

JOHN DINEEN B.E., M.I.E.I., C. Eng

Consultant Engineer

Castle View
Cordoogan
Monasterboice
Co. Louth



Tel.: 041-9826299
Fax.: 041-9826299
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email: johnadineen@eircom.net

The Secretary
An Bord Pleanála
64 Marlborough Street
Dublin 11

AN BORD PLEANÁLA
LDG- 018198-19
ABP- _____
07 AUG 2019 DoH
Fee: € 220 Type: CHO
Time: 12:56 By: hand

6th August 2019

Re: Application for Declaration of "Exempted Development" Part 1, Section 5, Subsection 3(a) Planning & Development Act 2000(as amended) in relation to existing caravan/ mobile home park at the rear of Alverno House, Laytown, Co. Meath. Ref. LB/S51933.

Dear Sir,

I have been engaged by Applicant and owner Mrs Margaret O'Donoghue, Alverno House, Laytown, Co. Meath to appeal Meath County Council's decision that the above work does not constitute "exempted development" under the said Planning and Development Act. The owner maintains that there has been an established use for a caravan park at this location for at least 60 years. The site is fully serviced to cater for such a development and she also alleges that the Council collected rates in respect of a caravan park over the years.


I attach herewith documents in support of her claim along with correspondence submitted to and received from council. Please also find layout plan and site location map

Besides the long established use of the caravan park in the area (most of which is now a housing estate) the area which is now in contention has been in continual use over the years and the Council appeared to have no objection and took no action until recently. Consequently it appears that the issuing of a Warning letter by the Council is in direct conflict with Section 157(4)(a)(1) of the Planning and Development Act, 2000.

I would ask the Board to overturn the Council's decision and to rule that the current use was in existence on the site prior to the introduction of the Planning Act and as such it has an established use.

Enclosed please find appropriate fee to the value of €220.

Yours Faithfully


John Dineen B.E C.Eng MIEI.

JOHN DINEEN B.E., M.I.E.I., C. Eng
Consultant Engineer

Copy letter
sent to Council

Castle View
Cordoogan
Monasterboice
Co. Louth



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Mobile: 087-9411669
email: johnadineen@eircom.net

Meath Co. Co.
Planning Department
Buvinda House
Dublin Road
Navan
Co. Meath

8th May 2019

Re: Placing of Mobile Homes to the rear of Alverno House


Dear Sir/Madam,

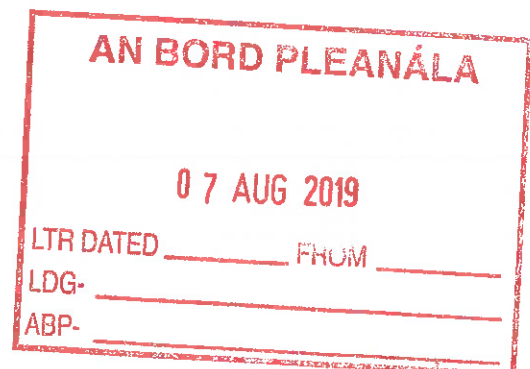
I have been engaged by Ms Margaret O'Donoghue to reply to your letter dated the 5th ult. re the above. Ms O'Donoghue maintains that there has been an established use for a caravan park at this location for at least 60 years. The site is fully serviced to cater for such a development and she also alleges that the Council collected rates in respect of a caravan park over the years.

I enclose herewith postcard along with photograph which show caravans/mobile homes in the area surrounding and contiguous to Alverno House. I also enclose copy O.S map which outlines the caravan park area prior to the construction of the housing estate.

Should you require any further information please do not hesitate to contact me.

Yours Faithfully,


John Dineen





Irish Sea

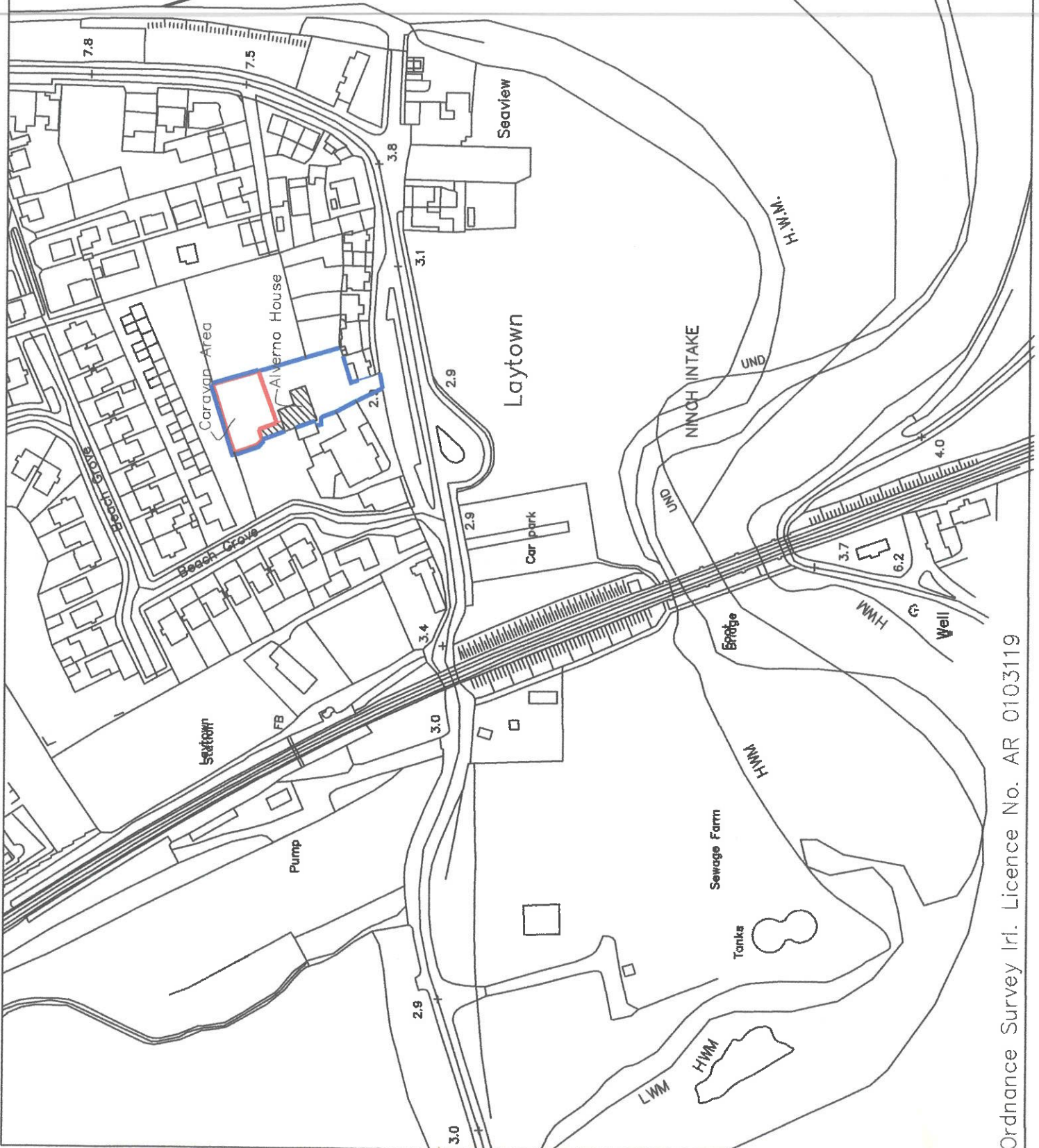
AN BORD PLEANÁLA

07 AUG 2019

LTR DATED _____ FROM _____

LDG- _____

ABP- _____





RYLBORD PLEANN

07 AUG 2019

LTR DATED _____ FROM _____
LDG- _____
ABP- _____

Caravan Area

Alverno House

2.9

MEATH COUNTY COUNCIL

Planning Department

Buvinda House

Dublin Road

Navan

Co Meath

046 - 9097500

Planning & Development Act 2000- 2018

DECLARATION

To: Margaret O'Donoghue
c/o John Dineen
Cordoogan
Monasterboice
Co Louth

**PLANNING REFERENCE
NUMBER:**

LB/S51933

APPLICATION RECEIPT DATE:

18/06/2019

FURTHER INFORMATION DATE: N/A

In pursuance of the powers conferred upon them by the Planning and Development Act 2000-2018, Meath County Council has by order dated 11.07.2019 decided to Declare the proposed development is **development requiring planning permission**, in accordance with the documents submitted namely: **Caravan park/mobile home park to rear of Alverno House, Laytwon, Co Meath**

Date: 11.07.2019

M. Loughran
On Behalf of Meath County Council

NOTE:

1. Any appeal against a Declaration of a Planning Authority under Section 5, sub-section 3(a) of the Planning and Development Act 2000 may be made to An Bord Pleanála by the applicant **WITHIN FOUR WEEKS** beginning on the date of issue of the Declaration.
2. Appeals should be addressed to An Bord Pleanála, 64 Marlborough Street, Dublin 1. An appeal by the applicant should be accompanied by this form. The fee for an appeal against a Declaration of the Planning Authority is € 220.

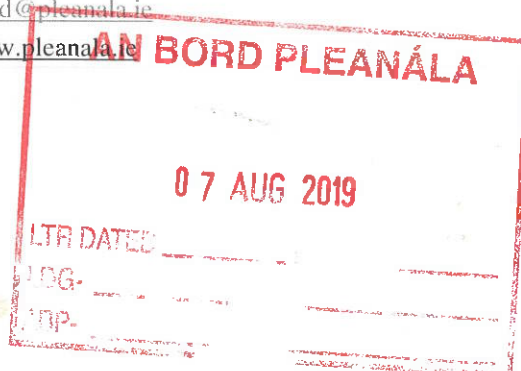
For more information on Appeals you can contact An Bord Pleanála at:

Tel: 01 - 8588100 or LoCall: 1890 275 175

Fax: 01 - 8722684

E-mail: bord@pleanala.ie

Web: www.pleanala.ie



INVOICE

63

DATE 25/2/19
FROM Malachy PAUAKE

TO Huel
ALUZAKO HOUSE, LYTON

To Supply & Deliver
2 Morris Motors as
seen to the
above address

5200 00
4800 00

Also to REMOVE
from the above site
2 Morris as
Trade ins £700-00.

Balance Due £9300-00

V.A.T.

TOTAL

£9300 00

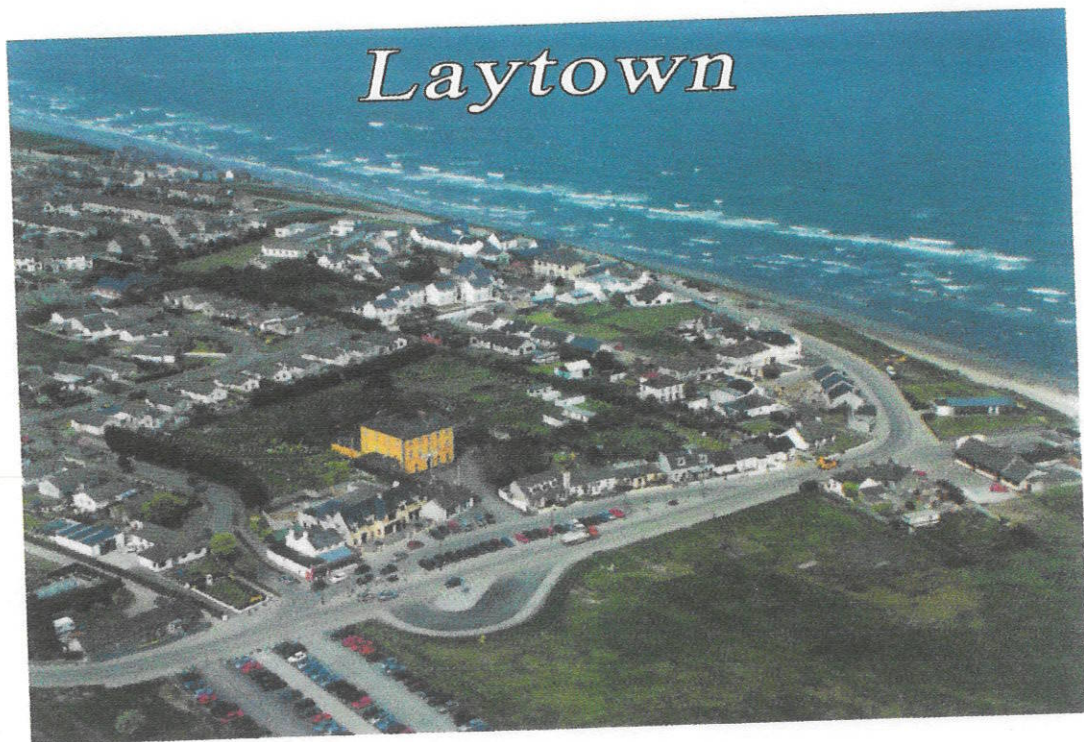
AN BORD PLEANÁLA

07 AUG 2019

LTR DATED _____ FROM _____

LDG- _____

ABP- _____



Last few Mobiles in ALUZANO
PARK. (IN CORNER)

Before Construction of
Houses & Apartments.

AN BORD PLEANÁLA

07 AUG 2019

LTR DATED _____ FROM _____

LDG- _____

ABP- _____

Denis J. McLoughlin & Company

28 Drogheda Street,
Balbriggan,
Co. Dublin.

Solicitors

COMMISSIONER FOR OATHS

DX 96005, Balbriggan.

Tel.: (01) 8412966

Fax.: (01) 8412960

On

22nd August 2002

Hugh O'Donoghue Esq.,
Alverno House Hotel,
Laytown,
Co. Meath.

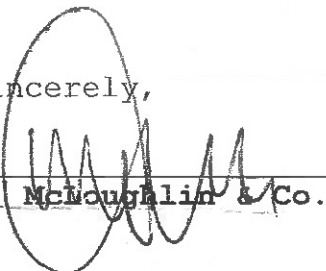
Re: Meath County Council - V - You

Dear Hugh,

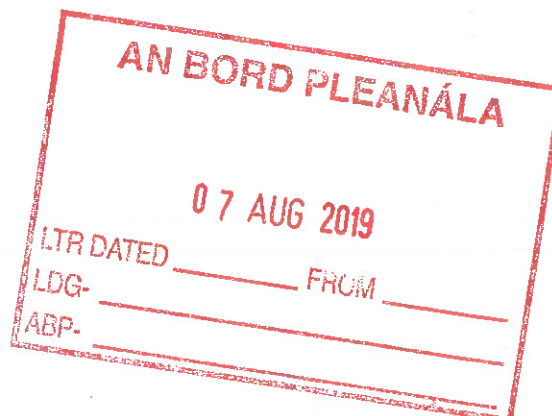
I enclose herewith copy of letter received from the Solicitor representing Meath County Council.

Please telephone me upon receipt of this letter.

Yours sincerely,


Denis J. McLoughlin & Co.,

Enc.



Denis McLoughlin, B.C.L. Commissioner for Oaths

VAT. No.: IE. 3799005 U

A. A. Regan, McEntee & Partners, Solicitors

Orory G. McEntee, B.C.L.
Michael A. Regan.
Anthony J. Murphy, B.C.L., Dip. E. L.
Peter D. Higgins, B.A.
Annie R. Walsh, B.C.L.
Cora B. Higgins, B. Ed., Dip. L.S.
Miriam S. Regan, B.A., LL.B.
Gillian C. Lawless LL.B.
Elizabeth M. Kelly, L.E.
Paul O'Looney, Dip. L.S.
Ronan P. Regan, Dip. L.S.
Seán Ryan M.A.
Mary P. McSweeney Dip. L.S.

N.B.
When Telephoning or
calling please ask for
Mr. Ryan

High Street,
Trim,
Co. Meath,
Ireland.

TEL: (046) 31202 (10 Lines)
FAX: (046) 31932
E-mail: law@reganmcentee.ie
DX 92-002 TRIM

N.B. Quote Our Ref M2654/Mr. Ryan/EF

Your Ref DMcL/HC

21st August, 2002

Re: Meath County Council v Hubert & Margaret O'Donoghue
Prosecution for failure to comply with a Notice under Section 9 of the Litter Pollution Act 1997
Drogheda District Court Friday 17th May, 2002

Dear Denis,

I refer to previous telephone calls and conversations in relation to this matter. I particularly refer to our telephone conversation on the 26th July, 2002 when you pointed out that there seemed to have been some confusion in that some of the boards and wood and bits of caravan referred to by the Council had actually been situate in what the accused had called "a yard". I understand that both you and the accused were satisfied that the area had been cleared and was available for inspection. I contacted the Council and pointed out the situation to them and they inspected the site on the 16th August, 2002. They confirmed that the site is not cleaned up to Meath County Council's satisfaction and that the litter around the site – remains of caravans, window frames, ceramic toilet bowl etc. are still not cleaned up.

The Council have agreed to meet with Mr. O'Donoghue and you on the site so that any difference in opinion and confusion over the requirements of the compliance of the Section 9 Notice can be clarified. The Council Inspector is Ms. Lara Fagan and I would be obliged if you could please telephone her at either 01 832 2211 with a view to arranging the necessary meeting at a time suitable to all of you. Obviously the sooner the meeting takes place the better.

AN BORD PLEANALA

Yours sincerely,

07 AUG 2019

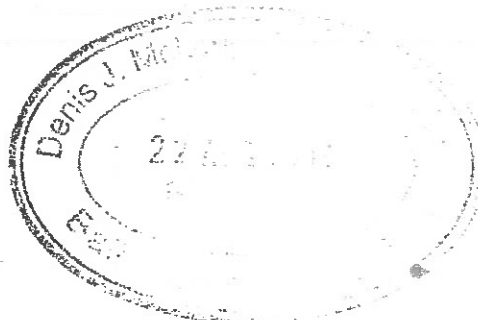
LTR DATED _____ FROM _____

LDG- _____

ABP
Mr. Denis J. McLoughlin,
Solicitor

Seán Ryan
M.A.REGAN McENTEE & PARTNERS.

DX 96005 BALBRIGGAN.



2/8/19.

To whom it may concern.

Mr (O'Donoghue and
Margaret O'Donoghue bought the ALVERN HOUSE
in 1991. FROM the MONAGHAN FAMILY.

IN 1994 we bought the ADJACENT
CARAVAN PARK ALSO FROM the MONAGHAN FAMILY.

IN 2002 we sold 90% of
the park which at the time had
28 MOBILE HOMES on site.

We retained that 10% of
the property which had 3 MOBILE
AND 1 CONTAINER. WE REMOVED the
CONTAINER on the 21/2/19. and
REPLACED it with 1. MOBILE HOME.

There are 4 MOBILE HOMES on site
at present.

Hazel O'Donoghue.

