



Bosca 174,
P. O. Box 174,
Blóc 2, Ionad Sheathu na h-Eireann,
Blóc 2, Irish Life Centre,
Sraid na Mainistreach Iocht,
Lower Abbey Street,
Baile Atha Cliath,
Dublin 1.
Telephone: (01) 724755
Fax: (01) 724896

Mary Moreton,
74 Frankfort Avenue,
Rathgar,
Dublin 6.

Our Ref. **RF/LF**

Your Ref.

Date **28th June 1991**

REG.REF. 91A/0700

RE: Development at Killakee

Dear Sir,

I refer to your letter received in this Department on 25th June 1991 regarding the above and wish to inform you that a Decision to GRANT Permission was made on this application on 26th June 1991. An Appeal against this Decision may be made within 21 days beginning on the date of the Decision. An Appeal should be in writing and should state the subject matter and grounds of the appeal. It should be addressed to An Bord Pleanála, Block 6 & 7, Irish Life Centre, Lower Abbey Street, Dublin 1. An Appeal must be accompanied by a fee of £50.00.

Yours faithfully

for PRINCIPAL OFFICER

91A/0700

473

pa

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

25 JUN 91

2/6/91

OBJECT

Ref: Planning application 91A/0700 at Cruagh Road,
Killakee.

Dear Sir /Madam,

We, the undersigned, wish to object to this application,
which if granted, would contravene the Dublin Development
Plan, and spoil the scenic value of this high amenity
area.

NAME

ADDRESS

- | | |
|-------------------|---|
| Mae Moeton | 14 Frankfort Ave, Rathgar, D. 6. |
| Mervyn Wall | 16 Castlepark Road, Sandycove |
| Fanny Wall | 16 Castlepark Rd, ^{Dun Laoghaire} Sandycove. |
| Ruth Brennan | Rohan Cottage, Killarney Rd. Bray. |
| Anleen Wall | 8 Ripley Court, Killarney Rd
Bady. |
| Jennifer Reynolds | 40 Merrion Ave, Blackrock,
Co. Dublin |
| Mary West | Baily, Co Dublin |
| Delia Buckley | Maynooth. |
| Mary Geraghty | Killiney |
| John Heron | Juelyst |
| Mare Connor | 42 Mc Intosh Park DUN LAOGHA |
| Salma Dorman | 42 Mc Intosh Park DUN LAOGHA |
| Mary Ann | 19 Craigford Ave, Artane, D5. |
| Evelyn Waver | 38 SALLYROGHER PARK |
| Brenda Corboy | 7 Riverside Walk
Clonsilla |
| Colette Reilly | Blackrock. D.T.O |

Lee Family Sandyford,

The Fawcely Family

Don Macgovern

Mary O'Neil

Donnelagh



Bosca 174,
P. O. Box 174,
Bloc 2, Ionad Bheatha na h-Eireann,
Block 2, Irish Life Centre,
Sraid na Mainistreach Iach,
Lower Abbey Street,
Baile Atha Cliath,
Dublin 1.
Telephone: (01) 724755
Fax: (01) 724896

Rory O'Donovan,
23 The Close,
Woodpark,
Ballinteer,
Dublin 16.

Our Ref. **RE/LD**

Your Ref.

Date **28th June 1991**

REG.REF. 91A/0700

RE: Development at Killakee

Dear Sir,

I refer to your letter received in this Department on 27th June 1991 regarding the above and wish to inform you that a Decision to GRANT Permission was made on this application on 26th June 1991. An Appeal against this Decision may be made within 21 days beginning on the date of the Decision. An Appeal should be in writing and should state the subject matter and grounds of the appeal. It should be addressed to An Bord Pleanála, Block 6 & 7, Irish Life Centre, Lower Abbey Street, Dublin 1. An Appeal must be accompanied by a fee of £50.00.

Yours faithfully

for PRINCIPAL OFFICER

91A/0700
(470)

27/6

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

2/6/91

Ref: Planning application 91A/0700 at Cruagh Road,
Killakee.

Dear Sir /Madam,

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which if granted, would contravene the Dublin Development
Plan, and spoil the scenic value of this high amenity
area.

NAME

ADDRESS

- | | |
|--------------------|--|
| Rory O'Donovan | 23 The Close, Woodpark, Ballinacree, Dublin 16 |
| Dymphna O'Donovan | 23 The Close, Woodpark, Ballinacree D.16 |
| Sadie D. O'Donovan | 4 The Palms-Rostock, Conesha. |
| Geraldine Clarke | 37 Grange wd, Rathfaeham D.16. |
| Fiona Gallagher | Killakee, Rathfaeham Dublin 16. |

COMHAIRLE CHONTAE ATHA CLIATH

Register Reference No.: 91A/0700

Letter No.:

Planning Department,
Block 2, Irish Life Centre,
Lower Abbey St.,
Dublin 1.

Tel: (01) 724755

Fax: (01) 724896

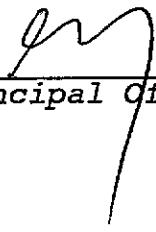
Occupiers,
52 McIntosh Park,
Dun Laoghaire,
Co. Dublin.

Re: Proposed change of house type from previously granted permission for house at Cruagh Townland, Rathfarnham for B. McGuinness.

Dear Sir/Madam,

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Yours faithfully,



for Principal Officer.

COMHAIRLE CHONTAE ATHA CLIATH

Register Reference No.: 91A/0700

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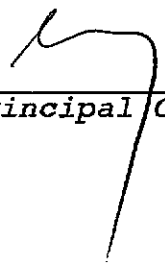
Occupiers,
16 Castlepark Road,
Sandycove,
Dun Laoghaire,
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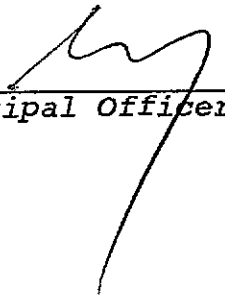
Jennifer Reynolds,
40 Merrion Avenue,
Blackrock,
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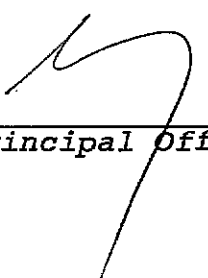
Mary Moreton,
74 Frankfort Avenue,
Rathgar,
Dublin 6.

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Yours faithfully,



for Principal Officer.

COMHAIRLE CHONTAE ATHA CLIATH

Register Reference No.: 91A/0700

Letter No.: Michael Beagon,

Planning Department,
Block 2, Irish Life Centre,
Lower Abbey St.,
Dublin 1.

Tel: (01) 724755
Fax: (01) 724896


An Taisce,
86 Beaufort Downs,
Dublin 14.

Re: Proposed change of house type from previously granted permission for house at Cruagh Townland, Rathfarnham for B. McGuinness.

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COMHAIRLE CHONTAE ATHA CLIATH

Register Reference No.: 91A/0700

Planning Department,
Block 2, Irish Life Centre,
Lower Abbey St.,
Dublin 1.

Letter No.:

Occupiers,
52 McIntosh Park,
Dunlaoghaire,
Co. Dublin.

Tel.: (01) 724755
Fax.: (01) 724896

1 July 1991

RE: Proposed change of house type from previously granted permission for house at Cruagh Townland, Rathfarnham for B. McGuinness.

Date of decision to grant permission 26th June, 1991 subject to 9 conditions.

Dear Sir/Madam,

With reference to your representations/objections, I wish to inform you that a decision has been made on the above planning application. This decision has been entered in the Planning Register, Irish Life Centre, Lower Abbey Street, Dublin 1, during office hours (9 a.m. to 12.30 p.m. and 2.15 p.m. to 4.30 p.m.) A certified copy of the entry in the register may be purchased on payment of £5.00.

Yours faithfully,

L. D.
for Principal Officer.

NOTE: An appeal against this decision by an aggrieved person must be made within the period of twenty one days beginning on the date of the decision to grant permission, indicated above. The appeal shall be in writing and shall state the subject matter of the appeal and the grounds of appeal and shall be addressed to An Bord Pleanala, Floor 3, Blocks 6 and 7, Irish Life Centre, Lower Abbey Street, Dublin 1.

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4. Interested parties are advised to consult the Planning Authority or An Bord Pleanala to ascertain if an appeal has been lodged by an applicant.

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Planning Department,
Block 2, Irish Life Centre,
Lower Abbey St.,
Dublin 1.

Letter No.:

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16 Castlepark Road,
Sandycove,
Dun Laoghaire,
Co. Dublin.

Tel.: (01) 724755
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Register Reference No.: 91A/0700

Planning Department,
Block 2, Irish Life Centre,
Lower Abbey St.,
Dublin 1.

Letter No.:

Jennifer Reynolds,
40 Merrion Avenue,
Blackrock,
Co. Dublin.

Tel.: (01) 724755
Fax.: (01) 724896

1 July 1991

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L. J.
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Block 2, Irish Life Centre,
Lower Abbey St.,
Dublin 1.

Letter No.:

Mary Moreton,
74 Frankfort Avenue,
Rathgar,
Dublin 6.

Tel.: (01) 724755
Fax.: (01) 724896

1 July 1991

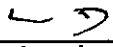
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COMHAIRLE CHONTAE ATHA CLIATH

Register Reference No.: 91A/0700

Letter No.: 411

Planning Department,
Block 2, Irish Life Centre,
Lower Abbey St.,
Dublin 1.

Michael Beagon,
An Taisce,
86 Beaufort Downs,
Dublin 14.

Tel.: (01) 724755
Fax.: (01) 724896

1 July 1991

RE: Proposed change of house type from previously granted permission for house at Cruagh Townland, Rathfarnham for B. McGuinness.

Date of decision to grant permission 26th June, 1991 subject to 9 conditions.

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COMHAIRLE CHONTAE ATHA CLIATH

Register Reference No.: 91A/0700

Planning Department,
Block 2, Irish Life Centre,
Lower Abbey St.,
Dublin 1.

Letter No.: 379

Occupier,
Forest Lodge,
Cruagh Road,
Killakee,
Dublin 16.

Tel.: (01) 724755
Fax.: (01) 724896

1 July 1991

RE: Proposed change of house type from previously granted permission for house at Cruagh Townland, Rathfarnham for B. McGuinness.

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

monahan

25 11/11/91

2/6/91

OBJE

Ref: Planning application 91A/0700 at Cruagh Road,
Killakee.

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which if granted, would contravene the Dublin Development
Plan, and spoil the scenic value of this high amenity
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NAME

ADDRESS

- | | |
|--------------------------|--|
| <i>Maey Noeton</i> | <i>74 Frankfort Ave, Rathgar, D. 6.</i> |
| <i>Mervyn Wall</i> | <i>16 Castlepark Road, Sandycove</i> |
| <i>Fanny Wall</i> | <i>16 Castlepark Rd, Sandycove. ^{Dun Laoghaire}</i> |
| <i>Ruth Brennan</i> | <i>Rahan Cottage, Killarney Rd Bray</i> |
| <i>Anleen Wall</i> | <i>8 Ripley Court, Killarney Rd ^{Bray}</i> |
| <i>Jennifer Reynolds</i> | <i>40 Merrion Ave. Blackrock, ^{Co. Dublin}</i> |
| <i>Mary West</i> | <i>Baily, Co Dublin</i> |
| <i>Delia Buckley</i> | <i>Maynooth.</i> |
| <i>Mary Genaghty</i> | <i>Killiney</i> |
| <i>John Han</i> | <i>Dunestry</i> |
| <i>Maura Connor</i> | <i>42 Mc Intosh Park Wex. LAOIS</i> |
| <i>Eileen Connor</i> | <i>42 Mc Intosh Park Wex. LAOIS</i> |
| <i>Mary Han</i> | <i>19 Craigindave, Artane, D5.</i> |
| <i>Eileen Han</i> | <i>38 Sully Road</i> |
| <i>Sandra Conboy</i> | <i>7 Riverside Walk</i> |
| <i>Collette Kelly</i> | <i>Clonsillaugh - ^{E.T.O}</i> |
| | <i>Blackrock</i> |



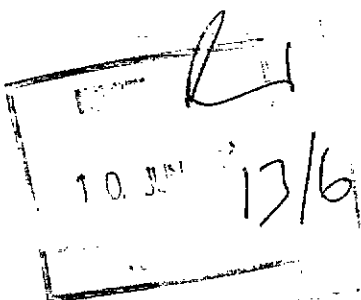
91A/0700

4911

An Taisce

The National Trust for Ireland

86 Beaufort Downs
Dublin 14
10/06/1991



OBJECT

Your Ref: 91A/0700

Re: Proposed house at Cruagh for B. McGuinness.

Dear Sirs,

On behalf of An Taisce, I wish to object to the above proposal for the following reasons:-

1. the site of the proposed development is located in a high amenity area where only houses for those needing to live there are granted planning permission. The applicant has not shown why he needs to live in Cruagh.
2. the proposed development would interfere with a view listed in the 1983 Development Plan.
3. the County Council (Ref 904-1880) refused a broadly similar application on the grounds of amenity and design/size of the house.
4. the applicant has been offered a site in an alternative location which would not be as obtrusive as the current one. He is to be commended in his approach to this applicant/proposed development. The refusal of the applicant to accept this alternative shows how unreasonable he is.

An Taisce urge you to refuse permission for this proposal.

Yours faithfully

Michael Beagon.

91A/0700

379

c/o Forest Lodge
Cruagh Road
Killakee
Dublin 16

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

Re

6/6

30/5/91

OBJEC

Re: Planning application, 91A/0700, change of house type at Cruagh Road, Killakee.

Dear Sir/Madam,

The above planning application differs from the previous application, ref. 90A/1880, submitted in November 1990, in one respect only, i.e. it is proposed to lower the house by one metre, by excavating the ground.

We enclose a copy of the objection we submitted in connection with application 90A/1880, and we wish to object to application 91A/0700.

Application 90A/1880 was refused by Dublin County Council (Order P 5716, 20/12/90) for the following stated reason:

"Having regard to the location of the site within an area of high amenity and the greater bulk and significantly higher ridge line of the proposal when compared with that permitted under Reg. Ref. 87A/835, it is considered that the proposed development would constitute an excessively obtrusive feature in this open and exposed landscape and would seriously injure the visual amenities of the area, having regard to the necessity of preserving a view of special amenity value. It is considered that a dormer bungalow is inappropriate for this site."

We submit that the proposed reduction in the height of the house, compared to that in 90A/1880, would not significantly alter its impact on the landscape, in view of the large bulk of the house and the dormer windows. As Dublin County Council has stated, a dormer bungalow is inappropriate for this site.

16 MAY 91

We understand that the applicant has stated that if he cannot obtain approval for this type of large house, he intends to proceed with the building of the smaller house (87A/835), and then enlarge it with extensions. He apparently argues that this would lead to a less desirable outcome, and that approval for the large dormer type house is therefore preferable. However, any non-exempted developments on this site would come under scrutiny from this group, and the applicant could not assume that such proposed developments would be approved by the planning authorities. We submit, therefore, that this alternative scenario should not be considered as a significant factor in application 91A/0700.

It has come to our attention that, in order to preserve this important site, Dublin County Council, in the past, offered the applicant an alternative site in Rathmichael. We wish to express our appreciation for this very progressive attempt to resolve the situation, which, we understand, the applicant did not find acceptable. We suggest that this approach should be pursued further, with a view to finding an alternative site in the area, acceptable to both the planning authorities and the applicant.

As regards application 91A/0700, we urge Dublin County Council to refuse this application.

Paul Cleary *Paul Cleary*
Drusilla Cleary *Drusilla Cleary*
Forest Lodge
Cruagh Road
Killakee
Dublin 16

David Gray *David Gray*
Germaine Gray *Germaine Gray*
Cruagh Cottage
Cruagh Road
Killakee
Dublin 16

David Stanley *David Stanley*
Valerie Stanley *Valerie Stanley*
Hawthorn Cottage
Killakee Road
Dublin 16

Henry Varian *Henry J. Varian*
Miriam Varian *Miriam Varian*
Cruagh Lodge
Cruagh Road
Killakee
Dublin 16

c/o Forest Lodge
Cruagh Road
Killakee
Dublin 16

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

21/11/90

Re: Planning application, 90A/1880, change of house type at Cruagh Road, Killakee.

Dear Sir/Madam,

We wish to object to this proposal on the following grounds.

1. The site is located in an area which is an unique combination of panorama and unspoilt foreground, and which has been traditionally enjoyed by Dubliners and Tourists alike, as an exceptional viewing point. It was highlighted as long ago as 1912 in Weston St. John Joyce's well known book "The Neighbourhood of Dublin", and was designated as an area of High Scenic Value by An Foras Forbartha in its "Inventory of Outstanding Landscapes in Ireland". It is also listed as an Area of High Amenity in the County Dublin Development Plan.
2. Dublin County Council, in accordance with its declared policy of restricting development in Areas of High Amenity, has consistently refused applications for outline planning at this site. In fact the outline planning for the site was obtained by a resident of Athlone under the now defunct procedure of appeal to the Minister for Local Government. Since individuals and conservation organisations were unaware of this appeal, the importance of the site was not brought to the attention of the Minister, who was not from Dublin and was unfamiliar with the area. Dublin County Council, in accordance with its own policy, has a responsibility to minimise the impact of this unfortunate decision of the Minister in question.
3. Dublin County Council invested monies to reduce the height of the perimeter wall on Cruagh Road and widened the road at this spot to allow for cars and tour buses to stop for viewing purposes. Damaging the view by allowing a house visible from the road undermines the purpose of this investment, and this is a matter which perhaps should be brought to the attention of the County Councilors.
4. A very important feature of this location is the fact that the unspoilt foreground is an essential ingredient of the view. The proposed house would undoubtedly damage this special feature.
5. The increased size of the proposed house, the high roofline, and the dormer windows, render it completely unsuitable for this location.
6. The proposal is for a house of gross floor area of 186m², and nett floor area 168m². An Bord Pleanala has already upheld an appeal against a proposal for a house of 155m², compared with the existing Council permission for a house of 83m². (see An Bord Pleanala

decision PL 6/5/78980). In the schedule An Bord Pleanala stated:
"Having regard to the bulk and inappropriate design of the proposed dwelling, the location of the site within an area of High Amenity and the smaller scale of development permitted by the planning authority under planning register reference number:87A/835, it is considered that the proposed development would constitute an excessively obtrusive feature in this open and exposed landscape and would seriously injure the visual amenities of the area having regard to the necessity of preserving a view of special amenity value".

7. The location is very popular during the hours of darkness, due to the brilliant view of the city lights. At present there are no sources of light in the foreground. Even internal lighting from a house will spoil the night view, and undoubtedly there will be external lighting as well.

We urge Dublin County Council Planning Department, in order to comply with the County Development Plan and to preserve this unique location as an amenity for Dubliners and Tourists, to refuse this application.

Yours Faithfully,

Paul Cleary

David Gray

Drusilla Cleary

Germaine Gray

Forest Lodge
Cruagh Road
Killakee
Dublin 16

— Cruagh Cottage
Cruagh Road
Killakee
Dublin 16

David Stanley

Henry Varian

Valerie Stanley

Cruagh Lodge

Hawthorn Cottage
Killakee
Dublin 16

Cruagh Road
Killakee
Dublin 16

FILE DISCUSSED AT COUNCIL/COMMITTEE MEETING

FILE REF:

91A 700

MEETING	COMMENTS	NOTED IN DEV. CONTROL	NOTED BY
<p>BELGARD H+P <u>28TH MAY 1991</u></p> <p>==</p> <p>==</p>	<p>Clrs Omondle + Muldoon Ree Permission de Grant</p>		
	<p>Extraordinary circumstances Pcty Council couldnt have given applic a better site</p> <p>This application is one metre lower than last one</p>		

Mr. A. Hinchy,
Senior Executive Draughtsman/Technician

RE: Change of house type at Celegn Rathfarnham

REG. REF.: 91A/0700

RE: LOCAL GOVERNMENT (PLANNING AND DEVELOPMENT) (FEES AND AMENDMENT)
REGULATIONS, 1983 - ARTICLE 6.1

A reduced fee (i.e. $\frac{1}{2}$) has been paid in respect of the above application.
Please confirm this is the correct fee under Article 6.1 of the Local
Government (Planning and Development) (Fees and Amendment) Regulations, 1983.
File Reg. Ref.: 87A/835 on which a full fee was paid is attached.



Richard Whelan,
Staff Officer,
Registry Section.

Mr. R. Whelan,
Registry Section.

No alteration to site layout.
J.Y.
7/5/91.

A. Hinchy,
Senior Executive Draughtsman/Technician

LOCATION GOVERNMENT (PLANNING AND DEVELOPMENT) ACTS, 1963 TO 1982

ASSESSMENT OF FINANCIAL CONTRIBUTION

REG. REF.:

CONT. REG.:

SERVICES INVOLVED: WATER/FOUL SEWER/SURFACE WATER

AREA OF SITE:

FLOOR AREA OF PRESENT PROPOSAL:

MEASURED BY:

CHECKED BY:

METHOD OF ASSESSMENT:

TOTAL ASSESSMENT

MANAGER'S ORDERED NO: F/ / /
DATED

ENTERED IN CONTRIBUTIONS REGISTER:

DEVELOPMENT CONTROL ASSISTANT GRADE

PL 6/5/86270

P/301/92

FINANCIAL CONTRIBUTION :-	
AMOUNT £ NIL	
F	REFUSAL

AN BORD PLEANÁLA

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

County Dublin

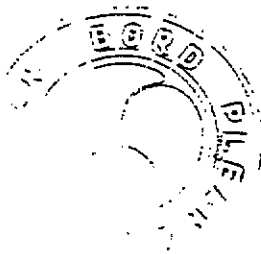
Planning Register Reference Number: 91A/700

APPEAL by Paul Cleary and others care of "Forest Lodge", Cruagh Road, Kilakee, County Dublin and by the South Dublin County Association of An Taisce care of 41 Meadow Grove, Dublin against the decision made on the 26th day of June, 1991 by the Council of the County of Dublin to grant subject to conditions a permission to Brendan McGuinness of 23 Delaford Grove, Templeogue, Dublin for development described in the public notice as "change of house type from previously granted planning permission for house" at Cruagh, Rathfarnham, County Dublin:

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

SCHEDULE

It is considered that the proposed development would constitute an excessively obtrusive feature in this open and exposed landscape and would interfere with a view of special amenity value. This is due to the bulk and scale of the proposed dwellinghouse compared to that previously granted under planning register reference number 87A/835, the extent of ground excavations proposed and the location of the site within an area of high amenity.



Ann Cw. Quinn

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


Dated this 20th day of December, 1991.

AN BORD PLEANÁLA

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

County Dublin

Planning Register Reference Number: 91A/700

Order Noted:	L.D.	
Dated:	26 th JAN. '92.	ASST. COUNTY MANAGER
to whom the appropriate powers have been delegated by order of the Dublin City and County Manager.		
Dated	10 TH	day of DECEMBER 19 91

COMHAIRLE CHONTAE ATHA CLIATH

TO: M. O'Shee,
Executive Planner.

REG. REF. 91A/0700

RE: Proposed change of house type at Cruagh Townland, Rathfarnham.

I attach for your observations memo/letter dated 22nd October, 1991 from An Bord Pleanala.

Please reply before: 18th November, 1991

S.

for Principal Officer

DATED: 4 November 1991

OBSERVATIONS:

no further comments to make

[Handwritten signature]

Signature of person making observations: M. O'Shee

Countersigned: P. Connors *SP*
(S.E.D.C.)

DATE: 5/NOV/91

DATE: 5.11.91



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

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

Our Ref: 91A/0700

Your Ref: PL6/5/86270

Date: 5 November 1991

RE: Proposed change of house type at Cruagh Townland,
Rathfarnham

Dear Sir/Madam,

I refer to your letter dated 17th July, 1991; 28th August, 1991; 20th and 26th September, 1991 and 22nd October, 1991, enclosing correspondence regarding the above appeal.

It is considered that the grounds of appeal do not raise any new matter which in the opinion of the Planning Authority would justify a change of attitude to the proposed development. The points raised have been dealt with in the Planning Authority's decision order dated 26th June, 1991.

Yours faithfully,

for Principal Officer.

Decision made

DUBLIN COUNTY COUNCIL

PLANNING OFFICER: M. O'Shee

REG.REF. 91A/0700

PROPOSAL: CHANGE HOUSE TYPE

LOCATION: CRUAGH TOWNLAND,
RATHFARNHAM

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

PLEASE REPLY BEFORE: 25/09/91

S. McNeillan
for Principal Officer.

DATE: 11/09/91

OBSERVATIONS:

no further comments to Make,
Further letters of 20/9/91 - ABP.
26/9/91 - ABP
no further comments to Make
MOS 4/10/91

MOSHEE, 27/9/91 P. Cervino
PLANNING OFFICER S.E.D.C.

9.10.91
DATE

COMHAIRLE CHONTAE ATHA CLIATH

TO: M. O'Shee
EXECUTIVE PLANNER

REG. REF. 91A/700

RE: Proposed change of house type from previously granted permission for house at Cruagh Townland, Rathfarnham, for B. McGuinness.

I attach for your observations memo/letter dated 17th July, 1991 from An Bord Pleanála.

Please reply before: 12th September

S
for Principal Officer

DATED: 28 August 1991

OBSERVATIONS:

*no further comments to
make to D.P.O. Report dated
18/6/91*

Signature of person
making observations: M. O'Shee

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

DATE: 30/8/91

DATE: 30.8.91

COMHAIRLE CHONTAE ATHA CLIATH

TO: M. O'Shee,
Executive Planner.

REG. REF. 91A/0700

RE: Proposed change of house type from previously granted permission
for house at Cruagh Townland, Rathfarnham for B. McGuinness.

I attach for your observations memo/letter dated 18th July, 1991 from An Bord Pleanala.

Please reply before: 14th August, 1991 S.M.O.
for Principal Officer

DATED: 29 July 1991

OBSERVATIONS:

NO COMMENTS TO MAKE

28 AUG 1991

Signature of person making observations: M. O'Shee

Countersigned: P. Cennino SP
(S.E.D.C.)

DATE: 14/8/91

DATE: 14-8-91

P/2832/91

COMHAIRLE CHONTAE ÁTHA CLIATH

Record of Executive Business and Manager's Orders

Register Reference : 91A/0700

Date Received : 1st May 1991

Correspondence : Mr & Mrs B. McGuinness,
Name and : 23 Delaford Grove,
Address : Templeogue,
Dublin 16.

Development : Change of house type from previously granted permission
for house

Location : Cruagh Townland, Rathfarnham

Applicant : B. McGuinness

App. Type : Permission

Zoning :

(MOS/DK)

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

This is an application for PERMISSION. The proposed development consists of a change of house type from previously granted permission for house at Cruagh Townland, Rathfarnham for B. McGuinness.

ZONING

The site is zoned ^C in the 1983 County Development Plan where it is the objective of the Local Authority "to protect and improve high amenity areas". It is also affected by a specific objective to preserve views and prospects.

SITE CHARACTERISTICS

There are panoramic views of Dublin bay across the site. A site survey submitted as part of this application shows that the site slopes away from the road in a north-east direction. The site is exposed and visually very sensitive. The site is very visible from Cruagh car park which is a well known viewing point and ^{from} Kilakee Road.

BRIEF PLANNING HISTORY OF THE SITE

Reg. Ref. K 2129: Outline planning permission for a bungalow granted on appeal by the Minister on 14th March, 1977.

Reg. Ref. YA 106: Planning permission granted by Dublin County Council on 18th October, 1983, for a bungalow.

Reg. Ref. 87A-0835: Permission granted by Dublin County Council to B. McGuinness for a change of house type (Decision order P/3068/87, dated 27th

CONTRIBUTION:
Standard: <i>nil</i>
Roads: <i>well</i>
S. Sers: <i>Septic tank</i>
Open Space:
Other:
SECURITY:
Bond / C.I.F.:
Cash:

D
H

COMHAIRLE CHONTAE ÁTHA CLIATH

Record of Executive Business and Manager's Orders

Reg.Ref: 91A/0700

Page No: 0002

Location: Cruagh Townland, Rathfarnham

August, 1987). The house approved in this application was a single storey structure with two bedrooms. The stated floor area of the house was 83.6 sq. m., but it is noted that the house scales at 76.5 m.

Reg. Ref. 88A-0840: A decision to grant permission by Dublin County Council for a proposed change of house type was reversed on appeal to An Bord Pleanála (order PL 6/5/78980 dated 14th September, 1989). The reason quoted by An Bord Pleanála was:

"Having regard to the bulk and inappropriate design of the proposed dwelling, the location of the site within an area of High Amenity and the smaller scale of development permitted by the planning authority under planning register reference number: 87A-0835, it is considered that the proposed development would constitute an excessively obtrusive feature in this open and exposed landscape and would seriously injure the visual amenities of the area having regard to the necessity of preserving a view of special amenity value."

The applicant was B. McGuinness.

Reg. Ref. 90A-1880: Dublin County Council refused permission to B. McGuinness for a change of house type. (Decision Order P/5716/90 dated 20th December, 1990). The reason for refusal was

"Having regard to the location of the site within an area of high amenity and the greater bulk and significantly higher ridge line of the proposal when compared with that permitted under Reg. Ref. 87A-0835, it is considered that the proposed development would constitute an excessively obtrusive feature in this open and exposed landscape and would seriously injure the visual amenities of the area, having regard to the necessity of preserving a view of special amenity value. It is considered that a dormer bungalow is inappropriate for this site."

PROPOSAL

The proposed house type is identical to that refused under the most recent application (i.e. 90A-1880). It is also located on the site in the same position as the house in this application.

The main differences between this and the earlier application is that in the current application it is *stated* that the proposed ridge height will not exceed the ridge height of the house already approved on the site under Reg. Ref. 87A-0835.

A site map showing site contours across the site and a section drawing showing the proposed house on the site have been submitted as part of this application.

It is proposed to excavate the site and to spread the excavated spoil across

COMHAIRLE CHONTAE ÁTHA CLIATH

Record of Executive Business and Manager's Orders

Reg.Ref: 91A/0700

Page No: 0003

Location: Cruagh Townland, Rathfarnham

the southern part of the site in order to reduce the impact of the house on the site.

DEPARTMENTAL REPORTS

There are no reports available from the Roads and Sanitary Services Department. Departmental reports on an earlier application (i.e. 88A-0840) have been noted.

Two letters of objection to the proposed development have been received at the time of writing. One letter is signed by eight local residents living on Cruagh and Killakee Roads. *The other letter is from an Taoise.*

PLANNING ASSESSMENT

The provisions of the current Development Plan would normally preclude the construction of a house on this visually sensitive site, (I refer to paragraph 2.26.4 of the written statement of the development) on account of its high amenity zoning and the specific objective to preserve views and prospects across this site.

Given, however, that a valid planning permission exists under Reg. Ref. 87A-0835, the present proposal should be compared with the house approved under the earlier permission.

While the proposed house is approximately three times larger in gross floor area when compared to Reg. Ref. 87A-0835, because it is a two storey house, its site coverage exceeds the site coverage of the house approved on the site by approx. 80% (164 sq. m. compared to 92 sq. m.)

AS PERK AT THE APPLICATION IT IS STATED THAT

The ridge height of the proposed house will not exceed the ridge height of the house already approved under 87A-0835 (i. e. ~~348.2~~ metres).

346.2

The proposed house is traditional and simple in form. Proposed finishes include white rendered blockwork and black concrete tiles or slates.

The house approved on site is more modern in design and form. It is a small house. Exempted development in the form of an extension to the rear, and/or garage/shed could be built in the future in connection with the approved house once it is constructed. These developments would not come under effective planning control. Extensive landscaping of the site is proposed, *in the application* ~~compared with the landscaping proposal approved under 87A-0835.~~ Taking into consideration the above points, the proposed development would not, in my opinion be significantly more obtrusive than the house approved on this site when viewed from Cruagh and Killakee Roads.

COMHAIRLE CHONTAE ÁTHA CLIATH

Record of Executive Business and Manager's Orders

Proposed change of house type from previously granted planning permission for house at Cruagh Townland, Rathfarnham, for B. McGuinness.

The impact of the proposed house on the site could be reduced further if the proposed rendered blockwork finish was replaced by a granite finish, and if additional tree planting was provided for to the north-west of the house.

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

(SEE CONDITIONS OVER)

COMHAIRLE CHONTAE ÁTHA CLIATH

Record of Executive Business and Manager's Orders

Proposed change of house type from previously granted planning permission for house at Cruagh Townland, Rathfarnham, for B. McGuinness.

CONDITIONS

REASONS FOR CONDITIONS

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

2. That before development commences, approval under the Building Bye-Laws be obtained, and all conditions of that approval be observed in the development.

Ampl. Pt.
~~3. That the water supply and drainage arrangements, including the location and design of the proposed septic tank and private water supply source be in accordance with the requirements of the County Council.~~

3 4. That the proposed vehicular access be provided in accordance with the requirements of the Roads Department, Dublin County Council.

4 5. That the existing stone wall to the front of the site shall be retained.

5 6. That the septic tank arrangements, including percolation and reserve percolation areas be laid out in accordance with the "Recommendations for Septic Tank Drainage Systems", SR6 1975, available from Eolas.

6 7. That the site shall be landscaped in accordance with the landscape scheme shown on Drawing No. 8502-03, submitted on 1 May 1991. In addition to this, the applicant is to carry out additional tree planting to the north-west of the proposed house, details of which are to be submitted to the Planning Authority and agreed, in writing. All planting is to be carried out by the end of the first planting season following the construction of the house.

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. In order to comply with the Sanitary Services Acts, 1878-1964.~~

3 4. In the interest of safety and the avoidance of traffic hazard.

4 5. In the interest of visual amenity.

5 6. In the interest of public health.

6 7. In the interest of the proper planning and development of the area.

COMHAIRLE CHONTAE ÁTHA CLIATH

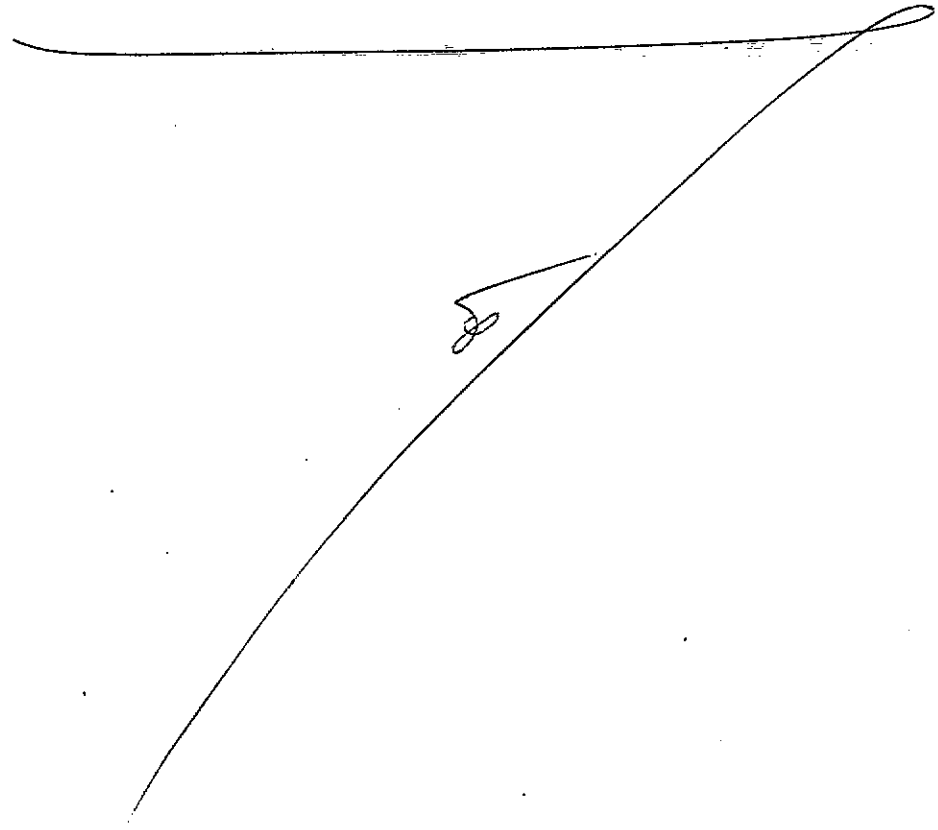
Record of Executive Business and Manager's Orders

Proposed change of house type from previously granted planning permission for house at Cruagh Townland, Rathfarnham, for B. McGuinness.

CONDITIONS

REASONS FOR CONDITIONS

- | | |
|--|--|
| <p>78. That all external walls of the proposed house be finished in granite.</p> <p>88. That the ridge height level of the proposed dwelling shall not exceed 346.2 metres (i.e. the ridge height level of the house approved by Decision Order P/3068/87, dated 27.08.87, under Reg. Ref. 87A/0835).</p> <p>910. NO extensions, sheds, garages, greenhouses, outhouses or other structures are to be constructed on this site without the prior approval of the Planning authority, <i>or if An Bord Pleanála, on appeal.</i></p> | <p>78. In the interest of visual amenity.</p> <p>89. In the interest of the proper planning and development of the area.</p> <p>910. In order to help preserve the visual amenities in this high amenity zoned area.</p> |
|--|--|



COMHAIRLE CHONTAE ÁTHA CLIATH

Record of Executive Business and Manager's Orders

Reg.Ref: 91A/0700

Page No: 0006

Location: Cruagh Townland, Rathfarnham

Endorsed: - *[Signature]*
for Principal Officer

[Signature] SEP.
for Dublin Planning Officer 24.6.91

Order: A decision pursuant to Section 26(1) of the Local Government (Planning and Development) Acts, 1963-1990 to GRANT PERMISSION for the above proposal subject to the (9) conditions set out above is hereby made.

Dated : ... 26 June 1991 ... *[Signature]* Officer

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

P. Kenney
Re: 91A/700
F

20 June 1991

Mr. Brendan McGuinness,
23, Delaford Grove,
Templeogue,
Dublin 16.

Dear Sir,

I refer to your fax communication received on the 19th June, 1991
in relation to planning application Reg. Ref. 91A/700.

It is not the Councils practice to disclose the names of persons
who make representations in relation to planning applications.
It would not be appropriate therefore to convene a meeting as
suggested by you.

Yours faithfully,

[Signature]
PRINCIPAL OFFICER

REG

FAX MESSAGE		Date: 19 JUNE 91
		Time:
Page 1 of 1	Your Ref:	Our Ref:
TO: - MR W. MURRAY DEP. PLA. OFFICER, PLANNING DEPT. DUBLIN COUNTY COUNCIL		
PLEASE COPY: MR D. DRUMMOOLE; MR R. CREMINS FAX NO: 724896		
FROM: BRENDAN McGUINNESS, BREWING		



ARTHUR GUINNESS SON & CO (Dublin) Ltd.
 St James's Gate, Dublin 8.
 FAX NO: (01) 533631
 TELEPHONE NO: (01) 536700
 Extension 5558
 B.M.G. 5739

SUBJECT: - REG. REF. 91A/700 - HOUSE AT CRUAGH.

WE HAVE BECOME AWARE THAT THERE IS WRITTEN OBJECTION BY LOCAL RESIDENTS TO OUR ABOVE PLANNING APPLICATION.

THESE PEOPLE ARE ESSENTIALLY OBJECTING TO ANY HOUSE BEING ON THIS SITE AND DO NOT ACKNOWLEDGE OR ACCEPT THAT THERE IS A VALID PRESENT FULL PERMISSION, WHICH WE, NOW, WITH THIS APPLICATION 91A/700 ARE SEEKING TO IMPROVE UPON AS BEING A MORE DESIREABLE DEVELOPMENT - THERE BEING NO OTHER OPTIONS OR ALTERNATIVES LEFT.

TO ESTABLISH THIS POINT WITH THESE LOCAL (AND ANY OTHERS) OBJECTORS AND DISCUSS SUGGESTIONS THEY MAY HAVE FOR 91A/700, WE ASK THAT AS A MATTER OF URGENCY, YOU CALL A MEETING OF THESE LOCAL OBJECTORS WITH OURSELVES AND THE PEOPLE NAMED ABOVE, TO DISCUSS THE ISSUES AND REACH AN AGREED AND ACCEPTABLE POSITION TO ALL.

WE WOULD BE AVAILABLE FOR SUCH A MEETING AT ANY TIME, ANYWHERE, COULD WE SUGGEST Co. Co. OFFICES MON. NEXT 24TH JUNE?. WE LOOK FORWARD TO YOUR REPLY.

Register Reference : 91A/0700

Date : 9th May 1991

Development : Change of house type from previously granted permission for house

LOCATION : Cruagh Townland, Rathfarnham

Applicant : B. McGuinness

App. Type : PERMISSION

Planning Officer : M.O'SHEE

Date Recd. : 1st May 1991

PLANNING DEPT.	
DEVELOPMENT CONTROL SECT	
Date	29.05.91
Time	3.20

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

Yours faithfully,

Paul Dolan

PRINCIPAL OFFICER

Date of inspection 27th May '91

This proposal is acceptable subject to the following: Report VA 106 6-11-84
Report 87A/835

DUBLIN COUNTY COUNCIL
23 MAY 1991
ENVIRONMENTAL HEALTH OFFICERS

1. Percolation and reserve percolation areas to be constructed to give a minimum of fifty-five metres percolation in each.
- 2 All works in relation to septic tank and percolation area to be carried out in accordance with IRE SSI-6 1975 and Dublin County Council requirements.
- 3 Drainage pipes in percolation and reserve percolation area should be laid to give a self-cleansing gradient.

John O'Reilly
for *John O'Reilly*
SUPER. ENVIRON. HEALTH OFFICER,
33 GARDINER PLACE,
DUBLIN 1.

28/5/91

Note: Trial Hole inspected by Fidelma Mc Cle indicated soil suitability for the disposal of septic tank effluent.

AFBBL

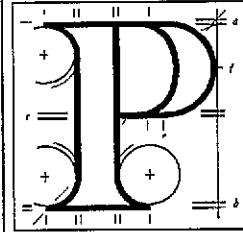
Rosemary Bauer

Our Ref: PL 6/5/86270
P.A. Ref: 91A/700

PK
Reed
6/11

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: 20 DEC 1991

Appeal Re: House at Cruagh, Rathfarnham, 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.

Yours faithfully,


Miriam Baxter.

Encl.

BP 352

24 DEC 91

AN BORD PLEANÁLA

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

County Dublin

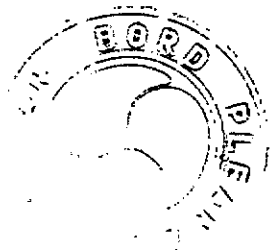
Planning Register Reference Number: 91A/700

APPEAL by Paul Cleary and others care of "Forest Lodge", Cruagh Road, Kilakee, County Dublin and by the South Dublin County Association of An Taisce care of 41 Meadow Grove, Dublin against the decision made on the 26th day of June, 1991 by the Council of the County of Dublin to grant subject to conditions a permission to Brendan McGuinness of 23 Delaford Grove, Templeogue, Dublin for development described in the public notice as "change of house type from previously granted planning permission for house" at Cruagh, Rathfarnham, County Dublin:

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

SCHEDULE

It is considered that the proposed development would constitute an excessively obtrusive feature in this open and exposed landscape and would interfere with a view of special amenity value. This is due to the bulk and scale of the proposed dwellinghouse compared to that previously granted under planning register reference number 87A/835, the extent of ground excavations proposed and the location of the site within an area of high amenity.



Ann. Cw. Quinn

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

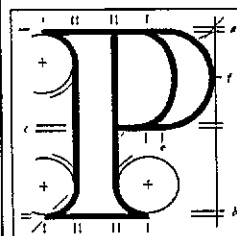
Dated this 20th day of December, 1991.

Our Ref: PL 6/5/86270
P.A. Reg. Ref: 91A/700

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

R
16 DEC 19/12

An Bord Pleanála



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

Date: 13th December 1991.

Appeal re: House at Cruagh, Rathfarnham, 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.

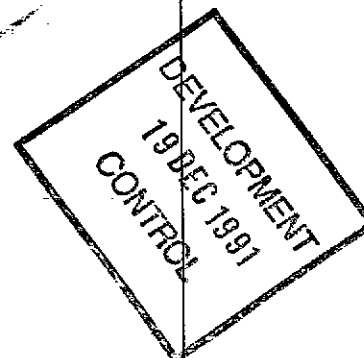
Please quote the above appeal reference number in
any further correspondence.

Yours faithfully,

Suzanne Lacey
Suzanne Lacey

Encl.

BP 555

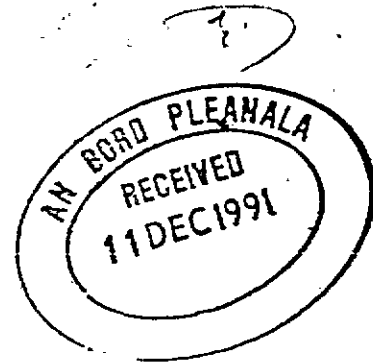


c/o "Forest Lodge"
Cruagh Road,
Killakee,
Dublin 16.

11/12/91

Ref.: PL 6/5/86270
PA Ref.: 91A/0700

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



Re: Proposed change of house type at Cruagh Road,
Killakee, Dublin 16, for Mr. B. McGuinness.

Mr. McGuinness's submission dated 22/11/91.

Dear Ms. Lacey,

We acknowledge receipt of copy of Mr. McGuinness's submission, and have the following comments.

Councillor Hannon sent us a letter of support in June 1991, when he became aware of the objection which we submitted to Dublin Co. Council, with regard to PA 91A/0700. Hence, we sent him a copy of our appeal, and he made his submission to An Bord Pleanala without any further contact from us. We are satisfied that, having taken into account Mr. McGuinness's representations, he has not changed his views.

Mr. McGuinness's unjustified accusations of intense lobbying of Councillor Hannon by us, is laughable, when it is apparent that Mr. McGuinness has been heavily involved in lobbying of politicians, ever since the first application for this house, ref.90A/1880, was refused.

There is no comparison, in terms of sensitivity, between the proposed site for Mr. McGuinness's house, ref. 91A/0700, and the other locations mentioned in his letter. There is, at present, no housing at all on the north side of the 1.5 mile long Cruagh Road, and so it is Mr. McGuinness's proposed house which would be setting the precedents.

We do not agree with Mr. McGuinness's contention that only part of the roof would be visible from Cruagh Road. In his submission to An Bord Pleanala, dated 31/7/91, Mr. McGuinness enclosed a copy of a letter he sent to Mr. W. Murray of Dublin Co. Council Planning Dept., dated 30/4/91, in which he states in section 3, that the house would present gable ends to the view from the road to the south, i.e. Cruagh Road. (see enclosed extract). In fact, there would be a variety of views of the house, depending on the viewing position on Cruagh Road.

Taking just one example of the effect of the proposed house, it would seriously interfere with the brilliant colour display, afforded in Autumn, by the mostly deciduous Massey Woods, while the proposed shelterbelt to the rear of the house, would eventually eclipse this view almost entirely.

On the personal matters raised by Mr. McGuinness, nobody wishes to deny the right of Mr. McGuinness and his family to a suitable habitable area, and that is not the issue. An important public amenity should not be sacrificed, in order to solve the problems of an individual, particularly when it is the individual, himself, who has created the problems.

If Mr. McGuinness decided to sell his house before obtaining planning permission for a new house which meets his requirements, then we do not see that it is the responsibility of everyone else, including the planning authorities, to solve this problem. That is not to say, that we are unsympathetic to his position or do not wish to be helpful, but, again, it is Mr. McGuinness, himself, who creates his own problems, through his inflexibility.

Unless new information comes to hand, or there is further correspondence from Mr. McGuinness, we do not intend to make further submissions.

We conclude by asking An Bord Pleanala to uphold our appeal, and refuse permission for PA 91A/0700.

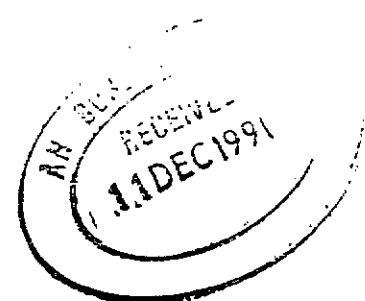
Yours Sincerely,

Paul Cleary *Paul Cleary*
Drusilla Cleary *Drusilla Cleary*
Forest Lodge
Cruagh Road
Killakee
Dublin 16

David Gray *David Gray*
Germaine Gray *Germaine Gray*
Cruagh Cottage
Cruagh Road
Killakee
Dublin 16

David Stanley *David Stanley*
Valerie Stanley *Valerie Stanley*
Hawthorn Cottage
Killakee Road
Dublin 16

Henry Varian } AWAY AT PRESENT
Miriam Varian }
Cruagh Lodge
Cruagh Road
Killakee
Dublin 16



3. RE-ORIENTATION OF THE HOUSE ON THE SITE

The East - West line of the house is rotated by almost 45° anti-clockwise. This then presents two gable-ends to the two views of prime concern

- (a) From the road and car park to the South.
- (b) The descending Killakee Road, on the West.

The gable-ends would each have the house receding behind it, thereby minimising the visual impact. When viewed from the South, the house is visually set into the large grove of trees on the North West boundary and does not obstruct any other views.

4. A HOUSE OF SIMPLE FORM

Compared with the present permission 87A/835, having 8 corners in a slipped rectangle, and future extensions and developments required, this application has 6 corners in an L-shape, with traditional cottage features in its roof line, pitch angle, door and window opens and external treatment, i.e., blue/black slate roof and white rendered walls.

5. SITE IMPROVEMENTS

A much improved and comprehensive landscaping scheme using mainly shelter belt planting on the West side and screen planting on the South and East sides. Traditional sheep-wire with barbed wire boundary fence right around the site.

Excavation spoil from the house site to be spread to the South to further conceal the house.

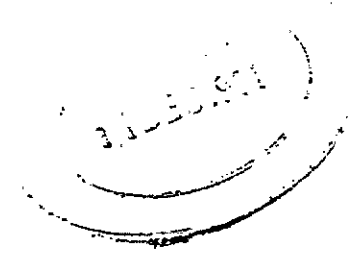
We hope you find this application satisfactory. Should you have any queries please do not hesitate to contact the undersigned.

Yours faithfully,

B. McGuinness

BRENDAN MCGUINNESS

02MAAZ



c/o "Forest Lodge"
Cruagh Road,
Killakee,
Dublin 16.

9/12/91

Ref.: PL 6/5/86270
PA Ref.: 91A/0700

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

Re: Proposed change of house type at Cruagh Road,
Killakee, Dublin 16, for Mr. E. McGuinness.

Dear Ms. Lacey,

We have brought Mr. McGuinness's proposal to the attention of some members of the public, who otherwise would have been unaware of it, and as may be seen from the enclosed letter, they wish to support the appeal. These people are familiar with the site, and the relevant details, including the existing permission 87A/835.

Yours Sincerely,

Paul Cleary

Paul Cleary

Drusilla Cleary

Drusilla Cleary

Forest Lodge
Cruagh Road
Killakee
Dublin 16

David Gray

David Gray

Germaine Gray

Germaine Gray

Cruagh Cottage
Cruagh Road
Killakee
Dublin 16

David Stanley

David Stanley

Valerie Stanley

Valerie Stanley

Hawthorn Cottage
Killakee Road
Dublin 16

Henry Varian

Miriam Varian

} AWAY AT PRESENT

Cruagh Lodge
Cruagh Road
Killakee
Dublin 16



To The Secretary,
An Bord Pleanála.

Ref.: PL 6/5/86270

Re: Dublin Co. Co. permission Ref. 91A/700 for house opposite Cruagh Car Park, Cruagh Road, Killakee, Dublin 16.

Dear Sir,

This proposed, large, two-storey dormer type house would have a very detrimental effect on the landscape at this exceptional viewing point, which is within a high amenity area.

We wish to object to the above permission, and ask An Bord Pleanála to uphold the appeal against it.

NAME	ADDRESS
M. Swamy	3 Hillview Grove Churchtown Dublin 14
P. Kinnella	21 Victoria St. Dublin 8.
b. Wahn	38 Maxwell Street Dublin 8.
R. Brody	14 Whitaker's Rise Acton, D.S.
Noel Subram	100 Elm Mount Ave Beaumont.
WIZ GARLAND.	Kildalkey. Co. Meath
P. Judy	Grange Road Dublin 6
H. Matthews	15A Glen Lawn Drive The Park Cabinteely.

continued....

NAME	ADDRESS
Eileen Cullen	135 GLENVARI PK. D/16
Noel Quinn	135 GLENVARI PK D/16.
Kenneth O'Keilly	38, Butcherfield Park Dublin 14
Peter G. Byrne M.Sc. M.I.C.I.	75 Cedarwood Road Ballymun Dublin 11
James Comerford	4 Eaton Square Mounstons Co. Dublin
Mary Comerford	4 Eaton Square, Mounstons Co. Dublin
Anne O'Driscoll	16 Edinerook Drive Rathfarnham D 14.
Susan & Graham Hunter	Glenuddy, Crugh, Rockbrook, Rathfarnham. Dublin 16
Barry Whelan	32 Hollybank Avenue Rushlagh D 6
Gordon R. Knaggy	The Gables Baldoyle Rd Sutton D. 13
Brigid Flanagan	38 The Glen, Woodpark, Dublin 16.

continued.....

NAME

ADDRESS

NAME	ADDRESS
Patrick Henry <i>Henry</i>	38, The Glen, Woodlark DUBLIN 16
Mary & David Lousend	Craugh Rd. Rockbrook, Rathfarnham, Dublin 16.
Brian Dowling	32 Easton Park Leixlip Co. Kildare
George O'Hill -	37 Meenan Drive Ranelagh D. 6
Roger Byrne	4 NUGENT ROAD CHURCHTOWN DUBLIN 14.
Jane Byrne	4, Nugent Road Churchtown, D. 14

✓

Our Ref: PL 6/5/86270
P.A. Reg. Ref: 91A/700

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

Date: 29th November 1991.

Appeal re: House at Cruagh, Rathfarnham, 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.

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

Yours faithfully,

Suzanne Lacey
Suzanne Lacey

Encl.

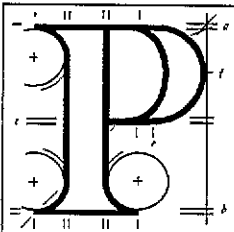
BP 555

RECEIVED
02 DEC 91
DUBLIN COUNTY COUNCIL
PLANNING

*Rev
b/r*

PL

An Bord Pleanála



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

DEVELOPMENT
- 6 DEC 1991
CONTROL

23, Delaford Grove,
Templeogue,
DUBLIN 16.

22nd November, 1991.

The Secretary,
An Bord Pleanála,
Irish Life Centre,
Lr. Abbey Street,
DUBLIN, 1.

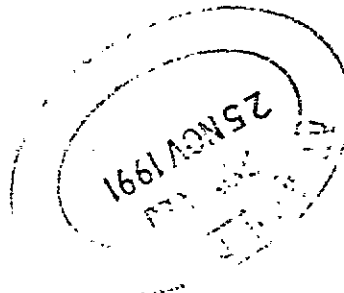
Dear Sir/Madam,

RE: PLANNING APPLICATION PL6/5/86270
REG. REF. 91A/700

We enclose, for your consideration, a letter of support from Councillor Ormonde F.F. to uphold the authorities decision in this case. We have met recently with Councillor Hannon F.F., and from our discussions with him have learned that his letter to you of 16th September, 1991, was based solely on hearing only one side of the story and only after intense lobbying by the 4 neighbours. His letter was based on incomplete information and so prevented him from making an unbiased submission. We have now appraised him of our side, and the exhaustive steps and negotiations gone through by us in pursuance of all possible options.

We would like to point out that the size of development 91A/700 by no means sets any precedent for this area, as all houses in the hinterland are of a similar or larger size. This house, when built on the specified contour, will have only a part of the roof visible from the Cruagh Road. Contrast this with what exists there already, where almost every house from Rockbrook up to Pine Forest, to Cruagh, to Killakee and down, is visible in its entirety. We are not looking for anything more than already exists in the area and our right to a suitable habitable area for a family of five.

03MAAE 01



We believe that there are no new matters raised in any of the appellants' submissions which should cause a change of attitude towards the Authorities' decision to grant. We believe that the extra conditions attached to the permission to grant are, suitably restrictive of further development, protective of the visual amenity (and expensive too) but as we have stated at the outset (see our letter 1st July, 1991, to An Taisce and neighbours enclosed) we are willing to accept them with goodwill and do a good job for what is best on our site.

We are hopeful that, in the end, justice and common sense will prevail and that you will arrive at the better decision. Pending receipt of any new and relevant information or correspondence we hereby conclude our submission and ask for an early decision.

Yours faithfully,

B. McGuinness
BRENDAN MCGUINNESS

03MAAE 02





Ann Ormonde
B. Comm. H. Dip. Ed. D.C.G.
Member of Dublin County Council

28, HOME VILLAS
DUBLIN 4.
Tel : 687896.

14th November, 1991.

The Secretary,
An Bord Pleanala,
Irish Life Centre,
Lr. Abbey Street,
Dublin 1.

RE: Planning Application Ref. 91A/700 PL6/5/86270

A Chara,

In regard to the above, I wish to place on record my support for Dublin County Councils decision to grant permission to Brendan and Helen McGuinness of 23 Delaford Grove, Knocklon, Dublin 16.

Permission was granted for a smaller house on this site - and that permission is still valid - 87A/835. The applicants submitted a change of house type planning application 91A/700 with extra conditions, and having studied the details and plans I have no hesitation in stating that this house reference 91A/700 will blend in with the environment and will not injure any view, but be a part of it and will also preserve the visual amenity of the area.

May I also say that the McGuinness family have demonstrated through all their dealings with Council Planning Officers, Councillors, Taisce and their neighbours absolute honesty, integrity and good will in trying to do what is best for the site. At Present they are living in rented accommodation and have suffered considerable expense and inconvenience over the past few years in their efforts to try and sort out this complicated application.

Having familiarised myself with this case and studied submissions to An Bord Pleanala I fully support this application and I urge you to find in favour of the County Councils decision to grant permission and uphold their judgement in this case.

Is Mise le Meas,

Ann Ormonde
Ann Ormonde,
M.C.C.

23, Delaford Grove,
Templeogue,
DUBLIN, 16.

1st July, 1991.

Mr. & Mrs. P. Cleary,
Forest Lodge,
Cruagh Road,
Killakee,
DUBLIN 16.

Dear Mr. & Mrs. Cleary,

RE: HOUSE AT CRUAGH, REG. REF. 91A/700

Dublin County Council has recently decided to grant Planning Permission to our application 91A/700 with certain extra conditions. We are willing to accept these extra conditions and will adhere to them with goodwill if allowed to proceed. We ask that you recognise and accept that this recent approval 91A/700 with its attendant conditions is a vastly improved and more desirable one than the concurrent permission 87A/835.

Application 91A/700 has the following points of design improvement over 87A/835, as follows:-

1. An L-shaped house, presenting gable ends to main views. The house recedes behind the gables for least visual impact.
2. Re-orientation of the house on the site.
3. Cleaner roof lines, a normal ^{RIDGE} apex roof with a traditional pitch of 40 degrees.
4. A house of simple form with traditional treatment, shape, windows and finish.
5. A much improved and comprehensive landscaping scheme utilising both screen and shelter-belt planting of indigenous species.
6. The ridge level of 91A/700 to be the same as for 87A/835.

02MABC

These above points, which formed the basis of the application 91A/700, are further reinforced by extra conditions imposed by Dublin County Council in granting permission for it, as follows:-

1. Extra tree planting to N.W. of house.
2. All external walls of the house to be finished in granite.
3. No extensions or other structures without permission from Dublin County Council or on appeal.

It must be stressed that all other options and alternatives have been previously dealt over the past 2 years with both Dublin County Council and An Taisce and there is now no choice left but to immediately build either house on this site, if at least to recover our investment in it. We appeal to you, in a neighbourly spirit, to find in favour of permission 91A/700 and allow us proceed with it. We are available to meet with you, at your convenience, if you wish, to discuss the two permissions 87A/835 and 91A/700.

Yours sincerely,

B & H. McGuinness.

Brendan and Helen McGuinness

copy: Mr. & Mrs. D. Gray
Mr. & Mrs. D. Stanley
Mr. & Mrs. H. Varian

02MABC

23, Delaford Grove,
Templeogue,
DUBLIN, 16.

1st July, 1991.

Mr. N. Campion,
Chairman,
An Taisce, South Co. Dublin Association,
1, Kilgobbin Road,
Sandyford,
CO. DUBLIN.

Dear Mr. Campion,

RE: HOUSE AT CRUAGH, REG. REF. 91A/700

Dublin County Council has recently decided to grant Planning Permission to our application 91A/700 with certain extra conditions. We are willing to accept these extra conditions and will adhere to them with goodwill if allowed to proceed. We ask that you recognise and accept that this recent approval 91A/700 with its attendant conditions is a vastly improved and more desirable one than the concurrent permission 87A/835.

Application 91A/700 has the following points of design improvement over 87A/835, as follows:-

1. An L-shaped house, presenting gable ends to main views. The house recedes behind the gables for least visual impact.
2. Re-orientation of the house on the site.
3. Cleaner roof lines, a normal ^{RIDGE} apex roof with a traditional pitch of 40 degrees.
4. A house of simple form with traditional treatment, shape, windows and finish.
5. A much improved and comprehensive landscaping scheme utilising both screen and shelter-belt planting of indigenous species.
6. The ridge level of 91A/700 to be the same as for 87A/835.

02MABB 01

These above points, which formed the basis of the application 91A/700, are further reinforced by extra conditions imposed by Dublin County Council in granting permission for it, as follows:-

1. Extra tree planting to N.W. of house.
2. All external walls of the house to be finished in granite.
3. No extensions or other structures without permission from Dublin County Council or on appeal.

We are surprised and disappointed to learn that An Taisce had chosen to object to our application 91A/700 as it had previously supported an identical application 90A/1880, letter of 20th September, 1990, enclosed. In fact 91A/700 had a significant and substantial improvement over 90A/1880 in that the house is set down by over 1 metre to give a much lower ridge level. If there was no objection to 90A/1880, then there should have been less reason to object to 91A/700.

It must be stressed that all other options and alternatives have been previously dealt with over the past 2 years with both Dublin County Council and An Taisce and there now is no choice left but to immediately build either house on this site, if at least to recover our investment in it. We appeal to you, in a spirit of goodwill to find in favour of permission 91A/700 and allow us proceed with it. We are available to meet with you, at your convenience, if you wish, to discuss the two permissions 87A/835 and 91A/700.

Yours sincerely,

B McGuinness
Brendan and Helen McGuinness

copy: Mr. S. Dooney,
Secretary, An Taisce, South Co. Dublin Association

02MABB 02

Our Ref: PL 6/5/86270
P.A. Reg. Ref: 91A/700

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

Date: 29th November 1991.

Appeal re: House at Cruagh, Rathfarnham, 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.

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

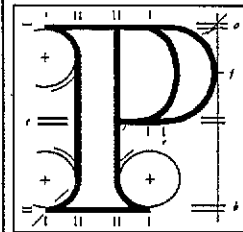
Yours sincerely,


Suzanne Lacey

BP 553A

Recd
6/12

An Bord Pleanála



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

DEVELOPMENT
CONTROL

28 Sept. 1991

An Bord Pleanala
Irish Life Centre
Lower Abbey Street
Dublin 1

Ref: Dublin Co Council PA 91A/700

Re: application to change house type at Cruagh Road, Dublin 16, by
B Mc Guinness.

Dear Sirs,

We wish to support the appeal against the Dublin County Council Planning Dept. decision to grant permission for the above, and have the following points to make.

(1) We were objectors to the first application, PA 90A/1880, to build this type of house, as well as the second, PA 91A/700. In refusing PA 90A/1880, Dublin County Council acted in accordance with the objectives of the development plan and the zoning of the area, and unequivocally described this house as being unsuitable for this site. The application PA 91A/700 was for the exact same house, with a small positional change. The decision to grant permission for PA 91A/700 is therefore extraordinary, and clearly, factors other than the objectives of the development plan and zoning dictated the outcome on the second occasion.

(2) This site is set in an open and unspoilt landscape, with panoramic views. Any house is going to damage the amenity, but a two storey dormer house twice the size of that presently permitted, would create much greater damage.

(3) The fairest solution to the principal interests involved, i.e. the general public and the applicant, would be the re-siting of the proposed house. There is ample potential for this in the area.

(4) The worst outcome would be the building of the proposed large house on the present site. We therefore ask An Bord Pleanala to uphold the appeal and refuse permission for this house.

The submission fee of £15 is enclosed.

Yours Faithfully,

Name	Address
<i>Mary O'Donovan</i>	<i>A9 LAVANNA Grove, D16</i>
<i>Mary O'Donovan</i>	<i>49, LAVANNA Grove D 6</i>

25/1/91
£15 P10
B25821

Name	Address
Nora Prandiville.	63 LAVARNA GROVE, TERENCE, D6 W.
Dymphne O'Donovan	23 THE CLOSE, WOODFORK, DUBLIN 16
Dersalla Mannion near Mungret.	15 Templeogue Rd., Terenure. 10. DARTY ST. DUBLIN 6.
Roy O'Donovan Aine Fogarty	23 THE CLOSE, WOODFORK, DUBLIN 16 63 LAVARNA'S GROVE TERENCE D 6 Lios Mór Weston Mildale:

RECEIVED
25 NOV 1991

Name

Address

Blonde Ry.

Gene O'Hagan

Jack T.O. Donohue

Mike Power

Bernie Melinn

Chris Gray

Caroline O'Flaherty

[Signature]

2 Donora Crescent Tallghat

18 E. Leant Tower Ballymun

4 The Blues, Rosbeck Rd.

Lisnabin Killycuan Co. Westmeath

103 Finglas Park Finglas East.

6, Elizabeth Davenport Dr B

3 Heather Drive, Naaley Wood,

Kahlankeem, Dublin 16.

105 St. R. Quinn Avenue New York

[Faint stamp]

Our Ref: PL 6/5/86270
P.A. Reg. Ref: 91A/700

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

Date: 8th November 1991.

Appeal re: House at Cruagh, Rathfarnham, 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.

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

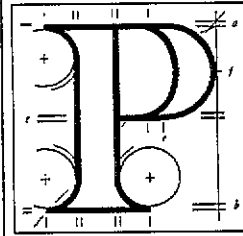
Yours faithfully,

Suzanne Lacey
Suzanne Lacey

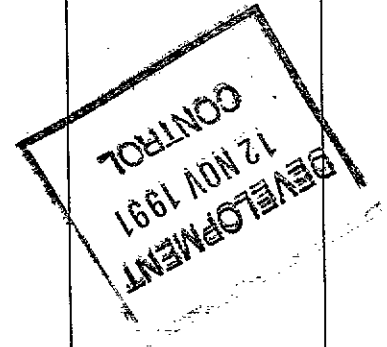
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BP 555

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12/11
An Bord Pleanála



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

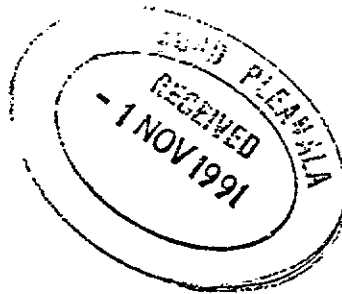


Info order

c/o "Forest Lodge"
Cruagh Road,
Killakee,
Dublin 16.

22/10/91

Ref.: PL 6/5/86270
PA Ref.: 91A/0700



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

Re: Proposed change of house type at Cruagh Road, Killakee, Dublin 16,
for Mr. B. McGuinness.

Mr. McGuinness's submission dated 26/9/91.

Dear Ms. Lacey,

We acknowledge your letter of 11/10/91, and copy of above. Our comments on Mr. McGuinness's submission are as follows.

1. Since non-appellants do not receive copies of correspondence we have brought Mr. McGuinness's submission to the attention of Mervyn Wall, who told us that, when Mr. McGuinness phoned him, he
 - (a) voluntarily brought to Mr. McGuinness's attention, his relationship, and that of Aileen Wall, to Drusilla Cleary,
 - (b) told Mr. McGuinness how to contact Aileen Wall on the phone,
 - (c) explained in detail to Mr. McGuinness the grounds on which he objected to the proposed house, and
 - (d) gave Mr. McGuinness details of other undesirable, proposed developments, in various parts of the country, which he had opposed in his former capacity as Secretary to the Arts Council.

It is open to any citizen to submit his/her views on proposed developments, to An Bord Pleanála, and since knowledge that the proposal exists is the first requirement, it is inevitable that, among objectors, there will be some people who are personally known to each other. In all the circumstances, neither we nor Mr. Wall, can comprehend how Mr. McGuinness could reasonably form the view that there is an "orchestrated campaign" against him.

2. Two of us are ordinary members of An Taisce. Ordinary members have no involvement in An Taisce planning appeals. The fact that, when we objected to the first application, Ref. PA 90A/1880, for this house, An Taisce did not, demonstrates that An Taisce is completely independent of us, and vice versa.

3. The fact that Mr. McGuinness has, with the help of the telephone directory, been contacting objectors on the phone, in order to represent his case, when he receives copies of submissions, is, in our view, an abuse of procedure. We ask An Bord Pleanala to consider this.

4. Once again Mr. McGuinness has chosen to raise peripheral or irrelevant matters, instead of dealing with the planning issues and options.

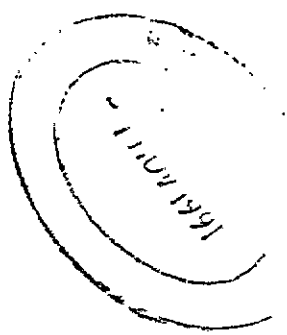
Yours Sincerely,

Paul Cleary *Paul Cleary*
Drusilla Cleary *Drusilla Cleary*
Forest Lodge
Cruagh Road
Killakee
Dublin 16

David Gray *David Gray*
Germaine Gray *Germaine Gray*
Cruagh Cottage
Cruagh Road
Killakee
Dublin 16

David Stanley *David Stanley*
Valerie Stanley *Valerie Stanley*
Hawthorn Cottage
Killakee Road
Dublin 16

Henry Varian *Henry Varian*
Miriam Varian *Miriam Varian*
Cruagh Lodge
Cruagh Road
Killakee
Dublin 16



Our Ref: PL 6/5/86270
P.A. Reg. Ref: 91A/700

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

Date: 30th October 1991.

Appeal re: House at Cruagh, Rathfarnham, County Dublin.

Dear Sir/Madam,

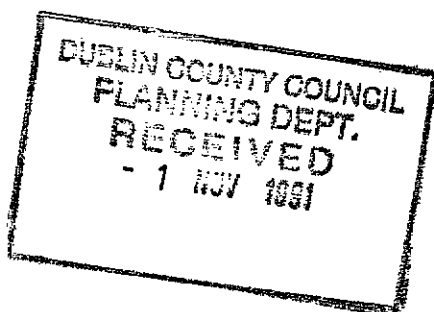
Enclosed for your information is a copy of correspondence received in relation to the above-mentioned appeal. While it is not necessary for you to furnish any comments on the correspondence, you may do so if you wish. Any such comments should be forwarded within fourteen days from the date of this letter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

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

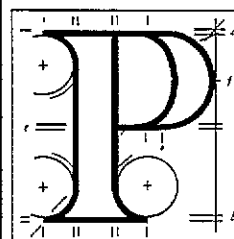
Yours sincerely,

Suzanne Lacey
Suzanne Lacey

BP 553A



An Bord Pleanála



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



Councillor John Hannon P.C.

F.F. MEMBER OF DUBLIN CO. COUNCIL

11 Knocklyon Heights,
Firhouse Road,
Dublin 16.
Tel: 942045.



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

16th September, 1991.

Re: Planning Application Ref. 91A/0700 PL 6/5/86270

Dear Sir,

I refer to the above application for change of house type at Cruagh Road, Killakee, and would ask you to give very careful consideration to the factors outlined in the submission made by Mr. & Mrs. Paul Cleary and others on 12th July.

The location of the site is an extremely sensitive one and does not lend itself to development of any kind.

In my view, the offer by the Council of an alternative site was the optimum solution as it endeavoured to give due consideration to the conflicting interests involved i.e. the right of the applicant to develop on foot of a previous permission versus the public right to maintain the visual integrity of this area.

In all the circumstances, I believe that the public interest will now be best served by a refusal of this application.

Yours faithfully,

JOHN HANNON MCC PC

Our Ref: PL 6/5/86270
P.A. Reg. Ref: 91A/700

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

Date: 30th October 1991.

Appeal re: House at Cruagh, Rathfarnham, 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.

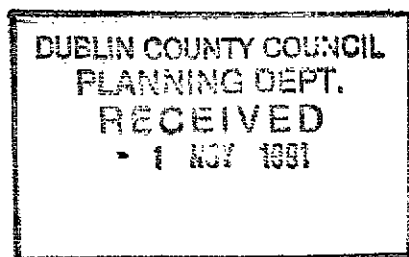
Please quote the above appeal reference number in
any further correspondence.

Yours faithfully,

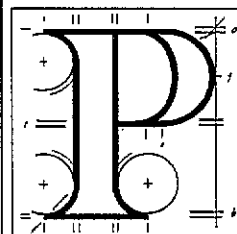
Suzanne Lacey
Suzanne Lacey

Encl.

BP 555



An Bord Pleanála



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

c/o "Forest Lodge"
Cruagh Road,
Killakee,
Dublin 16.

9/10/91

Ref.: PL 6/5/86270
PA Ref.: 91A/0700

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

Re: Proposed change of house type at Cruagh Road, Killakee, Dublin 16,
for Mr. B. McGuinness.

Mr. McGuinness's submission dated 18/9/91.

Dear Ms. Lacey,

We acknowledge your letter of 26/9/91, and copy of above. Our comments on Mr. McGuinness's submission are as follows.

1. Regarding the two letters referred to in paragraphs 2 and 3 of Mr. McGuinness's letter, he is selective in the letters from which he quotes. In his letter of 1 July 1991 (see enclosed), he already limited discussions to the "two permissions 87A/835 and 91A/700". Since details of our objections to 91A/700 were well known to Mr. McGuinness, and he already has permission for 87A/835, there was no point in having a meeting confined to these two options.

Our offer to look positively at any proposals on re-siting, which take into account the sensitivity of the location, as well as Mr. McGuinness's desire to build 91A/700 and live in the area, is still open.

2. We have already commented on Councillors Muldoon's letter (see our letter dated 1/9/91, to An Bord Pleanála), and have further comments as follows.
3. Regarding the Councillor's reference to "a site of equal value", planning difficulties, lack of privacy, and its exposed nature, are factors which adversely affect the value of the present site, and help to explain why it was on the market for about 5 years. We believe that she may significantly overestimate its realisable value. From our detailed knowledge of the area we believe it would be possible to re-site the house, without significantly affecting site value.

4. In any case, possible differences between site values are irrelevant in the context of what is at stake with regard to minimising the impact of a house on this location. In our view, the references to "site value" are tactics intended to divert attention away from the real issues, namely the unsuitability of the proposed house 91A/700 for this site, and the fact that real and fair alternatives exist. We hasten to add that we are not claiming that these tactics emanate from Councillor Muldoon, and we believe that if she had received more balanced information, she might well have arrived at a somewhat different opinion.

Yours Sincerely,

Paul Cleary

Paul Cleary

Drusilla Cleary

Drusilla Cleary

Forest Lodge
Cruagh Road
Killakee
Dublin 16

David Gray

David Gray

Germaine Gray

Germaine Gray

Cruagh Cottage
Cruagh Road
Killakee
Dublin 16

David Stanley

David Stanley

Valerie Stanley

Valerie Stanley

Hawthorn Cottage
Killakee Road
Dublin 16

Henry Varian

Henry Varian

Miriam Varian

Miriam Varian

Cruagh Lodge
Cruagh Road
Killakee
Dublin 16

COPY OF PAGE 2 OF LETTER OF 1ST JULY 1991
FROM MR MCGUINNESS TO RESIDENTS,

These above points, which formed the basis of the application 91A/700, are further reinforced by extra conditions imposed by Dublin County Council in granting permission for it, as follows:-

1. Extra tree planting to N.W. of house.
2. All external walls of the house to be finished in granite.
3. No extensions or other structures without permission from Dublin County Council or on appeal.

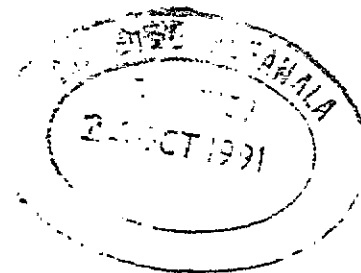
It must be stressed that all other options and alternatives have been previously dealt over the past 2 years with both Dublin County Council and An Taisce and there is now no choice left but to immediately build either house on this site, if at least to recover our investment in it. We appeal to you, in a neighbourly spirit, to find in favour of permission 91A/700 and allow us proceed with it. We are available to meet with you, at your convenience, if you wish, to discuss the two permissions 87A/835 and 91A/700.

Yours sincerely,

B & H. McGuinness

Brendan and Helen McGuinness

copy: Mr. & Mrs. D. Gray
Mr. & Mrs. D. Stanley
Mr. & Mrs. H. Varian



02MABC

Our Ref: PL 6/5/86270
P.A. Reg. Ref: 91A/700

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

Date: 22nd October 1991.

Appeal re: House at Cruagh, Rathfarnham, 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.

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

Yours sincerely,

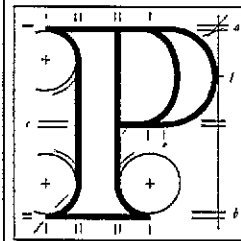
Suzanne Lacey
Suzanne Lacey

BP 553A

Per 25/10
DUBLIN COUNTY COUNCIL
PLANNING DEPT.
RECEIVED
23 OCT 1991

DEVELOPMENT
29 OCT 1991
CONTROL

AL
An Bord Pleanála



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

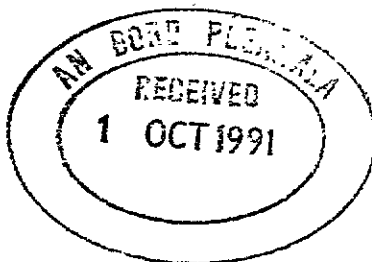
DLG

c/o "Forest Lodge"
Cruagh Road,
Killakee,
Dublin 16.

25/9/91

Ref.: PL 6/5/86270
PA Ref.: 91A/0700

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



Re: Proposed change of house type at Cruagh Road,
Killakee, Dublin 16, for Mr. B. McGuinness.

Dublin County Council Planning Dept. reply to our
appeal, dated 14/8/91.

Dear Ms. Lacey,

We acknowledge receipt of copy of above.

Clearly, the Council has made no attempt to deal with the issues
raised in our appeal.

In particular, they have failed to explain, how, having previously
refused permission for this proposed house, citing the bulk of the
house among other reasons for the refusal, and stating that "a dormer
bungalow is inappropriate for this site", they then granted
permission for the same house six months later.

We are sure that An Bord Pleanala will draw its own conclusions from
this evasion on the part of Dublin County Council Planning Dept.

Yours Sincerely,

Paul Cleary

Paul Cleary

Drusilla Cleary

Drusilla Cleary

Forest Lodge
Cruagh Road
Killakee
Dublin 16

David Gray

David Gray

Germaine Gray

Germaine Gray

Cruagh Cottage
Cruagh Road
Killakee
Dublin 16

David Stanley

David Stanley

Valerie Stanley

Valerie Stanley

Hawthorn Cottage
Killakee Road
Dublin 16

Henry Varian

Presently away.

Miriam Varian

Cruagh Lodge
Cruagh Road
Killakee
Dublin 16

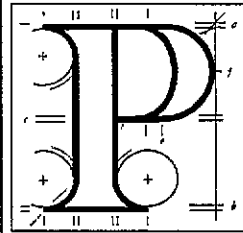
Our Ref: PL 6/5/86270
P.A. Reg. Ref: 91A/700

pk

15/10

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: 10th October 1991.

Appeal re: House at Cruagh, Rathfarnham, 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.

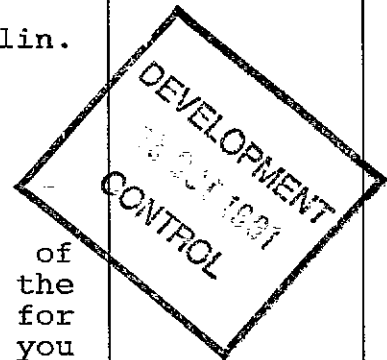
Please quote the above appeal reference number in any further correspondence.

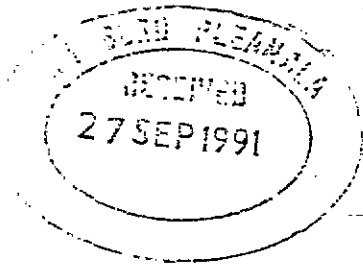
Yours sincerely,

Suzanne Lacey
Suzanne Lacey

BP 553A

11 OCT 91





23, Delaford Grove,
Templeogue,
DUBLIN, 16.

26th September, 1991.

An Bord Pleanála,
Irish Life Centre,
Lr. Abbey Street,
DUBLIN, 1.

Dear Sir,

APPEAL RE: HOUSE AT CRUAGH, RATHFARNHAM, CO. DUBLIN
Your Ref.: PL 6/5/86270
P.A. Reg. Ref. 91A/700

It has come to our attention, and we pass on to you for your consideration, the fact that appellants Aileen Wall and Mervyn Wall of appeal dated 23rd August, 1991 of Bray, Co. Wicklow, are sister and father of appellant Drucilla Cleary (nee Wall) of Forest Lodge, Cruagh Road.

This confirms that there is a connection between all three groups of appellants, (as the neighbours have admitted they are members of An Taisce) and indicates to us that there is no general public objection but an orchestrated campaign against us.

Yours faithfully,

B. McGuinness
B. MCGUINNESS

02MABO

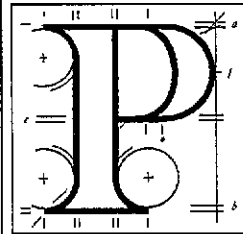
Our Ref: PL 6/5/86270
P.A. Reg. Ref: 91A/700

M. O'Scree

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

27. SEPT 1991
30/9

An Bord Pleanála



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

Date: 26th September 1991.

Appeal re: House at Cruagh, Rathfarnham, 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.

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

Yours faithfully,

Suzanne Lacey
Suzanne Lacey

OBS.

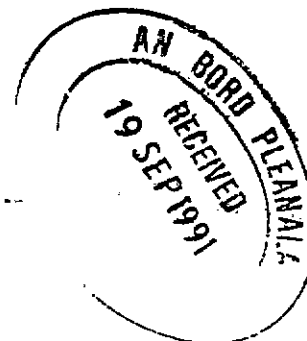
Encl.

BP 555

23, Delaford Grove,
Templeogue,
DUBLIN 16.

18th September, 1991.

The Secretary,
An Bord Pleanála,
Irish Life Centre,
Lr. Abbey Street,
DUBLIN 1.



Dear Sir,

RE: PLANNING APPLICATION P.L. 6/5/86270
REG. REF. NO. 91A/700

We enclose copies of relevant correspondence in support of our case.

1. Cllr. Muldoon 17th August, 1991. This is a very fair, honest and positive statement of her position in this case.
2. Our request for a meeting with the 4 neighbour appellants to discuss Planning Permission 91A/700 16th July, 1991.
3. Appellants reply 22nd July, 1991, declining the offer of a meeting conditional upon discussion of land swap alternatives.

We remain,

Yours faithfully,

B. McGuinness
B. MCGUINNESS

02MABL

ENCL
1
18/9/91.

Rún na Gaoithe,
34A Dargle Wood,
Knocklyon,
Dublin 16.

17th August, 1991

The Secretary,
An Bord Pleanála,
Irish Life Centre,
Lr. Abbey St.,
Dublin 1.

Re. Planning Application P.L.6/5/86270, Reg. Ref.
No. 91A/700

A Chara,

In regard to the above, I wish to place on record my support for Dublin Co. Council's decision to grant permission to Brendan and Helen McGuinness of 23 Delaford Grove, Knocklyon, Dublin 16.

In an ideal world, no housing should be permitted on this site. Indeed, a number of houses already exist in this most scenic of areas, creating an unwise precedent. Similarly, permission was granted for a smaller house on this, arguably the most sensitive site, by a government Minister in the 1970s. This permission is still valid - 87A/835. These are inescapable historical facts which inevitably must colour my natural inclination to oppose any form of building at this location.

I am informed that if the Board does not uphold the Council's decision in this case, the McGuinness family will have no option but to construct the dwelling permitted (87A/835). Their option has grown in recent years and they will, inevitably have to seek further permissions - domestic extension, garage, conservatory etc. The final visual impact of their home then will assuredly be far less acceptable than the current proposal.

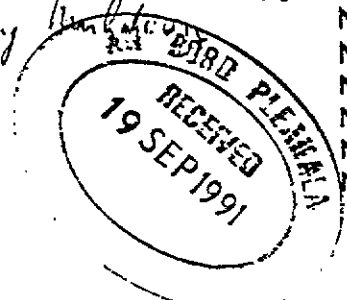
One must consider the expense and inconvenience caused to them over the past couple of years, as they live in rented accomodation, pending the resolution of their problems by the local authority, which, in its efforts to conserve this site, sought to secure an alternative one of equal value, albeit without success. At the request of my local branch of An Taisce, I approached the original landowner in the case, again, unfortunately, without success.

It must be understood that the McGuinness family gave their blessing to the efforts made in both instances. They would have been happier if an equally suitable site could have been found elsewhere. It was not to be. They have earned the right to build the house, subject of the current application and I fully support them, for the reasons outlined above.

Is mise, le meas,

Mary Muldoon (Cllr.)

Mary Muldoon



- Copy:
- Mr. & Mrs. P. Cleary
 - Mr. & Mrs. D. Gray
 - Mr. & Mrs. D. Stanley
 - Mr. & Mrs. H. Varian
 - Mr. N. Campion
 - Mr. S. Dooney
 - Mr. & Mrs. B. McGuinness ✓

ENCL.
2
18/9/91.

23, Delaford Grove,
Templeogue,
DUBLIN 16.

16th July, 1991.

Mr. & Mrs. P. Cleary,
Forest Lodge,
Cruagh Road,
Killakee,
DUBLIN, 16.

Dear Mr. & Mrs. Cleary,

RE: HOUSE AT CRUAGH, REG. REF. 91A/700

We acknowledge receipt of your letter of reply on
16/7/91 and have noted its contents.

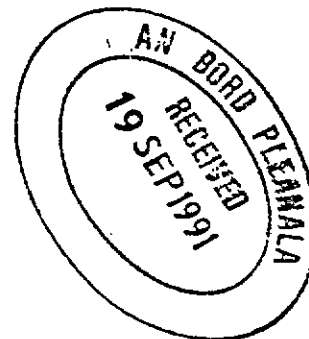
We now formally request a meeting with you and the
other members of your group, at an early date and location
of your choosing, to discuss the above matter.

Yours sincerely,

B. McGuinness
Brendan McGuinness

copy: Mr. & Mrs. D. Gray
Mr. & Mrs. D. Stanley
Mr. & Mrs. H. Varian.

02MABG



ENCL
3
18/9/91

c/o "Forest Lodge,
Cruagh Road,
Killakee,
Dublin 16.

22/7/91

Re: 91A/0700, change of house type at Cruagh.

Dear Mr. McGuinness,

We acknowledge receipt of your letter of 16/7/91.

You should by now have received a copy of our appeal re the above, from An Bord Pleanala, and should therefore be aware of our views on the above. In the circumstances, we cannot see what purpose would be served by having a meeting, unless you wish to ascertain our views on the other options, which we understand have been put to you, by the Council, and Councillor Muldoon.

On the Council's offer of an alternative site at Rathmichael, while we are not familiar with the site, we have been reliably informed that it does not interfere with any amenity. We would, therefore, actively support an application by you to build the proposed house at Rathmichael, in the interest of preserving the very special amenity value of the Cruagh site.

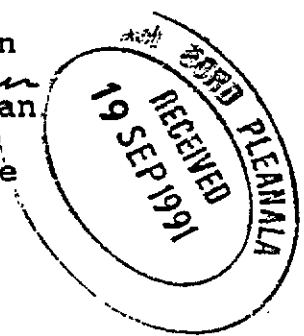
As regards Councillor Muldoon's suggestion to locate the proposed house at a less sensitive position at Cruagh, we would be prepared to look positively at any proposals you might send to us.

Paul Cleary *Paul Cleary*
Drusilla Cleary *Drusilla Cleary*
Forest Lodge
Cruagh Road
Killakee
Dublin 16

David Gray *David Gray*
Germaine Gray *Germaine Gray*
Cruagh Cottage
Cruagh Road
Killakee
Dublin 16

David Stanley *David Stanley*
Valerie Stanley *Valerie Stanley*
Hawthorn Cottage
Killakee Road
Dublin 16

H. Varian
Henry Varian
M. Varian
Miriam Varian
Cruagh Lodge
Cruagh Road
Killakee
Dublin 16



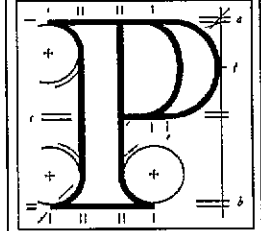
Our Ref: PL 6/5/86270
P.A. Reg. Ref: 91A/700

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

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R
26/9
23 SEP 91

Handwritten:
mo Sloc
pa

An Bord Pleanála



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

Date: 20th September 1991.

Appeal re: House at Cruagh, Rathfarnham, 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.

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

Yours faithfully,

Suzanne Lacey
Suzanne Lacey

Handwritten:
OBS.

Encl.

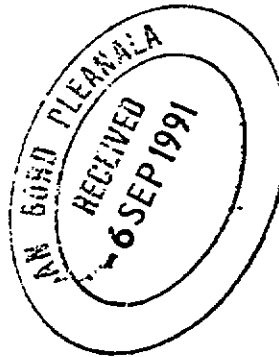
BP 555

c/o "Forest Lodge"
Cruagh Road,
Killakee,
Dublin 16.

1/9/91

Ref.: PL 6/5/86270
PA Ref.: 91A/0700

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



Re: Proposed change of house type at Cruagh Road,
Killakee, Dublin 16, for Mr. B. McGuinness.

Mr. McGuinness's submission dated 31/7/91.

Councillor Muldoon's submission dated 17/8/91, addressed to
the Secretary of An Bord Pleanála.

Dear Sirs,

We acknowledge receipt of copy of Mr. McGuinness's submission. The copy of Councillor Muldoon's submission was sent directly to each of us. Our comments are as follows.

Mr. McGuinness's submission:

1. Our objections to the design and scale of the house are well documented in previous correspondence, and are not therefore repeated in this letter.

We would, however, like to advise that we do not see that re-orientation of the house will make any significant improvement. The site is visible from a long section of Cruagh Road, Cruagh Car Park, Killakee Car Park, Killakee Road (especially in winter), and from many points in the Dublin Mountains and to the north. The orientation of the house to minimise impact on any one of the above areas, only serves to expose it to others.

2. Mr. McGuinness's statement- "Between January and April 1991 we were in negotiations with senior Planning Officials and Councillors of Dublin County Council during which time all possible options of buy-out, council land swap and local land swap were pursued and eliminated."

When we spoke to Dublin County Council Planning Dept. in May 1991 we were told that the only option the Council could offer to Mr. McGuinness was a Council land swap, and that they had therefore made considerable efforts to find a suitable site. They stated that in their view, the Rathmichael site met the requirements, but that unfortunately Mr. McGuinness would not accept it. They stated quite explicitly that they could not in any circumstances make proposals for any swap of privately owned land.

Our understanding is that the local land swap proposal originated from An Taisce, sometime in June 1991 (see enclosed letter from Councillor Mary Muldoon), and that Mr. McGuinness has not opted to pursue this option to date.

We cannot see how Mr. McGuinness's statement can be reconciled with these facts.

3. Mr. McGuinness's statement- "Will the public be outraged by seeing 87A/835 and it's exempted and non-exempted extensions and developments all over the site."

One of the principal arguments put forward by Mr. McGuinness is this threat to build "exempted and non-exempted extensions and developments all over the site "if he does not get a favourable decision.

Any exempted developments will be insignificant, and we wish again to reassure An Bord that should Dublin County Council grant permission for any undesirable non-exempted developments, it will be appealed to An Bord Pleanala.

4. Mr. McGuinness's reference to "collusion between An Taisce and our four neighbours."

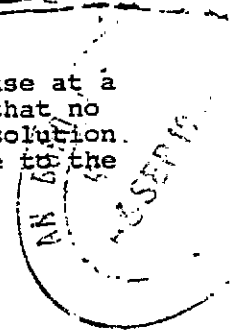
Some of our group are ordinary members of An Taisce and as such are entitled to be in touch with An Taisce. We take exception to Mr. McGuinness's allegation of collusion, and believe that the enclosed letter from Councillor Muldoon refutes this allegation.

Councillor Mary Muldoon's submission to the Secretary of An Bord Pleanala, dated 17/8/91.

1. Councillor Muldoon recognises the importance of the site, but then fails to give pro rata consideration to the public interest factor involved. Instead of dealing with the matter on the basis of objective planning considerations, she is simply attempting to gain sympathy for Mr. McGuinness, having been apparently unduly swayed by the ill founded belief that he is the innocent victim of a set of circumstances not of his own making. It would appear that she has been badly informed, since the following are the facts:

Permission ref. 87A/835 was given by Dublin Co. Council, not the Minister. Mr. McGuinness purchased the site with full planning for a traditional style, single storey house, of more than sufficient size for a large family, ref. YA/106. He subsequently sought and obtained permission for the 83.6m² house, ref. 87A/835. However, by his own admission (see page 2 of McGuinness submission of 31/7/91 to An Bord Pleanala), his ultimate objective was to obtain permission for a 155m², more complicated house, with high ridgeline ref. 88A/840, thus displaying scant regard for the sensitivity of the site. Fortunately, An Bord Pleanala upheld an appeal by An Taisce against the Dublin Co. Council permission for 88A/840.

2. On the An Taisce suggestion to locate the proposed house at a less sensitive position at Cruagh, it is our information that no serious effort has been made by Mr. McGuinness to find a solution based on this approach. If Councillor Muldoon has evidence to the contrary, we would be interested to hear of it.



3. The "two options" view constantly expressed by Mr. McGuinness, and used in Councillor Muldoon's submission, only retains validity as long as he insists on adhering rigidly to this view.

We urge An Bord Pleanála to uphold our appeal by refusing permission, which would be fully consistent with its previous decision reference PL/6/5/78980.

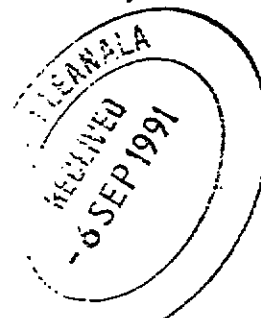
Yours Sincerely,

Paul Cleary *Paul Cleary*
Drusilla Cleary *Drusilla Cleary*
Forest Lodge
Cruagh Road
Killakee
Dublin 16

David Gray *David Gray*
Germaine Gray *Germaine Gray*
Cruagh Cottage
Cruagh Road
Killakee
Dublin 16

David Stanley *David Stanley*
Valerie Stanley *Valerie Stanley*
Hawthorn Cottage
Killakee Road
Dublin 16

Henry Varian *Henry J. Varian*
Miriam Varian *Miriam Varian*
Cruagh Lodge
Cruagh Road
Killakee
Dublin 16



Tel. 946601

Rún na Gaoithe,
34A Dargle Wood,
Knocklyon,
Dublin 16.



P.O. Box 174
46/49 Upper O'Connell Street
Dublin 1
Telephone (01) 727777

Mr. & Mrs Paul Cleary,
Forest Lodge,
Cruagh Road,
Killakee,
Dublin 16.

Our Ref.

Your Ref.

Date
19 June 1991

RE: Planning Application No. 91A/0700


Dear Mr. & Mrs. Cleary,

I acknowledge with thanks your letter of the 30th May and apologise for the delay in replying. I have now taken this matter up at the request of An Taisce with Mr. Lambert the landowner and the McGuinness family. I hope it will come to a satisfactory conclusion and that an alternative site may be found.

Yours sincerely,


Mary Muldoon,
Councillor.

Postage : Courtesy Nuala Fennell, T.D.



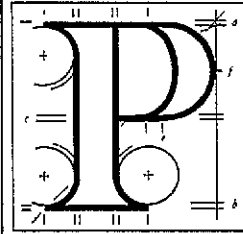
Our Ref: PL 6/5/86270
P.A. Reg. Ref: 91A/700

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

Handwritten: 23 SEPT 91

Handwritten: pr

An Bord Pleanála



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

Date: 20th September 1991.

Appeal re: House at Cruagh, Rathfarnham, 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.

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

Yours faithfully,

Suzanne Lacey
Suzanne Lacey

Encl.

BP 555

8 Ripley Court,
Killarney Road,
Bray,
Co. Wicklow.

23rd August, 1991

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

6/5/86270

Ref: Dublin County Council PA 91A/0700

Dear Sir/Madam,

Re: Change of house at Cruagh Road, Co. Dublin, opposite Cruagh Car Park.

We submitted an objection to the application in November 1990, reference PA 90A/1880, to change to this house type. Subsequently, Dublin County Council refused the application, stating quite explicitly that this type of house was not appropriate for this site.

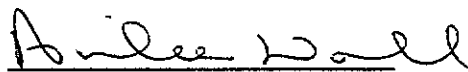
It is therefore very difficult to understand how the County Council could justify granting permission for exactly the same house type with a minor change, some six months later, when a fresh application PA 91A/0700 was made, to which we also objected.

A large two storey dormer house is entirely unsuitable for this site, which is located at probably the most important viewing point in the Dublin Mountains, enjoyed by thousands of visitors to the area every year.

We see that an appeal has been lodged against the County Council's grant of approval, and we ask An Bord Pleanala to uphold this appeal.

We enclose a cheque for £15.00 to cover the fee for this submission.

Yours faithfully,


Aileen Wall

24/8/91

~~£15.00~~

B24628



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

NAME	ADDRESS
Jennifer Reynolds	40 Merrion Avenue Blackrock, Co. Dubl
Bernie Fitzpatrick	48 Villa Park Road Naas Road, Dublin 7.
Deloith Buckley	"Skelligs", Kilsnoir, Maynooth, Co. Kildare.
Mauda Longley	23 Blackhall Pl. D. 3.
June M. Donnell	11. Mulgrew St. K.
Breege Keegan	94 Devenish Rd D12
Marie Connor	42 MCINTOSH PK Dun Laoghaire
SABINA CONNOR	" " " "
Mary Ann	19 Craighnaught Ave. D5.
Maryann Wall	16 Castlepark Road, Sandywell Dun Raoyhaire Co. Dublin
Anilee Wall	8 Rippl Street Kilbarrack, Bray Wicklow

AN BORD PLEANALA
27 AUG 1999

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

NAME

ADDRESS

Luey Browne, 4 Malvern Road, Ballsbridge, Dublin 4

John Browne, as above.

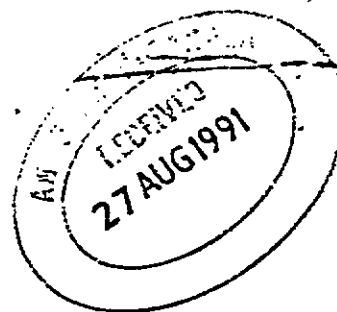
M. Kent. 13 Northumberland Court, Northumberland
Rd. Dublin 4

Lave Brane 25 Bellevue Close Booterstown

Denise Mitchell 25 Bellevue Close, Booterstown.

John Browne Sandycroft Rd, Dundrum Dublin 16

Elizabeth O'Brien, Sandycroft Rd. D.16.

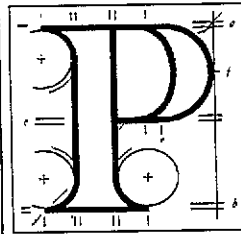


Our Ref: PL 6/5/86270
P.A. Reg. Ref: 91A/700

PK
h
3/9

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

An Bord Pleanála



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

Date: 28th August 1991

Appeal re: House at Cruagh, Rathfarnham, Co.
Dublin.

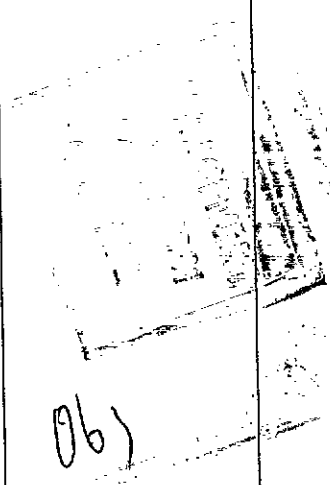
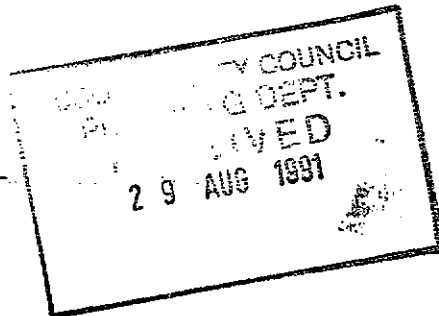
Dear Sir/Madam,

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

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

Yours faithfully,

Patricia Tobin
Patricia Tobin



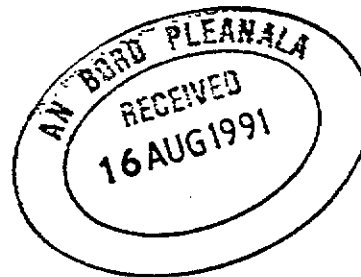
Encl.

BP 555

c/o "Forest Lodge"
Cruagh Road,
Killakee,
Dublin 16.

14/8/91

Ref.: PL 6/5/86270
PA Ref.: 91A/0700



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

For Attention of Ms. M. Kelly.

Re: Proposed change of house type at Cruagh Road,
Killakee, Dublin 16, for Mr. B. McGuinness.

Dear Ms. Kelly,

We refer to your letter of 17/8/91. We have inspected the copies of the planning authority documents you referred to, which consisted of the Report of the Planning Officer, a fax from Mr. McGuinness to Dublin County Council Planning Dept., requesting a meeting between himself, the Planning Dept. and objectors, and the reply sent to him by the Planning Dept. Our submissions on these documents are as follows.

1. Report of Dublin Co. Co. Planning Officer.

We agree with the paragraphs headed Zoning, Site Characteristics, and History. We would add to Site Characteristics that viewing from Cruagh Road, as well as the car park, is very popular. The roadway, just where the proposed house would be located, is the only straight portion, and has been widened, so that not only cars, but Tour buses as well, stop there.

We agree with the paragraph headed Proposal, except to say that the slight change in ridge height is the only change in PA 91A/0700, compared to the PA 90A/1880 which was refused by Dublin County Council.

With regard to the paragraph headed Dept. Records, we were led to believe by Dublin County Council that more than 30 objections were received. Perhaps these were received after the Planning Officer's report was compiled, but we wish to have the record set right. We were also informed by a number of Dublin County Councillors that they had objected to the PA 91A/0700.

On the paragraph headed Planning Assessment, our first comment is that the contents display a remarkable degree of inconsistency on the part of Dublin County Council Planning Dept., when considered in the light of the reasons it gave for refusing permission for the identical house type applied for in PA90A/1880. The Council stated quite explicitly, then, that "It is considered that a dormer bungalow is inappropriate for this site."

We do not understand the figure given by the Council for comparative site coverage. Since 87A/835 is a single story house, it's site coverage must surely equate to the ground area. The comparative figures for site coverage must therefore be 83.6 m² and 164 m², giving an increase of just under 100% in site coverage. In any case, the site coverage is not particularly relevant, since it is the bulk of the house which is critical.

In our view the proposed house cannot be described as traditional in form.

The Council's expressed concern about exempted development, following the construction of the approved house PA87A/835, is not well founded. An extension of the maximum 23 m² to the rear would be hidden by the house itself, and would not be visible from Cruagh Road, Cruagh car park, and the upper part of Killakee Road, while a garage/shed would not have any significant impact, especially when compared to the great bulk of the proposed house PA 91A/0700.

We submit that the above report is seriously flawed. The decision of Dublin County Council to grant permission for PA 91A/0700, is therefore not only inconsistent with the previous refusal for the identically same house, but is based on incorrect considerations.

2. Mr. McGuinness's fax of 19/6/91 and the Council's reply of 20/6/91

The Council was quite correct in refusing to reveal the names of objectors. Since then Mr. McGuinness has obtained the names and addresses of the local objectors from another source, and has written to us, individually. He therefore has had the opportunity to make his case to us, and has received a collective reply.

In his fax to the Council, Mr. McGuinness stated that "These people are essentially objecting to any house being on this site, and do not accept that there is a valid present full permission, which we, now with the application 91A/0770, are seeking to improve upon, as being a more desirable development--there being no other options or alternative left".

We fully accept that there is a valid full permission for the site, i.e., 87A/835, and that Mr. McGuinness is perfectly entitled to build that house there. We do not agree with him that the proposal 91A/0700 is an improvement or a more desirable development in the context of this very important site. Neither do we agree with him that there are no other options or alternatives left. In fact, Dublin County Council informed us that they had offered Mr. McGuinness an alternative site at Rathmichael Co. Dublin, for the proposed house.

In addition, Councillor Mary Muldoon informed us that she proposed to Mr. McGuinness, who is a constituent of hers, that he discuss relocating the proposed house 91A/0700 at a less sensitive position at Cruagh, with the local landowner from whom he purchased the site, Mr. Patrick Lambert. She also informed us that she had discussed this with Mr. Lambert, in order to help facilitate such a relocation.

In our reply to Mr. McGuinness's letter to us, we reminded him of these alternatives, and we now suggest that he gives them constructive consideration, with a view to finding an acceptable solution, which would allow him build the proposed house type, without damaging an important amenity.

Paul Cleary *Paul Cleary*

Drusilla Cleary *Drusilla Cleary*

Forest Lodge
Cruagh Road
Killakee
Dublin 16

David Gray *David Gray*

Germaine Gray *Germaine Gray*

Cruagh Cottage
Cruagh Road
Killakee
Dublin 16

David Stanley *David Stanley*

Valerie Stanley *Valerie Stanley*

Hawthorn Cottage
Killakee Road
Dublin 16

Henry Varian

Miriam Varian

Cruagh Lodge
Cruagh Road
Killakee
Dublin 16

Henry Varian
Miriam Varian
RECEIVED
16 JUNE 1991

Our Ref: PL 6/5/86270
P.A. Reg. Ref: 91A/700

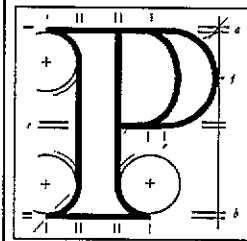
GH

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9/8

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

09 AUG 91

An Bord Pleanála



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

Date: 7th August 1991.

Appeal re: House at Cruagh, Rathfarnham, 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 of
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 faithfully,

Suzanne Lacey
Suzanne Lacey

Encl.

BP 553



An Bord Pleanála

23 Delaford Grove
Templeogue
Dublin 16.

PL 6/5/86270

Reg. Ref. 91A/700

31st July 1991

The following submission pleads to you to uphold the decision of Dublin County Council to grant full planning permission to the above Reg. Ref. 91A/700. It is a factual account of the many stages and processes gone through by us up to and since the 1989 Bord ruling for a house on this site PL6/5/78980, Reg. Ref. 88A/840 as follows:-

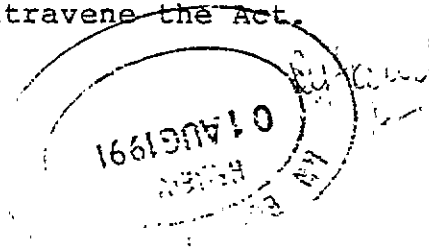
"Having regard to the bulk and inappropriate design of the proposed dwelling, the location of the site within an area of high amenity and the small scale development permitted by the planning authority under Reg. Ref. 87A/835, it is considered that the proposed development would constitute an excessively obtrusive feature in this open and exposed landscape and would seriously injure the visual amenities of the area, having regard to the necessity of preserving a view of special amenity value."

We fully acknowledge that this present application 91A/700 has greater bulk than the permitted house of smaller scale, but because of the L-shape design, re-orientation on the site and simple form, the mass of the development is hidden behind the South and West facing gable-ends. By lowering the house by over one metre to the same ridge height level as for 87A/835, and with simpler, more traditional roof lines, this development would not be an excessively obtrusive feature. We submit that 91A/700 with its extra conditions will be an inconspicuous, traditional, single and complete development, with comprehensive and indigenous landscaping, neatly integrated into the environment and will not injure any view but be a part of it, and will preserve the visual amenity of the area.

The historical background to the existence of full planning permission on this site is as follows:-

On the 18th October 1983 the landowner farmer received full planning permission for a 178sq.m. house Reg. No. YA106 with no objections or appeals, prior to the 1983 Development Plan and so did never materially contravene the Act.

02MABK



In 1985 we purchased this site of 1.5 acres (0.6 hectares) from him following extensive viewing and investigation of many sites in the South County Dublin area. This site was chosen as being the best available, and furthermore, Mrs. McGuinness is a native of Rathfarnham and our children attend school in Rathfarnham also.

In 1987 we submitted a "change of house type" planning application and received full planning permission for a 2 bedroom, 4 roomed house of 83.6sq.m. with no objections or appeals, Reg. Ref. 87A/835, granted August 1987. This was a Phase 1 plan submitted to test the water with Dublin County Council and any other concerned parties for a change of house type application on this site.

In 1988 we submitted a "change of house type" application and received full planning permission for a 4 bedroom house of 155sq.m. with no objections Reg. Ref. 88A/840, granted March 1989. This was the completed Phase 2 development from the earlier Phase 1 house 87A/835.

In March 1989 An Taisce appealed against the grant of full planning permission to An Bord Pleanala. There followed several written submissions from each side and in September 1989 An Bord Pleanala overruled the County Council decision and refused permission with decision No. PL 6/5/78980. By this time we were committed to the sale of our own house, had moved into rented accommodation and are still there since August 1989.

In September 1989 we commenced negotiations with An Taisce South County Dublin Association and Dublin County Council Planning Officer for South County Dublin and our own architect to try to arrive at a design which would be acceptable to all.

In March 1990 a full-scale, on-site, stake-out indicating the ridge level and gables was viewed by County Council Planning Officer, Mr. Des Johnston and Chairman of An Taisce South County Dublin Association, Mr. David Rowe. They separately selected for us their choice of "Option C" from four isometric drawings (encl.1) offered to them on which the viewed stake-out was based. This approval to proceed from both parties allowed us prepare full drawings, continue negotiations with each, including detailed house and site features and submit a full application. Both Mr. Johnston and Mr. Rowe stated that they would see as a condition to any grant of permission, that there be no further extensions or developments on the site. The submitted design thus had to include everything and this point is borne out by condition No. 9 of grant of permission 91A/700.

02MABK

This L-shaped design is regarded by all sides as being a much improved and more desirable design than the 4 roomed 87A/835, and this was demonstrated to all with comparative 1:100 scaled models (encl. 2). Negotiations of design detail were successfully concluded with An Taisce with the issue of a letter of acceptance without objection from them on the 20th September 1990 (encl. 3) in support of the application. So, after one full year in negotiations and in the knowledge that both Dublin County Council and An Taisce were in agreement with the plans, we submitted a "change of house type" planning application in October 1990, Reg. Ref. 90A/1880, but were refused. Public objections to the application had been received by Dublin County Council which in refusing permission, had overturned a precedent of at least 3 previous grantings.

Between January and April 1991 we were in negotiations with senior planning officials and councillors of Dublin County Council, during which time all possible options of buy-out, council land-swap and local land-swap were pursued and eliminated. We then addressed the option of a planning application based on the An Taisce approved 90A/1880 house. Agreement was reached at a meeting on 22nd April 1991 with Mr. Drumgoole, Mr. Murray and Mr. Cremins of Dublin County Council Planning Department to submit an application based on the 90A/1880 house with the significant and substantial improvement of lowering the house by over 1 metre to have its ridge height level the same as for 87A/835 and the excavation spoil to go to the south to further conceal the house. The covering letter of 30th April 1991 (encl. 4) to our planning application 91A/700 confirms the points agreed at this meeting and demonstrates the main points of design improvement (encl. 5) for a development on this site over the present permission 87A/835 and the appealed 88A/840, namely:

- 1) Ridge height level.
- 2) Cleaner roof lines.
- 3) Re-orientation of the house.
- 4) Simple form and design.
- 5) Site improvements.

Dublin County Council granted full planning permission with extra conditions as follows:- (encl. 6)

- 6) Additional tree-planting to the N.W. of the house.
- 7) All external walls of the house to be finished in granite (as suggested by the neighbours to Mr. Cremins).
- 8) Ridge height level to be same as for present permission house 87A/835 i.e. 346.2 metres.
- 9) No extensions or other structures on the site without permission from Dublin County Council or on appeal.

02MABK

If our objectors really have the public's best interest at heart, as they say they have, then let them imagine the public passing by in, say, one year, 5 years, 10 years time and seeing the development on this site. Will the public be outraged by seeing 87A/835 and its exempted and non-exempted extensions and developments all over the site necessary for us to live, or will they see 91A/700 with its extra conditions and compliment the inconspicuous, traditional, single and complete development with comprehensive and indigenous landscaping, neatly integrated into the environment, not interferring with any view, but part of it?

We have demonstrated through all our dealings with Council Planning Officers, County Councillors, An Taisce and our neighbours, absolute honesty, integrity, tolerance and good will towards each in trying to do what is best on our site. It is most disappointing and outrageous that AN Taisce, a national body, have not reciprocated in kind as they are now reneging on a thoroughly negotiated agreed position with written support for an identical application. It also begs the question, would An Taisce have appealed against Dublin County Council had they decided to grant permission to Application 90A/1880? We have separately sought from An Taisce Chairperson Mrs. Oliver, a meeting to clarify this dishonour that exists in the South County Dublin Association.

We also believe there is collusion between An Taisce and our four neighbours, as there is information contained within the neighbours' appeal which is privy only to An Taisce, Councillor Muldoon, the farmer and ourselves i.e. regarding approaching the farmer for a land-swap (their point 5). Throughout their appeal their "information" is misguided, circumstantial and contradictory and reflects their shortsightedness for what they regard as the public interest. Indeed "it is our information" that Mr. Cleary told the farmer he would have no objection to his applying for planning permission on this site and said he "would welcome more neighbours around here." Can these objectors not see that the "alternative scenario", their point 6, is the one which should be stopped and not this recent permission 91A/700. Let it be clearly understood by them that at this late hour we are left with no other choices, decisions or options, but which house to build on this site. All discussion and negotiations have now been exhausted and it now remains for common sense and goodwill to prevail. We still have much goodwill to doing what is best on this site, but it must be appreciated that time is running out.

02MABK

Should there be any queries regarding the above, please do not hesitate to contact the undersigned.

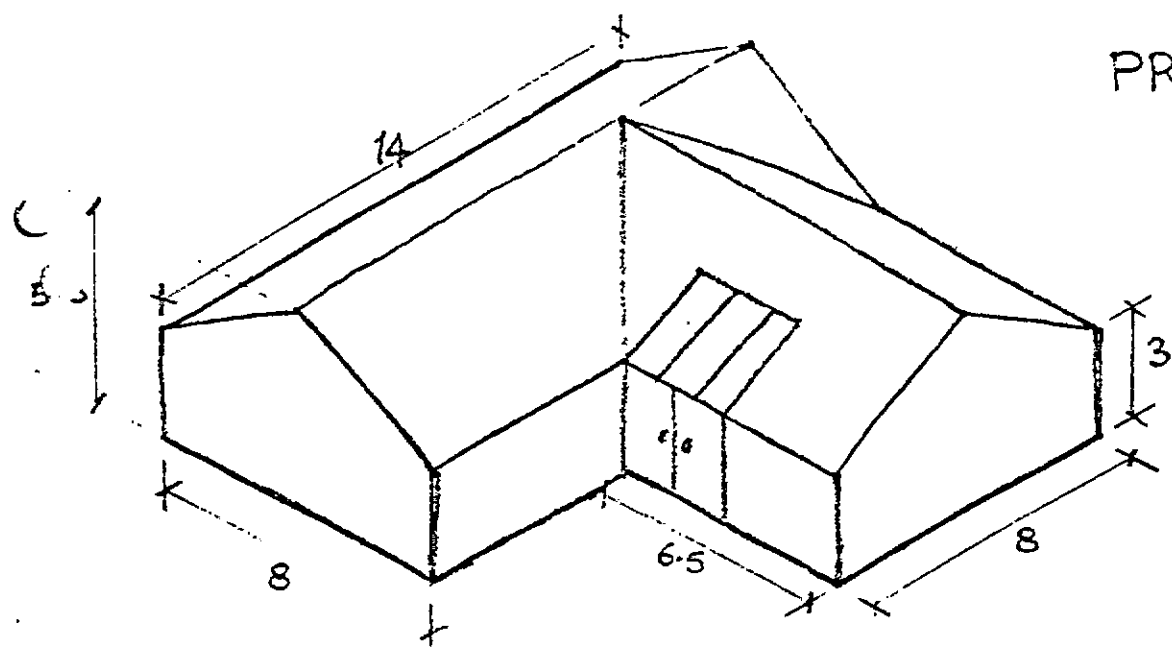
We urge you to find in favour of the County Council's decision to grant permission and uphold their sound judgement in this case.

Yours faithfully,

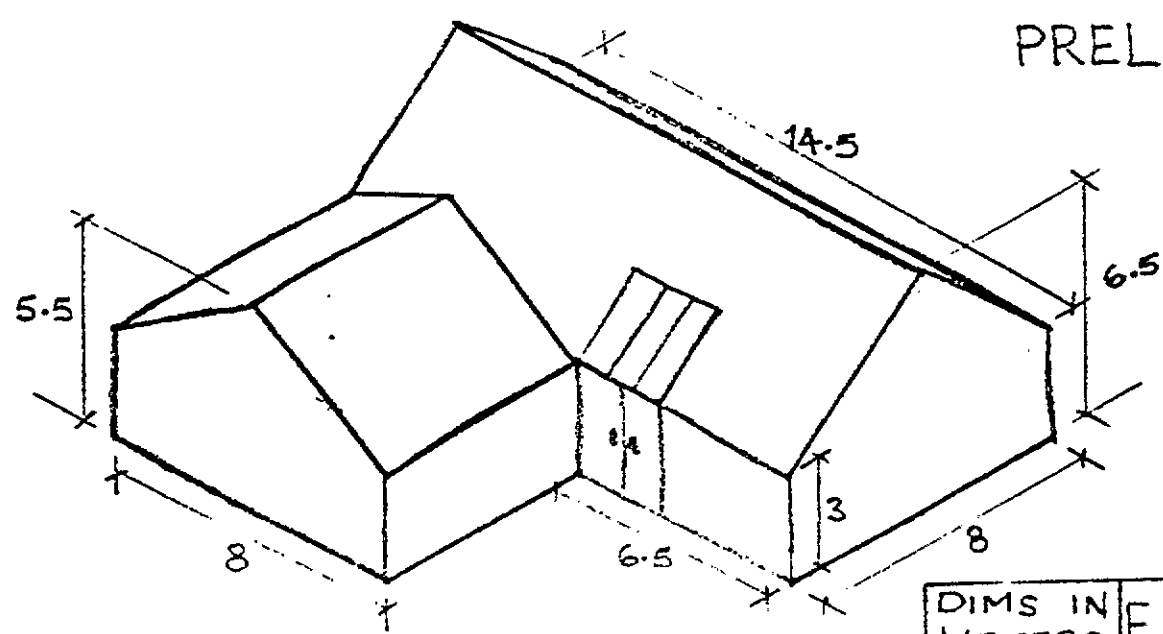
B. & H. McGuinness
Brendan and Helen McGuinness

- Enclosure 1 2 No. isometric drawings
- " 2 Photographs of 1:100 scaled models of 87A/835 and 90A/1880 (equivalent to 91A/700)
 - " 3 Letter of support from An Taisce
 - " 4 Covering letter to application 91A/700
 - " 5 Council's decision to grant permission to 91A/700 dated 26th June 1991
 - " 6 Dublin County Council and An Taisce rural design guidelines.

02MABK



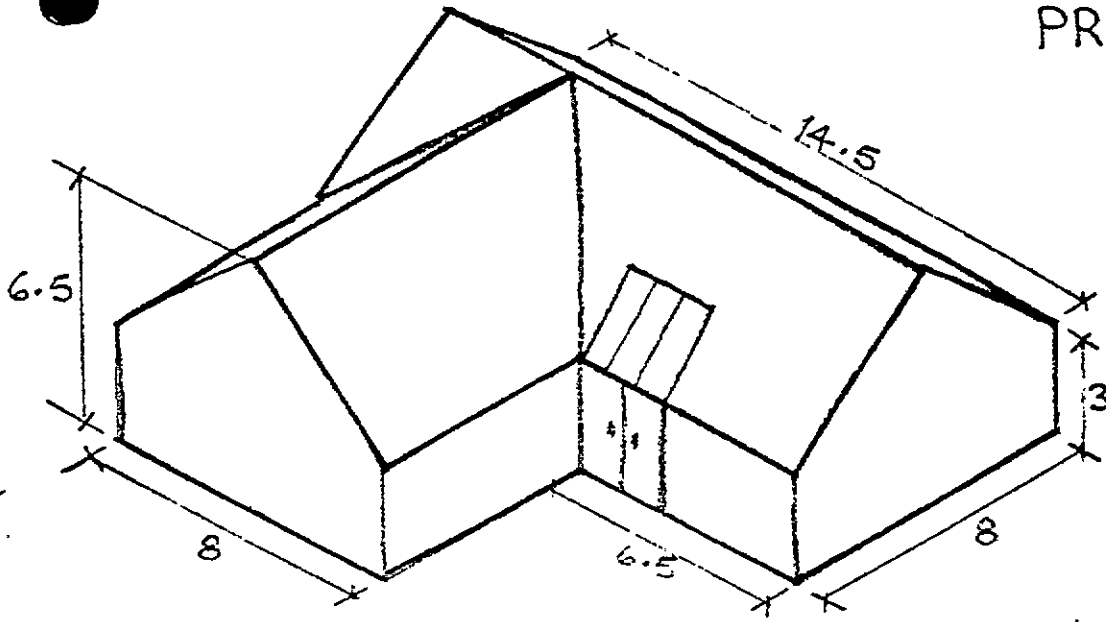
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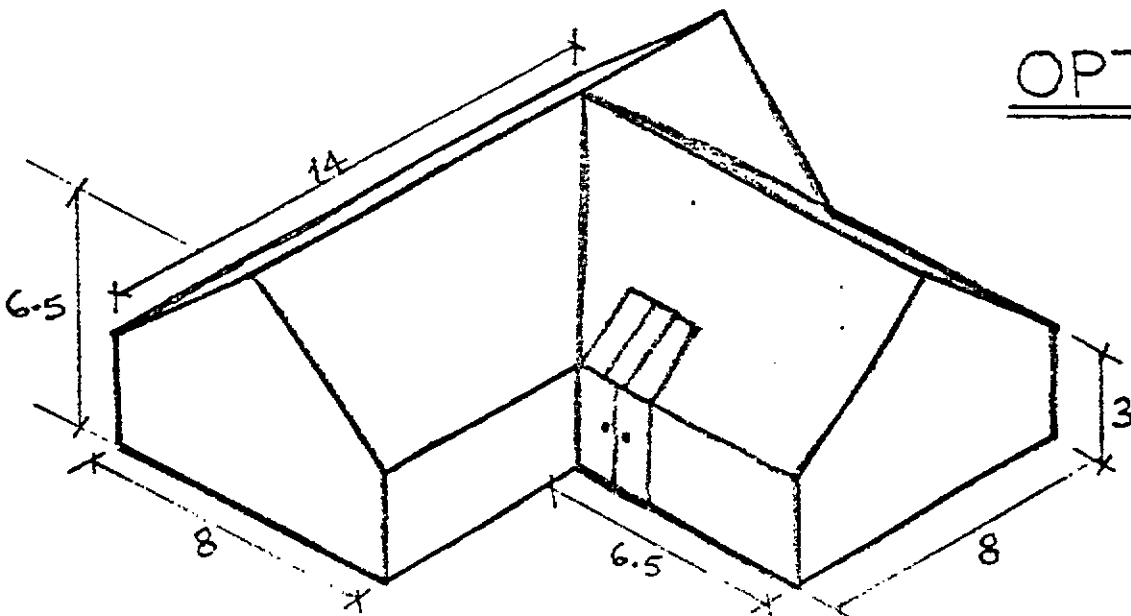
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DIMS IN METERS	ENCL. 1
OPTION 'C' PRE	
MAR. 90	BMcG

PRELIM.



OPTION 'C'

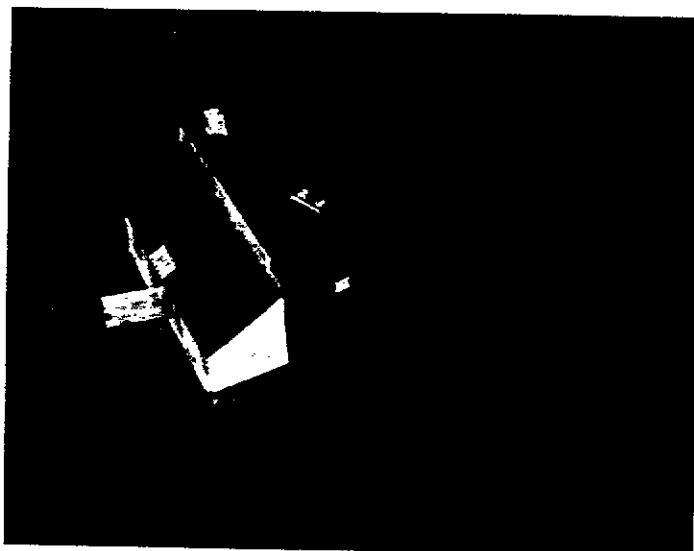
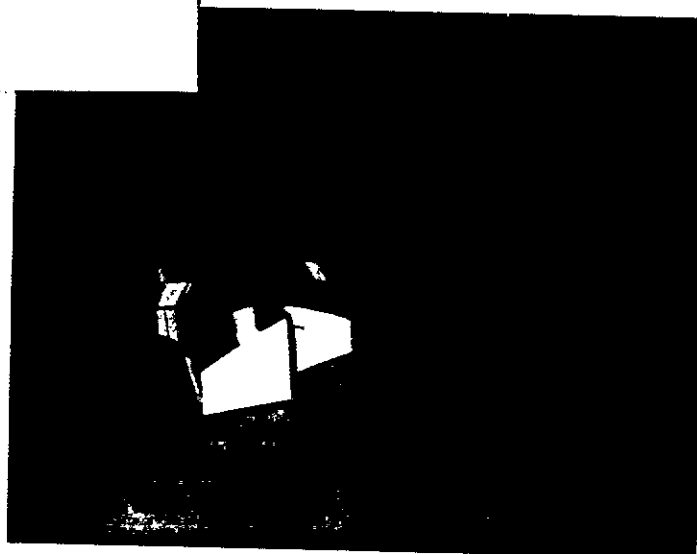


DIMS IN METERS	ENCL. 2
OPTION 'C'	
MAR. 90	BMcG

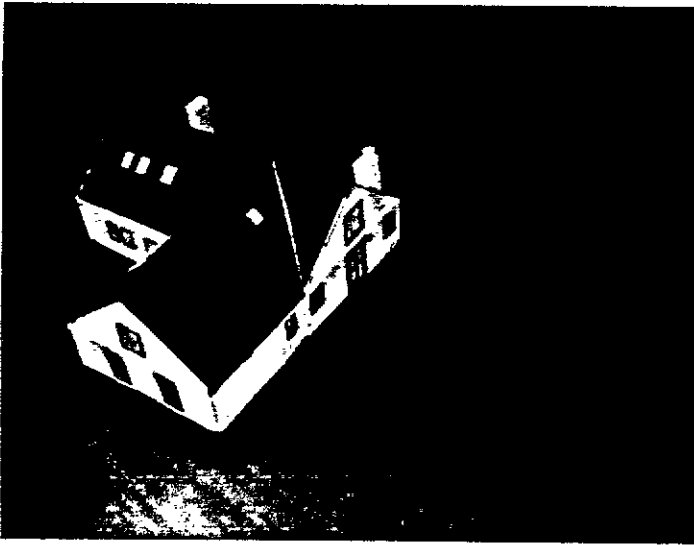
ENCL. 2
JULY 91.
2 PAGES.



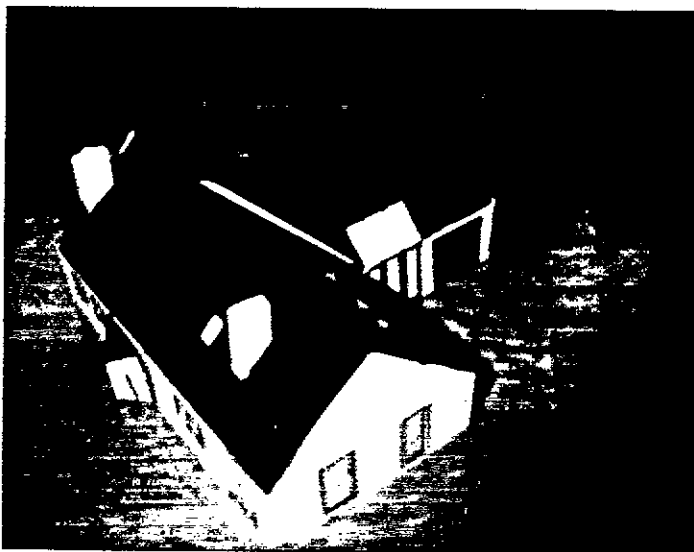
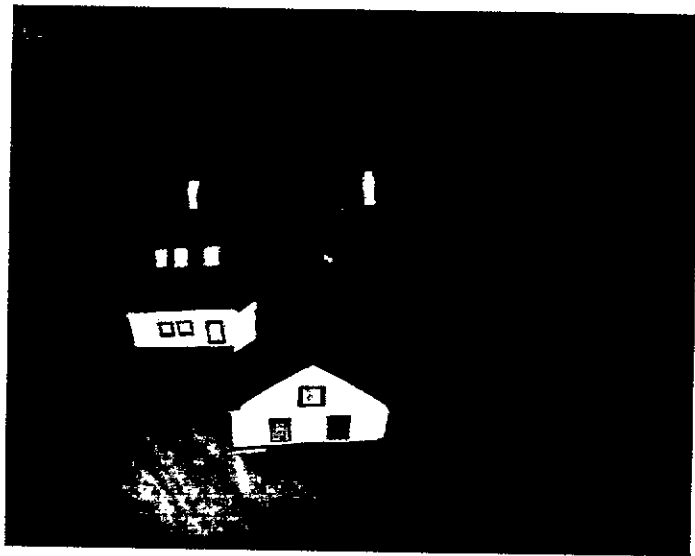
PHOTOGRAPHS
OF 87A/835



MODELS
ARE
AVAILABLE
FOR
INSPECTION



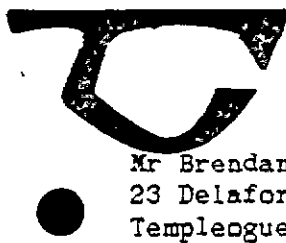
PHOTOGRAPHS
OF 90A/1880,
EQUIV. TO 91A/700
LESS CONDITION 7,
GRANITE FACING



ENCL. 3
JULY '91

An Taisce

The National Trust for Ireland



Mr Brendan McGuinness
23 Delaford Grove
Templeogue
DUBLIN 16

South Co Dublin Assoc
Glenfarn
Woodside Road
Sandyford
Co DUBLIN

20th September 1990

Dear Mr McGuinness,

re House at Cruagh

I confirm telephone conversation of to-day's date.

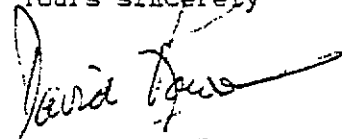
An Taisce will raise no further objection to your house at Cruagh provided the application and the permission (if given) accord with the proposals which you have made to us and which we have accepted.

In our last conversation I understand that -

- a. You are proposing to eliminate the "bay window" effects in the upper storey;
- b. We agreed that the gable ends should not be slated or painted in a dark colour.

You will let us have your proposals in regard to screen planting. in fact we would be grateful to have a copy of your revised application, which will presumably contain the planting scheme. We do not require detailed architect's drawings.

Yours sincerely



David Rowe, Chairperson, South Co Dublin An Taisce Association

ENCL. 4
JULY '91
2 PAGES

23 Delaford Grove,
Templeogue,
DUBLIN 16.

30th April, 1991.

Mr. W. Murray,
Dublin County Council,
Planning Dept.

REG. REF. 91A/700

Dear Sir,

RE: CHANGE OF HOUSE TYPE AT CRUAGH, RATHFARNHAM

It is hoped that the County Council will find in favour of this application as the following points will demonstrate that the proposed dwelling is a single, complete development on the site, as opposed to what will have to be piecemeal extensions and developments to the present permission 87A/835.

The main points of design improvement are as follows:-

1. RIDGE HEIGHT

The enclosed drawings indicate and we hereby confirm, that as agreed with yourself, Mr. Drumgoole and Mr. Cremins at the meeting of 22nd April, the ridge height of this application will be at or lower than the ridge height of the present permission 87A/835. The dotted outline indicates the present 87A/835 superimposed on the site cross-section of this application, taking into account house re-orientation. The extra excavation spoil from sinking the house in excess of 1 metre will go to the south of the site to help further conceal the house.

2. CLEAN-UP OF ROOF LINES

Normal apex roof with traditional pitch of 40° and a clean, even ridge line.

02MAAZ

3.

RE-ORIENTATION OF THE HOUSE ON THE SITE

The East - West line of the house is rotated by almost 45° anti-clockwise. This then presents two gable-ends to the two views of prime concern

- (a) From the road and car park to the South.
- (b) The descending Killakee Road, on the West.

The gable-ends would each have the house receding behind it, thereby minimising the visual impact. When viewed from the South, the house is visually set into the large grove of trees on the North West boundary and does not obstruct any other views.

4.

A HOUSE OF SIMPLE FORM

Compared with the present permission 87A/835, having 8 corners in a slipped rectangle, and future extensions and developments required, this application has 6 corners in an L-shape, with traditional cottage features in its roof line, pitch angle, door and window opes and external treatment, i.e., blue/black slate roof and white rendered walls.

5.

SITE IMPROVEMENTS

A much improved and comprehensive landscaping scheme using mainly shelter belt planting on the West side and screen planting on the South and East sides. Traditional sheep-wire with barbed wire boundary fence right around the site.

Excavation spoil from the house site to be spread to the South to further conceal the house.

We hope you find this application satisfactory. Should you have any queries please do not hesitate to contact the undersigned.

Yours faithfully,

B. McGuinness

BRENDAN MCGUINNESS

02MAAZ

DUBLIN COUNTY COUNCIL

DEVELOPMENT PLAN REVIEW

APPENDIX D

Housing in Rural Areas
Design Guidelines

Policy in relation to dwellings in rural areas is set out in paragraphs 3.3.7.0 - 3.3.7.11 of the Development Control Objectives section of the draft Written Statement prepared as part of the Development Plan Review.

These Design Guidelines for Dwellings in Rural Areas are provided to assist intending applicants in the design and siting of individual houses in the countryside.

The guidelines are general in nature and are not intended to cover every situation or factor which may arise when siting or designing a house at a particular location or to inhibit innovative design in appropriate locations.

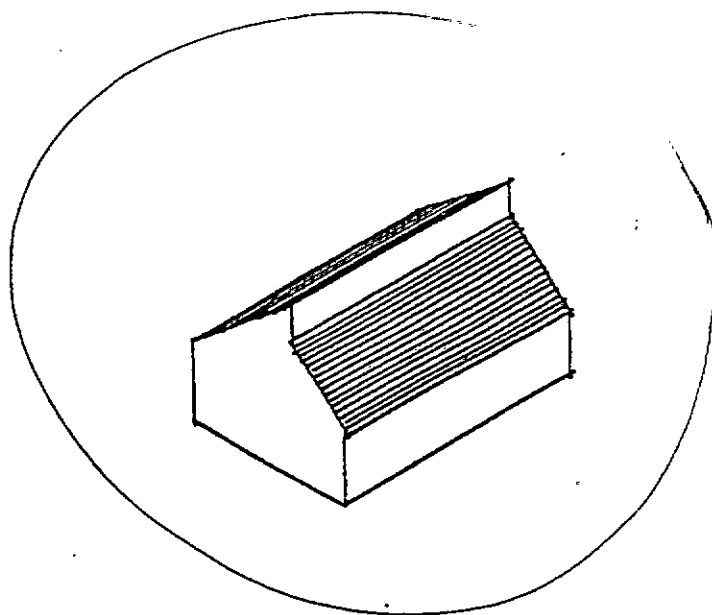
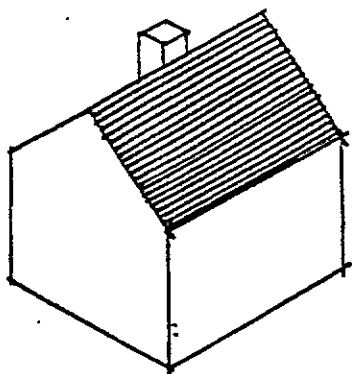
All prospective applicants are advised to, contact the Area Development Control Officer prior to lodging their planning application.

The guidelines are in the form of notes and simple sketches of various aspects of design as follows:-

- Siting
- Form and Plan
- Walls
- Gables
- Roofs
- Chimneys
- Openings
- Extensions
- Garages and Outbuildings
- Gates, Driveways and Site Boundaries

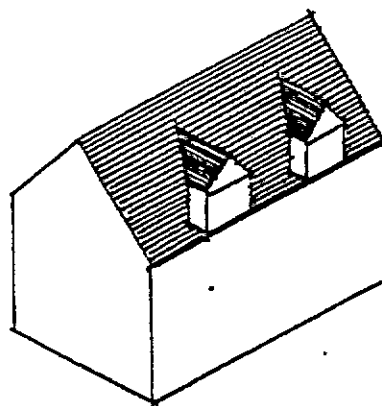
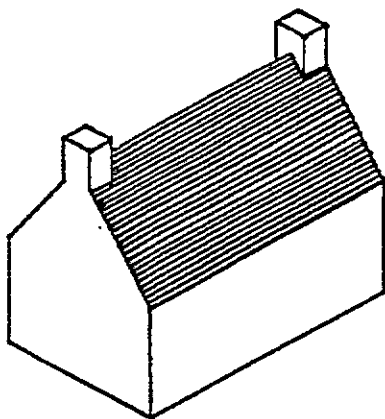
Form and Plan

Simple forms look best. Use established forms that look solid and confident and anchored in the countryside.



Use house form, scale and detail that respect local tradition.

Avoid complicated roof plans and unfamiliar shapes which can look incongruous and fussy in the rural landscape.

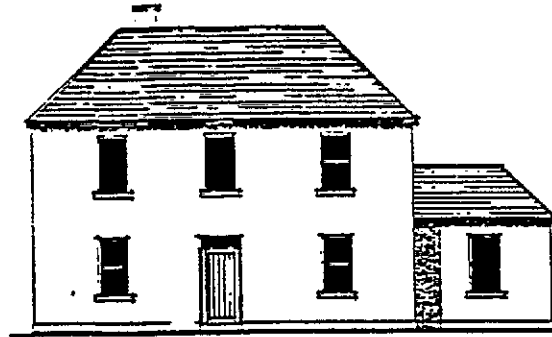
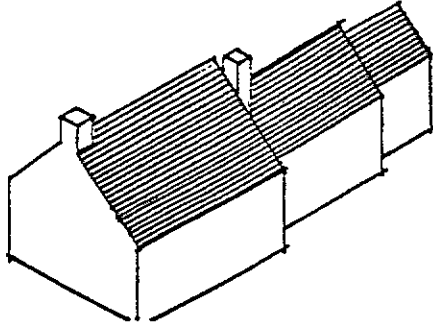


Use single storey forms in areas where they already predominate. A well designed and located single storey form will be less conspicuous in a sensitive landscape.

If you use a two storey form make the most of the roof space for bedrooms. This can reduce the bulk of the house and give an opportunity for well designed windows or dormers at the start rather than as an afterthought.

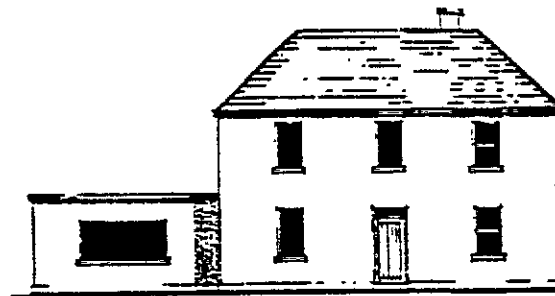
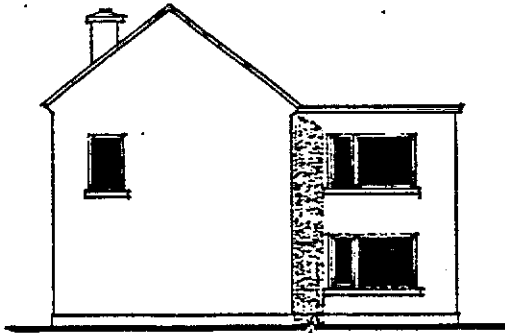
Extensions

Build to the side or rear. Use the same materials as the house.



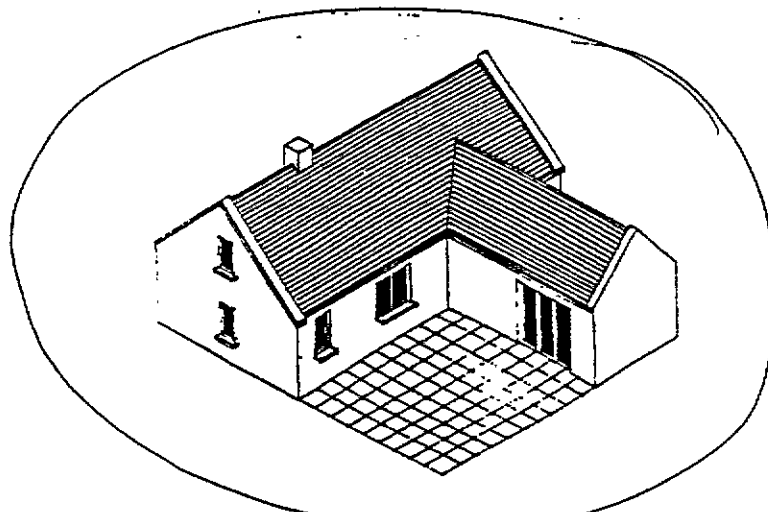
Use a pitched roof.

The extension should look subsidiary to the main house.



Avoid flat roofs.

Or extensions which do not match the main house.



An extension at the rear can create a sheltered patio space.

**BUILDING
SENSITIVELY
IN
THE
LANDSCAPES
OF
COUNTY
WEXFORD**

A Tausce
PUBLICATION.

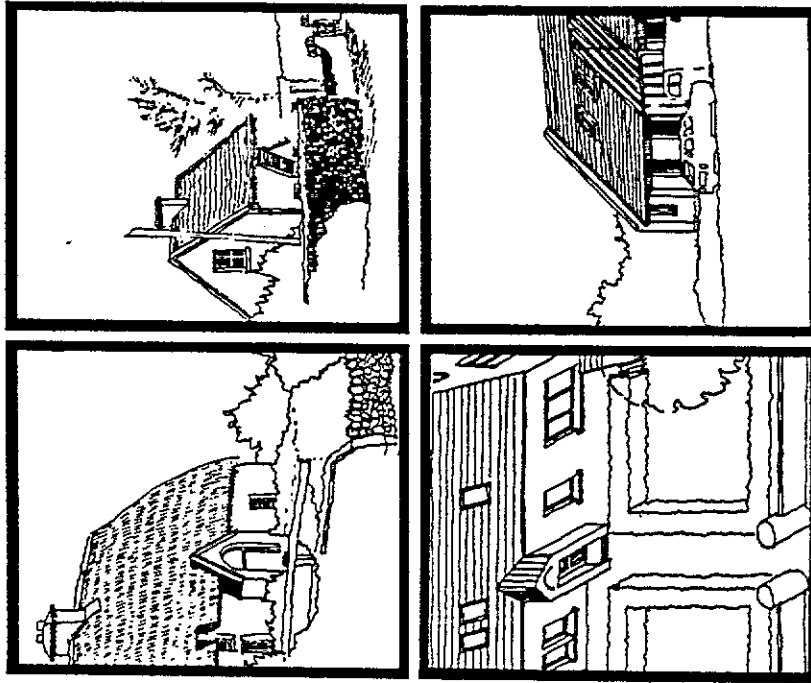
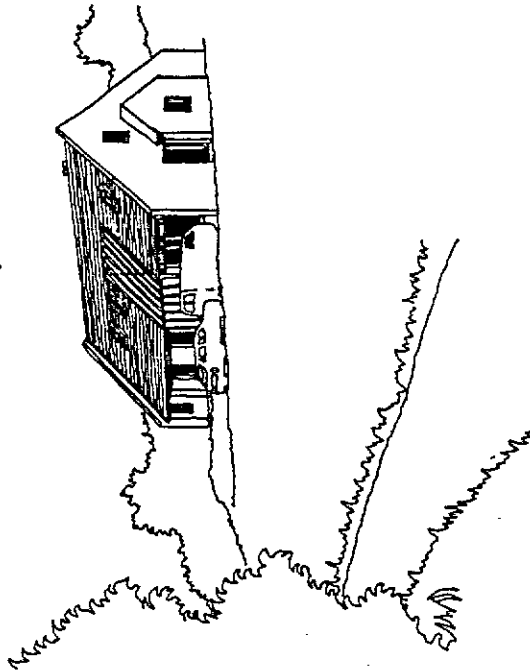
DESIGN GUIDELINES

INTRODUCTION

The design guidelines which follow are meant to be helpful for people thinking about building a house in the countryside. They summarise those aspects of building which really matter when designing and locating houses in the landscape. They are based on observation of the traditions of building in County Wexford.

Good design and siting of houses in the landscape are essential. Otherwise the county could end up with a coastline ruined by the wrong sort of development, or landscapes irreparably scarred by unfortunate buildings. It has happened in some places which should put us on our guard about the dangers. On the other hand, thought and care need not cost money, and can result in beautiful houses which belong to County Wexford and the landscape. The guidelines which follow are meant to give a positive approach and to help you to make good decisions at the early stages of a project.

Advice is essential. You should be careful about consulting books of plans in place of professional advice. Many were put together without reference to local conditions and without a thought for the landscape. It is important to work with an architect and to consult with the planning staff in the County Council at the earliest stages to make sure that you get the house you want and that it fits well into the landscape.



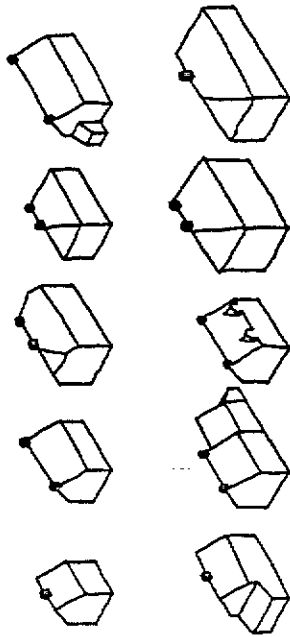
WEXFORD
COUNTY COUNCIL

EUROPEAN YEAR OF THE ENVIRONMENT

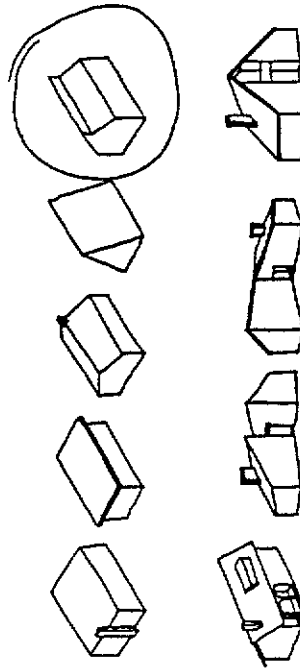
SITING AND DESIGN

6. CONTINUED

ESTABLISHED FORMS - Choose from these



FOREIGN FORMS - Beware of these

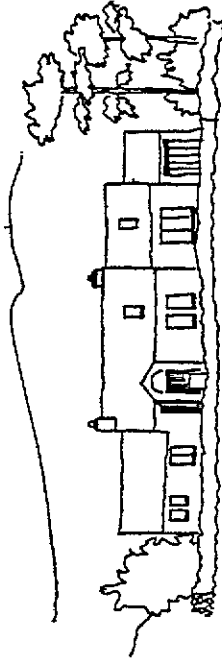


SITING AND DESIGN

6. SIMPLE FORMS LOOK BEST IN THE LANDSCAPE

USE

- : Single-storey houses where they are prevalent
- : Roof-space as bedrooms if you need to keep down the scale
- : A simple plan form to give a clean roof-shape
- : A long plan in preference to a deep one to avoid creating a bulky form. A hipped roof may suit a deep form better
- : Extension at rear and side
- : A roof pitch of 40-45 degrees in areas where traditional roofs are common.



CONSIDER

- : Use of traditional hipped and half-hipped roof shapes as well as simple roof forms.

AVOID

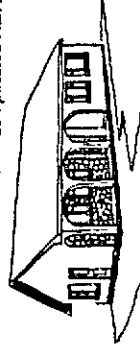
- : Houses which are gable-fronted
- : Shallow pitches or flat roofs
- : Complicated plan-forms which can produce peculiar looking roofs
- : Large overhangs to roofs.



A - Gable fronted



B - Complicated Plan and shallow pitch



C - Large overhangs

ELEMENT DESIGN

17. WINDOWS

Ugly window proportions can ruin the appearance of a house. As a general principle windows should have vertical proportions, subdivided if necessary to keep the emphasis vertical. The modern windows shown are based on a proportion known as the Golden Section.

USE

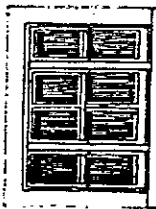
- : Proportions which make the window higher than wide
- : Bay windows or terraced-door types for larger openings
- : Timber windows painted
- : A generous sill depth. The sills now commonly available are thin in appearance.
- : Large windows to keep vertical proportions.
- : Horizontal windows.
- : Aluminium windows

SUBDIVIDE

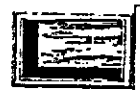
- : Large windows to keep vertical proportions.

AVOID

- : Horizontal windows.
- : Aluminium windows

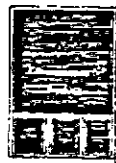


Family of windows from 19th century Westford house



Modern windows based on Golden Section

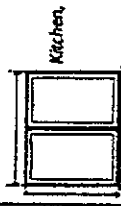
AVOID



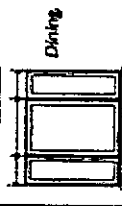
A suitable range of modern windows



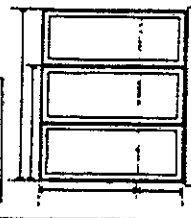
Ground and upper floor windows from early 19th century Westford house



Kitchen



Dining



Living

ELEMENT DESIGN

18. EXTENSIONS

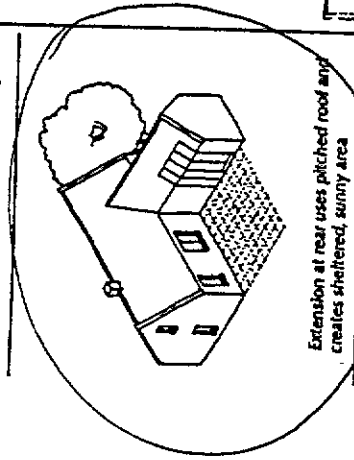
A successful extension achieves a skilful matching of the new to the old. It needs care in handling of roof pitch and connection. The choice of materials should be carefully considered to blend with the original building. It is usually preferable to extend at the side or at the rear.

EXTEND : houses to the side or rear

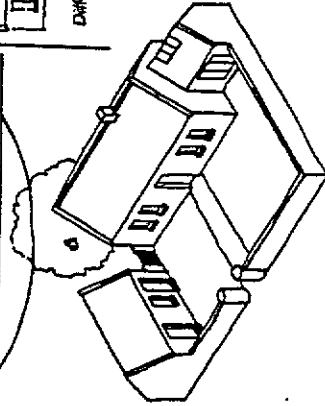
USE : pitched roof if possible

TIE-IN : the roof to existing if possible

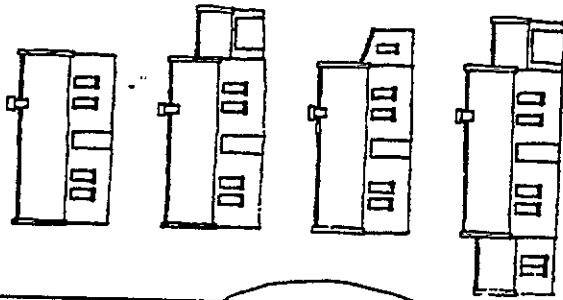
MATCH : materials as far as possible to existing



Extension at rear uses pitched roof and creates sheltered, sunny area



Extension at side and store help to create an enclosed garden



Different ways of extending at the side

DUBLIN COUNTY COUNCIL

ENCL. 6
JULY 91
2 PAGES

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

Tel. 724755 (ext. 262/264)

Notification of Decision to Grant Permission/Approval

Local Government (Planning and Development) Acts, 1963-1983

To Mr. and Mrs. B. McGuinness,
23, Delaford Grove,
Templeogue,
Dublin 16.

Decision Order P/2832/91 - 26.06.1991
Number and Date

Register Reference No. 91A-0700

Planning Control No.

Application Received on 01.05.1991

Applicant B. McGuinness.

In pursuance of its functions under the above-mentioned Acts, the Dublin County Council, being the Planning Authority for the County Health District of Dublin, did by Order dated as above make a decision to grant Permission/Approval for:-

change of house type from previously granted permission for house
at Cruagh Townland, Rathfarnham.

SUBJECT TO THE FOLLOWING CONDITIONS

CONDITIONS	REASONS FOR CONDITIONS
1. The development to be carried out in its entirety in accordance with the plans, particulars and specifications lodged with the application, save as may be required by the other conditions attached hereto.	1. To ensure that the development shall be in accordance with the permission and that effective control be maintained.
2. That before development commences, approval under the Building Bye-Laws be obtained, and all conditions of that approval be observed in the development.	2. In order to comply with the Sanitary Services Acts, 1878-1964.
3. That the proposed vehicular access be provided in accordance with the requirements of the Roads Department, Dublin County Council.	3. In the interest of safety and the avoidance of traffic hazard.
4. That the existing stone wall to the front of the site shall be retained.	4. In the interest of visual amenity.


(Continued)

Signed on behalf of the Dublin County Council

[Signature]
For Principal Officer

26th June, 1991.
Date

IMPORTANT: Turn overleaf for further information

..(Continued) CONDITIONS	REASONS FOR CONDITIONS
<p>5. That the septic tank arrangements, including percolation and reserve percolation areas be laid out in accordance with the "Recommendations for Septic Tank Drainage Systems", SR6 1975, available from Eolas.</p>	<p>5. In the interest of public health.</p>
<p>6. That the site shall be landscaped in accordance with the landscape scheme shown on Drawing No. 8502-03, submitted on 1 May 1991. In addition to this, the applicant is to carry out additional tree planting to the north-west of the proposed house, details of which are to be submitted to the Planning Authority and agreed, in writing. All planting is to be carried out by the end of the first planting season following the construction of the house.</p>	<p>6. In the interest of the proper planning and development of the area.</p>
<p>7. That all external walls of the proposed house be finished in granite.</p>	<p>7. In the interest of visual amenity.</p>
<p>8. That the ridge height level of the proposed dwelling shall not exceed 346.2 metres (i.e. the ridge height level of the house approved by Decision Order P/3068/87, dated 27.08.87, under Reg. Ref. 87A/0835).</p>	<p>8. In the interest of the proper planning and development of the area.</p>
<p>9. No extensions, sheds, garages, greenhouses, outhouses or other structures are to be constructed on this site without the prior approval of the Planning authority, or of An Bord Pleanala on appeal.</p>	<p>9. In order to help preserve the visual amenities in this high amenity zoned area.</p> 

NOTE:

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

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

An appeal shall be in writing and shall state the subject matter and grounds of the appeal. It should be addressed to:—
An Bord Pleanala, Blocks 6 and 7, Irish Life Centre, Lower Abbey Street, Dublin 1.

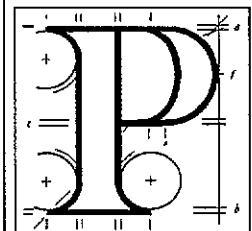
(1) An appeal lodged by an applicant or his agent with An Bord Pleanala will be invalid unless accompanied by a fee of £36 (Thirty-six Pounds). (2) A party to an appeal making a request to An Bord Pleanala for an Oral Hearing of an appeal must, *in addition* to (1) above, pay to An Bord Pleanala a fee 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 when making submissions or observations to An Bord Pleanala in relation to an appeal.

Approval of the Council under Building Bye-Laws must be obtained and the terms of the approval must be complied with in the carrying out of the work before any development which may be permitted is commenced.

Our Ref: PL 6/5/86270
P.A. Reg. Ref: 91A/700

PK

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 Section,
Irish Life Centre.

17th July 1991.

18 JUL 91

DEVELOPMENT
CONTROL
19 JUL 1991

Planning authority decision re: house at Craugh
Rathfarnham, Co. 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.

Any observations which you wish to make on the appeal should be conveyed, in writing, to the Board without delay.

As you are aware, the planning authority's decision in the matter is already the subject of an appeal to the Board.

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

Yours faithfully,

Mary Kelly
Mary Kelly.

Encl.

BP 004

obv

The Secretary
An Bord Pleanála
Irish Life Buildings
Lower Abbey Street
DUBLIN 1

AN BORD PLEANALA
Received <u>15/7/91</u>
Fees: <u>£25</u>
Receipt No. <u>B. 23946</u>

South Dublin County
Association of An
Taisce
c/o 41 Meadow Grove,
DUBLIN 16

12 July 1991

Dear Sir/Madam,

re Proposed house at Cruagh for B McGuinness
Dub Co. Co. Ref 91A/0700: date of decision 26.06.1991

On behalf of An Taisce I wish to appeal the decision of Dublin County Council to grant permission for the above development for the following reasons:

1. The proposed development materially contravenes the 1983 Development Plan. Par. 2.26.4 states *inter alia* that

"the plan designates areas of high amenity and it is the policy of the Council that any development not directly related to the area's amenity potential or its use for agricultural, mountain or hill farming, shall be prohibited."

Since the applicant has not shown that his proposal falls into the category of developments which may be permitted in the high amenity zone, permission should be refused.

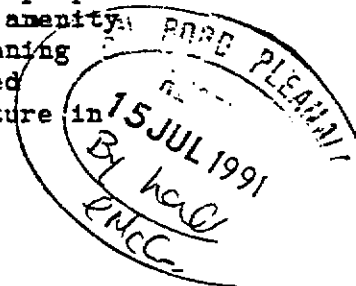
We understand that the applicant has been offered an alternative site, which strengthens An Taisce's view that there is no necessity for the applicant to develop on this site.

2. The proposed development interferes with a listed view from the Cruagh road. The listed view in question is marked on the Development Plan (1983) map for the Cruagh area. In Par 2.33.1 of the written statement the Council's policy is stated thus:

"the county contains many areas and roads from which views over areas of great natural beauty ... may be obtained... It is the policy of the Council to preserve these views. ... In examining development applications on lands in the foreground of such views, consideration should be had to the effect such development may have on the view."

3. An Bord Pleanála has examined a previous application (Ref: 88A/840) on this site and decided to refuse permission for the following reasons:

"Having regard to the bulk and inappropriate design of the proposed dwelling, the location of the site within an area of high amenity and the smaller scale of development permitted by the planning authority (Ref 87A/835), it is considered that the proposed development would constitute an excessively obtrusive feature in



this open and exposed landscape and would seriously injure the visual amenities of the area having regard to the necessity of preserving a view of special amenity value."

4. Dublin County Council has refused permission for a very similar application (90A/1880) to the present one. The reason for refusal was:

"Having regard to the location of the site within an area of high amenity and the greater bulk and significantly high ridge line of the proposal when compared with that permitted under Reg. Ref. 87A/835, it is considered that the proposed development would constitute an excessively obtrusive feature in this open and exposed landscape and would seriously injure the visual amenities of the area, having regard to the necessity of preserving a view of special amenity value. It is considered that a dormer bungalow is inappropriate for this site."

To grant the present application (91A/700) shows that Dublin County Council is being inconsistent. If for no other reason but this one, it is imperative that the Board review the present decision of the Council.

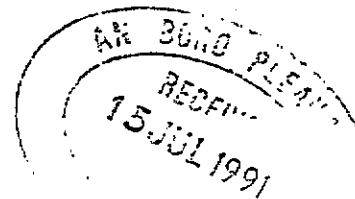
The £25 appeal fee is enclosed.

An Taisce urges you to refuse permission for the proposed development.

Yours faithfully



P. Michael Beagon M. I. P. I.
on behalf of the Planning Sub-Committee.



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

Our Ref: 91A/0700

Your Ref: PL6/5/86270

Date: 14 August 1991


RE: Proposed change of house type from previously granted permission for house at Cruagh Townland, Rathfarnham for B. McGuinness.

Dear Sir/Madam,

I refer to your letter dated ¹⁷18th July, 1991, enclosing correspondence regarding the above appeal.

It is considered that the grounds of appeal do not raise any new matter which in the opinion of the Planning Authority would justify a change of attitude to the proposed development. The points raised have been dealt with in the Planning Authority's decision order dated 26th June, 1991.

Yours faithfully,



for Principal Officer.

L. D.

COMHAIRLE CHONTAE ATHA CLIATH

Tel. 724755
Ext. 268/269

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

Your Ref. PL 6/5/86270
Our Ref. 91A. 700

24.07.91

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

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

PROPOSAL : CHANGE OF PREVIOUSLY APPROVED HOUSE
TYPE AT CRUGHLI TOWNLAND, RATHFARNHAM
APPLICANT : B. MCGUINNESS

Dear Sir,

With reference to your letter dated 18.07.91 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 30/4/91
- (4) The plan(s) received from the applicant on 01.05.91
- (6) & (7) A certified copy of Manager's Order P/2837 91 together with technical reports in connection with the application.
- (8) HISTORY DOCS INCL SMA 335 90A 1880
FOR 88A-840 SEE PL 6/5/78980

Yours faithfully,

M. Murtagh

for PRINCIPAL OFFICER

Encls.

Our Ref: PL 6/5/86270
Your Ref: 91A/700

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

17th July 1991.

Planning authority decision re: house at Cruagh,
Rathfarnham, Co. 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.

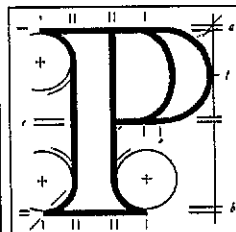
18 JUL 91

DEVELOPMENT
19 JUL 1991
CONTROL

PA

215

An Bord Pleanála



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

065

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,

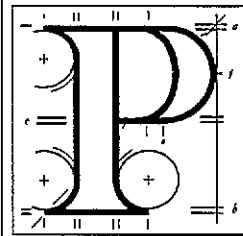
Mary Kelly

Mary Kelly.

Encl.

BP 005

An Bord Pleanála



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

AN BORD PLEANALA
Received <u>12-7-1991</u>
Fees <u>150 - chg</u>
Receipt No. <u>823916</u>

c/o "Forest Lodge"
Cruagh Road,
Killakee,
Dublin 16.

12/7/91

Dublin Co. Co. Ref.: 91A/0700

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



Re: Proposed change of house type at Cruagh Road,
Killakee, Dublin 16, for Mr. B. McGuinness.

Dear Sir/Madam,

We wish to appeal the decision of Dublin County Council to grant permission for the above, dated 26th June 1991, on the following grounds.

1. Location.

The site is located in an area which is a unique combination of panorama and unspoilt foreground, and which has been traditionally enjoyed by Dubliners and Tourists alike, as an exceptional viewing point. It was highlighted as long ago as 1912 in Weston St. John Joyce's well known book "The Neighbourhood of Dublin", and was designated as an area of High Scenic Value by An Foras Forbartha in its "Inventory of Outstanding Landscapes in Ireland". It is also listed as an Area of High Amenity in the County Dublin Development Plan.

The proposed house would greatly interfere with the view from Cruagh Road and Killakee road. These roads are of great importance for those visiting the mountain area to enjoy the amenity, and hence are listed in the 1983 County Development Plan as being of importance in the preservation of views and prospects (see Map 1 in the Development Plan). A very important feature of the location is the fact that the unspoilt foreground is an essential ingredient of the view. The proposed house would undoubtedly damage this special feature.

2. Dublin County Development Plan.

Dublin County Council, in accordance with its declared policy of restricting development in Areas of High Amenity, has consistently refused applications for outline planning at this site, and indeed for all planning applications relating to lands on the north side of Cruagh Road. In fact the outline planning for the site was obtained by a resident of Athlone under the now defunct procedure of appeal to the Minister for Local Government. Since individuals and conservation organisations were unaware of this appeal, the importance of the site

was not brought to the attention of the Minister, who was not from Dublin and was unfamiliar with the area. Every effort should be made, to minimise the impact of this unfortunate decision of the Minister in question, by ensuring that the design of the house to be located on the site is entirely consistent with the objectives of the Development Plan, in preserving the amenity.

3. Type of house.

The size of the proposed house, the high roofline, and the dormer windows, render it completely unsuitable for this site. The location is also very popular during the hours of darkness, due to the brilliant view of the city lights. At present there are no sources of light in the foreground. Lighting from roof windows would spoil the night view.

4. Inconsistency of Dublin Co. Co. Planning Dept.

In December 1990 Dublin County Council Planning Dept. refused permission for a house (Ref. 90A/1880), which was identical to the house now permitted under 91A/0700, except that 90A/1880 was to be built on the 340m contour, while 91A/0700 is to be built on the 339 m contour. In the course of giving it's reasons for the refusal for 90A/1880, the Council Planning Dept. stated that "It is considered that a dormer bungalow is inappropriate for this site." The subsequent action of the Council in granting permission for an identical dormer house is remarkably inconsistent.

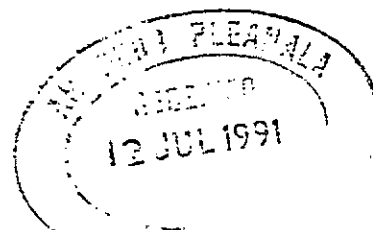
5. Public Interest.

We understand that Dublin County Council Planning Dept. received over 30 objections to application 91A/0700 from various members of the public, which in view of the fact that the application received no mention in the media so far, is a measure of the importance of, and interest in the location. We have also been informed that a number of public representatives objected to the proposed development, and that Dublin County Council offered the applicant an alternative site at Rathmichael.

We are also aware that one of the Dublin County Councillors approached both the local landowner from whom Mr. McGuinness purchased the site, Mr. Patrick Lambert, and the McGuinness family, with a proposal that the site for the house be moved, by agreement, to a less sensitive location on Mr. Lambert's lands. Our information is that Mr. Lambert expressed a willingness to consider suggested alternative locations.

6. The applicant's "alternative scenario".

We understand that the applicant has stated, at the time of previous applications 88A/840, 90A/1880, and 91A/0700, that if he cannot obtain approval for this type of large dormer house, he intends to proceed with the building of the smaller house for which he already has permission(87A/835), and then enlarge it with extensions. He apparently argues that this would lead to a less desirable outcome, and that approval for the large dormer type house is therefore preferable. However, any non-exempted developments on this site would come under scrutiny from this group, and the applicant could not assume that such proposed developments would be approved by Dublin County Council, or by An Bord Pleanala on appeal. We submit, therefore, that this alternative scenario should not be regarded as a significant factor when considering 91A/0700.



7. Previous Applications.

As already mentioned, there is an existing planning permission for this site for a house of 83m² (Reg.Ref.87A/835). Interested parties were unaware of that application at the time; otherwise the permission would, almost certainly, have been appealed, due principally to the style and high ridgeline of the house. The latest permission, ref. 91A/0700, is for a house of 186m². Doubling the size of the house would have a very severe impact on the view. An Bord Pleanala has already upheld an appeal by An Taisce against a permission for a 168m² house on the site (see An Bord Pleanala decision PL 6/5/78980, Dublin Co. Co. ref.88A/840).

In the schedule An Bord Pleanala stated: "Having regard to the bulk and inappropriate design of the proposed dwelling, the location of the site within an area of High Amenity and the smaller scale of development permitted by the planning authority under planning register reference number:87A/835, it is considered that the proposed development would constitute an excessively obtrusive feature in this open and exposed landscape and would seriously injure the visual amenities of the area having regard to the necessity of preserving a view of special amenity value".

We fully agree with the statement of An Bord Pleanala with regard to the 168m² house, and contend that it has even greater application to the current proposal for a 186m² house.

We urge An Bord Pleanala to uphold this appeal and refuse permission for 91A/0700. A cheque for £50 to cover the appeal fee is enclosed.

Paul Cleary

Paul Cleary

Drusilla Cleary

Drusilla Cleary

Forest Lodge
Cruagh Road
Killakee
Dublin 16

David Gray

David Gray

Germaine Gray

Germaine Gray

Cruagh Cottage
Cruagh Road
Killakee
Dublin 16

David Stanley

David Stanley

Valerie Stanley

Valerie Stanley

Hawthorn Cottage
Killakee Road
Dublin 16

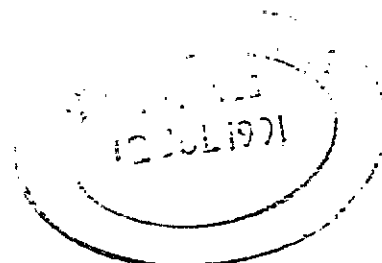
Henry Varian

Henry Varian

Miriam Varian

M. Varian

Cruagh Lodge
Cruagh Road
Killakee
Dublin 16



DUBLIN COUNTY COUNCIL

Tel. 724755 (ext. 262/264)

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

Notification of Decision to Grant Permission/~~Approval~~

Local Government (Planning and Development) Acts, 1963-1983

To Mr. and Mrs. B. McGuinness, Decision Order p/2832/91 - 26.06.1991
23, Delaford Grove, Number and Date
Templeogue, Register Reference No. 91A-0700
Dublin 16. Planning Control No.
Application Received on 01.05.1991
Applicant B. McGuinness.

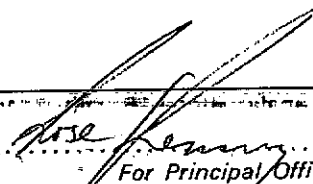
In pursuance of its functions under the above-mentioned Acts, the Dublin County Council, being the Planning Authority for the County Health District of Dublin, did by Order dated as above make a decision to grant Permission/~~Approval~~ for:-
change of house type from previously granted permission for house
at Cruagh Townland, Rathfarnham.

SUBJECT TO THE FOLLOWING CONDITIONS

CONDITIONS	REASONS FOR CONDITIONS
1. The development to be carried out in its entirety in accordance with the plans, particulars and specifications lodged with the application, save as may be required by the other conditions attached hereto.	1. To ensure that the development shall be in accordance with the permission and that effective control be maintained.
2. That before development commences, approval under the Building Bye-Laws be obtained, and all conditions of that approval be observed in the development.	2. In order to comply with the Sanitary Services Acts, 1878-1964.
3. That the proposed vehicular access be provided in accordance with the requirements of the Roads Department, Dublin County Council.	3. In the interest of safety and the avoidance of traffic hazard.
4. That the existing stone wall to the front of the site shall be retained.	4. In the interest of visual amenity.

(Continued)

Signed on behalf of the Dublin County Council


For Principal Officer

Date 26th June, 1991.

IMPORTANT: Turn overleaf for further information

(Continued) CONDITIONS

REASONS FOR CONDITIONS

5. That the septic tank arrangements, including percolation and reserve percolation areas be laid out in accordance with the "Recommendations for Septic Tank Drainage Systems", SR6 1975, available from Eolas.

5. In the interest of public health.

6. That the site shall be landscaped in accordance with the landscape scheme shown on Drawing No. 8502-03, submitted on 1 May 1991. In addition to this, the applicant is to carry out additional tree planting to the north-west of the proposed house, details of which are to be submitted to the Planning Authority and agreed, in writing. All planting is to be carried out by the end of the first planting season following the construction of the house.

6. In the interest of the proper planning and development of the area.

7. That all external walls of the proposed house be finished in granite.

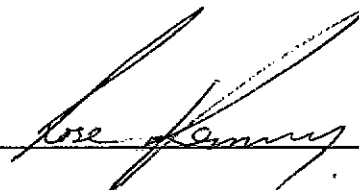
7. In the interest of visual amenity.

8. That the ridge height level of the proposed dwelling shall not exceed 346.2 metres (i.e. the ridge height level of the house approved by Decision Order P/3068/87, dated 27.08.87, under Reg. Ref. 87A/0835).

8. In the interest of the proper planning and development of the area.

9. No extensions, sheds, garages, greenhouses, outhouses or other structures are to be constructed on this site without the prior approval of the Planning authority, or of An Bord Pleanala on appeal.

9. In order to help preserve the visual amenities in this high amenity zoned area.



NOTE:

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

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

An appeal shall be in writing and shall state the subject matter and grounds of the appeal. It should be addressed to:— An Bord Pleanala, Blocks 6 and 7, Irish Life Centre, Lower Abbey Street, Dublin 1.

(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 when making submissions or observations to An Bord Pleanala in relation to an appeal.

Approval of the Council under Building Bye-Laws must be obtained and the terms of the approval must be complied with in the carrying out of the work before any development which may be permitted is commenced.

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/0700

Date : 3rd May 1991

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

Dear Sir/Madam,

DEVELOPMENT : Change of house type from previously granted
permission for house

LOCATION : Cruagh Townland, Rathfarnham

APPLICANT : B. McGuinness

APP. TYPE : PERMISSION

With reference to above, I acknowledge receipt of your application received
on 1st May 1991.

Yours faithfully,

.....
PRINCIPAL OFFICER

Mr & Mrs B. McGuinness,
23 Delaford Grove,
Templeogue,
Dublin 16.

45-6



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 (If none, give description sufficient to identify) CRUAGH TOWNLAND, RATHFARNHAM CO. DUBLIN

3. Name of applicant (Principal not Agent) BRENDAN Mc GUINNESS ESQ.
Address 23 DELAFORD GROVE, TEMPLEOGUE, DUBLIN 16. Tel. No. 934271

4. Name and address of person or firm responsible for preparation of drawings SIMON Mc GUINNESS, DIP. ARCH, 13 BESFORD HOUSE PRITCHARDS ROAD, LONDON E2 9BJ Tel. No. BYE LAW APPLICATION

5. Name and address to which notifications should be sent MR. & MRS B. Mc GUINNESS 23 DELAFORD GROVE, TEMPLEOGUE, DUBLIN 16. NIL

6. Brief description of proposed development CHANGE OF HOUSE TYPE TO EXISTING PLANNING APPROVAL (87A/835)

7. Method of drainage TO SEPTIC TANK 8. Source of Water Supply FROM 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. —
(b) Proposed use of each floor —

Smil
hes
30/4/91

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

11. (a) Area of Site 1.5 ACRES APPROX, 0.59 HECTARES Sq. m.
(b) Floor area of proposed development 170 M² APPROX. Sq. m.
(c) Floor area of buildings proposed to be retained within site NIL Sq. m.

12. State applicant's legal interest or estate in site (i.e. freehold, leasehold, etc.) FREEHOLD 1/6 2/5

13. Are you now applying also for an approval under the Building Bye Laws? Yes No Place in appropriate box. N 37042

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

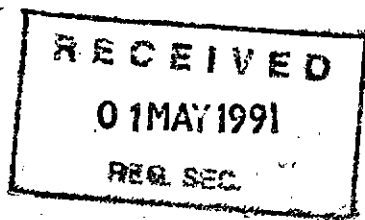
15. List of documents enclosed with application. FOUR COPIES OF DRAWINGS 8502/03B AND 8502/04A.

16. Gross floor space proposed development (See back) GND FL. 148 M² APPROX, 1ST FL. 70.4 M² Sq. m.

No of dwellings proposed (if any) ONE Class(es) of Development 1
Fee Payable £ 16.00 Basis of Calculation 1 X CLASS 1 FEE.
If a reduced fee is tendered details of previous relevant payment should be given

Signature of Applicant (or his Agent) B Mc Guinness Date 1st May 1991

Application Type P FOR OFFICE USE ONLY 1/5
Register Reference 91A/0700
Amount Received £ 25-6 2.8.0
Receipt No
Date



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

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

Four (4) sets of drawings to a stated scale must be submitted. Each set to include a layout or block plan, proposed and existing services to be shown on this drawing, location map, and drawings of relevant floor plans, elevations, sections, details of type and location of septic tank (if applicable) and such other particulars as are necessary to identify the land and to describe the works or structure to which the application relates (new work to be coloured or otherwise distinguished from any retained structures). Buildings, roads, boundaries and other features bounding the structure or other land to which the application relates shall be shown on site plans or layout plans. The location map should be of scale not less than 1: 2500 and should indicate the north point. The site of the proposed development must be outlined in red. Plans and drawings should indicate the name and address of the person by whom they were prepared. Any adjoining lands in which the applicant has an interest must be outlined in blue.

5. In the case of a proposed change of use of any structure or land, requirements in addition to 1, 2, & 3 are.
 - (a) a statement of the existing use and the proposed use, or, where appropriate, the former use and the use proposed.
 - (b) (i) Four (4) sets of the drawings to a stated scale must be submitted. Each set to consist of a plan or location map (marked or coloured in red so as to identify the structure or land to which the application relates) to a scale of not less than 1:2500 and to indicate the North point. Any adjoining lands in which the application has an interest must be outlined in blue.
 - (ii) A layout and a survey plan of each floor of any structure to which the application relates.
 - (c) Plans and drawings should indicate the name and address of the person by whom they were prepared.
6. Applications should be addressed to: Dublin County Council, Planning Department, Irish Life Centre, Lr. Abbey Street, Dublin 1, Tel. 724755.

SEPTIC TANK DRAINAGE: Where drainage by means of a septic tank is proposed, before a planning application is considered, the applicant may be required to arrange for a trial hole to be inspected and declared suitable for the satisfactory percolation of septic tank effluent. The trial hole to be dug seven feet deep at or about the site of the septic tank. Septic tanks are to be in accordance with I.I.R.S. S.R. 6:75.

INDUSTRIAL DEVELOPMENT:

The proposed use of an industrial premises should, where possible, be stated together with the estimated number of employees, (male and female). Details of trade effluents, if any, should be submitted.

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

PLANNING APPLICATIONS

BUILDING BYE-LAW APPLICATIONS

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

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

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

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

COMAIRLE CHONTAE ÁTHA CLIATH

PAID BY **DUBLIN COUNTY COUNCIL**

46/49 UPPER O'CONNELL STREET
DUBLIN 1.

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

Issue of this receipt is not an
acknowledgement that the fee
tendered is the prescribed application
fee. N 39042

£16.00

Received this 2nd day of May 1991

from R. H. McGinness
22 DeLafore Grove
Templeogue

the sum of £16.00 Pounds

Pence being 100 for

planning application at Craigstownland

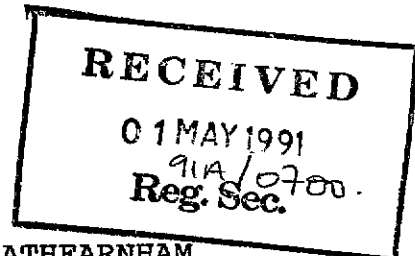
Modleen, Deane Cashier

S. CAREY Class 2
Principal Officer

23 Delaford Grove,
Templeogue,
DUBLIN 16.

30th April, 1991.

Mr. W. Murray,
Dublin County Council,
Planning Dept.



Dear Sir,

RE: CHANGE OF HOUSE TYPE AT CRUAGH, RATHFARNEAM

It is hoped that the County Council will find in favour of this application as the following points will demonstrate that the proposed dwelling is a single, complete development on the site, as opposed to what will have to be piecemeal extensions and developments to the present permission 87A/835.

The main points of design improvement are as follows:-

1. RIDGE HEIGHT

The enclosed drawings indicate and we hereby confirm, that as agreed with yourself, Mr. Drumgoole and Mr. Cremins at the meeting of 22nd April, the ridge height of this application will be at or lower than the ridge height of the present permission 87A/835. The dotted outline indicates the present 87A/835 superimposed on the site cross-section of this application, taking into account house re-orientation. The extra excavation spoil from sinking the house in excess of 1 metre will go to the south of the site to help further conceal the house.

2. CLEAN-UP OF ROOF LINES

Normal apex roof with traditional pitch of 40° and a clean, even ridge line.

02MAAZ

3. RE-ORIENTATION OF THE HOUSE ON THE SITE

The East - West line of the house is rotated by almost 45° anti-clockwise. This then presents two gable-ends to the two views of prime concern

(a) From the road and car park to the South.

(b) The descending Killakee Road, on the West.

The gable-ends would each have the house receding behind it, thereby minimising the visual impact. When viewed from the South, the house is visually set into the large grove of trees on the North West boundary and does not obstruct any other views.

4. A HOUSE OF SIMPLE FORM

Compared with the present permission 87A/835, having 8 corners in a slipped rectangle, and future extensions and developments required, this application has 6 corners in an L-shape, with traditional cottage features in its roof line, pitch angle, door and window opes and external treatment, i.e., blue/black slate roof and white rendered walls.

5. SITE IMPROVEMENTS

A much improved and comprehensive landscaping scheme using mainly shelter belt planting on the West side and screen planting on the South and East sides. Traditional sheep-wire with barbed wire boundary fence right around the site.

Excavation spoil from the house site to be spread to the South to further conceal the house.

We hope you find this application satisfactory. Should you have any queries please do not hesitate to contact the undersigned.

Yours faithfully,

B. McGuinness

BRENDAN MCGUINNESS