

	South Dublin County Council Local Government (Planning & Development) Acts 1963 to 1993 Planning Register (Part 1)	Plan Register No. S97A/0271	
1. Location	Lands adjoining Brigid Burke's Pub, Killinenny, Old Bawn, Tallaght, Dublin 24.		
2. Development	Construction and layout and necessary and related infilling of the site of 2 no. football pitches, 4 no. tennis/net ball courts, 1 no. bowling green, 1 no. croquet green and a miniature golf course together with a riverside walkway and stands for fishing including pedestrian access from the Pub to the above recreational facilities.		
3. Date of Application	05/08/97	Date Further Particulars (a) Requested (b) Received	
3a. Type of Application	Permission	1. 24/07/97 2.	1. 05/08/97 2.
4. Submitted by	Name: John D. O'Keeffe & Associates, Address: 'The Paddock', 17 Ailesbury Grove, Dundrum,		
5. Applicant	Name: Burston Ltd., Address: c/o 'The Paddock', 17 Ailesbury Grove, Dundrum, Dublin 16.		
6. Decision	O.C.M. No. 1994 Date 03/10/97	Effect RP REFUSE PERMISSION	
7. Grant	O.C.M. No. Date	Effect	

8. Appeal Notified		
9. Appeal Decision		
10. Material Contravention		
11. Enforcement 0	Compensation 0	Purchase Notice 0
12. Revocation or Amendment		
13. E.I.S. Requested	E.I.S. Received	E.I.S. Appeal
14. Registrar Date Receipt No.

Comhairle Chontae Atha Cliath Theas

P/1045/98

Record of Executive Business and Manager's Orders AN BORD PLEANÁLA

LOCAL GOVERNMENT (PLANNING AND DEVELOPMENT) ACTS, 1963 TO 1998

County South Dublin

Planning Register Reference Number: S97A/0271

10
Refusal

APPEAL by Burston Limited care of John O'Keeffe and Associates of The Paddock, 17 Ailesbury Grove, Dundrum, Dublin against the decision made on the 3rd day of October, 1997 by the Council of the County of South Dublin to refuse permission for development comprising the construction and layout and necessary and related infilling of the lands for the provision of two football pitches, four tennis/netball courts, one bowling green and a miniature golf course, together with a riverside walkway and stands for fishing, including pedestrian access from adjoining pub at lands adjoining Brigid Burke's Pub, Killinenny, Old Bawn, Tallaght, Dublin:

DECISION: Pursuant to the Local Government (Planning and Development) Acts, 1963 to 1998, permission is hereby refused for the said development for the reasons set out in the Schedule hereto.

SCHEDULE

1. The site of the proposed development is located within an area which is zoned in the current development plan for the area with the objective 'to protect and improve high amenity areas', which objective is considered reasonable. It is considered that the proposed development, by reason of its nature and scale, would conflict with the protection of the amenity of the River Dodder and its banks and would contravene materially the zoning objective for the area. The proposed development would, therefore, be contrary to the proper planning and development of the area.
2. It is considered that the blocking of views to the river by the substantial infill of the site and the confining of the river between high gabion walls would seriously injure the visual amenities of the area.
3. The proposed development would interfere with the flood plain of the River Dodder and might give rise to flooding which would be prejudicial to public health.

Order: NOTED

[Signature]
Senior Administrative Officer

Date:

25/5/98

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

Dated this *1st* day of *May*, 1998.

Telefon: 01-462 0000
Facs: 01-462 0104

**PLANNING
DEPARTMENT**
P.O. Box 4122,
Town Centre, Tallaght,
Dublin 24.

Telephone: 01-462 0000
Fax: 01-462 0104

**NOTIFICATION OF DECISION TO REFUSE PERMISSION
LOCAL GOVERNMENT (PLANNING AND DEVELOPMENT) ACTS, 1963 TO 1993**

Decision Order Number 1994	Date of Decision 03/10/97
Register Reference S97A/0271	Date 30th April 1997

Applicant Burston Ltd.,

Development Construction and layout and necessary and related infilling of the site of 2 no. football pitches, 4 no. tennis/net ball courts, 1 no. bowling green, 1 no. croquet green and a miniature golf course together with a riverside walkway and stands for fishing including pedestrian access from the Pub to the above recreational facilities.

Location Lands adjoining Brigid Burke's Pub, Killinanny, Old Bawn, Tallaght, Dublin 24.

Floor Area	Sq Metres
------------	-----------

Time extension(s) up to and including

Additional Information Requested/Received	24/07/97	/05/08/97
---	----------	-----------

In pursuance of its functions under the above mentioned Acts, the South Dublin County Council, being the Planning Authority for the County Health District of Dublin, did by Order dated as above make a decision to **REFUSE PERMISSION** in respect of the above proposal.

for the (7) Reasons on the attached Numbered Pages.

signed on behalf of the South Dublin County Council

John D. O'Keefe & Associates,
'The Paddock',
17 Ailesbury Grove,
Dundrum,
Dublin 16.

SOUTH DUBLIN COUNTY COUNCIL
COMHAIRLE CHONTAE ÁTHA CLIATH THEAS

Bosca 4122,
Lár an Bhaile, Tamhlacht,
Baile Átha Cliath 24.

Telefon: 01-462 0000
Facs: 01-462 0104

REG REF. S97A/0271



PLANNING
DEPARTMENT
P.O. Box 4122,
Town Centre, Tallaght,
Dublin 24.

Telephone: 01-462 0000
Fax: 01-462 0104

.....*HS*.....
for SENIOR ADMINISTRATIVE OFFICER

03/10/97

Reasons

- 1 The proposed development would be prejudicial to public health as the applicant has failed to submit satisfactory proposals for the treatment of the two watermains and their associated valves which traverse the site. The applicant has failed to identify the 450mm diameter surface water pipe on site and proposals to protect it.

- 2 The proposal to raise the level of the site which would result in the riverside area being obscured from public view, thereby discouraging public use, is not acceptable on visual or amenity grounds. The proposal to confine the river between gabion walls is not acceptable on visual amenity grounds. No detailed drawings have been submitted of the proposed bridge. The proposed development would, therefore, be contrary to the proper planning and development of the area.

- 3 The applicant has failed to submit detailed boundary treatments and a landscape plan with the number and type of species proposed and planting schedule. The proposed development in a high amenity area would, therefore, seriously injure the visual amenities of the area.

SOUTH DUBLIN COUNTY COUNCIL
COMHAIRLE CHONTAE ÁTHA CLIATH THEAS

Bosca 4122,
Lár an Bhaile, Tamlacht,
Baile Átha Cliath 24.

Telefon: 01-462 0000
Facs: 01-462 0104
REG. REF. S97A/0271



PLANNING
DEPARTMENT
P.O. Box 4122,
Town Centre, Tallaght,
Dublin 24.

Telephone: 01-462 0000
Fax: 01-462 0104

- 4 The applicant has failed to identify a site for changing rooms, maintenance buildings and administration building or to submit drawings. It is the opinion of the Planning Authority that these are essential for the proper management and functioning of a development such as this. The proposed development would, therefore, be contrary to the proper planning and development of the area.
- 5 The proposal to deposit large quantities of fill material on either side of the river Dodder is unacceptable given the 'high amenity' zoning of the area and the attractive natural amenity which exists at present - river and semi-wilderness area - and as such would be detrimental to the visual amenities of the area and would therefore contravene materially development objectives indicated in the Dublin County Development Plan 1993.
- 6 The applicant has failed to indicate proposals for 30 additional car spaces which might be required for the development. The proposed development would, therefore, be contrary to the proper planning and development of the area and may tend to create serious traffic congestion.
- 7 The proposed development would interfere with the flood plain of the Dodder River and may give rise to flooding and would therefore be prejudicial to public health.

**SOUTH DUBLIN COUNTY COUNCIL
COMHAIRLE CHONTAE ÁTHA CLIATH THEAS**

Bosca 4122,
Lár an Bhaile, Tamhlacht,
Baile Átha Cliath 24.

Telefon: 01-462 0000
Facs: 01-462 0104



**PLANNING
DEPARTMENT**
P.O. Box 4122,
Town Centre, Tallaght,
Dublin 24.

Telephone: 01-462 0000
Fax: 01-462 0104

LOCAL GOVERNMENT (PLANNING AND DEVELOPMENT) ACTS, 1963 TO 1993

Decision Order Number 1486	Date of Decision 24/07/97
Register Reference S97A/0271	Date 30th April 1997

Applicant Burston Ltd.,
Development Construction and layout and necessary and related infilling of the site of 2 no. football pitches, 4 no. tennis/net ball courts, 1 no. bowling green, 1 no. croquet green and a miniature golf course together with a riverside walkway and stands for fishing including pedestrian access from the Pub to the above recreational facilities.

Location Lands adjoining Brigid Burke's Pub, Killinenny, Old Bawn, Tallaght, Dublin 24.

App. Type Permission

Dear Sir/Madam,

With reference to your planning application, received on 30/04/97 in connection with the above, I wish to inform you that before the application can be considered under the Local Government (Planning & Development) Acts 1963-1993, the following **ADDITIONAL INFORMATION** must be submitted in quadruplicate:

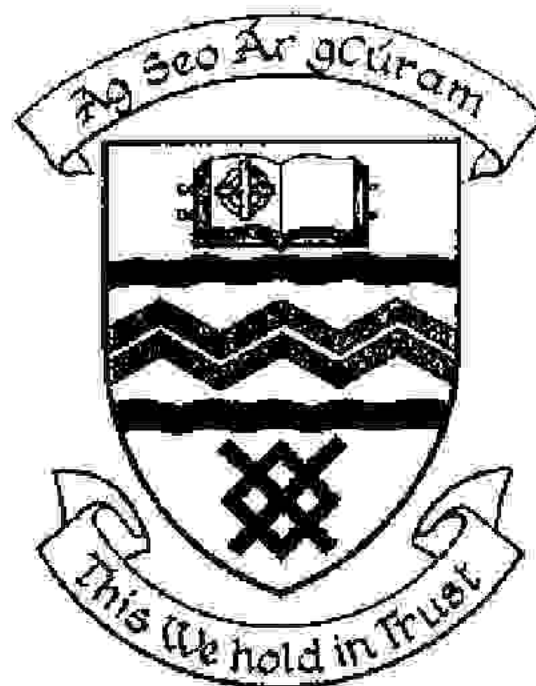
- 1 The proposal to import additional fill onto this site is not acceptable to the Planning Authority. The applicant is requested to submit a detailed contour layout of the site as it exists showing contours at 0.5m intervals and another to show proposals to use fill already deposited on the site to create necessary greens, pitches and courts. The layout should show finished ground levels in relation to adjoining sites and roads.

John D. O'Keeffe & Associates,
'The Paddock',
17 Ailesbury Grove,
Dundrum,
Dublin 16.

SOUTH DUBLIN COUNTY COUNCIL
COMHAIRLE CHONTAE ÁTHA CLIATH THEAS

Bosca 4122,
Lár an Bhaile, Tarnhlacht,
Baile Átha Cliath 24.

Telefon: 01-462 0000
Facs: 01-462 0104



PLANNING
DEPARTMENT
P.O. Box 4122,
Town Centre, Tallaght,
Dublin 24.

Telephone: 01-462 0000
Fax: 01-462 0104

~~REG REF. S97A/0271~~

- 2 The applicant is requested to give detailed boundary treatments for all boundaries of the site to show proposals for walls, railings, hedgerows, screen planting as required.
- 3 The applicant is requested to indicate the proposed points of access to the proposed development.
- 4 The applicant is requested to show the two Dublin Corporation Watermains which traverse the site and to submit proposals for the bridge over the river to incorporate the watermain. This proposal should be discussed with Dublin Corporation Water Division prior to submission of revised proposals and relevant drawings of the bridge. Dublin Corporation further express concern over watermain fittings on the two watermains such as butterfly valve chambers, scour valves, air valves and cross-connection valve chambers. These watermain fittings with accompanying chambers and manhole covers cannot be moved or covered over in the course of any proposed development. Revised proposals should take account of requirements of Dublin Corporation Water Division.
- 5 The applicant is requested to indicate the exact location of the 450mm diameter surface water sewer which traverses the site and what, if any, effect the proposed development will have on it.
- 6 The applicant is requested to indicate a location and access proposal for a car-parking area for 30 cars which may have

SOUTH DUBLIN COUNTY COUNCIL
COMHAIRLE CHONTAE ÁTHA CLIATH THEAS



Bosca 4122,
Lár an Bhaile, Tamhlacht,
Baile Átha Cliath 24.

Telefon: 01-462 0000
Facs: 01-462 0104

PLANNING
DEPARTMENT
P.O. Box 4122,
Town Centre, Tallaght,
Dublin 24.

Telephone: 01-462 0000
Fax: 01-462 0104

~~REG. REF. S97A/0271~~

to be provided should parking for the existing pub prove inadequate in the future.

- 7 The applicant is requested to indicate what changing facilities and maintenance buildings are proposed for this development and where are they likely to be located.
- 8 The applicant is requested to submit proposals for advertising the development and floodlighting if such is envisaged.
- 9 The applicant is requested to submit drawings to indicate how the proposed riverside pathway will link to the realigned Old Bawn Road and bridge and whether a gate is to be provided. The applicant is requested to clarify proposals in relation to access for the general public along the river-bank in particular. The applicant should note that infill should not encroach on the existing riverbanks and the proposed pathway. The proposal to erect gabion walls along the river channel is not acceptable and river banks should be left as they are.
- 10 The applicant is requested to indicate the exact nature of the fill which has been imported onto this site.

SOUTH DUBLIN COUNTY COUNCIL
COMHAIRLE CHONTAE ÁTHA CLIATH THEAS

Bosca 4122,
Lár an Bhaile, Tamhlacht,
Baile Átha Cliath 24.

Telefon: 01-462 0000
Facs: 01-462 0104



PLANNING
DEPARTMENT
P.O. Box 4122,
Town Centre, Tallaght,
Dublin 24.

Telephone: 01-462 0000
Fax: 01-462 0104

~~REG REF. S97A/0271~~

Signed on behalf of South Dublin County Council

.....
for Senior Administrative Officer

24/07/97

SOUTH DUBLIN COUNTY COUNCIL
COMHAIRLE CHONTAE ÁTHA CLIATH THEAS

Bosca 4122,
Lár an Bhaile, Tamhlacht,
Baile Átha Cliath 24.

Telefon: 01-462 0000
Facs: 01-462 0104



PLANNING
DEPARTMENT
P.O. Box 4122,
Town Centre, Tallaght,
Dublin 24.

Telephone: 01-462 0000
Fax: 01-462 0104

LOCAL GOVERNMENT (PLANNING AND DEVELOPMENT) ACTS, 1963 TO 1993

Order Number 0945	Date of order 20/05/97
Register Reference S97A/0271	Date 30th April 1997

Applicant Burston Ltd.,

Development Construction and layout and necessary and related infilling of the site of 2 no. football pitches, 4 no. tennis/net ball courts, 1 no. bowling green, 1 no. croquet green and a miniature golf course together with a riverside walkway and stands for fishing including pedestrian access from the Pub to the above recreational facilities.

Location Lands adjoining Brigid Burke's Pub, Killininny, Old Bawn, Tallaght, Dublin 24.

Dear Sir/Madam,

An inspection carried out on 13/5/97 has shown that the site notice erected in respect of your planning application does not comply with the requirements of the Local Government (Planning and Development) Regulations, 1994 as the site notice cannot be read from the public road.

- (a) two copies of the text of the notice
- (b) two plans showing the position of the notice on the land or structure
- (c) a statement of the date on which the notice is erected

The notice must be maintained in position for at least one month and must fulfill the following conditions:-

1. Must be durable material
 2. Must be securely erected in a conspicuous position easily visible and legible by persons using the public road
- John D. O'Keefe & Associates,
'The Paddock',
17 Ailesbury Grove,
Dundrum,
Dublin 16.

SOUTH DUBLIN COUNTY COUNCIL
COMHAIRLE CHONTAE ÁTHA CLIATH THEAS



Bosca 4122,
Lár an Bhaile, Tamhlacht,
Baile Átha Cliath 24.

Telefon: 01-462 0000
Facs: 01-462 0104

PLANNING
DEPARTMENT
P.O. Box 4122,
Town Centre, Tallaght,
Dublin 24.

Telephone: 01-462 0000
Fax: 01-462 0104

~~REG REF. S97A/0271~~

3. Must be headed "Application to Planning Authority".
4. Must state:

- (a) Applicant's name
- (b) whether application is for Permission, Outline Permissin, or Approval.
- (c) nature and extent of development including number of dwellings (if any)
- (d) that the application may be inspected at the Planning Department, South Dublin County Council, Town Centre, Tallaght, Dublin 24.

No further consideration will be given to this application until you comply with these requirements.

Yours faithfully,

.....
for Senior Administrative Officer. 20/05/97