

Niamh Thornton

From: Appeals2
Sent: Tuesday 16 June 2020 08:06
To: Niamh Thornton
Subject: FW: Your Case Reference: ABP-307002-20

PLEASE PRINT AND ACK

From: James Riordan <Jriordan@jrapom.ie>
Sent: Monday 15 June 2020 18:40
To: Bord <bord@pleanala.ie>; Appeals2 <appeals@pleanala.ie>
Subject: FW: Your Case Reference: ABP-307002-20

**An Bord Pleanala
64 Marlborough Street,
Dublin DO1 V902**

**Attention Doina Chiforescu,
Administrative Assistant,
An Bord Pleanala.**

**Your Case Reference: ABP-307002-20
Planning Authority Ref: R561/20**

Our Clients: Blarney Woollen Mills Limited

Dear Sirs,

Our clients have passed us your recent letter in connection with the above matter, with instructions to reply.

Our clients do not wish to make any representations at this time on the substantive and interpretative issues, but for the benefit of the Bord wish to very briefly set out the background.

Our clients purchased the plot of land adjoining the building referred to as The Old School in Blarney from the predecessors of Sir Charles Colthurst, (that is Sir Charles himself and his father) in 22nd. March 1995.

The Vendors did not retain a right of way through the gate that is now referred to in their appeal to your goodselves. Our clients planted this area with flowers, shrubs and grass.

Last year, without the knowledge or consent of our clients, workmen on behalf of Sir Charles wrongfully and illegally came onto our clients land, tore up their flowers shrubs plants and grass, and laid a path from the gate out onto the public road. Our clients removed the path, and replanted the area and built a very small wall on their own land. Prior to the flowers shrubs and grass being removed, the gate was hidden by the foliage of the flowers etc referred to and could not be seen from the public road. Sir Charles did not communicate with our clients on any aspect whatever in relation to this plot of land, whether in relation to a right of way or otherwise, since they purchased it from him nearly 25 years ago, before having his workmen tear up the flowers, shrubs and plants, whilst trespassing on our clients plot of ground.

The owners of The Old School House (the Colthursts) were also the owners of the plot of adjoining land, which they sold to our clients in 1995. That owner could therefore not legally have a right of way over this plot of ground, as a person cannot have a right of way over his own land.

Our clients have not and at present do not intend to seek compensation for restoring the area, provided the matter does not drag on.

Our clients say that Sir Charles Colthurst's behaviour in this matter has been entirely illegal and disgraceful and disrespectful of a neighbour who is anxious to do what they can to avoid disputes with neighbours.

We say, on behalf of our clients, that such an application to the planning authority and appeal to yourselves is an entirely wrongful use of the planning acts, regulations and processes in furtherance of their wrongful and illegal aims, as set out above.

On behalf of our clients, we wish to reserve our rights to make further submissions.

James Riordan,
JRAP O'Meara LLP | 89/90, South Mall, Cork, T12 RPP0
T: + 353 21 4277444 | F: + 353 21 4277449 | W. www.jrapom.ie