

AN BORD PLEANALA
Rocheshill Protection Association
 LDG- _____
 ABP- _____
 29 NOV 2024
 Fee: € _____ Type: _____
 Time: 16:23 By: Hand

C/O Professor Patrick Drudy
 95 Ballinclea Heights,
 Killiney,
 Co. Dublin

29 November 2024

Fencing by Killiney Golf Club at two locations on Rocheshill Killiney

An Bord Pleanala Reference : ABP – 320914-24

Dun Laoghaire Rathdown Reference : REF9124

We thank An Bord Pleanala for the opportunity to make observations on the submission of Marston Planning Consultancy ("Marston") regarding Rocheshill which is an area of high amenity and outstanding natural beauty. In addition to this hard copy material, I will email for the convenience of the Board any electronic material available to me, including relevant links.

At the outset, I wish to clarify that the appeal was submitted by me, Professor Patrick Drudy, on behalf of the Rocheshill Protection Association. Marston refers (p.3) to the "proclaimed" Rocheshill Protection Association, which appears to suggest that the association is somehow illegitimate or inappropriate. This is disappointing. The Rocheshill Protection Association was established in 1982 by a group of residents associations, community councils and individuals in Killiney and its surrounding areas who were concerned about the protection of this important area of natural beauty. The membership of the association has changed over the years, but it remains an active association which has as its concern ensuring that this area remains protected for future generations.

In summary, we contend that the erection of two fences by Killiney Golf Club obstructs direct access to an established pedestrian pathway, which is also a right of way through long term public use. The erection of fencing is also inconsistent with the An Bord Pleanala Order (PL 06. 097552), the pNHA and the Dun Laoghaire Rathdown County Council Development Plan 2022-28 and seriously injures the amenities of the area.

Background: Proposals for Development

Applications for development on Rocheshill have been consistently refused over many years. For example, in November 1982 XJS Investments sought planning permission for apartments and homes on this area. This was refused by the then Dun Laoghaire Corporation in January 1983 and on appeal by An Bord Pleanala in December 1983. In 1988 Dun Laoghaire Corporation purchased the entire of Rocheshill consisting of 24 acres but sold a strip of 3.1 acres to Killiney Golf Club.

In 1995 Killiney Golf Club sought permission to extend its course on to the 3.1 acre strip and in particular on the area relevant to this appeal (planning reference D95A/0106). The application was refused by Dun Laoghaire Rathdown Planning Department on 26 October 1995 and by An Bord Pleanala on appeal on 26 March 1996. All documents in respect of that

application are available on the Dun Laoghaire Rathdown planning website and some are referred to and linked below.

Successive Dun Laoghaire Development Plans have regarded Rocheshill, including the 3.1 acres sold to the Golf Club, as an area of high amenity and outstanding natural beauty. Together with Killiney Hill, Rocheshill is within the proposed Natural Heritage Area (pNHA) of Dalkey and Killiney and therefore subject to a potential Special Area Amenity Area Order. A key objective of the *Dun Laoghaire Rathdown Development Plan, 2022-28* is “to retain and preserve the natural environment and biodiversity on Roches/Mullins Hill, Killiney”. We contend that the erected fencing is contrary to the objectives of the pNHA and the Development Plan.

Errors in the Marston Submission

The Marston submission makes a number of errors regarding the subject of this appeal and various other matters. In the interests of brevity, we highlight only the errors that are relevant to this appeal.

First, Marston initially appears to suggest (p.2-3) that our appeal related to the Claremont Road via Rocheshill to Glenalua Road right of way. If this is the suggestion, it is incorrect and repeats the same error in the Planning Department Declaration already referred to in our appeal. Our documentation and appeal relate solely to the specific area between the two fences erected by Killiney Golf Club - the fence close to the Wicket Gate (also known as the "kissing gate") and to the rear of the 4th tee and the fence adjoining the Claremont Road via Rocheshill to Glenalua Road right of way.

Second, Marston claims that “the lands have not been fenced off or enclosed” (p.7). This is incorrect. The fences obstruct access to the only accessible paths through the lands in question, which has the effect of enclosing the entire area. The other points of access to the lands (other than the pathways) contain gorse and bushes and are not accessible. In any event, the 'lands' that are relevant to this appeal are the pathway and the pathway has been fenced off, as is clear from the photographs and narrative in the Planning Department's report.

Similarly, Marston suggests (p.7) that the pathways have not been 'obstructed'. It is difficult to see how the fences could be doing anything other than 'obstructing' the pathway. The fact that the obstruction has been mitigated such that it is now a partial obstruction does not change this.

Third, Marston seems to suggest (p.7) that the pathway in question was “newly opened up” by the County Council contractor in 2023 and that there is no evidence that the pathways are habitually used and historic rights of way. Contrary to this submission, the Council did not create or 'open up' the pathway in 2023. It is our understanding that the County Council erected plastic barriers at the entrance to the pathway for safety reasons in April 2023 (see attached photographs). We understand that this was on a temporary basis since contractors were carrying out work nearby subsequent to a fire on the upper reaches of the hill during 2022. However, it is our understanding that the Council did no work whatever on the pathway itself. Even if it did, this would not affect the lengthy prior existence and use of the pathways.

The pathway has been in place for many years prior to the 2023 work. There is significant evidence of this. For example:

- The observations submitted to Dun Loaghaire Rathdown planning department in 1995 in relation to planning application D95A/0106, which concerned this land, evidence the rights of way and habitual use of the pathways. For example, the observations submitted refer repeatedly and consistently to rights of way and habitually used paths across the lands. A map is included in the submissions marking exactly the rights of way at issue in this application (p.87, first observation document linked immediately below). This is clear evidence that the paths at issue were already well established in 1995, contrary to the contention in Marston's submission.
(<https://planningapi.agileapplications.ie/api/application/document/DLR/124178> and <https://planningapi.agileapplications.ie/api/application/document/DLR/124171>)
- The County Planning Officer's Report of 26 April 1995 in relation to planning application D95A/0106, available at <https://planningapi.agileapplications.ie/api/application/document/DLR/124173> and attached to this submission, refers specifically to "*established rights of way across [this] 3.1 acre site*". He also notes that the Golf Club's application at that time included drawings which were "*incomplete in so far as the various rights of way on Roches Hill are not shown on the drawings. Proposals for retaining these rights of way have not been included in the application.*"
- As part of the Golf Club's subsequent appeal to An Bord Pleanala, the Rocheshill Protection Association submitted a map to An Bord Pleanala in 1995 which had been prepared by Brady Shipman Martin in 1982. A copy of that map is attached to this submission and is also available at <https://planningapi.agileapplications.ie/api/application/document/DLR/124184> at p.66. The map was signed by three local residents and annotated with the words 'Paths referred to in the appeal'. That map clearly marks the pathways referred to in the current appeal as "principal paths". The Marston submission refers to this map as having 'no legal basis'. However, its creation in 1982 and submission to An Bord Pleanala in 1995 are clear evidence of the existence of these established pathways being rights of way which have been habitually used for many, many years.
- As with the original planning application D95A/0106, the observations submitted to An Bord Pleanala evidence the rights of way and habitual use of the pathways. For example, the observations submitted refer repeatedly and consistently to rights of way and habitually used paths across the lands. In addition to the Brady Shipman Martin map referred to above, a further map was included with the observations which again clearly marks the pathway at issue in the current appeal (p.37).
(<https://planningapi.agileapplications.ie/api/application/document/DLR/124184>)
- In rejecting the Golf Club's appeal, An Bord Pleanala in its 1996 Order (PL 06. 097552, available at <https://planningapi.agileapplications.ie/api/application/document/DLR/124184>) referred to "established pathways", which include the pathways referred to in the current appeal.
- Attached are several recent letters from local residents, some of whom have lived in the area their entire lives and their parents before them. These letters confirm the continued existence and habitual use of the pathway concerned in the current appeal for many, many years. The only action preventing the use of the pathway was the obstruction of the pathway by the fencing at issue in the current appeal. All of these people are happy to be contacted directly by An Bord Pleanala if further information is needed about the recent use of the pathway.

Fourth, Marston alleges that I and others cut back "*hedgerows and planting within a protected area, with a flagrant disregard to the conservation objectives for the area*". We consider this allegation to be personally directed and inappropriate. To gain a safe walkway along the pedestrian pathway, especially for less able users, overgrown briars and ferns have been trimmed lightly by me and other members of the public. This overgrowth of briars and ferns along the pathway was due to the erection of the temporary plastic barriers by the Council for safety reasons as mentioned above. Such maintenance of habitually used pedestrian pathways is consistent with their safe use by the public and in no way inconsistent with the conservation objectives of the area.

Habitual Use and Rights of Way

As outlined above, it has been acknowledged over an extended period that there have been habitual use and rights of way on this specific area. In 1995 an application was made by the Golf Club to extend its course on to the area to the rear of the 4th tee. In the Record of Executive Business and Manager's Orders the then Planning Officer's Report dated 26 April 1995 signed by the then County Manager stated that the proposed development would "*interfere with established rights of way across this 3.1 acre site*" and that the proposed fence would "*in effect cut off established rights of way between Rocheshill and the Golf Club course*". He also notes that the Golf Club's application at that time included drawings which were "*incomplete in so far as the various rights of way on Roches Hill are not shown on the drawings. Proposals for retaining these rights of way have not been included in the application.*" The application was refused by the Planning Department. Following the Golf Club's appeal to An Bord Pleanála, the Rocheshill Protection Association submitted the Brady Shipman Martin map, described above, which clearly marks the pathways referred to in the current appeal as "principal paths". The Board refused the appeal. The Board's Order (PL 06. 097552) dated 26 March 1996 stated :

"The proposed golf course extension would interfere with established pedestrian pathways across these lands which would seriously injure the amenities of the area and be contrary to the proper planning and development of the area".

This clearly shows that almost thirty years ago the pathways on this specific area were in habitual use by the public. Marston fails to properly acknowledge this Order which is most relevant to this case. Habitual use has continued to this day, as evidenced by the letters attached to this submission and described above, submitted by local residents.

Due to a fire on Rocheshill in 2022 and remedial work underway, Dun Laoghaire Rathdown County Council erected plastic barriers at both ends of the pedestrian pathway to prevent public access in the interests of health and safety. This was specifically on the basis that the land was being habitually used by the public. It is perverse to now claim that there was no habitual use.

When the Planning Department case planner walked the pathway relevant to this appeal, he noted that it was a "*well worn and clear path*" (p.3 Planning Department Declaration dated 29 August 2024). He also notes a "*well worn path running around the fences (at both ends) enabling access to the path on the other side*". Marston also states that "*no person is obstructed from walking through the golf Club lands at own risk*". (See page 7)

However, the construction of the fences means that the public is blocked from direct access to the pathway as existed in the past. Furthermore, the pathway around the fences is hazardous, especially for elderly people or those with poor mobility.

Non-compliance with Article 9(1)(a)(x) and 9(1)(a)(xi)

Marston's submission (p.7 and 8) is that the restrictions on exemption in Articles 9(1)(a)(x) and (xi) cannot apply in this instance because the pathway at issue in the appeal has not been "habitually open to or used by the public during the 10 years preceding" the fencing and because the pathway has never formed a public right of way. We submit that, in light of the evidence described above and attached to our response, Marston's claim is demonstrably incorrect. The evidence provided clearly shows that the pathway at issue has been habitually used for at least 40 years, but possibly many, many more, and continues to be used to this day. The evidence also shows that the pathway is a right of way. We contend that it is also very clear from this evidence that the pathway is both fenced off and obstructed, as a result of the fencing erected by the golf club. As a result, the restrictions on exemption clearly apply.

We would also refer the Board to Article 9(1)(vi), which restricts any development which *"would interfere with the character of a landscape, or a view or prospect of special amenity value or special interest, the preservation of which is an objective of a development plan for the area"*. It is clear, including from the evidence provided in the way of photographs and letters attached to this submission, that the fencing would interfere with the character of this pathway and the surrounding environs.

We ask An Bord Pleanála to allow this appeal.

If any further information is required I will of course be pleased to provide it.

With best wishes,

A handwritten signature in black ink, appearing to read 'P.J. Drudy', with a long, sweeping horizontal stroke extending to the right.

Professor P.J. Drudy

Dun Laoghaire/Rathdown County Council
County Management Acts 1940 to 1993
Record of Executive Business and Manager's Orders

Date application received: 28 February 1995

Reference: D95A/0106

Development: Extension to golf course of 1.2 hectares

Location: Roches Hill, Killiney, Co. Dublin.

Applicant: Killiney Golf Club.

Application Type: Permission.

Report of County Planning Officer

Planning Permission is sought by Killiney Golf Club for an extension of the course at Roches Hill, Killiney, Co. Dublin.

The site measuring 3.1 acres is located within the Roches Hill area designated an area of scientific interest in the current Development Plan (List H, 1991 Development Plan). The proposal involves the relocation of existing fourth tee and fairway into this area. This will necessitate the removal of a substantial amount of hedgerow between the cultivated grass of the golf course and the natural flora of Roches Hill. This extension of the golf course will interfere with established rights of way across this 3.1 acre site.

A 2.1 metre high fence is also proposed along the site boundary which would in effect cut off established rights of way between Roches Hill and the Golf Course.

The applicant's drawings are incomplete in so far as the various rights of way on Roches Hill are not shown on the drawings. Proposals for retaining these rights of way have not been included in the application.

The 3.1 acre site is within an area of ecological conservation and the Office of Public Works National Parks and Wildlife Service propose including it within the boundaries of the proposed Natural Heritage Area of Dalkey and Killiney. A letter has been submitted from the Office of Public works outlining their objections to the proposal. Given that a detailed survey has not been included of the trees, hedgerow and flora within the site, the applicants should be requested to submit additional information showing all trees, hedgerow and other flora to be retained within the site together with a detailed survey. The "trees and woodlands" of Killiney Golf Club are listed for presentation in List G of the Development Plan.

The applicant should also be requested to submit details of how it is proposed to reconcile the extension of the Golf Course into the proposed National Heritage Area.

Several written objections have been received concerning:

1. Interference with flora and fauna of this area of scientific interest.
2. Interference with established rights of way.
3. Erection of a fence being incompatible with the general character of the area.

I recommend that Additional Information be requested as follows:

1. (a) Submit details of all rights of way and pathways which traverse the site. These should be on a 1:1000 drawing.

(b) Submit details of how it is proposed to accommodate these pathways within the site.

2. Submit a full tree and hedgerow survey of the site and outline precisely what trees, hedgerow and other vegetation are to be removed to facilitate the golf club extension.

3. The site has been included as part of the proposed Natural Heritage Area by the Office of Public Works National Parks and Wildlife Service as it lies within an area of ecological conservation value. They consider that the proposed golf course extension in this area would have an adverse impact on the ecology of the site in question. The applicant is asked to submit details of how these objections can be reconciled with an extension of the golf course on these lands.

Signed by William Murray, County Planning Officer

Order: I direct that Additional Information be requested from the applicant for permission as set out in the above report and that Notice thereof be served on the applicant.

Signed by K. O'Sullivan

Dun Laoghaire/Rathdown County Manager

26 April 1995

60, Rathsallagh Park,
SHANKILL,
Co. Dublin
Tel. No. 085 1499738

25th November 2024

TO WHOM IT MAY CONCERN

Re: ABP Ref. 32914/24 DUNLRATHDOWN Ref 9124

I was born in 17, Glenalua Road, Killiney, Co. Dublin, in January 1956. My parents were there since 1951. I lived there for over 62 years before moving to Shankill in 2018. I was secretary of Killiney village residents Association for over 30 years.

Roches Hill was my childhood playground, and my own childrens as well.

The two fences arected by Killiney Golf Club is blocking access to a pedestrian pathway, in long term public use, and we in Killiney Village always used it as a right of way. My husband was from Sallymoggin, and this was the path we used to visit my inlaws in Sallynoggin. We had no car so walked over Roches Hill to get there.

We have fought many battles over the years to protect Roches Hill and so dit my parents before us.

In 1982 XJS tried to build on it, but permission was refused. This area is of outstanding natural beauty and high amenity.

When the Golf club tried to extend the 4th tee in April 1995, it was acknowledged by the Council, in the planning officers report, that there established rights of way across this site, and permission was refused. It was signed by the then County manager

It is clearly established that this is a used pathway, and I request that the two fences be removed.

I look forward to hearing from you.

Yours faithfully.

*Juline
O'Neill*

Juline O'Neill


AN BORD PLEANÁLA	
LDG-	_____
ABP-	_____
29 NOV 2024	
Fee: €	Type: _____
Time: 16.23	By: HANN

21 Ralahine,
Ballybrack,
Co. Dublin
A96C7V0

21 November 2024

To whom it may concern

I have regularly walked Mullins/ Roches Hill for over the past fifteen years . I have used the walking trail where two fences have been erected. I have also witnessed many other people , especially dog walkers, using it. These fences are unnecessary and spoil the natural environment on this special area.



Pat Fitzgerald

26/11/24

To Whom It Concerns:-

Re: Fencing by Killiney Golf Club at the rear of the 4th tee and at 2 locations on Rockeshill Killiney.

I Eamon Redmond, resident of Killiney Village since 1959 confirm that I have used the right of way referred to above for over 60 years. My Grandfather, Grandmother, Father, Mother, aunts and uncles would also have used the Right of Way prior to my birth and during their lifetime.

Yours sincerely,

Eamon Redmond.

Tigin Bar

Off Glenaloe Road
Killiney

26/11/2024

To Whom It Concerns: -

Re: Fencing by Killiney Golf Club at the rear of the
4th Tee and at 2 locations on Rochestill, Killiney.

I Joannale Redmond resident of Killiney Village for over 30 years confirm my consistent use of the Right of Way referred to above in these 30 years.

I can also confirm my use of the said Right of Way when resident of Dunlaoghaire during my childhood in the 1970's along with my parents and siblings when walking our dogs over the years.

Yours Sincerely,

Joannale Redmond
Tigh Ban
86 Glenalua Road
Killiney

25 Knocknacree Park

Dalkey

Co. Dublin

November 24, 2024

TO AN BORD PLEANALA : FENCING ON ROCHESHILL KILLINEY

Having long enjoyed the social and recreational benefits that this remarkable natural amenity confers, not just on the local Killiney community, but on the entire of the county of Dun Laoghaire Rathdown, I am horrified at the erection of fencing by Killiney Golf Club. This seeks to impede easy access to me and many walkers on to the walkway parallel to the Killiney Golf Course hedge. This walkway has been consistently used by me since the 1970s until now and by numerous walkers. It has been used and regarded as a right of way for generations.

The erection of fencing ignores the fact that that any development on this land has been rejected consistently since the 1980s. It ignores the law, regulations and tradition. Public health concerns among both young and older people means that access to unimpeded pleasant pathways is now more important than ever.

Fencing is completely out of character in this unique natural environment and is at variance with stated policies of the Council and the common good.. It should be removed.

A handwritten signature in black ink, appearing to read 'Thomas Geraghty', with a stylized flourish at the end.

Thomas Geraghty



28 NOV 2024 ANTHONY DEEGAN
19 GLENALUA RD
KILLINEY
CO DUBLIN
A96 RP71

To whom it might concern about the fencing off the
Pathway by the fence at Killiney Golf course

I have lived in Killiney all my life since 1949

I have walked that path since the 1950s

I walked off Johnstown road in a joining track
I walked to work + home weekdays in the 1980s
+ 1990s with others who worked in the Rehab
Hospital Nowadays I use it to go shopping
at shopping center till it was fenced off

I thank you for your attention

Planning Authority

Kelly Family
23 Lymalua Road
Kilmeay
Co Dublin
28/11/24

Dear Sir/Madam

We the Kelly Family of the above
for the last 60 plus years, would
like to object to the closing off
of the right of way on Rockeshill
by the erecting of a fence by Killmeay
goey club.
This right of way has been used by
the people of Killmeay Ballybrack
and Sallystoggen on a day to day
basis and also by walking groups
at the weekend.

Regards J. Kelly

1. 1. 1. 1.

2. 2. 2. 2.

3. 3. 3. 3.

4. 4. 4. 4.

5. 5. 5. 5.

6. 6. 6. 6.

7. 7. 7. 7.

8. 8. 8. 8.

9. 9. 9. 9.

10. 10. 10. 10.

11. 11. 11. 11.

12. 12. 12. 12.

13. 13. 13. 13.

14. 14. 14. 14.

15. 15. 15. 15.

16. 16. 16. 16.

17. 17. 17. 17.

18. 18. 18. 18.

19. 19. 19. 19.

20. 20. 20. 20.

21. 21. 21. 21.

22. 22. 22. 22.

23. 23. 23. 23.

24. 24. 24. 24.

25. 25. 25. 25.

26. 26. 26. 26.

27. 27. 27. 27.

28. 28. 28. 28.

Brian A. Comiskey
47 Glenavon Park
Loughlinstown
Glenageary
Co. Dublin A96 X5X6
21st November 2024

Roches Hill has been a special place to me to walk for nearly twenty years since my retirement. It is an oasis of bio-diversity and wilderness that is unique within the County, centred within the conurbations that surround it.

In contrast to its more well-known neighbour, Killiney Hill, it has a lower "footfall" but this has been to its advantage as it has not suffered from over-exposure.

For that reason, I have observed how it attracts many walkers, some with young children, to understand the bio-diversity of nature and how fragile it can be. It is amazing to watch the daily step-by-step of the seasons from the slumber of Winter through to the regrowth of the Spring flowering to Summer, Autumn and return to Winter again. This aspect can never be overstated in our modern world.

It contrasts but also enhances the vista of the parkland of Killiney Golf Course. It would be to our collective loss if we neglect to understand how important it is to allow all the paths and trails within the hill to remain open to future generations.

The erection of fences on particular areas of the hill is counter-productive. I have witnessed others, particularly dog walkers, using this track leading to the golf course.

I remain

Brian A. Comiskey



28th November 2024

An Bord Pleanála
64 Marlborough Street
Dublin
D01 V902

Dear Boardmembers,

Re: Rights of Way on Roches Hill, Killiney
An Board Pleanála Reference Number: ABP-320914-24
Dun Laoghaire Rathdown County Council Reference Number: 9124

Please accept this letter as a record of our use of the rights of way on Roches Hill, Killiney, County Dublin.

My wife and I, together with our four Children, have lived in Ballinclea Heights continuously since 15th November 2002. Since then we have enjoyed access to the Roches Hill area, accessing it via the various rights of way that emanate from the Ballinclea Heights estate.

Over those 22 years we have used the pathway that runs along the most westerly edge of the Roches Hill Area adjacent to the boundary with Killiney Golf Course. Our use of this path includes walking, running, dog walking and at certain times of the year picking blackberries with our Children. Until 2023, when temporary plastic fencing was placed across the path, the pathway was easily accessible and commonly used by many local people as well as ourselves. More recently a more robust steel mesh fence with steel posts and concrete foundations was constructed across the pathway at either end of the path where it joins a public right of way.

We notice that this fencing has deterred some members of public from using the path, but others, like ourselves, have managed to manoeuvre around the two fences in order to continue our use of this right of way.

The fencing is ugly and its purpose seems to be an attempt to enclose the land and prevent access to the area. We therefore support any legal effort to remove the two fences so that the access to this open area can be restored to members of the general public.

Please get in touch if you have any questions about this letter.

Yours sincerely,



Jeremy Towns

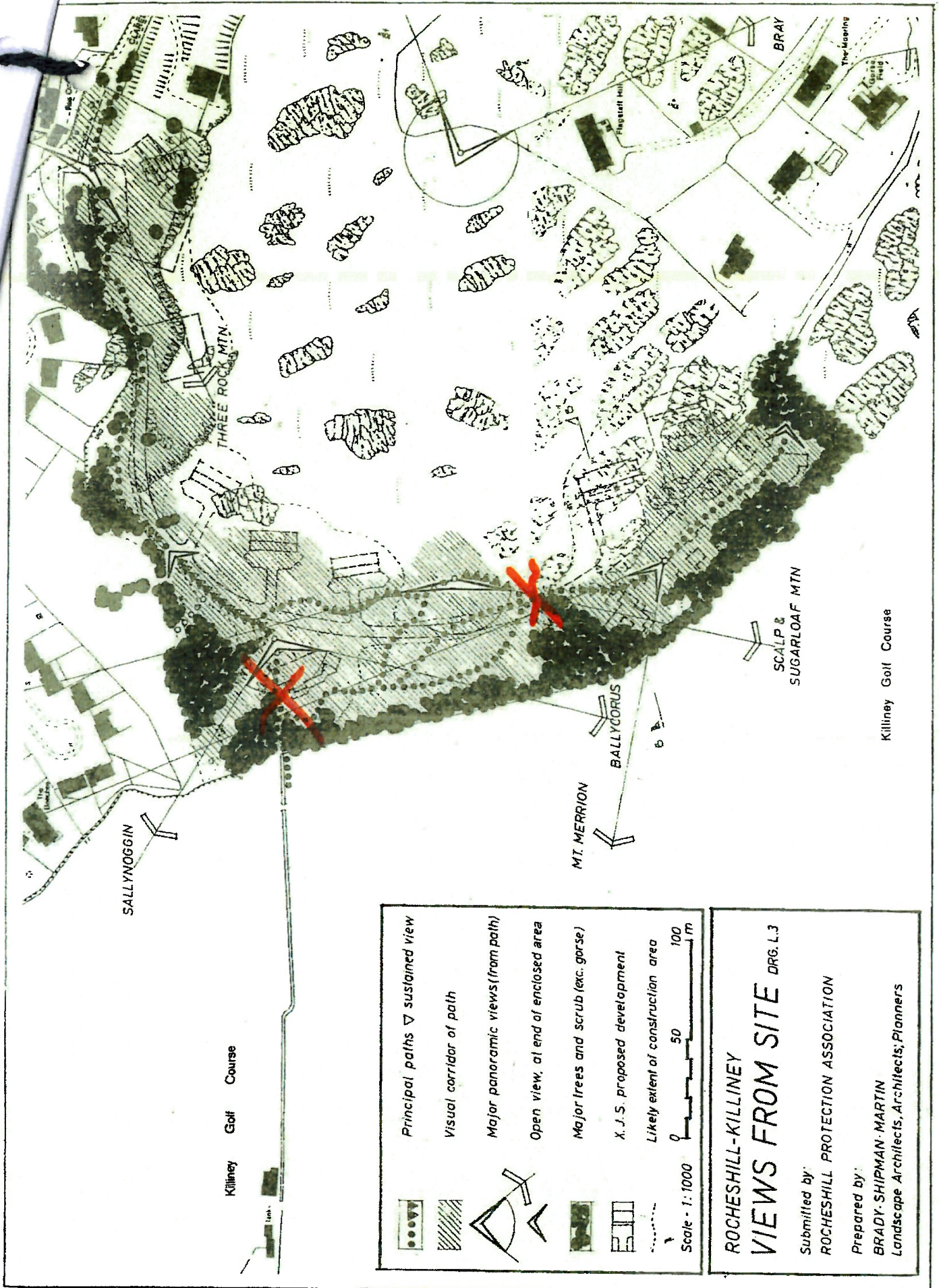
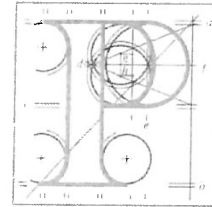


Fig. 115: Rocheshill showing proposed development.

Our Case Number: ABP-320914-24

Planning Authority Reference Number: REF9124

Your Reference: Killiney Golf Club



An
Bord
Pleanála

Marston Planning Consultancy
23 Grange Park
Foxrock
Dublin 18

Date: 06 February 2025

Re: Whether the fencing erected at two locations blocking off established right of way is or is not development or is or is not exempted development
Killiney Golf Club, Ballinclea Road, Killiney, Co. Dublin.

Dear Sir / Madam,

I have been asked by An Bord Pleanála to refer to the above appeal.

It is a statutory objective of the Board to ensure that every appeal received is determined within eighteen weeks beginning on the date of receipt of that appeal. This is in accordance with section 126(2)(a) of the Planning and Development Act, 2000, as amended. Where it appears to the Board that it would not be possible or appropriate to determine a particular appeal within this period, a notice must be sent to the parties in accordance with section 126(3)(a) of the Act.

The Board hereby serves notice under section 126(3)(a) that it will not be possible to determine the case within the statutory objective period due to a current significant backlog of cases. The Board regrets the delay in determining this case.

The Board now intends to determine the above appeal before **12th June 2025**.

The Board will take all such steps as are open to it to ensure that the appeal is determined before that date.

Yours faithfully,

Ronan Megannety
Executive Officer
Direct Line:

BP90 Registered Post

Teil
Glao Áitiúil
Facs
Láithreán Gréasáin
Riomhphost

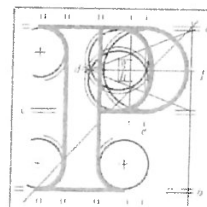
Tel
LoCall
Fax
Website
Email
(01) 858 8100
1800 275 175
(01) 872 2684
www.pleanala.ie
bord@pleanala.ie

64 Sráid Maoilbhríde
Baile Átha Cliath 1
D01 V902

64 Marlborough Street
Dublin 1
D01 V902

Our Case Number: ABP-320914-24

Planning Authority Reference Number: REF9124



An
Bord
Pleanála

Dun Laoghaire Rathdown County Council
County Hall
Marine Road
Dun Laoghaire
Co. Dublin

Date: 06 February 2025

Re: Whether the fencing erected at two locations blocking off established right of way is or is not development or is or is not exempted development
Killiney Golf Club, Ballinclea Road, Killiney, Co. Dublin.

Dear Sir / Madam,

I have been asked by An Bord Pleanála to refer to the above appeal.

It is a statutory objective of the Board to ensure that every appeal received is determined within eighteen weeks beginning on the date of receipt of that appeal. This is in accordance with section 126(2)(a) of the Planning and Development Act, 2000, as amended. Where it appears to the Board that it would not be possible or appropriate to determine a particular appeal within this period, a notice must be sent to the parties in accordance with section 126(3)(a) of the Act.

The Board hereby serves notice under section 126(3)(a) that it will not be possible to determine the case within the statutory objective period due to a current significant backlog of cases. The Board regrets the delay in determining this case.

The Board now intends to determine the above appeal before **12th June 2025**.

The Board will take all such steps as are open to it to ensure that the appeal is determined before that date.

Yours faithfully,

Ronan Megannety
Executive Officer
Direct Line:

BP90 Registered Post

Teil
Glao Áitiúil
Facs
Láithreán Gréasáin
Ríomhphost

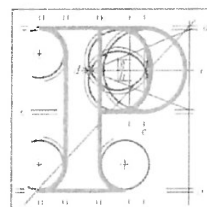
Tel
LoCall
Fax
Website
Email
(01) 858 8100
1800 275 175
(01) 872 2684
www.pleanala.ie
bord@pleanala.ie

64 Sráid Maoilbhríde
Baile Átha Cliath 1
D01 V902

64 Marlborough Street
Dublin 1
D01 V902

Our Case Number: ABP-320914-24

Planning Authority Reference Number: REF9124



An
Bord
Pleanála

Patrick J. Drudy
95 Ballinclea Heights
Killiney
Co. Dublin

Date: 06 February 2025

Re: Whether the fencing erected at two locations blocking off established right of way is or is not development or is or is not exempted development
Killiney Golf Club, Ballinclea Road, Killiney, Co. Dublin.

Dear Sir / Madam,

I have been asked by An Bord Pleanála to refer to the above appeal.

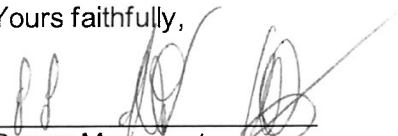
It is a statutory objective of the Board to ensure that every appeal received is determined within eighteen weeks beginning on the date of receipt of that appeal. This is in accordance with section 126(2)(a) of the Planning and Development Act, 2000, as amended. Where it appears to the Board that it would not be possible or appropriate to determine a particular appeal within this period, a notice must be sent to the parties in accordance with section 126(3)(a) of the Act.

The Board hereby serves notice under section 126(3)(a) that it will not be possible to determine the case within the statutory objective period due to a current significant backlog of cases. The Board regrets the delay in determining this case.

The Board now intends to determine the above appeal before **12th June 2025**.

The Board will take all such steps as are open to it to ensure that the appeal is determined before that date.

Yours faithfully,


Ronan Megannety
Executive Officer
Direct Line:

BP90 Registered Post

Teil
Glaio Áitiúil
Facs
Láithreán Gréasáin
Ríomhphost

Tel (01) 858 8100
LoCall 1800 275 175
Fax (01) 872 2684
Website www.pleanala.ie
Email bord@pleanala.ie

64 Sráid Maoilbhríde
Baile Átha Cliath 1
D01 V902

64 Marlborough Street
Dublin 1
D01 V902