement dwelling at  
Crockaunadreenagh, Rathcoole for G. Brennan Jnr.

I attach for your observations memo/letter dated 6th March, 1992 from An Bord Pleanala.

Please reply before: 1st April, 1992

S  
for Principal Officer

DATED: 18 March 1992

OBSERVATIONS:

Further letter at 1/4/92

Decision made

Signature of person making observations: \_\_\_\_\_ Countersigned: \_\_\_\_\_  
(S.E.D.C.)

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



COMHAIRLE CHONTAE ATHA CLIATH

TO: G. Boothman,  
Executive Planner.

REG. REF. 91A/0681

RE: Proposed outline permission for a replacement dwelling at  
Crockaunadreenagh, Rathcoole for G. Brennan Jnr.

I attach for your observations memo/letter dated 13th November, 1991 from An Bord Pleanala.

Please reply before: 13th December, 1991

Sueh  
for Principal Officer

DATED: 29 November 1991

OBSERVATIONS:

No consent.

An Bord Pleanala is requested to maintain its support on the Council's policy to restrict as set out in para 2.26.4 of the current Development Plan.

A single storey house, as now proposed by the applicant would be materially different from the proposed permit, and could not be this alteration could not be done by condition.

A search in the Valuation Office, carried out on behalf of the applicant, showed a house set in ruins in 1930; but the site was described as land, however, the site description in 1953 was 'land'.

The applicant's proposal to remove the existing <sup>existing</sup> hedge row and to replace it with a low rise post and rail fencing would have a significant detrimental impact on the present rural character of this high amenity area.

Signature of person making observations: GB.

Countersigned: P. Crenniss  
(S.E.D.C.)

DATE: 1/12/91

DATE: 4/12/91

# COMHAIRLE CHONTAE ÁTHA CLIATH

Order NO. ~~P/4313/91~~

## Record of Executive Business and Manager's Orders

Outline Permission for a replacement dwelling at  
Crockaunadrennagh, Rathcoole for G. Brennan Jnr.

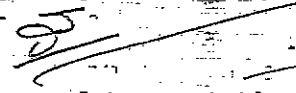
Architectural Associates,  
74 Grove Park Ave.,  
Dublin 11.

Reg. Ref. 91A/0681  
App. Recd: 29.04.1991  
Floor Area: 233 sq. m.  
Site Area: 0.75 acres.  
Zoning:  
A.I. Rec'd. 12.07.1991

Report of the Dublin Planning Officer, dated 9th September, 1991.

This is an application for OUTLINE PERMISSION for a dormer bungalow as replacement dwelling for Gerald Brennan at Crockaunadreenagh, Rathcoole.

The site area is stated to be 0.75 acres, the floor area of the proposed development is stated to be 233 sq. metres. The site is located in an area which is zoned with the objective 'G' - "to protect and improve high amenity areas" in the 1983 County Development Plan.

 The site is located behind a screen of trees, the existing bungalow cannot be seen from the road. It is the Council's policy in high amenity areas that development not directly related to the areas amenity potential or its use for agriculture, mountain or hill farming will be prohibited.

The applicant, who has an address in Crockaunadreenagh, has not demonstrated that he is engaged directly in an activity which indicates that there is a genuine need to live in the area.

However, in support of the application he supplied information that he purchased the house on this site with the intention of living in it but has decided he wishes to replace it with a dormer bungalow. The existing bungalow is relatively intact with roof and doors (see photos on file). The site has panoramic views northwards. It is well screened from the rear access road. However this situation would worsen if trees were removed to improve sight lines.

By Decision Order P/1243/91, Reg. Ref. 91A/161 planning permission was refused for 4 reasons for replacement dwelling on this site for Gerald Brennan Junior.

By Decision Order PL 6/5/82354, Reg. Ref. 90A/129 An Bord Pleanála refused permission for 3 reasons following refusal of permission by Dublin County Council for outline permission for a dormer bungalow on a site adjacent to the current application for Mark Brennan.

In June of this year the following Additional Information was requested from the applicant:-

Contd.... /

# COMHAIRLE CHONTAE ÁTHA CLIATH

Order No. P/4313/91

## Record of Executive Business and Manager's Orders

Outline Permission for a replacement dwelling at Crockaunadrennagh, Rathcoole for G. Brennan Jnr.

1. The applicant is requested to demonstrate if he has a reason which complies with paragraph 2.26.4 of the County Development Plan for requiring a house in an area which is zoned "to protect and improve high amenity areas". Paragraph 2.26.4 refers to applicants who are natives of the area who have shown a genuine need for housing in the area by involvement in agriculture, mountain or hill farming. Applicant to indicate the extent of his and his family's land ownership in the area.
2. Applicant to indicate if he is prepared to reduce the proposed bungalow to single storey and to relocate it as close as possible to the location of the existing bungalow. If so, the applicant should submit revised plans detailing this.

In a reply dated 10th July, 1991, applicant indicates that Mr. Brennan wishes to live near his mother, who has been ill. No reference is made to agriculture, mountain or hill farming. The family holding is indicated as 4.320 acres.

With regard to the suggested reduction in height and relocation of the proposed dwelling, applicant considers that there would be no merit in the Planning Authority's request, as the gradient of the site would elevate the ridge line to that of the proposed dormer unit.

However, this ignores the fact that the existing house on the site is well screened by mature planting, reducing obtrusion by buildings in this sensitive area.

With regard to drainage, a septic tank is proposed, and there is insufficient information on file at present for a recommendation from the Supervising Environmental Health Officer.

A well is proposed for water supply.

There is no Roads report on file at present, but the report on the adjoining site (90a/129) indicated that additional ribbon development of this nature is undesirable.

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

1. The site of the proposed development is located in an area zoned "to protect and improve high amenity areas" in the Development Plan. It is the policy of the County Council as set out in Paragraph 2.26.4 of the Development Plan that development not related directly to the Areas' amenity potential or its' use for agriculture, mountain or hill farming shall be prohibited. The applicant has not satisfactorily demonstrated that he is engaged directly in these activities, and it is considered that the proposed development would materially contravene this objective and not be in accordance with the proper planning and development of the area.

Contd.../

# COMHAIRLE CHONTAE ÁTHA CLIATH

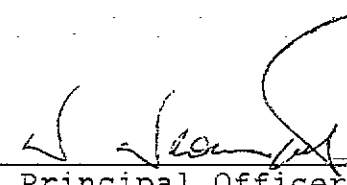
~~Order No. P/4313/91~~

## Record of Executive Business and Manager's Orders

Outline Permission for a replacement dwelling at Crockaunadrennagh, Rathcoole for G. Brennan Jnr.

2. The proposed development would endanger public safety by reason of traffic hazard and constitutes undesirable ribbon development in an area served by a substandard road network which will lead to a demand for the uneconomic provision of resources and would set an undesirable precedent for further similar developments in the area and as such would not be in accordance with the proper planning and development of the area.
3. The development would contravene materially a development objective indicated in the Development Plan 1983 for the use primarily of the land "to protect and improve high amenity areas".

(GB/BB)

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 (3) reasons set out above and OUTLINE PERMISSION is REFUSED accordingly.

Dated: 10 September, 1991.

  
ASSISTANT CITY & COUNTY MANAGER

to whom the appropriate powers have been delegated by Order of the Dublin City and County Manager, dated 4th September, 1991.

91A / 0681.

The following history relates to the 4 cases  
allowed by applicants father:

90A 1265

89A 1192

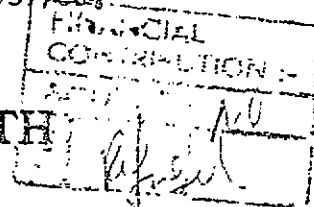
XA 297

85A 430

85A 882

879 99.

## COMHAIRLE CHONTAE ÁTHA CLIATH



## Record of Executive Business and Manager's Orders

P.C.17381L Proposed revised house type and location at Newtown Upper, Rathcoole for G. Brennan:

C. O'Driscoll  
86 Whitehall Road West,  
Kimmage,  
Dublin 12:

Reg. Ref. No. 85A/430  
Application rec. 2/4/85  
Floor area.  
Site area.  
Zoning. 'B'

-----  
Report of the Dublin Planning Officer dated 30th may, 1985:

This application is for permission for revised house type and location at Newtown Upper, Rathcoole for G. Brennan. The development is described as a dormer/mansard type dwelling of 248m<sup>2</sup> on a site of 4½ acres. Outline permission was originally granted on appeal to the Minister for Local Government by Order dated 10/3/77 Ref. P16/5/35615, Reg. Ref. K 1341, subject to a condition that "the house shall be of single storey construction". By Decision Order PA/938/82, dated 27/4/82, Reg. Ref. XA 297, permission for a bungalow on this site was granted by the Council. The plans approved under the permission were of a dormer bungalow with three bedrooms at 1st floor level. Four small dormer windows were incorporated within the east facing (front) roof which was pitched at 45° together with windows at 1st floor level on gable walls.

The dwelling now proposed has an 1st floor comprising six rooms and a bathroom. The house plans features a number of different roof designs. On the front elevation (which faces west, there are dormer windows incorporated in a pitched roof with a two storey projection with pitched roof. The rear elevation (eastern elevation and elevation which faces the public road) features a vertical wall at 1st floor level with pitched roof over. On a sectional drawing, the 1st floor outer wall is described as a mansard roof and the finishes described as vertical sheeting on a mansard frame. While the overall height of the structure is similar to that previously approved the house type proposed is clearly of a two storey construction.

While the site is zoned "to protect and provide for the development of agriculture" it is adjacent immediately to the east by an area zoned "to protect and improve high amenity areas". Having regard to the relevant condition of the original outline permission granted and the obtrusive design of the dwelling now proposed I recommend refusal.

I recommend that permission be refused under the Local Government(Planning and Development) Acts, 1963-1983, for the following ( ) reasons:-

## COMHAIRLE CHONTAE ÁTHA CLIATH

## Record of Executive Business and Manager's Orders

P.C.17381: Proposed bungalow at Newtown Upper for Edward Gregg.

Edward Gregg,  
Redgap,  
Rathcoole,  
Co. Dublin.

Reg. Ref. No. XA 297  
Application rec. 12/2/82  
Floor area. 1341sq.ft.  
Site area. 4 acres  
Zoning. 'P'

Report of the Dublin Planning Officer dated 8th April, 1982.

This application is for APPROVAL for a bungalow at Newtown Upper, Rathcoole. By decision Order P/2256/76, dated 23/7/76, Reg. Ref. K. 1341, outline permission was refused by the Council for a proposed dwelling on this site. Permission was granted on appeal to the Minister of Local Government Ref. PL6/5/35615, dated 10/3/77 subject to three conditions. A time extension up to the 9th March, 1983, was granted to the applicant on 9th March, 1982. I have noted the Roads report dated 9/3/82. Report of the Chief Medical Officer not received.

I recommend that approval be granted under the Local Government (Planning and Development) Acts, 1963 & 1976 subject to the following conditions:-

CONDITIONS

1. Subject to the conditions of this permission, that the development be carried out and completed strictly in accordance with the plans and specification lodged with the application.
2. That before development commences approval under the Building Bye-laws be obtained and all conditions of that approval be observed in the development.
3. That the proposed house be used as a single dwelling unit.
4. That the water supply and drainage arrangements including the location, design and separation of water source and septic tank together with all necessary trial holes and percolation tests, be in accordance with the requirements of the County Council. The applicant must consult with the Health Inspector's Department, 33 Gardiner Place, Dublin 1, with regard to these matters, before any construction work takes place. An adequate and potable water supply is required.
5. Front boundary fences shall be set back 10ft. for their entire length to facilitate proposed road widening.
6. Details of this set back and proposed access to the site to be subject to the agreement of Roads Department, Dublin County Council prior to commencement of development.
7. That one dwelling house only be constructed on this 4-acre site.

REASONS

1. To ensure that the development shall be in accordance with the permission and that effective control be maintained.
2. In order to comply with the Sanitary Services Acts, 1878-1964.
3. To prevent unauthorised development.
4. In order to comply with the Sanitary Services Acts, 1878-1964.
5. In the interest of the proper planning and development of the area.
6. In the interest of the proper planning and development of the area.
7. In the interest of the proper planning and development of the area.

FINANCIAL  
CON  
AMC  
Sept 1982  
note well  
NB

G. 91A <sup>681,</sup> ~~618~~?

Stennan

File gone for Mar. mon.  
mtg.



G.B.

Register Reference : 91A/0681

Date : 9th May 1991

Development : replacement dwelling

LOCATION : Crockaunadreenagh, Rathcoole

Applicant : G. Brennan Jnr.

App. Type : OUTLINE PERMISSION

Planning Officer : M.DARLEY

Date Recd. : 29th April 1991

DUBLIN COUNTY COUNCIL  
18 JUN 1991  
ENVIRONMENTAL HEALTH  
OFFICERS

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

Yours faithfully,

*cc Paul Tobin*

PRINCIPAL OFFICER

*Additional information is required re the following*

- 1. Availability and Potability of water supply*
- 2. Suitability of soil for septic tank drainage.*
- 3. Location of any existing septic tanks <sup>and/or</sup> wells.*

*H. Muller 2/7/91*

*John Healy 3/7/91*

SUPER. ENVIRON. HEALTH OFFICER,  
33 GARDINER PLACE,  
DUBLIN 1.

PLANNING DEPT.  
DEVELOPMENT CONTROL SECT  
Date ..... 08.07.91 .....  
Time ..... 3.30 .....

M.D.

SS+ans.

Register Reference : 91A/0681

Date : 9th May 1991

Development : replacement dwelling

LOCATION : Crockaunadreenagh, Rathcoole

Applicant : G. Brennan Jnr.

App. Type : OUTLINE PERMISSION

Planning Officer : M.DARLEY

Date Recd. : 29th April 1991

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

Yours faithfully,

DUBLIN Co. COUNCIL  
23 MAY 1991  
SAN SERVICES

DUBLIN Co. COUNCIL  
SANITARY SERVICES  
PRINCIPAL OFFICER  
17 JUN 1991  
Returned *gl*

Date received in Sanitary Services .....

FOUL SEWER

*Septic tank proposal - refer to E.H.O.*

SURFACE WATER

*Acceptable proposal to be lodged.*

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

*E. O'Sullivan 12/6/91*

PLANNING DEPT.  
DEVELOPMENT CONTROL SECT  
Date ..... 18.06.91 .....  
Time ..... 12.30 .....

*14/6/91*

*11/8/91*

Register Reference : 91A/0681

Date : 9th May 1991

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

WATER SUPPLY... *No to to water main in this area.*  
*- well proposed.*

*[Signature]*  
*23/5/91*

.....  
ENDORSED *[Signature]* DATE *14/6/91*

PLANNING DEPT.  
DEVELOPMENT CONTROL SECT  
Date ..... *18.06.91* .....  
Time ..... *12.30* .....

P/2770/91

# COMHAIRLE CHONTAE ÁTHA CLIATH

## Record of Executive Business and Manager's Orders

Register Reference : 91A/0681

Date Received : 29th April 1991

Correspondence : Architectural Associates,  
Name and : 74 Grove Park Avenue,  
Address : Dublin 11

Development : replacement dwelling

Location : Crockaunadreenagh, Rathcoole

Applicant : G. Brennan Jnr.

App. Type : Outline Permission

Zoning : 'G'

(MD/BB)

Report of Dublin Planning Officer dated 11th June, 1991.

This is an application for OUTLINE PERMISSION for a dormer bungalow as replacement dwelling for Gerald Brennan at Crockaunadreenagh, Rathcoole.

The site area is stated to be 0.75 acres, the floor area of the proposed development is stated to be 233 sq. metres. The site is located in an area which is zoned with the objective 'G' - "to protect and improve high amenity areas" in the 1983 County Development Plan.

It is an objective of the Development Plan to preserve the views and prospects along the road on which this site is located. The site is located behind a screen of trees, the existing bungalow cannot be seen from the road. It is the Council's policy in high amenity areas that development not directly related to the areas amenity potential or its use for agriculture, mountain or hill farming will be prohibited.

The applicant who has an address in Crockaunadreenagh has not demonstrated that he is engaged directly in an activity which indicates that there is a genuine need to live in the area.

However, in support of the application he has supplied information that he purchased the house on this site with the intention of living in it but has decided he wishes to replace it with a dormer bungalow. *The existing bungalow is relatively intact with good rear access (see photos on file). The site has panoramic views northwards. It is well screened from the rear access road. However, this situation would worsen if trees were removed to improve sight lines.*  
By Decision Order P/1243/91, Reg. Ref. 91A/161 planning permission was refused for 4 reasons for replacement dwelling on this site for Gerald Brennan Junior.

By Decision Order PL 6/5/82354 An Bord Pleanála refused permission for 3 reasons following refusal of permission by Dublin County Council for outline

*would worsen if trees were removed to improve sight lines.*

# COMHAIRLE CHONTAE ÁTHA CLIATH

## Record of Executive Business and Manager's Orders

permission for a dormer bungalow on a site adjacent to the current application for Mark Brennan. *A discreet replacement bungalow may be acceptable if on certain conditions, including the sterilization of further lands.*  
I recommend that Additional Information be requested from the applicant with regard to the following:-

R.C. 01 The applicant is requested to demonstrate if he has a reason which complies with paragraph 2.26.4 of the County Development Plan for requiring a house in an area which is zoned "to protect and improve high amenity areas". *Applicant to indicate the extent of his and his family's land ownership in the area.*

\* Para 2.26.4 refers to applicants who are natives of the area who have shown a genuine need for housing in the area. *by involvement in agriculture, mountain or hill farming.*

R.C. (2) Applicant to indicate if he is prepared to reduce the proposed bungalow to single storey and to relocate it as close as possible to the location of the existing bungalow. *If so the applicant should submit revised plans detailing this.*  
*Richard... Cremine... SP.*  
for Dublin Planning Officer 19.6.91      Endorsed: *[Signature]* for Principal Officer

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

Dated : *25 June 1991* .....  
to whom the appropriate powers have been delegated by order of the Dublin City and County Manager dated *19 June 1991*

Rose Kenny ~~for information~~ ~~24/6~~ 24/6

Re: SIA / 0681

REPLACEMENT DWELLING  
CROCKAUNADREENACH  
& BRENNAN JIA

Richard Cremins SEP

Pat Kenny AO has referred your report on this application to me.

I imagine he referred it back to yourself before referring it to me.

There are one or two aspects which I think could be included in the report, which would clarify the matter further:

- (a) A description of the site and its environs including
  - How much of the "old house" is left?
  - How sensitive a site is it, from a visual viewpoint?
- (b) There is a reference to para. 2.26.4 in the request for AT. I think this should be more specific i.e. reference should be made explicitly to "natives of the area who have a genuine need for housing" etc.

CONTINUED

CONTINUED

• (2) Since ~~the~~ a similar proposal was refused  
before

• I think ~~it~~ of A.I. is to be asked now, some  
indication should be given in the report  
as to why AI is appropriate now, whereas  
refusal was before.

Please have a look at these aspects - Thanks

Douglas Hyde

24/6/1991

Saoi aon fbreagra chun  
(Reply to)

 RÚNAÍ  
(The Secretary)

faoin uimhir seo:-  
(Quoting)



AN ROINN COSANTA  
(Department of Defence)

TEACH NA PÁIRCE  
(Park House)

BAILE ÁTHA CLIATH, 7  
(Dublin, 7)

2/50719

Teileafón 01/~~208788~~ 771881 Ext. 2485

27 May, 1991.

Dear Sir,

Re: Planning Applications which might affect the use  
of Casement Aerodrome, Baldonnell, Co. Dublin.

I am directed by the Minister for Defence to refer to applications:

**91A/681** - G. Brennan Jnr., Crockaunadreenagh, Rathcoole.

91A/683 - N. Straffen, Millbank, Saggart.

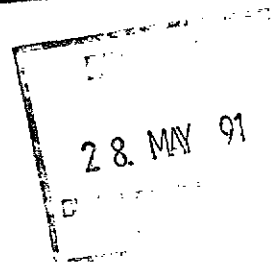
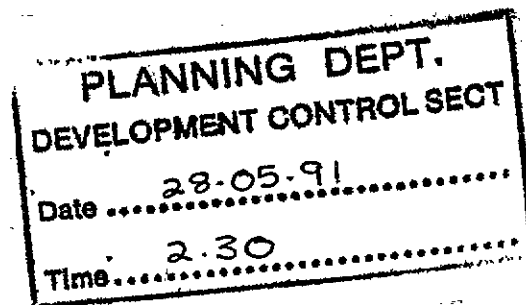
91A/708 - J. Anderson, Crockshane, Rathcoole.

91A/713 - J. Clinton, Crockaunadreenagh, Rathcoole.

No objection is seen to the proposed developments provided they do not exceed 11M in height above ground level.

Yours sincerely,

JOHN P. MORAN  
EXECUTIVE OFFICER

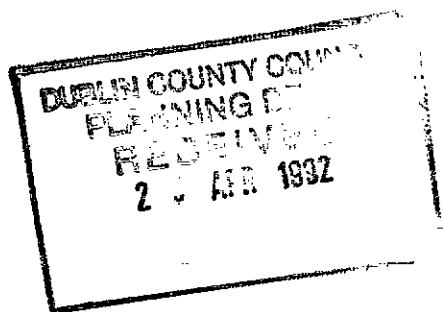


The Secretary,  
Dublin County Council,  
Planning Department,  
Irish Life Mall,  
Lower Abbey Street,  
Dublin 1.



Our Ref: PL 6/5/87017  
P.A. Ref: 91A/681

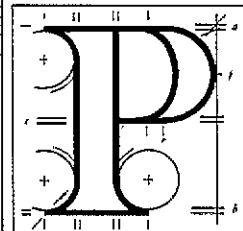
*f. B. 18/3*



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

*40-4*

An Bord Pleanála



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


Date: 27 APR 1992

Appeal re: Construction of a replacement dwelling at  
Crockaundreenagh, Rathcoole, County Dublin.

Dear Sir,

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

Yours faithfully,

  
Miriam Baxter.



Encls.

BP 352A

Our Ref: PL 6/5/87017  
P.A. Ref: 91A/681

Mr. Gerald Brennan, Junior,  
Mounthall,  
Newtown Upper,  
Redgap,  
Rathcoole,  
County Dublin.

Date:

**Appeal re:** Construction of a replacement dwelling at  
Crockaundreenagh, Rathcoole, County Dublin.

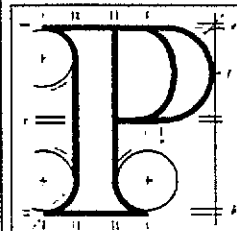
Dear Sir,

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

The order made by the Board grants an outline permission which is subject to the subsequent approval of the planning authority. To obtain approval a detailed application will have to be made to the planning authority and the usual public notice will have to be given. Until approval has been obtained, the proposed development is not authorised.

With reference to the "existing dwelling" on the site, it should be clearly understood that, notwithstanding the grant of outline permission contained in the Board's order and the terms of condition number 2 subject to which the outline permission is granted, if the said existing dwelling is a habitable house within the meaning of Article 3 of the Local Government (Planning and Development) (Exempted Development and Amendment) Regulations, 1984, the demolition of the dwelling is not authorised or permitted by the outline permission or any term contained therein and the dwelling should not be demolished until permission for its demolition has been granted by the planning authority or by An Bord Pleanála on appeal.

An Bord Pleanála



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

It should be noted that the duration of the outline permission granted commences on the date of the Board's order and sufficient time should be allowed to enable approval to be obtained.

Yours faithfully,

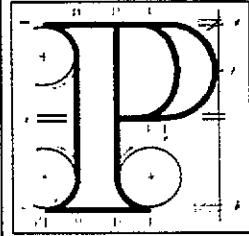


Miriam Baxter.

Encl.

BP 353

An Bord Pleanála



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

AN BORD PLEANÁLA

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

County Dublin

Planning Register Reference Number: 91A/681

**APPEAL** by Gerald Brennan of Mounthall, Newtown Upper, Redgap, Rathcoole, County Dublin against the decision made on the 10th day of September, 1991 by the Council of the County of Dublin to refuse outline permission for development comprising the construction of a replacement dwelling at Crockaunadreenagh, Rathcoole, County Dublin in accordance with plans and particulars lodged with the said Council:

**DECISION:** Pursuant to the Local Government (Planning and Development) Acts, 1963 to 1990, it is hereby decided, for the reason set out in the First Schedule hereto, to grant outline permission for the said development in accordance with the said plans and particulars, subject to the conditions specified in the Second Schedule hereto, the reasons for the imposition of the said conditions being as set out in the said Second Schedule and the said outline permission is hereby granted subject to the said conditions.

FIRST SCHEDULE

It is considered that the proposed development, which comprises the erection of a replacement dwelling, is acceptable in principle and that, subject to compliance with the conditions set out in the Second Schedule hereto, it would accord with the proper planning and development of the area.

SECOND SCHEDULE

1. No development shall be commenced on foot of this grant of outline permission until detailed plans and particulars relating to, inter alia, the layout, siting, height, design, finishes and external appearance of the proposed house have been lodged with the planning authority for approval and approval for the said plans and particulars has been granted by the planning authority or by An Bord Pleanála on appeal. The proposed house shall be of single storey construction and shall be generally as indicated on the plans received by An Bord Pleanála from the applicant's agent on the 31st day of October, 1991.

**Reason:** In the interest of clarity and orderly development.

2. No development shall be commenced on foot of this grant of outline permission and any approval consequent thereon until the existing dwelling on the site has been demolished.

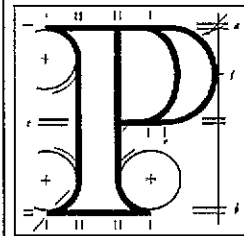
**Reason:** In the interest of clarity and orderly development.

*G. Boothman*  
18/3

Our Ref: PL 6/5/87017  
P.A. Reg. Ref: 91A/0681

*ECT*

An Bord Pleanála



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

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

Date: 1st April 1992.

Appeal re: Replacement dwelling at  
Crockaunadreenagh, Rathcoole, County Dublin.

Dear Sir/Madam,

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

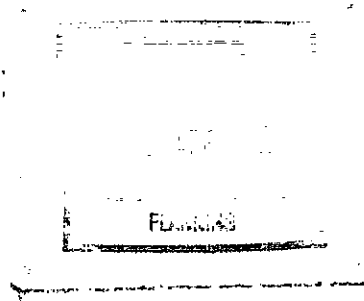
Yours faithfully,

*Suzanne Lacey*  
Suzanne Lacey

*OBS*

Encl.

BP 555





**DESIGN GROUP**  
ARCHITECTS & PLANNING CONSULTANTS

**MAIN STREET  
RATHCOOLE  
CO. DUBLIN  
Tel. 580910**

Your Ref. PL 6/5/87017

P.A. Reg. Ref. 91A/0681.

March 11th 1992.

Appeal Re: Replacement dwelling at Crockaunadreenagh, Rathcoole,  
County Dublin.

Dear Sir/Madam,

On behalf of Mr. G. Brennan we submit a single storey house  
plan for your consideration. We also confirm that the existing  
mature hedgerow will be retained and not replaced by a low  
rise post and rail fence.

We hope this information will be helpful in the determination  
of this appeal.

*Received 13 MAR 1992*

Yours Sincerely.

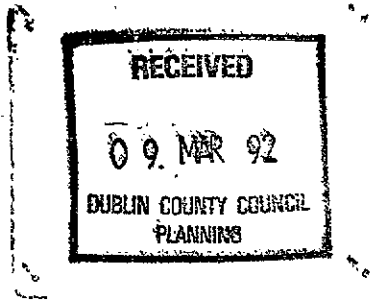
Jim O'Neill.



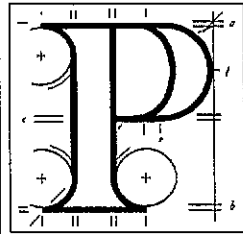
Our Ref: PL 6/5/87017  
P.A. Reg. Ref 91A/681

E011

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: 6th March 1992.

Appeal re: Replacement dwelling at Crockaunadreenagh,  
Rathcoole, County Dublin.

Dear Sir/Madam,

I have been directed by An Bord Pleanála to refer  
further to the above-mentioned appeal.

Enclosed, please find copies of plans submitted with  
the appellant's letter dated the 29th of October, 1991.

Yours faithfully,

*Suzanne Lacey*  
Suzanne Lacey

OBS



# Architectural Associates

Architects  
Planning Consultants

74 Grove Park Ave;  
Dublin 11.

Our Ref;

TELEPHONE 347074

Your Ref;

Date 29th Oct. 1991.

Replacement dwelling at Crockaunadreenagh, Rathcoole, Co.  
Dublin.

Your Ref. PL 6/5/87017

P.A. reg. ref. 91A/681.

Dear Sir / Madam,

On behalf of our client Mr. G. Brennan we are setting out  
our grounds of appeal in respect of 91A/681, and against  
Dublin County Councils decision to refuse permission.

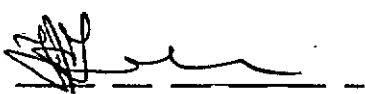
By doc  
31 OCT 1991  
AN. BORD  
RECEIVED  
AVONDA

(1) We wish to absolutely confirm that this is a replacement dwelling. A search carried out by Rochford Brady legal services indicates that there was a house set in ruins in 1930. ( copy letter attached ). We attach a declaration of use from Mr. Brian Traynor, and a mortgage certificate from the First National Building Society. We also include photographs of the existing dwelling on site.

(2) The applicant would accept a condition in Grant of approval that the house be single storey. ( Single storey plan attached )

We trust the above documentation is sufficient to enable the Bord to determine a favourable outcome to this appeal.

Yours Sincerely.



T. A. Melody.

Ackn.  
PA  
13.11.91





SEXTON KEENAN & COMPANY

S O L I C I T O R S

Gerry Brennan Esq.,  
Mounthall,  
Newtown Upper,  
Redgap,  
Rathcoole,  
Co. Dublin.

Our ref: HS/CB/BR/012-2  
Your ref:

Date: 14th October, 1991.

Re: **Property at Crockaunadreenagh, Rathcoole, Co. Dublin.  
Purchase from Brian Traynor.**

---

Dear Gerry,

I enclose copy letter from Rochford Brady and copy result of search from the Valuation Office.

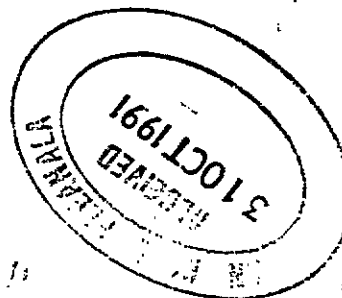
In the Valuation Office you will see there is reference to a house in ruins in 1930. However, the description in 1953 was one of land.

In the Planning Office the only application by Brian Traynor was for the erection of a tractor shed.

This might clear up some confusion. The fact that there was a house set in ruins in 1930 should be sufficient to get you whatever planning permission you need.

Yours sincerely,

  
SEXTON KEENAN & CO.



Walkinstown Cross Dublin 12 Telephone 01 500833 Fax 01 500226

Harry Sexton Eamonn Keenan B.C.L. Dip.E.L. (Commissioners for Oaths) Geraldine Kelly B.A. Mark Hanley B.C.L.

# Rochford Brady

## Legal Services

24 Eustace Street, Dublin 2  
Telephone (01) 771216 773159 777250 (6 lines)  
6796971 6793640

---

LAW AGENTS : LAW SEARCHERS : COSTS ACCOUNTANTS

---

D.D.E. Box 203

Fax No. (01) 773733

*your ref:* HS/CB/BR/012-2

*our ref:* 92360

*date:* 4.10.1991

Sexton Keenan & Co  
Solicitors  
Walkinstown Cross  
Dublin 12

*Re: Mark Brennan, Crockaunadreenagh, Redgap, Rathcoole, Co Dublin*

*Dear Sirs,*

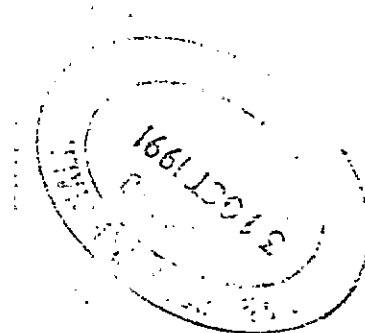
*We refer to yours of 23rd ult.*

*We have searched in the planning office in respect of the property at Crockaunadreenagh but located only one application by Brian Traynor, ref 8135, for a tractor shed.*

*In the valuation office, the property is valued only as lands since 1936.*

*Yours faithfully,*

Rochford Brady





STATUTORY DECLARATION OF USE

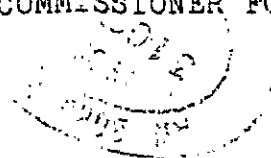
I, Brian Traynor of 2, Fontenoy Street, Dublin aged twenty-one years and upwards do solemnly and sincerely declare as follows:-

1. By virtue of a Deed of Conveyance dated 29th day of January, 1951 and made between Arthur Armstrong of the one part and myself of the other part I acquired the property therein described as one acre two roods twenty five perches in the townland of Crockanadreenagh, Rathcoole, Co. Dublin.
2. I say that within approximately two years of acquiring the said property I constructed the dwellinghouse that presently exists on the said property and the construction of the said dwellinghouse was entirely completed in all respects well prior to 1st October, 1964.
3. I make this solemn Declaration conscientiously believing the same to be true and for the benefit of Mark Brennan by virtue of the Statutory Declarations Act, 1928.

*Brian Traynor*

DECLARED by the said Brian Traynor at 169, Drimnagh Road, in the County of City of Dublin this *19th* day of *November* 1989 before me, a Commissioner for Oaths and I know the Declarants.

*[Signature]*  
COMMISSIONER FOR OATHS



KINGS  
LAW PRINTERS  
DUBLIN

# THIS Indenture

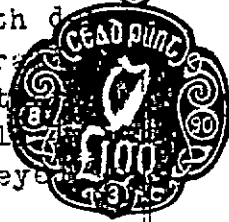
dated the 6<sup>th</sup>  
day of February

One Thousand Nine Hundred and *Ninety*  
**BETWEEN** BRIAN TRAYNOR of Fontenoy Street, Dublin  
(hereinafter called "the Vendor") of the one part **AND**  
MARK BRENNAN of Mounthall, Newtown Upper, Redgap in the  
County of Dublin (hereinafter called "the Purchaser")  
the other part

**WHEREAS:**

1. By an Indenture of Conveyance dated the 25th day of June, 1948 and made between John Fitzgerald of the One Part and Arthur Armstrong of the Other Part the property therein and more particularly hereinafter described was granted and conveyed to the said Arthur Armstrong in Fee Simple.
2. By an Indenture of Conveyance dated the 29th day of January, 1951 and made between the said Arthur Armstrong of the One Part and the Vendor of the Other Part the said property more particularly hereinafter described was granted and conveyed to the Vendor in Fee Simple.
3. The Vendor has agreed with the Purchaser for the sale to the Purchaser for the sum of Twenty Thousand Pounds (£20,000.00) of the property hereinafter described.

NOW THIS INDENTURE WITNESSETH that in pursuance of the said Agreement and in consideration of the sum of Twenty Thousand Pounds (£20,000.00) now paid by the Purchaser to the Vendor (the receipt whereof the Vendor doth hereby acknowledge) the Vendor as beneficial owner doth hereby **GRANT AND CONVEY** unto the Purchaser **ALL THAT AND THOSE** that piece or parcel of land containing one acre two roods twenty five perches in the Townland of Crockaunadreenagh situate in the Barony of Newcastle,



*1600*  
REGISTERED IN THE REGISTRY OF DEEDS (DUBLIN) at  
14 MINUTES AFTER 2 O'CLOCK ON THE 10<sup>th</sup> DAY OF  
May 1990 BOOK 60 No. 284.

Electoral District of Rathcoole and County of Dublin  
being the property more particularly delineated on the  
map attached hereto and surrounded by a line edged red  
TO HOLD the same unto and to the use of the Purchaser in  
Fee Simple.

IT IS HEREBY CERTIFIED that the transaction hereby  
effected does not form part of a larger transaction or of  
a series of transactions in respect of which the amount  
or value or the aggregate amount or value of the  
consideration exceeds Twenty Thousand Pounds.

IT IS HEREBY FURTHER CERTIFIED that the person becoming  
entitled to the entire beneficial interest in the  
property hereby granted and conveyed is an Irish Citizen  
and a qualified person within the meaning of Section 45  
of the Land Act 1965.

IN WITNESS WHEREOF the parties aforesaid have hereunto  
set their hands and affixed their seals the day and year  
first herein WRITTEN:

SIGNED SEALED AND DELIVERED  
by the said BRIAN TRAYNOR  
in the presence of:

*Harry Lee*  
*Walworth Dublin 12*  
*Solicitor*

*Brian Traynor*

*Conor Barrett,*  
*128, Walkinstown Ave.,*  
*Dublin 12*  
*Legal Secretary*

SIGNED SEALED AND DELIVERED  
by the said MARK BRENNAN  
in the presence of:

*Harry Lee*  
*Walworth Dublin 12*  
*Solicitor*

*Mark Brennan*

*Conor Barrett,*  
*128, Walkinstown Ave.,*  
*Dublin, 12*  
*Legal Secretary*

CLARLAMH NA hGNIOMHAS  
BK (REGISTRAR'S FEES) NO.  
60 10 MAY 1970 284  
BAILE ATHA CLATH  
(DUBLIN) *W*

Dated the            day of            19

BETWEEN;

BRIAN TRAYNOR

Vendor

AND

MARK BRENNAN

Purchaser

---

C O N V E Y A N C E

---

Sixton Keenan & Co.,  
Solicitors,  
18, Wilkinsdown Ave.,  
Dublin, 12.

HS/CB/BR/022



# This Indenture

made the 29<sup>th</sup>

day of January one thousand nine hundred and fifty one BETWEEN MICHAEL MURPHY of Keshap, Rathcoole, in the County of Dublin, (hereinafter called the Vendor) of the one part and JOHN MURPHY of 88, Barrow Road, Crumlin, in the City of Dublin, (hereinafter called the Purchaser), of the other part WITNESSETH that in consideration of £50. 0. 0. paid to the Vendor by the Purchaser (the receipt of which sum the Vendor hereby acknowledges; the Vendor who is seized in unincumbered fee simple in possession of the hereditaments hereby assured hereby as beneficial owner conveys unto the Purchaser ALL THAT AND THOSE that piece or parcel of land containing one acre two roods twenty five perches in the townland of Crocknacreenagh situate in the Barony of Newcastle, Electoral District of Rathcoole and County of Dublin TO HOLD the same unto and to the use of the Purchaser his heirs and assigns for ever AND IT IS HEREBY CERTIFIED that the transaction hereby effected does not form part of a larger transaction or of a series of transactions in respect of which the amount or value or the aggregate amount or value of the consideration exceeds five hundred pounds AND IT IS HEREBY FURTHER CERTIFIED by the Purchaser that he

Registered in the Registry of Deeds, Dublin, at  
 44 minutes after 1 o'clock on the 7<sup>th</sup> day of  
 March 1951 Book No 134  
 Michael Murphy

805  
 J.C.



The Purchaser, being the person who becomes entitled to the entire Beneficial interest in the property hereby conveyed is an Irish Citizen. IN WITNESS whereof the Parties aforesaid have hereunto set their hands and affixed their seals the day and year first herein written.

SIGNED, SEALED AND DELIVERED  
by the said ~~ARTHER~~ ~~ARTHER~~

*Arthur Armstrong*

in the presence of:

*Eileen Power*

*18 Bachelors Walk*

*Dublin - Typist.*

*Joseph P Burke*

*Solicitor Assistant*

*18 Bachelors Walk*

*Dublin*

SIGNED, SEALED AND DELIVERED

by the said ~~BRIDEN~~ ~~TRAYNOR~~.

*Brian Traynor*

in the presence of:-

*Neil Feib*

*Solicitor*

*3 Palace St*

*Dublin*

dated the 29<sup>th</sup> day of August

800

ARTHUR ANDERSON,

-to-

BRIAN TRAVICOR.

CLÁRLANN NA "DINTIÚGHÍ
(REGISTRY OF DEEDS)
B 11 No. 124
- / MAR 1951
BAILE A' NA OLIATH,
(DUBLIN) 15

C O N V E Y A N C E .

REID & REID,  
Solicitors,  
3, Palace St.,  
Dublin.

THE REGISTER OF DEEDS
2K 9005
1951

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

Our Ref: 91A/0681

Your Ref.: PL6/5/87017

20 February 1992

Re: Proposed outline permission for a replacement dwelling at Crockaunadreenagh, Rathcoole for G. Brennan Jnr.

Dear Sir/Madam,

I refer to your letter dated 13th November, 1991, enclosing correspondence with regard to the above appeal.

The Planning Authority's comments are as follows:-


An Bord Pleanála is requested to maintain its support on the Council's policy as set out in para. 2.26.4 of the current Development Plan.

It is noted that a search in the Valuation Office, carried out on behalf of the applicant showed a house set in ruins in 1930, however, the site description in 1953 was 'land'.

The applicant's proposal to remove the existing mature hedgerow and to replace it with low rise post and rail fencing would have a significant detrimental impact on the present rural character of this high amenity area.

The plan of the proposed single storey house proposed by the applicant in letter of 29.10.91 was not included in the correspondence forwarded to this Department.

Yours faithfully,

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

Our Ref: PL 6/5/87017  
P.A. Reg. Ref: 91A/681

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

Date: 13th November 1991.

Appeal re: Replacement dwelling at Crockaunadreenagh,  
Rathcoole, County Dublin.

Dear Sir/Madam,

Enclosed for your information is a copy of  
correspondence received in relation to the  
above-mentioned appeal. Also enclosed is a copy of a  
letter issued 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.

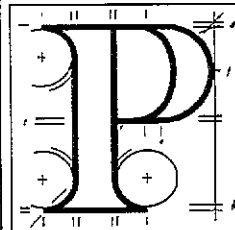
Please quote the above appeal reference number in any  
further correspondence.

Yours sincerely,

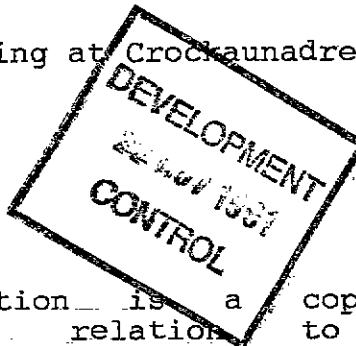
Kevin Carleton  
Executive Officer

BP 553A/554

PA  
An Bord Pleanála



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



18 NOV 91

# Architectural Associates

Architects  
Planning Consultants

74 Grove Park Ave;  
Dublin 11.

Our Ref;

TELEPHONE 347074

Your Ref;

Date 29th Oct. 1991.

Replacement dwelling at Crockaunadreenagh, Rathcoole, Co.  
Dublin.

Your Ref. PL 6/5/87017

P.A. reg. ref. 91A/681.

Dear Sir / Madam,

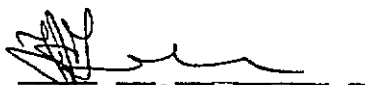
On behalf of our client Mr. G. Brennan we are setting out  
our grounds of appeal in respect of 91A/681, and against  
Dublin County Councils decision to refuse permission.

(1) We wish to absolutely confirm that this is a replacement  
dwelling. A search carried out by Rochford Brady legal  
services indicates that there was a house set in ruins in  
1930. ( copy letter attached ). We attach a declaration  
of use from Mr. Brian Traynor, and a mortgage certificate  
from the First National Building Society. We also include  
photographs of the existing dwelling on site.

(2) The applicant would accept a condition in Grant of approval  
that the house be single storey. ( Single storey plan attached )

We trust the above documentation is sufficient to enable  
the Bord to determine a favourable outcome to this appeal.

Yours Sincerely.



T. A. Melody.

By hand  
16613012  
31 OCT 1991  
RECEIVED  
BORD BORD BORD



SEXTON KEENAN & COMPANY

S O L I C I T O R S

Gerry Brennan Esq.,  
Mounthall,  
Newtown Upper,  
Redgap,  
Rathcoole,  
Co. Dublin.

Our ref: HS/CB/BR/012-2.  
Your ref:

Date: 14th October, 1991.

Re: Property at Crockaunadreenagh, Rathcoole, Co. Dublin.  
Purchase from Brian Traynor.

---

Dear Gerry,


I enclose copy letter from Rochford Brady and copy result of search from the Valuation Office.

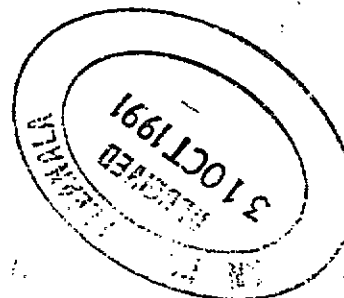
In the Valuation Office you will see there is reference to a house in ruins in 1930. However, the description in 1953 was one of land.

In the Planning Office the only application by Brian Traynor was for the erection of a tractor shed.

This might clear up some confusion. The fact that there was a house set in ruins in 1930 should be sufficient to get you whatever planning permission you need.

Yours sincerely,

  
SEXTON KEENAN & CO.



Walkinstown Cross Dublin 12 Telephone 01 500833 Fax 01 500226

Harry Sexton Eamonn Keenan B.C.L. Dip.E.L. (Commissioners for Oaths) Geraldine Kelly B.A. Mark Hanley B.C.L.

# Rochford Brady

## Legal Services

24 Eustace Street, Dublin 2

Telephone (01) 771216 773159 777250 (6 lines)  
6796971 6793640

---

LAW AGENTS : LAW SEARCHERS : COSTS ACCOUNTANTS

---

D.D.E. Box 203

Fax No. (01) 773733

*your ref:* HS/CB/BR/012-2

*our ref:* 92360

*date:* 4.10.1991

Sexton Keenan & Co  
Solicitors  
Walkinstown Cross  
Dublin 12

Re: Mark Brennan, Crockaunadreenagh, Redgap, Rathcoole, Co Dublin

Dear Sirs,

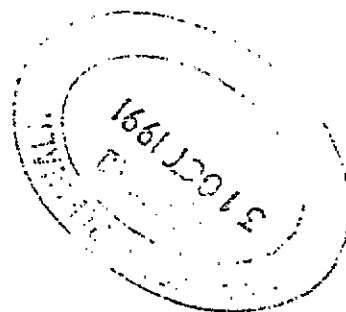
We refer to yours of 23rd ult.

We have searched in the planning office in respect of the property at Crockaunadreenagh but located only one application by Brian Traynor, ref 8135, for a tractor shed.

In the valuation office, the property is valued only as lands since 1936.

Yours faithfully,

Rochford Brady







STATUTORY DECLARATION OF USE

---

I, Brian Traynor of 2, Fontenoy Street, Dublin aged twenty-one years and upwards do solemnly and sincerely declare as follows:-

1. By virtue of a Deed of Conveyance dated 29th day of January, 1951 and made between Arthur Armstrong of the one part and myself of the other part I acquired the property therein described as one acre two roods twenty five perches in the townland of Crocknaadreenagh, Rathcoole, Co. Dublin.
2. I say that within approximately two years of acquiring the said property I constructed the dwellinghouse that presently exists on the said property and the construction of the said dwellinghouse was entirely completed in all respects well prior to 1st October, 1964.
3. I make this solemn Declaration conscientiously believing the same to be true and for the benefit of Mark Brennan by virtue of the Statutory Declarations Act, 1928.

*Brian Traynor*

DECLARED by the said Brian Traynor at 169, Drimnagh Road, in the County of City of Dublin this 19th day of November 1989 before me, a Commissioner for Oaths and I know the Declarants.

  
COMMISSIONER FOR OATHS

1600  
KINGS  
LAW PRINTERS  
DUBLIN

# THIS INDENTURE

dated the 6<sup>th</sup>  
day of February

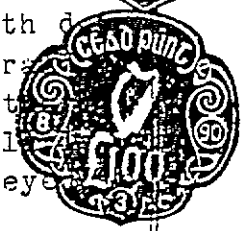


One Thousand Nine Hundred and <sup>Ninety</sup>  
BETWEEN BRIAN TRAYNOR of Fontenoy Street, Dublin  
(hereinafter called "the Vendor") of the one part AND  
MARK BRENNAN of Mounthall, Newtown Upper, Redgap in the  
County of Dublin (hereinafter called "the Purchaser") of  
the other part



WHEREAS:

1. By an Indenture of Conveyance dated the 25th day of June, 1948 and made between John Fitzgerald of the One Part and Arthur Armstrong of the Other Part the property therein and more particularly hereinafter described was granted and conveyed to the said Arthur Armstrong in Fee Simple.
2. By an Indenture of Conveyance dated the 29th day of January, 1951 and made between the said Arthur Armstrong of the One Part and the Vendor of the Other Part the said property more particularly hereinafter described was granted and conveyed to the Vendor in Fee Simple.
3. The Vendor has agreed with the Purchaser for the sale to the Purchaser for the sum of Twenty Thousand Pounds (£20,000.00) of the property hereinafter described.



NOW THIS INDENTURE WITNESSETH that in pursuance of the said Agreement and in consideration of the sum of Twenty Thousand Pound (£20,000.00) now paid by the Purchaser to the Vendor (the receipt whereof the Vendor doth hereby acknowledge) the Vendor as beneficial owner doth hereby GRANT AND CONVEY unto the Purchaser ALL THAT AND THOSE that piece or parcel of land containing one acre two roods twenty five perches in the Townland of Crockaunadreenagh situate in the Barony of Newcastle,

1650  
1/51  
1/1

REGISTERED IN THE REGISTRY OF DEEDS (DUBLIN) at  
14 MINUTES AFTER 2 O'CLOCK ON THE 10<sup>th</sup> DAY OF  
May 1990 BOOK 60 No. 284.

Electoral District of Rathcoole and County of Dublin  
being the property more particularly delineated on the  
map attached hereto and surrounded by a line edged red  
TO HOLD the same unto and to the use of the Purchaser in  
Fee Simple.

IT IS HEREBY CERTIFIED that the transaction hereby  
effected does not form part of a larger transaction or of  
a series of transactions in respect of which the amount  
or value or the aggregate amount or value of the  
consideration exceeds Twenty Thousand Pounds.

IT IS HEREBY FURTHER CERTIFIED that the person becoming  
entitled to the entire beneficial interest in the  
property hereby granted and conveyed is an Irish Citizen  
and a qualified person within the meaning of Section 45  
of the Land Act 1965.

IN WITNESS WHEREOF the parties aforesaid have hereunto  
set their hands and affixed their seals the day and year  
first herein WRITTEN:

SIGNED SEALED AND DELIVERED  
by the said BRIAN TRAYNOR  
in the presence of:

*Brian Traynor*

*Harry Lyster*  
*Walworth Dublin 12*  
*Solicitor*

*Connie Barrett,*  
*138, Walkinstown Ave.,*  
*Dublin 12*  
*Legal Secretary*

SIGNED SEALED AND DELIVERED  
by the said MARK BRENNAN  
in the presence of:

*Mark Brennan*

*Harry Lyster*  
*Walworth Dublin 12*  
*Solicitor*

*Connie Barrett,*  
*138, Walkinstown Ave.,*  
*Dublin, 12*  
*Legal Secretary*



# This Indenture

made the 29<sup>th</sup>

day of January one thousand nine hundred and fifty one BRIAN MICHAEL MURPHY of Naugap, Rathcoole, in the County of Dublin, (hereinafter called the Vendor) of the one part and DAVID McYNOCK of 88, BARRROW ROAD, CRUMLIN, in the City of Dublin, (hereinafter called the Purchaser), of the other part WITNESSETH that in consideration of £50. 0. 0. paid to the Vendor by the Purchaser (the receipt of which sum the Vendor hereby acknowledges) the Vendor who is seized in unincumbered fee simple in possession of the hereditaments hereby assured hereby as beneficial owner conveys unto the Purchaser AND THAT AND THESE that piece or parcel of land containing one acre two roods twenty five perches in the townland of Crockanagreenagh situate in the Barony of Newcastle, Electoral District of Rathcoole and County of Dublin TO HOLD the same unto and to the use of the Purchaser his heirs and assigns for ever AND IT IS HEREBY CERTIFIED that the transaction hereby effected does not form part of a larger transaction or of a series of transactions in respect of which the amount or value or the aggregate amount or value of the consideration exceeds five hundred pounds AND IT IS HEREBY FURTHER CERTIFIED by the purchaser that he

Registered in the Registry of Deeds, Dublin, at  
 44 minutes after 1 o'clock on the 7<sup>th</sup> day of  
 March 1951 Book No 137  
 Handwritten acknowledged as R.

805  
 [Signature]  
 L.C.

the purchaser, being; the person who becomes entitled to the entire Beneficial interest in the property hereby conveyed is an Irish Citizen. IN WITNESS whereof the Parties aforesaid have hereunto set their hands and affixed their seals the day and year first herein written.

SIGNED, SEALED AND DELIVERED  
by the said ~~ARTHER~~ ~~ARTHER~~

*Arthur Armstrong*

in the presence of:

*Eileen Power*  
*18 Bachelors Walk*  
*Dublin - Lyfshill.*

*Joseph P. Burke*  
*Solicitor Assessor*  
*18 Bachelors Walk*  
*Dublin*

SIGNED, SEALED AND DELIVERED

by the said ~~BRIAN~~ ~~TAYLOR~~.

*Brian Taylor*

in the presence of:-

*Neil Feit*  
*Solicitor*  
*3 Palace St*  
*Dublin*

dated the 29<sup>th</sup> day of August 1951

800

ARTHUR ARMSTRONG,

-to-

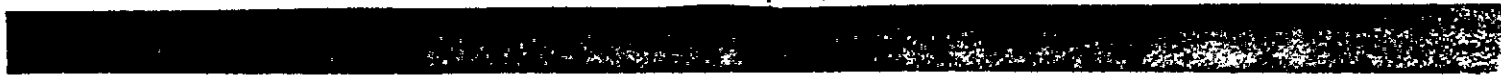
BRIAN TRACY.

CLÁRLANN NA "DINTIÚRÍ"
(REGISTRY OF DEEDS)
B 11 No. 134
- / MAR 1951
BAILI A FIA CLIAITH.
(DUBLIN) 15

C O N V E Y A N C E .

REID & REID,  
Solicitors,  
3, Palace St.,  
Dublin.

2K 9005
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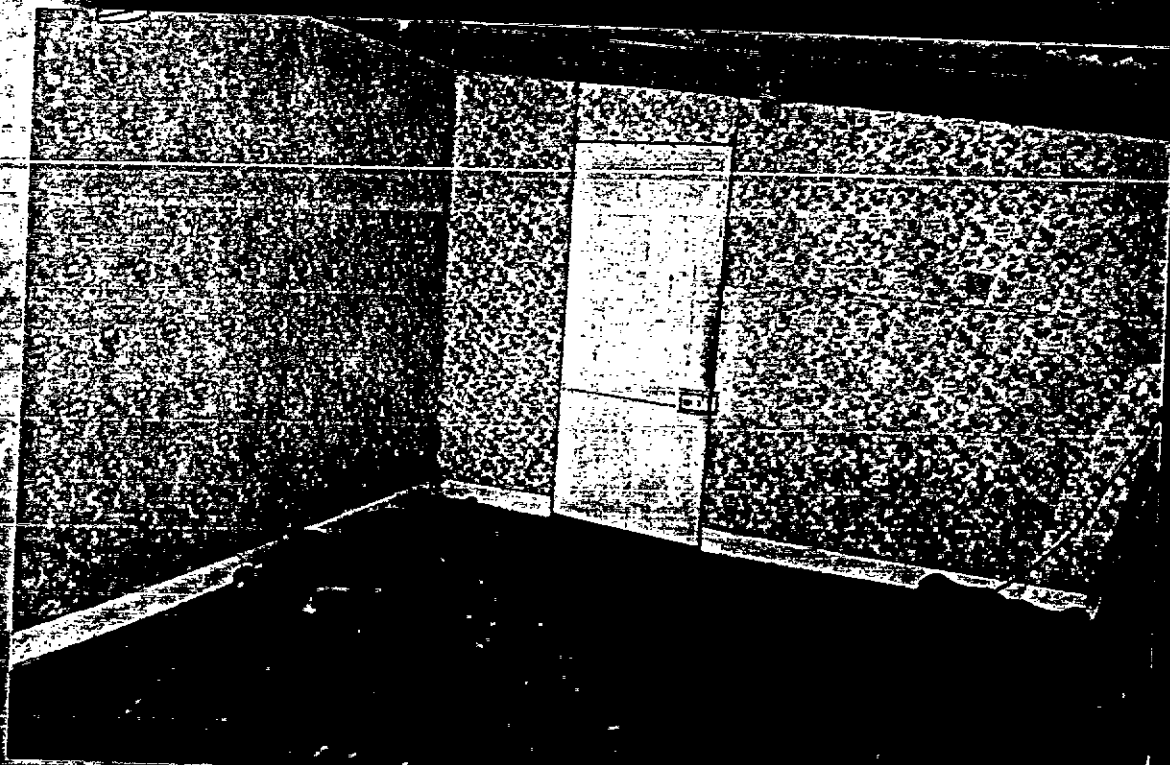








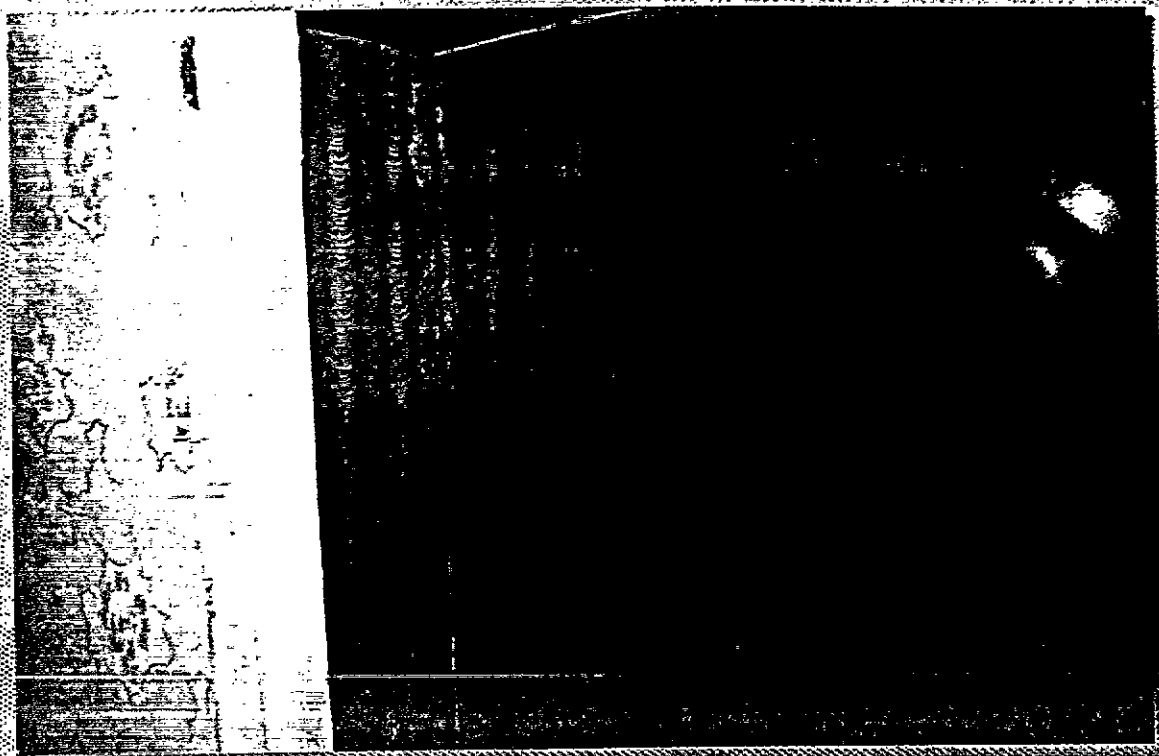
















COMHAIRLE CHONTAE ATHA CLIATH

Tel.: 724755  
Ext. 268/269

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

Your Ref.: PL6/5/87017

29.10.91

Our Ref.: 91A-681

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: OUTLINE PERMISSION FOR REPLACEMENT  
dwelling at Crockanadheenagh,  
Rathcoole, Co. Dublin.

Applicant: G. Brennan Jnr.

Dear Sir,

With reference to your letter dated 14.10.91 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. IRISH PRESS 27.04.91.
- (4) The plan(s) received from the applicant on 29.04.91.
- (6) & (7) A certified copy of Manager's Order P/4313/91,  
DATED, 10.09.91 together with technical reports in connection with the application.
- (8) HISTORY FILES; 91A-161 included.  
90A-129 see PL 6/5/82354

Yours faithfully,

M. Murtagh.

for Principal Officer.  
Encls.



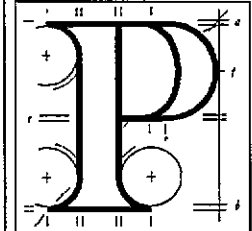
Our Ref: PL 6/5/87017  
Your Ref: 91A/681



17/10

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: 14th October 1991.

**Planning authority decision re:** Replacement dwelling  
at Crockaunadreenagh, 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.

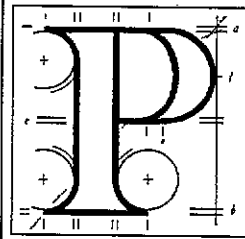
Yours faithfully,

*Suzanne Lacey*  
Suzanne Lacey

Encl.

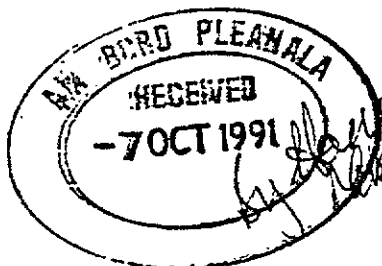
BP 005

An Bord Pleanála



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

MOUNT HALL,  
NEWTOWN UPPER,



*[Handwritten signature]*

AN BORD PLEANALA
Co. DUBLIN
7/10/91
£50.00 CASH
B 25143
RATHCOOLE, Co. DUBLIN

Ref 91A/0681

HOUSE AT CLOCKANABRANNON  
RATHCOOLE, Co. DUBLIN

I wish to appeal against the decision of Dublin County Council to refuse me Planning Permission for a replacement dwelling at the above site.

I will be providing more detailed reasons as to why I feel I should have been granted Planning Permission.

I enclose fee of £50.00

Yours faithfully  
J. Brennan

# 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~~: ~~PERMISSION~~

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

To..... Architectural Associates, ..... Register Reference No. .... 91A/0681  
..... 74 Grove Park Ave., ..... Planning Control No. ....  
..... Dublin 11. .... Application Received ..... 29.04.1991  
..... Additional Information Received ..... 12.07.1991  
Applicant ..... G. Brennan Jnr. ....

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/ ..... 4313/91 ..... dated ..... 10.09.1991 decided to refuse:

OUTLINE PERMISSION ~~PERMISSION~~ ~~PERMISSION~~

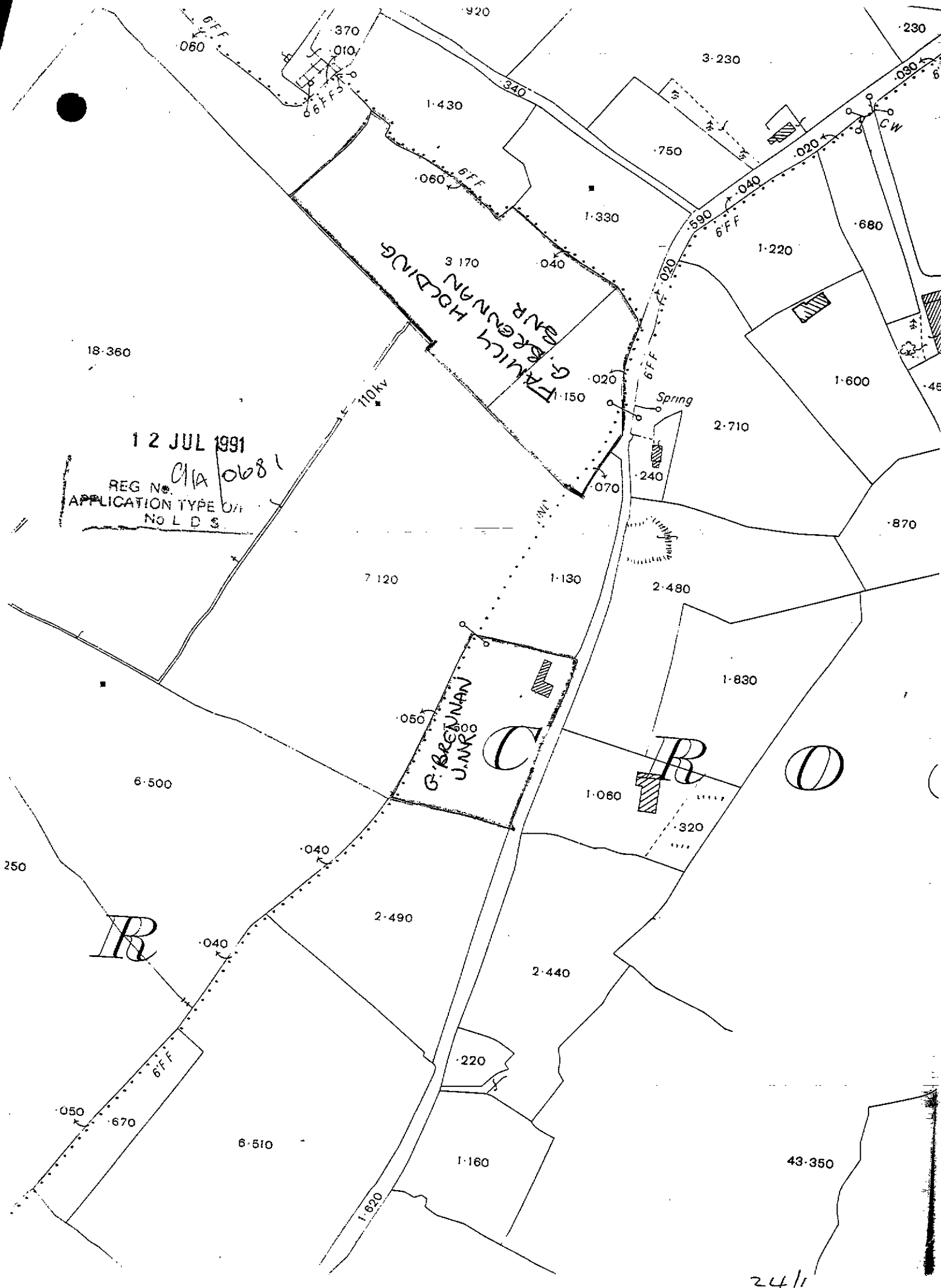
For..... replacement dwelling at Crockaunadrennagh, Rathcoole.  
.....  
for the following reasons:

1. The site of the proposed development is located in an area zoned "to protect and improve high amenity areas" in the Development Plan. It is the policy of the County Council as set out in Paragraph 2.26.4 of the Development Plan that development not related directly to the Areas' amenity potential or its use for agriculture, mountain or hill farming shall be prohibited. The applicant has not satisfactorily demonstrated that he is engaged directly in these activities, and it is considered that the proposed development would materially contravene this objective and not be in accordance with the proper planning and development of the area.
2. The proposed development would endanger public safety by reason of traffic hazard and constitutes undesirable ribbon development in an area served by a substandard road network which will lead to a demand for the uneconomic provision of resources and would set an undesirable precedent for further similar developments in the area and as such would not be in accordance with the proper planning and development of the area.
3. The development would contravene materially a development objective indicated in the Development Plan 1983 for the use primarily of the land "to protect and improve high amenity areas".

Signed on behalf of the Dublin County Council .....  
for PRINCIPAL OFFICER .....  
Date ..... 10th September, 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.



1 2 JUL 1991

CIA 0681

REG No. APPLICATION TYPE U/L NO L D S

TANICH HOLDINGS  
G. BRENNAN

G. BRENNAN  
U.M.R.

C

R

O

R

24/11

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/0681

Date : 15th July 1991

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

---

Dear Sir/Madam,

DEVELOPMENT : replacement dwelling  
LOCATION : Crockaunadreenagh, Rathcoole  
APPLICANT : G. Brennan Jnr.  
APP. TYPE : Additional Information

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

Yours faithfully,

.....  
for PRINCIPAL OFFICER

Architectural Associates,  
74 Grove Park Avenue,  
Dublin 11

# Architectural Associates

Architects  
Planning Consultants

74 Grove Park Ave;  
Dublin 11.

Our Ref;

TELEPHONE 347074

Your Ref;

July 10th, 1991.

12/7/91

91A/0681

2.8.0

A.1.

Geraldine Boothman,  
Planning Officer.

Following your conversation with Mr G. Brennan Snr. of the 10th. July '91. We now submit in quadruplicate the additional information requested.

(1) Mr Brennan Jnr. wishes to build this house in order to be near his mother, who in the past has been seriously ill.

As this illness is likely to recur in the future, it is most commendable of a son to wish to be near his mother at a time when she needs him. We would consider this as a genuine need for housing in the area.

(2) A drawing is attached showing the relationship between a single storey and a dormer dwelling. As can be seen the difference in ridge levels is 1.7 mts. and dormer window development can be omitted from the front elevation and confined to the rear elevation, alternatively "velux" roof windows can apply to rear elevation in lieu of dormer windows. As this site falls away from the roadway to the South-West, and as the house at present is sited in its best position i.e. The ridge line is less obtrusive to the sky line and other surrounding dwellings in its present position. As far as reducing the dwelling to single storey and moving it nearer

to the existing bungalow, the objective would be lost in moving it nearer to the roadway, as the gradient of the site would elevate the ridge line to its present position. We therefore submit that there is no planning gain in your request and we respectfully ask for the dwelling to be considered in its present position and amended form.

P.S. 90% of the dwellings in the area are Dormer Bungalows.

Yours Sincerely.



T. A. Melody.

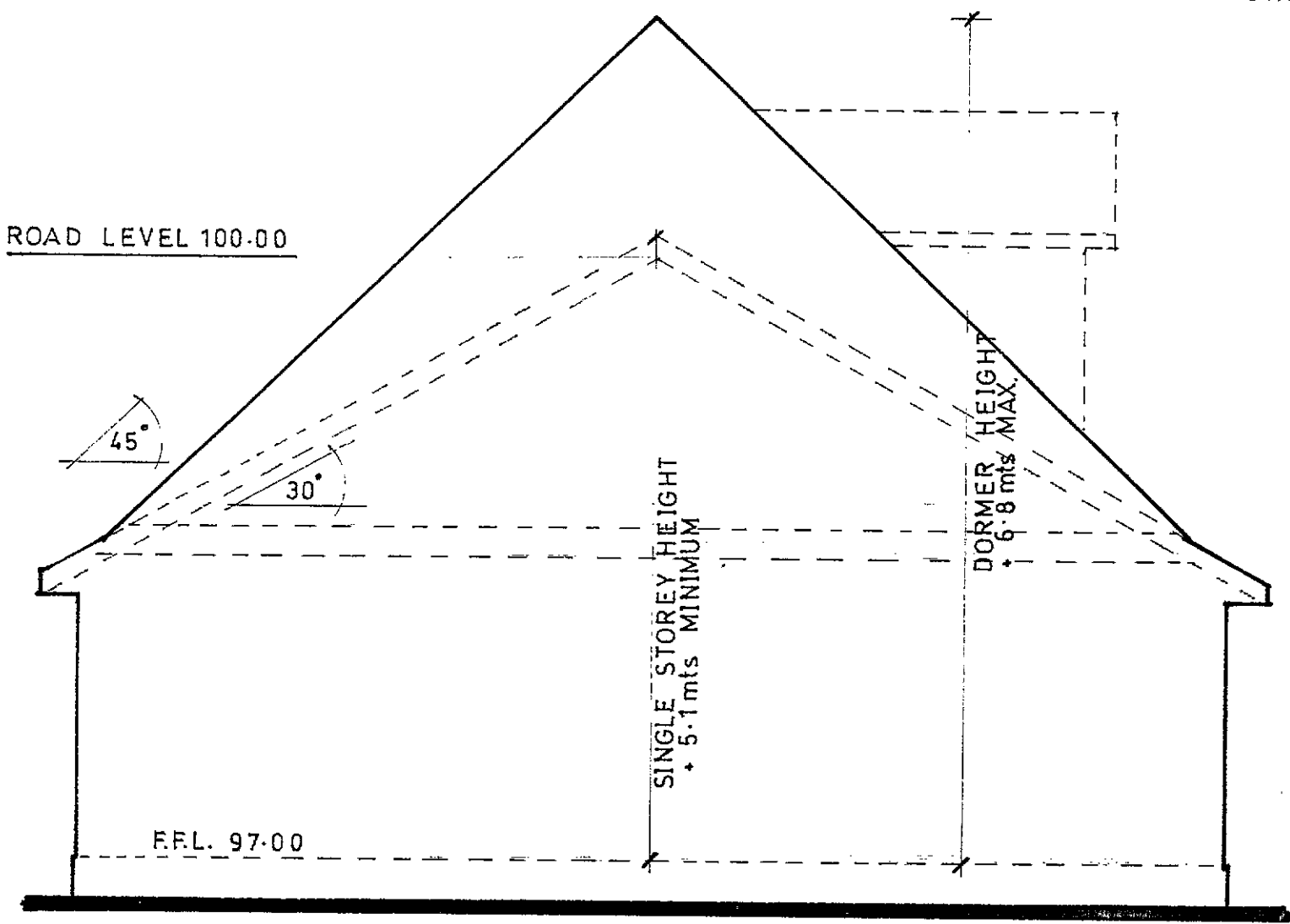


Additional Information

Reg. Ref. No. 91A/0681

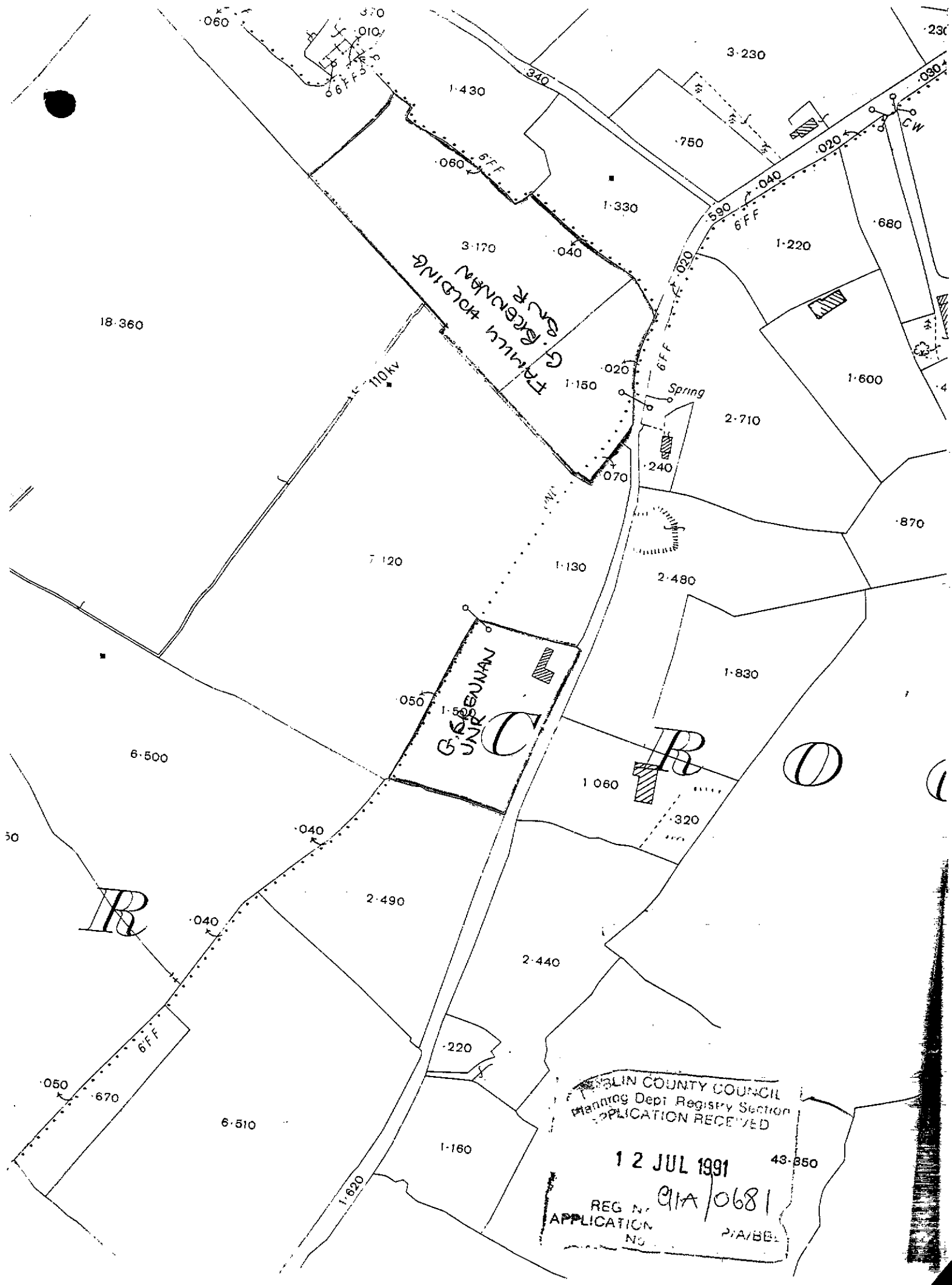
G. Brennan Jnr.  
Crockaunadreenagh  
Rathcoole.

DORMER WINDOWS TO REAR OF  
DEVELOPMENT ONLY  
ALTERNATIVELY "VELUX" ROOF WINDOWS



DUBLIN COUNTY COUNCIL  
Planning Dept Registry Section  
APPLICATION RECEIVED  
12 JUL 1991  
91A/0681  
RE APPLICATION

Scale 1:50



G. BERGMAN  
FRANK HOLDING

G. SEBUNAN  
UNR

C

R

O

R

DUBLIN COUNTY COUNCIL  
 Planning Dept Registry Section  
 APPLICATION RECEIVED  
 12 JUL 1991  
 REG. N. 91A/0681  
 APPLICATION NO. P/A/BE



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

Decision Order Number : P/ 2770 /91      Date of Decision : 25th June 1991  
Register Reference : 91A/0681              Date Received : 29th April 1991  
Applicant : G. Brennan Jnr.  
Development : replacement dwelling  
Location : Crockaunadreenagh, Rathcoole

Dear Sir/Madam,

With reference to your planning application, received here on 29.04.91 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:-

- 01 The applicant is requested to demonstrate if he has a reason which complies with paragraph 2.26.4 of the County Development Plan for requiring a house in an area which is zoned "to protect and improve high amenity areas". Paragraph 2.26.4 refers to applicants who are natives of the area who have shown a genuine need for housing in the area by involvement in agriculture, mountain or hill farming. Applicant to indicate the extent of his and his family's land ownership in the area.
- 02 Applicant to indicate if he is prepared to reduce the proposed bungalow to single storey and to relocate it as close as possible to the location of the existing bungalow. If so, the applicant should submit revised plans detailing this.

Please mark your reply "ADDITIONAL INFORMATION" and quote the Reg. Ref. No. given above.

Yours faithfully,

.....*Rose Fleming*.....

PRINCIPAL OFFICER

Date : 27/6/91

Architectural Associates,  
74 Grove Park Avenue,  
Dublin 11

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/0681

Date : 30th April 1991

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

Dear Sir/Madam,

DEVELOPMENT : replacement dwelling  
LOCATION : Crockaunadreenagh, Rathcoole  
APPLICANT : G. Brennan Jnr.  
APP. TYPE : OUTLINE PERMISSION

With reference to above, I acknowledge receipt of your application received on 29th April 1991.

Yours faithfully,

.....  
PRINCIPAL OFFICER

Architectural Associates,  
74 Grove Park Avenue,  
Dublin 11



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 Crockaunadreenagh, Rathcoole, Co. Dublin  
(If none, give description sufficient to identify)

3. Name of applicant (Principal not Agent) Gerald Brennan Junior  
Address C70 Mr. G. Brennan, Crockaunadreenagh, Rathcoole Tel. No.

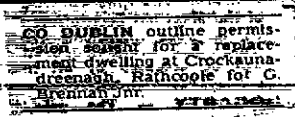
4. Name and address of Architectural Associates, 74, Grove Park, Ave. Dublin 11  
person or firm responsible for preparation of drawings Tel. No.

5. Name and address to which As 4 above  
notifications should be sent

6. Brief description of proposed development Dormer bungalow as replacement dwelling

7. Method of drainage Septic tank 8. Source of Water Supply Bored well

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 N/A



*Irish* 10 Does the proposal involve demolition, partial demolition or change of use of any habitable house or part thereof? No

*hen 27/4/91* 11. (a) Area of Site 0.75 acres Sq. m. 424 *29/4*  
(b) Floor area of proposed development 233 sq. mts Sq. m.  
(c) Floor area of buildings proposed to be retained within site N/A Sq. m. *35397*

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

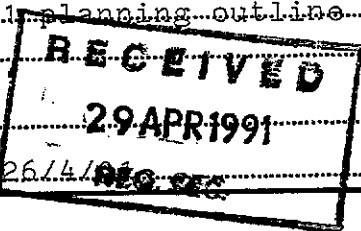
13. Are you now applying also for an approval under the Building Bye Laws?  
Yes  No  Place in appropriate box.

14. Please state the extent to which the Draft Building Regulations have been taken in account in your proposal:  
N/A (outline application)

15. List of documents enclosed with 4 copies Site layout, Site location map, advertisement application.  
in Irish Press 27/4/91

16. Gross floor space of proposed development (See back) 233 sq. mts Sq. m.

No of dwellings proposed (if any) One Class(es) of Development Class 1 planning outline  
Fee Payable £ 24.00 Basis of Calculation 1 X £24.00  
If a reduced fee is tendered details of previous relevant payment should be given



Signature of Applicant (or his Agent) [Signature] Date 26/4/91

Application Type OUTLINE FOR OFFICE USE ONLY  
Register Reference 91A/0681  
Amount Received £  
Receipt No 24-1  
Date

*4-4.0 photos 29/4*

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

Outline of requirements for applications for permission or Approval under the Local Government (Planning & Development) Regulations 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.

RECEIPT CODE

# MHAIRLE CHONTAE ÁTHA CLIAITH

DUBLIN COUNTY COUNCIL

46/49 UPPER O'CONNELL STREET

DUBLIN 1.

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

N 35397

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

£ 24.00

29th day of April 1991

Received this

from Gerald Brennan jr  
Cockanadreenagh, Rathroole

the sum of Twenty four Pounds

Pence, being 100

planning application at Cockanadreenagh, Rathroole

Michael O'Han

Cashier

**S. CAREY**  
Principal Officer

Class 1  
House

STATUTORY DECLARATION OF USE

RECEIVED

29 APR 1991

Reg. Sec.

I, Brian Traynor of 2, Fontenoy Street, Dublin, aged twenty-one years and upwards do solemnly and sincerely declare as follows:-

1. By virtue of a Deed of Conveyance dated 29th day of January, 1951 and made between Arthur Armstrong of the one part and myself of the other part I acquired the property therein described as one acre two roods twenty five perches in the townland of Crockanadreenagh, Rathcoole, Co. Dublin.
2. I say that within approximately two years of acquiring the said property I constructed the dwellinghouse that presently exists on the said property and the construction of the said dwellinghouse was entirely completed in all respects well prior to 1st October, 1964.
3. I make this solemn Declaration conscientiously believing the same to be true and for the benefit of Mark Brennan by virtue of the Statutory Declarations Act, 1938.

*Brian Traynor*

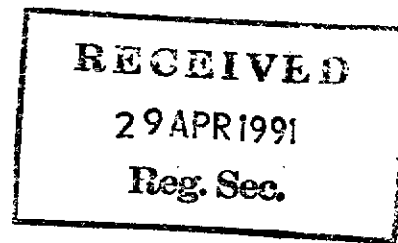
DECLARED by the said Brian Traynor at 169, Drimnagh Road, in the County of City of Dublin this 19th day of November 1989 before me, a Commissioner for Oaths and I know the Declarants.

*[Signature]*

COMMISSIONER FOR OATHS



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



Site at Crockaunadreenagh,  
Rathcoole, Co. Dublin.

Dear Sir,

I purchased the above site and house in early 1990 and obtained a mortgage on the abovehouse from the First National Building Society ' see attached letter ). When I purchased the house it was in a habitable condition and it was my inteneion to upgrade the dwelling in the following twelve months. The severe weather conditions of 1990/91 put paid to my plans as the house was severly damaged by the adverse weather conditions. At this stage it was not a viable proposition to upgrade the dwelling in its present condition.

My alternative was to seek Planning Permission for a replacement dwelling on the site, which was refused by Dublin County Council. My liason with the Planning Dept. indicated that I did not put forward my case strongly enough i.e. that a habitable dwelling existed on site, and that in fact I have a morgage on same. The Gentleman from whom I purchased the house had resided in this house for the preceeding 35 years. ( Please see sworn affadavit attached )

I am now relodging my application and I am presenting the County Council with a history and perspective of the house and site which should facilitate the County Council in making a favourable decision to my application.

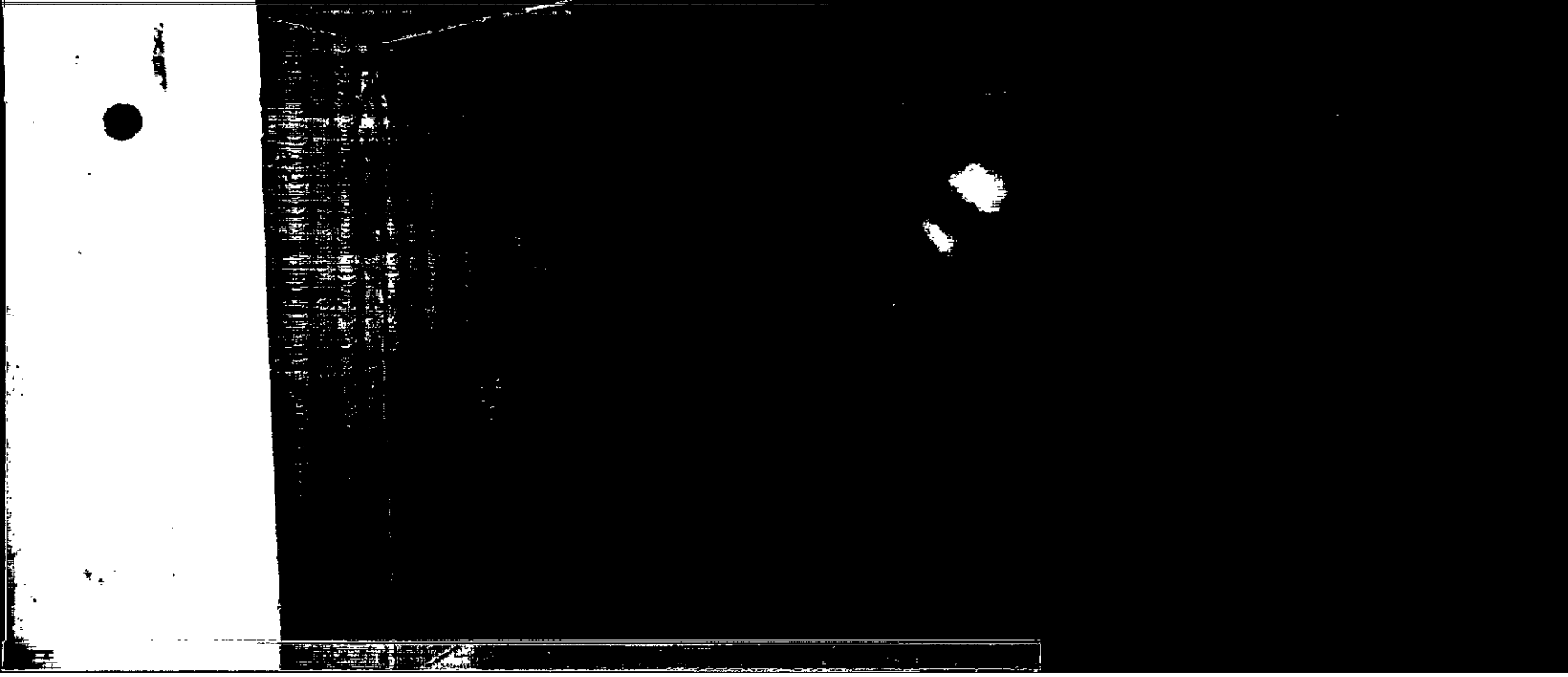
Yours Sincerely.

G. Brennan Jnr.















RECEIVED

29 APR 1991

Reg. Sec



51 ● C



# This Indenture

WYING, LAW PRINTER, DUBLIN

made the 29<sup>th</sup>

day of January one thousand nine hundred and fifty one BETWEEN ARTHUR ARMSTRONG of Redgap; Rathcoole, in the County of Dublin, (hereinafter called the Vendor) of the one part AND BRIAN MCYINOR of 88, Darrow Road, Crumlin, in the City of Dublin, (hereinafter called the Purchaser) of the other part WITNESSETH that in consideration of £50. 0. 0. paid to the Vendor by the Purchaser (the receipt of which sum the Vendor hereby acknowledges) the Vendor who is seized in unincumbered fee simple in possession of the hereditaments hereby assured hereby as beneficial owner conveys unto the Purchaser ALL THAT AND THOSE that piece or parcel of land containing one acre two roods twenty five perches in the Townland of Crockanadreenagh situate in the Barony of Newcastle, Electoral District of Rathcoole and County of Dublin TO HOLD the same unto and to the use of the Purchaser his heirs and assigns forever AND IT IS HEREBY CERTIFIED that the transaction hereby effected does not form part of a larger transaction or of a series of transactions in respect of which the amount or value or the aggregate amount or value of the consideration exceeds five hundred Pounds AND IT IS HEREBY FURTHER CERTIFIED by the purchaser that he

Registered in the Registry of Deeds, Dublin, at  
 44 minutes after 1 o'clock on the 7<sup>th</sup> day of  
 March 1951 Book/No 134  
 Grant Macdonald. C.R.

805  
 [Signature]

the Purchaser, being the person who becomes entitled to the entire Beneficial interest in the property hereby conveyed is an Irish Citizen. IN WITNESS whereof the Parties aforesaid have hereunto set their hands and affixed their Seals the day and year first herein written.

SIGNED, SEALED AND DELIVERED

*Arthur Armstrong*

by the said ARTHUR ARMSTRONG

in the presence of:

*Eileen Power*

*18 Bachelors Walk*

*Dublin - Typist.*

*Joseph P. Burke*

*Solicitor Assistant*

*18 Bachelors Walk*

*Dublin*

SIGNED, SEALED AND DELIVERED

*Brian Traynor*

by the said BRIAN TRAYNOR.

in the presence of:-

*Neil Feib*

*Solicitor*

*3 Palace St*

*Dublin*



Dated the 29<sup>th</sup> day of *January* 1951

800

ARTHUR ARMSTRONG,

-to-

BREAN TRAYNOR.

CLÁRLANN NA "DINTIÚÍ" (REGISTRY OF DEEDS)
B 11 No. 124
- / MAR 1951
BAILE ATHA CLIATH. (DUBLIN) 151

C O N V E Y A N C E .

REID & REID,  
Solicitors,  
3, Palace St.,  
Dublin.

REGISTRY OF DEEDS
2K 9005
1951

*11/1*