

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



Meeting of South Dublin County Council

Monday 9th December 2019

HEADED ITEM NO.16

REPORT ON PROPOSED EXTINGUISHMENT OF PUBLIC RIGHT-OF-WAY BETWEEN 47-49 ROWLAGH PARK AND REAR OF 45 – 47 ROWLAGH PARK – MAP REF RE 5006

The following report was CONSIDERED at the Lucan/Palmerstown/Fonthill Area Committee Meeting on 26th November 2019.

"An application has been received from the residents of 49 Rowlagh Park, Clondalkin, Dublin 22 to formally extinguish the public right-of-way in the laneway between 47 – 49 Rowlagh Park and to the rear of 45 – 47 Rowlagh Park, Clondalkin, Dublin 22, in order to build a family flat extension to the side of their dwelling. Housing Department have indicated that they have no problem with this extinguishment as it would eliminate any future works by SDCC at this location. Development Section have advised that they agree in principle to dispose of the land subject to the extinguishment of the public right of way

Following consideration of the report, it was agreed to initiate the procedure

The proposal to extinguish the public right-of-way was advertised in the Clondalkin Echo on Thursday 3rd October 2019 and signs were erected on site in accordance with Section 73 of the Roads Act, 1993. The latest date for receipt of objections, representations and requests for an oral hearing was Thursday 14th November 2019.

The following submissions were received in response to the public consultation: -

Utility Reports

Bord Gáis, ESB
And Water and
Drainage

No objections

Public Lighting

No objection – residents have agreed to pay to relocate public lighting cable.

Eir

No Objection - EIR Plant at this location, Surveyor's report that building work will not effect the EIR plant.

Civils Virgin Media

No objection - Will require access to overhead cables.

The decision regarding the extinguishment of a public right-of-way is a reserved function of the Council.

The recommendation of this Committee will be brought to the attention of the Council" End of report

Following consideration of the report it was proposed by Councillor M. Ward and seconded by Councillor M. Johansson and AGREED:

"That this Committee recommends to the Council that the public right of way between 47-49 Rowlagh Park and rear of 45-47 Rowlagh Park be extinguished.

The decision regarding the extinguishment of a public right of way is a reserved function of the Council.

If the Council agrees to the recommendation, the following resolution is required.

"South Dublin County Council in pursuance of its power under Section 73 of the Roads Act, 1993 hereby orders that the public right-of-way between 47-49 Rowlagh Park and rear of 45-47 Rowlagh Park, Clondalkin, Dublin 22 shown shaded red on drawing RE 5006 be extinguished".




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Comhairle Contae Átha Cliath Theas
South Dublin County Council
Land Use Planning and Transportation

Michael Mulhern Director of Services

EXTINGUISHMENT OF PUBLIC RIGHT OF WAY

Public Right of Way to be extinguished shown shaded red:- 
 Laneway between 47-49 Rowlagh Park and rear of 45-47 Rowlagh Park

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|------------|------------|
| DATE | 09/08/2019 |
| D.S. SHEET | 3262-13 |
| FILE REF | |
| DRAWN BY | LB |
| SCALE | N.T.S |
| DRAWING NO | RE 5006 |