

Planning Registry  
T: 414 9000

**An Bord Pleanála,**  
**64 Marlborough Street,**  
**Dublin 1,**  
**D01 V902**

**27<sup>th</sup> May, 2025**

**Re: Section 5 Application – ED25/0038.**

Dear Sir/Madam,

Please find attached Section 5 Application for your consideration. Also enclosed is Postal Order in the sum of €110 dated 27<sup>th</sup> May, 2025.

Yours sincerely,

Aisling Ryan  
Senior Staff Officer,  
Planning Registry.



## **SOUTH DUBLIN COUNTY COUNCIL**



### **SECTION 5 APPLICATION FORM**

#### **Declaration on development and exempted development**

Section 5 of Planning and Development Act, 2000 (as amended)

Land Use, Economic and Transport Planning Department, County Hall, Town Centre,  
Tallaght, Dublin 24.

Tel: 01 4149000 Fax: 01 4149104 Email: [planning.dept@sdblincoco.ie](mailto:planning.dept@sdblincoco.ie)

#### **STANDARD APPLICATION FORM & ACCOMPANYING DOCUMENTATION:**

Please read directions & documentation requirements at back of form  
before completion.

**All questions relevant to the proposal being applied for must be  
answered.**

Non-relevant questions: Please mark n/a

**Please ensure all necessary documentation is attached to your  
application form.**

#### **DATA PROTECTION**

***The publication of applications by planning authorities may lead to  
applicants being targeted by persons engaged in direct marketing. In  
response to a request from the Data Protection Commissioner, you are  
given an opportunity to indicate a preference with regard to the receipt  
of direct marketing arising from the lodging of this application.  
If you are satisfied to receive direct marketing please tick this box.***

***It is the responsibility of those wishing to use the personal data on  
applications for direct marketing purposes to be satisfied that they may  
do so legitimately under the requirements of the Data Protection Acts  
1988 & 2003 taking account of the preference outlined above***

**1. Name of Applicant:**

Ballyboden Tidy Towns clg

*Address To be supplied at end of this application form - Question 9*

**2. Name of Person/Agent acting on behalf of applicant (if any):**

*Address To be supplied at end of this application form - Question 10*

**3. Location:**

*Postal Address or Townland or Location (as may best identify the land or structure in question)*

The open space/greenspace/neighbourhood park opposite houses 23-34 Pearse Brothers Park ,

Pearse Brothers Park , Ballyboden, Dublin 16

*Ordnance Survey Map Ref No (and the Grid Reference where available):*

**4. Description of Proposed Development:**

Landscaping & recreational improvements consisting of the installation of the boules court and 4 insect bars (kickabout posts) by CPCL,

2 large pollinator flower beds, bulb planting and tree planting, as co-mapped, co-located and co-designed with Public Realm Officials

and the installation and specification of the Boules Court and 4 insect bars by CPCL as instructed/ directed by SDCC Officials.

The works are minor in scale, serve a community and public recreational function, & were carried out with the knowledge, involvement, agreement & engagement of SDCC officials, Residents Association and local residents,

**2(a): Section of Exempted Development Regulations under which exemption is claimed (if known):**

**5: Protected Structure:**

*Does the proposed development consist of work to a protected structure and/or its curtilage or proposed protected structure and/or its curtilage?*

YES

NO  
X

**Please tick as appropriate:**

## 6. Applicants Interest in site:

Ballyboden Tidy Towns CLG (BBTT) is a community organisation engaged in environmental and public amenity enhancement projects.

BBTT's role regarding the above works was limited to assisting with public engagement, coordinating community feedback, and liaising with relevant stakeholders including South Dublin County Council (SDCC), the local Residents' Association & individual residents including residents from houses 25-34 Pearse Brothers Park

## 7. List of plans, drawings etc. submitted with this application:

Please see attached document which includes drawings, maps, correspondence and images

## 8. Development within the curtilage of a house: not applicable

**(a) area of site:** \_\_\_\_\_ sq.m.

**(b) floor area of existing extension(s) (if any):** \_\_\_\_\_ sq.m.

**(c) floor area of proposed development:** \_\_\_\_\_ sq.m.

**(d) area of rear garden remaining:** \_\_\_\_\_ sq.m.

<i>Signed (Applicant or Agent as appropriate)</i>	Emer O'Dwyer, Director, Ballyboden Tidy Towns clg
Date:	13.05.2025

\*\*\*\*\*

### OFFICE USE ONLY

**Ref. No.** \_\_\_\_\_ **Date Received:** \_\_\_\_\_

**Fee Received: €** \_\_\_\_\_ **Receipt No.** \_\_\_\_\_

**NOTES:**

- (a) Application must be accompanied by fee of €80.00
- (b) application must be accompanied by:
  - (1) site location map with site clearly outlined in red,
  - (2) site layout plan including all existing structures on site (this is required as conditions and limitations of exempted development include location of development and distances from site boundaries),
  - (3) scaled floor plans and elevations (this is required as conditions and limitations of exempted development include height of structure and distances of windows from boundaries). There are no floor plans and elevations required

**If application is incomplete and all required documentation is not submitted, the application will be returned.**

**ADDITIONAL CONTACT INFORMATION****IMPORTANT**

**THIS PAGE MUST BE SUBMITTED ON A COMPLETELY SEPARATE PAGE AS IT WILL NOT FORM PART OF THE PUBLIC FILE**

**OFFICE USE ONLY – REG REF:****Please note:**

- The applicant's address **must** be submitted on this page.

**9. Applicant (person seeking declaration and not an agent on their behalf):**

<b>Address (Required)</b>	c/o 17 Glendoher Close, Rathfarnham, Dublin 16
<i>Telephone No.</i>	083.800.6251
<i>Fax No</i>	
<i>Email Address</i>	ballybodenrgroup@gmail.com

**10. Person/Agent acting on behalf of the Applicant (if any):**

<i>Address (Required)</i>	
<i>Telephone No.</i>	
<i>Email Address (if any)</i>	
<i>Fax No. (if any)</i>	

**Should all correspondence be sent to the above address stated in No. 8? (please tick appropriate box)**

Section 8 is a typo by SDCC as no address is there.  
Please ensure all correspondence is sent to  
the email address stated in section 9

(Please note that if the answer is 'No', all correspondence will be sent to the  
Applicant's address stated in Question 7.)

Yes

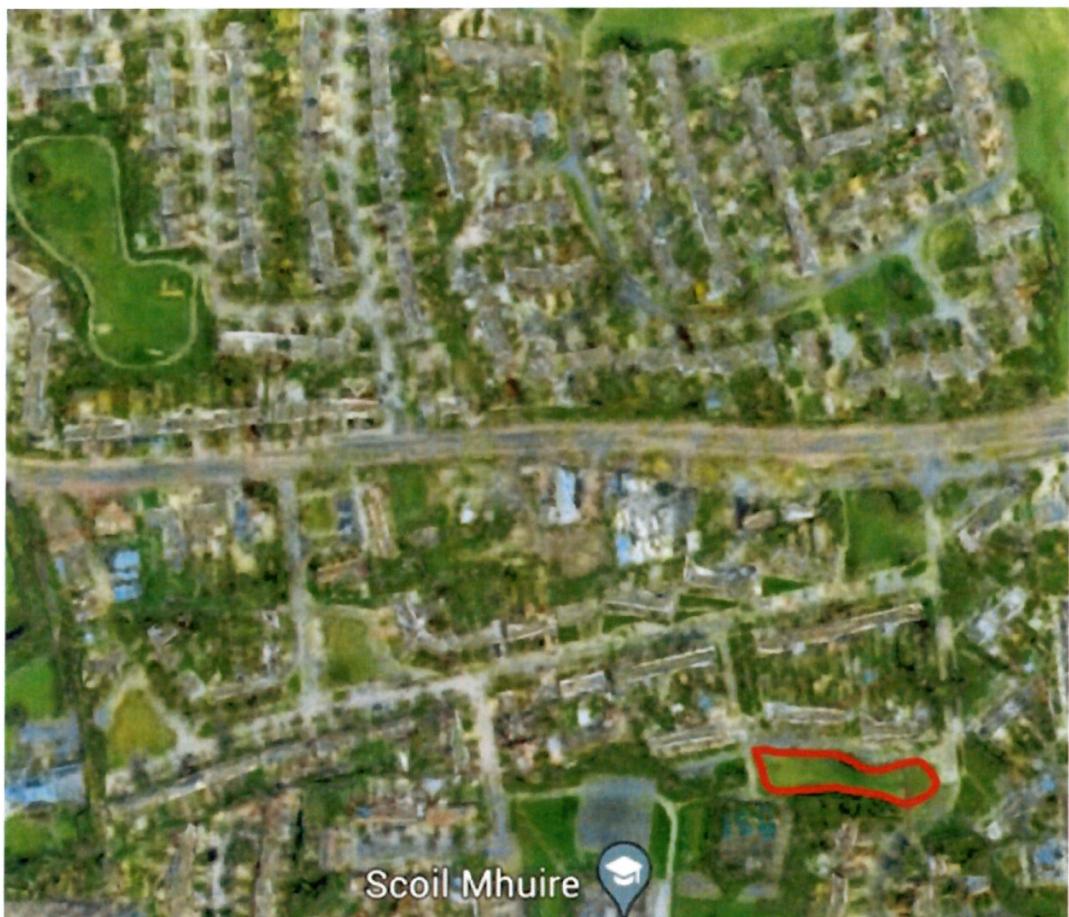
No

# **Application for a Certificate of Exempt Development**

## **Supporting Documentation**

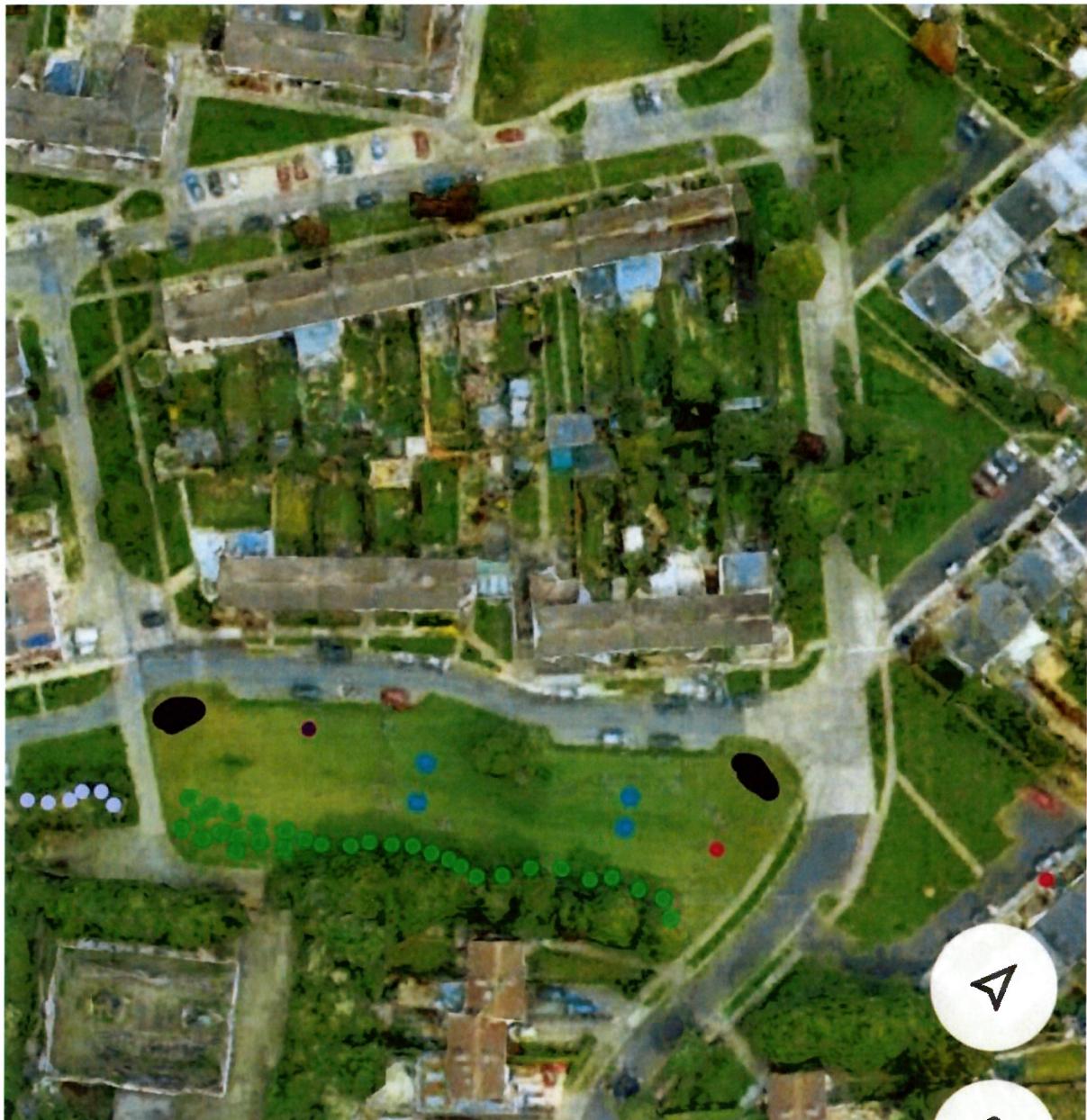
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**Site area of open space/green space/neighbourhood park  
outlined in red**



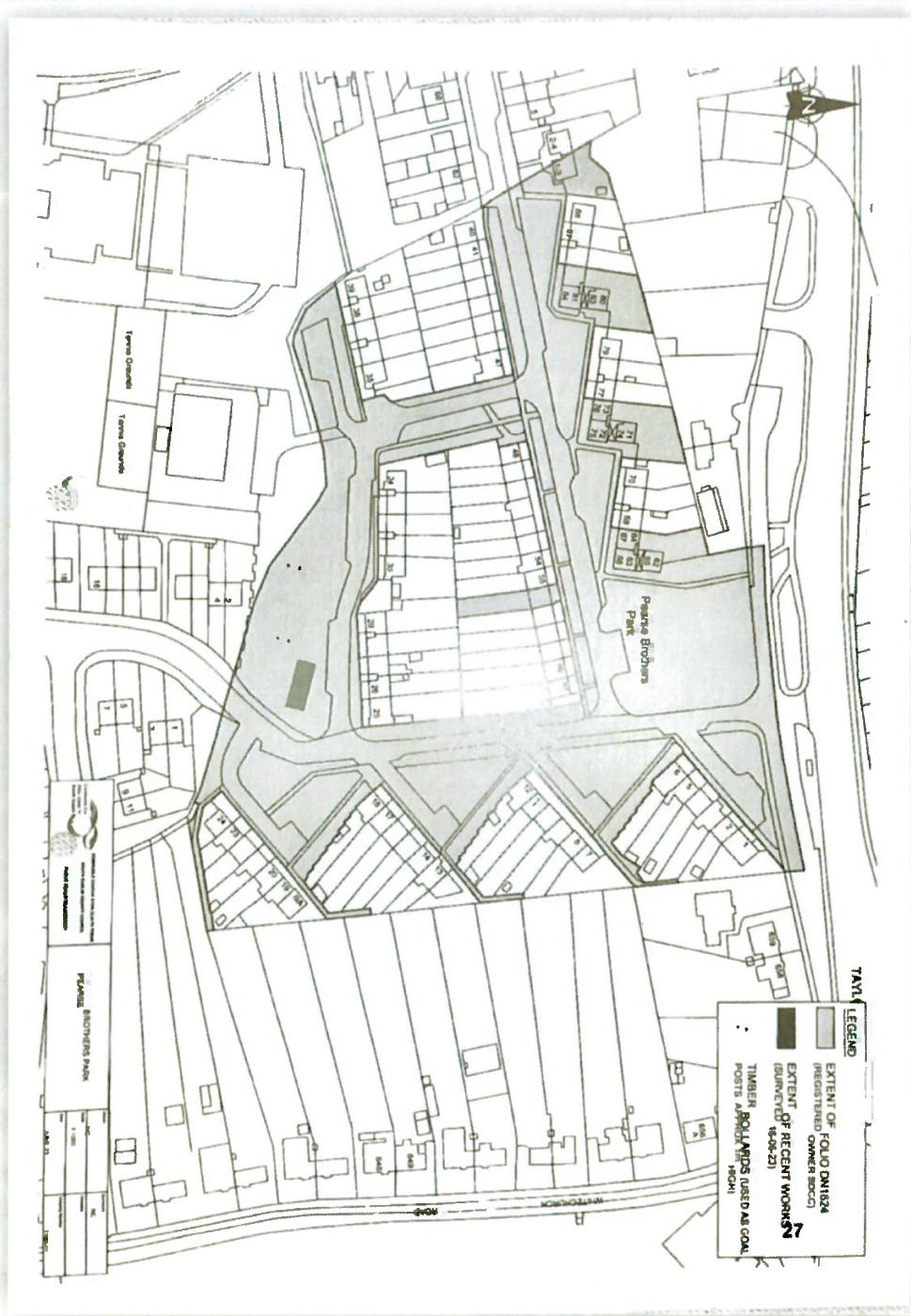
Location Map – site area of open space/green space/neighbourhood park shaded in red





Legend of landscaping features & recreational features as agreed and mapped with SDCC:

- The blue dots identify the location of the insect bars/posts made and installed by CPCL
- The black dots indicate the pollinator flower beds installed to promote pollination, social engagement and biodiversity
- The row of green dots indicate trees/tree whips to increase the tree canopy on the site and to extend the existing woodland.
- The row of lavender dots indicates an old hedgerow which is retained
- The red dot on the right is the location of the boules court to be installed by SDCC. This location was chosen and agreed with Stephen Dowling SDCC as directed by Brendan Redmond to ensure it does not interfere with the grass cutters.
- The purple dot indicates a miniature botanical chess area (thyme and sand) for squares but this has not been installed because SDCC Official refused permission but we included this for full transparency



*Map: indicates location of insect bars (timber bollards used also as kickabout posts) and boules court installed by CPC L as directed and co-mapped and coded ign ed by SDCC*

Environment, Water and Climate Change Dept.

9 June '23

**FAQ : Ms Rinske Wassenaar**

**Re : Unauthorised development on Council lands in Pearse Brothers Park,  
Rathfarnham**

Dear Ms Wassenaar,

Further to our telephone conversation yesterday regarding the above matter I wish to acknowledge your confirmation of the fact that your company *The Children's Playground Company* has carried out the unauthorised development on Council lands in Pearse Brothers Park. This Council has not given permission for this development, in addition no planning permission has been obtained for this unlawful development on Council lands.

I call on you to immediately remove the development and reinstate the lands failing which this Council will undertake such work and apply to court for the reimbursement of costs associated with the undertaking of such work.

If however you have been engaged to carry out the works on behalf of a third party who misrepresented their authority to permit this trespass on Council lands, please furnish evidence of this engagement identifying the third party.

If you wish to discuss the above, please contact me.



Leo Magee,  
Senior Engineer.

**From:** Leo Magee <[l Magee@ SDUBLI NCOCO.ie](mailto:l Magee@ SDUBLI NCOCO.ie)>  
**Sent:** Friday 9 June 2023 11:44  
**To:** Rinske Wassenaar <[sales@thechildren splayground.com](mailto:sales@thechildren splayground.com)>  
**Subject:** Unauthorised development on Council lands at Pearse Brothers Park, Rathfarnham

**FAO : Ms Rinske Wassenaar.**

Dear Ms Wassenaar,

Please find attached letter regarding the unauthorised development on Council lands at Pearse Brothers Park, Rathfarnham.

Leo Magee,  
Senior Engineer,  
Environment, Water and Climate Change Directorate,  
South Dublin County Council.



The information in this email is confidential and may be legally privileged. It is intended solely for the addressee. Access to this email by anyone else is unauthorised. If you are not the intended recipient, any disclosure, copying, distribution or any action taken or omitted to be taken in reliance on it, is prohibited and may be unlawful. If you have received this electronic message in error, please notify the sender or [info@sdublincoco.ie](mailto:info@sdublincoco.ie). This message has been swept by Anti-Virus software.

Is eolas faoi rún an t-eolas atá sa ríomhphost seo agus d'fhéadfadh go mbeadh sé faoi phribhléid ó thaobh an dlí de. Is don té ar seoladh chuige/chuici agus dósan/dise amháin an t-eolas. Ní ceadmhach do dhuine ar bith eile rochtain a bheith aige/aici ar an ríomhphost seo. Murar duit an ríomhphost seo tá nochtdadh, cóipeáil, dáileadh ná aon ghníomh eile a dhéanamh nó aon ghníomh eile a fhágáil gan déanamh ar iontaobh an ríomhphoist seo toirmiscthe ort agus d'fhéadfadh siad sin a bheith neamhdhleathach. Má fuair tú an teachtaireacht leictreonach seo trí earráid téigh i dteagmháil, le do thoil, leis an té a sheol í nó le [info@sdublincoco.ie](mailto:info@sdublincoco.ie) Glanadh an teachtaireacht seo le bogearraí Frithvíreas.

# Comhairle Chontae Atha Cliath Theas

## Record of Executive Business and Chief Executive's Order

<b>Register Reference:</b>	ED25/0038
<b>Correspondence Name &amp; Address:</b>	Ballyboden Tidy Town clg 17, Glendoher Close, Rathfarnham, Dublin 16
<b>Proposals:</b>	Landscaping & recreational improvements consisting of the installation of the boules court and 4 insect bars (kickabout posts) by CPCL, 2 large pollinator flower beds, bulb planting and tree planting, as co - mapped, co - located and co - designed with Public Realm Officials and the installation and specification of the Boules Court and 4 inspect bars by CPCL as instructed/ directed by SDCC Officials.
<b>Location:</b>	Pearse Brothers Park, Ballyboden, Dublin 16
<b>Applicant:</b>	Ballyboden Tidy Town clg

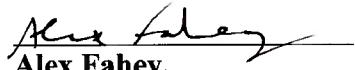
### **Recommendation**

Pursuant to Section 5(4) of the Planning and Development Act 2000 (as amended), SDCC pay €110 (prescribed fee) to An Bord Pleanala and refer ED25/0038 to An Bord Pleanala for decision. Advise person(s) seeking Section 5 Declaration accordingly.

# Comhairle Chontae Atha Cliath Theas

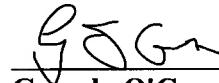
## Record of Executive Business and Chief Executive's Order

Reg. Ref. ED25/0038

  
Alex Fahey,  
Senior Executive Planner

**ORDER:** Pursuant to Section 5(4) of the Planning and Development Act 2000 (as amended), SDCC pay €110 (prescribed fee) to An Bord Pleanala and refer ED25/0038 to An Bord Pleanala for decision. Advise person(s) seeking Section 5 Declaration accordingly.

Date: 26/05/25

  
Gormla O'Corrain, Senior Planner

To whom the appropriate powers have been delegated by the order number DELG (3224) of the Chief Executive of South Dublin County Council\*

Telephone: 01 4149000

Fax: 01 4149104

Email: [planningdept@sdublincoco.ie](mailto:planningdept@sdublincoco.ie)

**Ballyboden Tidy Town clg**  
**17, Glendoher Close**  
**Rathfarnham**  
**Dublin 16**

**Date: 14-May-2025**

**PLANNING & DEVELOPMENT ACT, 2000 (as amended) AND PLANNING  
REGULATIONS THEREUNDER**

**Register Reference:** ED25/0038

**Development:** Landscaping & recreational improvements consisting of the installation of the boules court and 4 insect bars (kickabout posts) by CPCL, 2 large pollinator flower beds, bulb planting and tree planting, as co - mapped, co - located and co - designed with Public Realm Officials and the installation and specification of the Boules Court and 4 insect bars by CPCL as instructed/ directed by SDCC Officials.

**Location:** Pearse Brothers Park, Ballyboden, Dublin 16

**Applicant:** Ballyboden Tidy Town clg

**App. Type:** Declaration of Exemption Section 5

Dear Sir/Madam,

With reference to the above, I acknowledge receipt of your application received on 14-May-2025.

This acknowledgement is issued pursuant to the Planning & Development Regulations 2001(as amended).

Yours faithfully,

*Molly Dingle*

*for Senior Planner*