

Planning Department,
SDCC, Civic Offices, Tallaght,
Dublin 24

31st March 2022

My Ref: COS 2021

Your Ref:

Re:

Church of Scientology & Community Centre Dublin is applying for permission for a new SDCC maintenance-vehicle access gate in the existing fence between the Church of Scientology and Dodder park, with landscaping & play items in the area of the park between the Dodder river and the existing fence, and retention permission for the existing 2.5 metres high perimeter fence around the Church of Scientology occupied property, to include the omission of a pedestrian gate and fence plinth, all at the Church of Scientology and Community Centre Dublin, Firhouse Road, Dublin 24, D24CX39

Dear Sir or Madam,

On behalf of my client, Church of Scientology & Community Centre Dublin, I wish to make an application for planning permission and retention permission for the above development.

Context

The most recent planning application on the above site is SD18A/0010 (various minor works and a playground), and Condition 3 of that permission states:

"3. The applicant, owner or developer, or any other person with an interest in the land to which development is approved relates, shall, prior to lodgement of a commencement notice with the meaning of Part II of the Building Control Regulations 1997, lodge with the Planning Authority:

(i) Details to comply with Condition 8 of SD05A/1055 which states:

Prior to the commencement of any development on the site, the applicant shall agree with the Parks Department and submit to the Planning Authority, a revised boundary treatment in respect of the boundary between the development site and the area of land to be ceded to South Dublin County Council for the purpose of continuing the development of the Dodder Valley Linear Park. This boundary treatment to comprise a plinth wall and railing and to include a detailed design and specification for the proposed pedestrian entrance to the future parklands.

REASON: In the interest of amenity and the proper planning and sustainable development of the area."

Thus the origin of above Condition 3 lies in a transfer of a Condition from SD05A/1055 (from 2005) when the original Victory Church was under development. As you can imagine matters have moved on in the last 16 years, not least in terms of vegetation growth and Dodder Park development.

Condition 3 of SD18A/0010 was addressed, discussed and provisionally agreed with the Parks Dept. of SDCC. However the preference of the Parks Dept is to provide a vehicle gate (for SDCC maintenance vehicle access), in the requirements of Condition 3. The area of land between the river and my client's fence (land which is largely owned by my client, but controlled and maintained by SDCC Parks) is difficult to access for vehicles via the bridges, and access via my client's occupied property and the proposed vehicle gate is much preferable for SDCC Parks.

Access to this gate from the Firhouse Road will be addressed via a formal right-of-way/easement agreement (subject to conditions) to be granted to SDCC Parks, and a transfer of lands between SDCC and my client, both adjacent the river and the Firhouse Road (currently on-going).

Proposal

Notwithstanding the above referenced discussions between SDCC & our client's representatives, my client has been advised that the vehicle gate could be the subject of legal challenge given that it was not the subject of any planning application, with its associated statutory public consultation features. Accordingly my client, in an abundance of caution, wishes to bring certainty to this matter by making a specific planning application for said vehicle gate, and some adjustment on other matters in Condition 3 of SD18A/0010.

In addition to permission for the vehicle gate, my client also seeks retention permission for the existing fence (without plinth) and the omission of the pedestrian gate originally required under the SD05A/1055 planning permission. Since the erection of the fence the park planting has significantly matured and the fence is now virtually invisible from the Dodder Park, with only the top part of the fence visible in some area, and the remainder completely obscured.

The existing fence is solid, circular section, blunt-topped bar, circa 2.5 metres high without a plinth. This construction/aesthetic is identical to the Dodder Park perimeter fence above its stone wall, and indeed is a standard permanent fencing solution for local authorities.

Part of the existing fence is on a strip of land within the Firhouse Road boundary which is owned by SDCC (see drawing attached from SDCC) but maintained & controlled by my client. This land will be transferred from SDCC to my client in due course. SDCC has agreed to authorise the planning application for the retention of the fence on SDCC owned land.



View of existing fence from Dodder Park Pedestrian Walkway, in the area of the proposed vehicle gate.



View of existing fence from Church occupied property in the area of the proposed vehicle gate.

Any changes to this existing fence would inevitably destroy the matured planting (including several mature trees), and replacing this fencing would be costly, wasteful and unsustainable in many ways for no benefit, visual or otherwise.

I have been in extensive liaison with Suzanne Furlong, SDCC Parks Superintendent and SDCC Parks are in broad agreement with these proposals. The location of the vehicle gate has also been agreed.

The Church has agreed to provide planting and play items (as per the landscape drawings in the planning application) to the pedestrian walkway in the Dodder Park as a further contribution to this community facility.

Summary

My client proposes to make a public gain contribution of vehicle gate and park planting (with land transfer process in train and right-of-way agreement to come) and the retention of the existing perimeter fence to the Church occupied property.

As to the application, please find enclosed the following documents:

1. Completed Planning Application Form
2. Copy of the Site Notice (erected on 30th March 2022)
3. Newspaper Notice (The Echo 31st March 2022)
4. Planning fee cheque for €320.00 made payable to SDCC.
5. Six copies of OS Planning Map - Site Location Plan
6. Six copies of architect drawings numbers: CoS2021 -1-01 to 03
7. Six copies of landscape architect drawings numbers:
21126-LD-01-D; -LP-01-D; -LS-01-D
8. Six copies of landscape architect's Open Space Management document.
9. Six copies of Irish Water map dated 17th August 2021
10. One copy of SDCC authorisation for planning application on SDCC owned land (dated 28/09/2021) with accompanying SDCC drawing no. DEV.CA.299.2021
11. One copy of planning application authorisation letter from the client's landlord, UK Buildings & Land Ltd, dated 25th March 2022

If you require any further clarification please do not hesitate to contact me.

Yours sincerely,


Gerry Ryan FRIAI