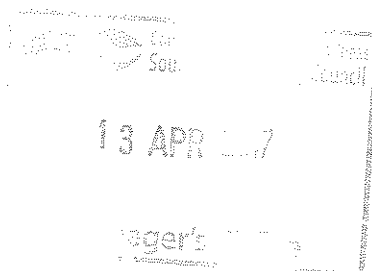




Our Ref: Enf. Misc.

Date: 7th April, 2017.



**Mr. Eddie Taaffe**

Director of Land Use Planning and Transportation  
South Dublin County Council  
County Hall  
Tallaght  
Dublin 24.

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Re: Lands to the north of Weirview Cottages, Lucan, Co. Dublin.

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Dear Mr. Taaffe,

Further to your letter to Ms AnnMarie Farrelly, Director of Services, Planning and Strategic Infrastructure Department dated 23<sup>rd</sup> March, 2017 in relation to lands north of Weirview Cottages in Lucan the following is the position.

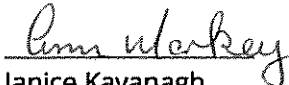
Some years ago, on foot of complaints from residents in Weirview Cottages in relation to dangerous trees on an embankment to the rear of the cottages, an inspection was carried out by a Structural Engineer (Mr Tony Walshe) and the landowner in question was notified that certain trees posed a danger to the cottages and their residents and this situation required rectification.

The landowner, Mr Kelly, subsequently removed the dangerous trees as required by Fingal County Council. No planning permission was sought or required for the removal of the trees. As you will be aware a landowner is liable for damage to property caused by trees which are rooted on the landowners holding. Where a landowner discovers that trees are in a dangerous or decayed condition it is up to him/her to have them removed. No tree felling licence is required where trees are within 100 feet of a dwelling or other structure.

There has been an ongoing property dispute at this location between property owners and the situation has become somewhat polarized between the parties in recent months.

An Enforcement file has been opened in respect of developments at the rear of Weirview Cottages for some time and the matters you refer to in your letter remain under review.

Yours sincerely,

PP   
Janice Kavanagh  
Authorised Officer.