

APPLICATION FOR A LEASE/LICENCE/PERMISSION UNDER THE FORESHORE ACT 1933 (AS AMENDED)*

*(This form should **NOT** be used for Applications for Offshore Electricity Generating Stations)*

Please read Guidance Notes before completing this form

USE BLOCK CAPITALS IN BLACK INK

For Office Use

Application Ref. No. _____

Date of receipt. _____

1. A. Name(s) of Applicant(s) in full
Dun Laoghaire Rathdown County Council

B. Address(es) of Applicant(s) in full

County Hall Marine Road Dun Laoghaire Co Dublin

Telephone 01 2054700 **Mobile** _____

Fax 2300391 **E-mail** bhannan@dlrcoco.ie

RSI/PPS No:/CRO No: _____

C. Signature of Applicant

Bob Hannan Senior Architect **Date:** 22.11.2012

(where the signatory is an officer of a local authority or a company, the position held should be stated and the signatory's name should also be provided in block capitals).

D. Name of contact person if different from above

Address _____

Telephone _____ **Mobile** _____

Fax _____ **E-mail** _____

* Legislation Applicable Foreshore Act, 1933 (No. 12); Foreshore (Amendment) Act, 1992 (No.17); Fisheries and Foreshore (Amendment) Act, 1993 (No. 54), Fisheries (Amendment) Act, 2003 (No. 21); European Communities (Environmental Impact Assessment Regulations, 1989 to 1999; Foreshore (Environmental Impact Assessment) Regulations, 1990 (S.I. No. 220); Planning and Development Act 2000 (No. 30) Part XV

E. Name and Address of Applicant's Legal Advisors

(Applicants are strongly advised to seek legal assistance, prior to agreeing to accept an offer of a foreshore lease/licence/permission as all are legally binding documents. Where an offer is made of a Foreshore Lease/Licence/Permission it will be done through the Applicant's Legal Advisors)

Edward Hughes Law Agent

Dun Laoghaire Rathdown County Council Legal Service Department

Telephone 2054700 Fax _____ E-mail ehughes@dlrcoco.ie

2. (A) A detailed description of the proposed works which are to be carried out on the foreshore. (Please feel free to use additional sheets, which should be signed and dated).

Proposed works at Dun Laoghaire Baths

This scheme proposes works at the Dun Laoghaire Baths site to provide for continuing public use of the area. The scheme proposes the retention and securing of the existing Baths Pavilion which is outlined and hatched in green on map PL-12-309 for use as artist workspaces, a gallery cafe and for the provision of public toilet facilities. It also proposes the removal of dilapidated structures to the rear of the Pavilion to permit the creation of a new route and landscaping that will connect the walkway at Newtownsmith to both the East Pier and the Peoples Park. Finally it also proposes the infilling of the existing saltwater pools and creating new enhanced facilities for swimming and greater access to the waters edge by means of a short jetty. The existing Baths Pavilion together with a smaller outbuilding will be retained, weathered and secured while the remaining dilapidated outbuildings to the rear and side of the Pavilion will be removed. It is proposed to fit out the Pavilion to accommodate studio space for artists and to provide gallery and cafe facilities. The original Baths entrance along Windsor Terrace will be restored to provide access. An outdoor 'cafe terrace' linked to the new cafe will provide an attractive sitting area for viewing eating and relaxing. It is also proposed to create new public toilets facilities at street level which will also be accessible for wheelchair users. Footpaths along Windsor Terrace will be upgraded and new street trees planted. These uses and improvements will create new life and provide enhanced public facilities which will compliment the adjoining Peoples Park and reinforce the established walking routes along Newtownsmith and the Queens Road .

Complimenting the works at the Dun Laoghaire Baths it is also planned to extend the existing stormwater overflow at Newtownsmith Green (directly adjacent the Baths) out to sea by a distance of approx. 50m. This overflow typically operates 5 times per year each time for approximately 60 minutes and is designed to provide significant flood protection to the nearby Glasthule village during periods of severe rainfall.

The extension of this overflow will involve the construction of a new buried outfall pipe which will move spill material (primarily surface water that has entered the combined system during periods of rainfall) away from the foreshore. Because this pipe is buried it will not be visible during the low spring tides and is designed in accordance with the requirements of the Department of the Environment's 'Procedures and Criteria in relation to Storm Water Overflows'.

(B) A Statement of reason for the works

This Public Works scheme proposes works at the Baths site to provide for the resumption of public use of what is currently a disused amenity. The scheme proposes the retention and securing of the existing disused Baths Pavilion for use as artist workspaces, a gallery café and for the provision of public toilet facilities. It also proposes the removal of dilapidated structures to the rear of the Pavilion to permit the creation of a new route and landscaping that will connect the walkway at Newtownsmith to both the East Pier and the Peoples Park.

A statement of the disturbance to the foreshore, arising from these works, should be attached covering the impact on the marine environment including the impact on coastal erosion, navigation, fishing, fisheries (various species known to inhabit the area), pleasure boating and sailing, air navigation (if appropriate).

A copy of RPS Proposed Interim Works at Dún Laoghaire Baths Environmental Impact Report March 2012 is attached.

(C) Provide the following location details in respect of the area of foreshore for which the Lease/Licence/Permission is sought

(i) Bay_____ Scotsman Bay_____

(ii) County Dublin_____

(iii) Geographic co-ordinates in degrees, minutes and seconds

Lat : 53 deg 17 min 28.474 sec Long: -6 deg 7 min 39.35 sec

(iv) OS Map No. 3394 - 01, 02, 06 & 07

(v) Size (hectares) 4,605m2 (0.4605ha)

(vi) Local Authority: Dun Laoghaire Rathdown County Council

3. RECORD OF DOCUMENTS ENCLOSED WITH THIS APPLICATION



An application for a lease or licence must be accompanied by 10 copies (15 copies if there is a possibility of significant impact on the marine environment, such as for sewerage schemes, dredging, marinas and any project requiring an EIS) of all relevant documents.

(i) Ordnance Survey Map (Scale of 1:10,560, ie a six inch map)

Applicants must certify and date all maps submitted, stating the area of foreshore involved in metric measurements (i.e. hectares or square kilometres etc) with the area involved clearly delineated in red thereon.

Y

(ii) British Admiralty Chart (largest available scale)

NA

(iii) Decision of planning authority or An Bord Pleanála under Planning Acts (Required)

Y

Developments on the foreshore require planning permission in addition to a Foreshore Lease/Licence/Permission. All Foreshore Leases, Licences and Permissions are without prejudice to the powers of the local planning authority. Applicants should, therefore, consult initially with the local planning authority regarding their proposal.

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| (iv) | Copy of licence under Section 4 of Local Government Water Pollution Act, 1977 Not applicable ref Section 4 below Wastewater Discharge Licence Register Number is D0034-01. | <input type="text" value="NA"/> |
| (v) | Environmental Impact Statement | <input type="text" value="N"/> |
| (vi) | Drawings of the structures to be used and/or layout | <input type="text" value="Y"/> |
| (vii) | Copy of any correspondence with the Department of the Environment, Community and Local Government (Community and Planning Division) | <input type="text" value="Y"/> |
| (viii) | Certified copy of Company's Memorandum and Articles of Association (Only one copy is required) | <input type="text" value="NA"/> |
| (ix) | Certificate of Incorporation of a Limited Liability Company/ Rule Book/Constitution for a Club or Co-Operative Society as appropriate | <input type="text" value="NA"/> |
| (x) | Other (specify) _____ (Note: It may not be necessary to include all of the above documents please refer to the accompanying "Guidance Notes". | |

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| 4. | Details of any previous Leases/Licences/Permissions received by the applicant for this or any adjoining sites (if appropriate) |
| (i) | Please refer to accompanying document: Proposed Works at Dun Laoghaire Baths- Architects Report |
| (ii) | Wastewater Discharge Licence Register Number is D0034-01. |
| (i) | Date of Lease/Licence/Permission _____. |
| (ii) | Reference number(s) Wastewater Discharge Licence D0034-01 |

5. Is all or any part of the Foreshore (the subject of this application) in private ownership?
(This search should be carried out in the Registry of Deeds and Land Registry and copies of results, including where appropriate, folio maps should be included).

If yes, please provide details of ownership.

Please refer to accompanying document: Proposed Works at Dun Laoghaire Baths- Architects Report

Have adjacent land owners, whose properties may be affected by these works been consulted?
Please provide details/permissions as appropriate.

The Dun Laoghaire Harbour Company who are adjacent to the proposed works have been consulted.

6. Employment Implications (if any) __N/A__

7. Capital cost of proposed works (€- Euro) ____est €1.6m including VAT

8. Do the proposed works involve the draw down of European Union or State funding? No

If “Yes” give details, including any time restrictions, etc. applying

9. Do the proposed works provide for public use, restricted use or strictly private use? (give details)
Public Use

Please refer to accompanying document: Proposed Works at Dun Laoghaire Baths- Architects Report

10. Are there public health/safety implications arising from the proposed works? (e.g. effluent disposal, removal of derelict or dangerous structures etc.

Given the location of the new outfall, no public health implications are envisaged. In relation to the removal of derelict structures and proposed construction methodology please refer to copy of LMC Consulting Engineers Report. Copy attached

10a. Are there public navigational safety implications arising from the proposed works?

1. What marine activity is there in the area?

Please refer to APPENDIX A: MARINE ECOLOGY REPORT on the proposed Interim works at Dún Laoghaire baths Report by Ecological Consultancy Services Ltd (EcoServe). This report forms part of the Environmental Impact Report prepared by RPS Consulting Engineers February 2012. Copy Enclosed

2. How will the marine activity be affected by the proposed works?

As above

3. What mitigating measures will be put in place?

As above

4. How will the proposed works affect Marine Navigation in the future?

The proposed works are largely located on pre existing construction. New construction is minor and limited in nature. No impact on Marine Navigation is envisaged.

11. Will the works involve the storage and/or disposal of waste?

The works do not involve any additional release of very dilute waste water

If “Yes” please give details of the type of waste and the proposed method of storage and/or disposal (including location)

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**Certain developments are subject to the European Communities (Environmental Impact Assessment) Regulations, 1989 to 1999. It is the responsibility of the applicant to consult and comply with these Regulations. Where the relevant threshold in the Regulations is exceeded an application for permission under the Foreshore Acts must include an Environmental Impact Statement (EIS). Applicants are encouraged to seek the Department’s opinion at the scoping stage of the EIS.*

An appraisal of the environmental effects of a development below the threshold must be submitted by the applicant to allow the Minister to decide whether it is likely to have significant effects on the environment. Where the decision is “yes” an EIS is mandatory.

In the case of developments on foreshore for, by or on behalf of a Local Authority where an EIS is required, applications should be made to An Bord Pleanála under Part XV, Planning and Development Act, 2000. 10 copies of any applications made under this Act must be sent to this Department at the time of application to An Bord Pleanála.

Note: While every effort will be made to deal promptly with applications, priority will be given to dealing with applications involving public infrastructure, public health, public use and those having employment implications.

Any additional Information

Please send completed application form to:

Foreshore Unit
Department of Environment, Community and Local Government
Newtown Road
Wexford

Incorrectly completed or incomplete application forms cannot
be processed and will be returned.