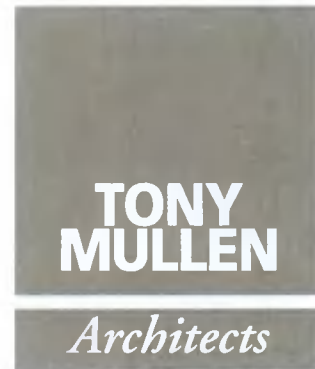


South Dublin County Council,
Planning Department,
County Hall,
Tallaght,
Dublin 24.

TM/pa
Tuesday, 12th October 2021



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**RE: EXTENSION TO REAR AT
11 SUNDALE PARADE, JOBSTOWN, TALLAGHT, DUBLIN 24**

Dear Sir / Madam,

On behalf of our Client Mr. Joy Joseph, we wish to request a Section 5 Declaration for construction of a single storey extension and associated site works to the rear of No. 11 Sundale Parade, Tallaght, Dublin 24.

There is an existing unauthorized extension on site at present that was Refused Retention Permission under SDCC Reg. Ref. No. SD20B/0463 for the following reasons;

- (1) The proposed development is located in an area zoned 'RES' in the South Dublin County Development Plan 2016 - 2022, with an objective 'to protect and/or improve residential amenity. Having regard to:*
- (a) the recommendations of the South Dublin County Council House Extension Design Guide*
 - (b) the constrained nature of the site;*
 - (c) the overbearing visual impact of the development, impacting on Nos. 9 and 13 Sundale Parade;*
 - (d) the direct and unacceptable overshadowing of the rear gardens of Nos. 9 and 13 Sundale Parade;*
 - (e) the inappropriate form of the development, in particular the height, roof profile and the siting of the build of the extension to the rear of the property;*
 - (f) the inadequate separation distance from the eastern boundary and, to a lesser extent, the western boundary; and*
 - (g) the unacceptable reduction in private amenity space (c. 16sq. m), detracting from the residential amenity of the subject site for current and future occupants; the proposed development would result in a cramped form of development and overdevelopment of a site of modest size, and would provide substandard residential accommodation, and unacceptably impact on the enjoyment of residential amenities on neighbouring properties. Thus, the proposed development would materially contravene the 'RES' land-use zoning objective for the area laid down in the County Development Plan, and would seriously injure the amenities of property in the vicinity, and would be contrary to the proper planning and sustainable development of the area.*



(2) Having regard to the lack of information submitted in relation to Surface Water Drainage requirements, the Planning Authority is not satisfied, on the basis of the information submitted, that the proposed development would not be prejudicial to public health and is not in the interests of the proper planning and sustainable development of the area.

The Decision was subsequently appealed by the Applicant, and An Bord Pleanála upheld the Refusal in June 2021.

Mr. Joseph recently undertook the required demolition works and the progress photographs documenting same are enclosed herewith, in Appendix A.

A new extension, smaller in footprint, is now proposed to be constructed on part of the existing foundations. This proposed extension will be single storey only with increased distances to the south and western boundaries. The parapet wall to No. 9 Sundale Parade will be below 3m high, minimizing both the overbearing effect and the overshadowing to the adjoining property to the east. The remaining private outdoor open space will be 48 sq. m. The surface water from new flat roof of 23 sq. m. will be dealt within the boundaries of No. 11 Sundale Parade and a new soakaway will be constructed to BRE Digest 365 Requirements.

Article 6 of the Planning and Development Regulations (S.I. 600 of 2001) states that;

"(1) Subject to article 9, development of a class specified in column 1 of Part 1 of Schedule 2 shall be exempted development for the purposes of the Act, provided that such development complies with the conditions and limitations specified in column 2 of the said Part 1 opposite the mention of that class in the said column 1."

Class 1 of the Development relates to;

"The extension of a house, by the construction or erection of an extension (including a conservatory) to the rear of the house or by the conversion for use as part of the house of any garage, store, shed or other similar structure attached to the rear or to the side of the house."

The Limitations and Conditions attached to this Class are as follows;

"1(a) Where the house has not been extended previously, the floor area of any such extension shall not exceed 40 square metres.

(b) Subject to paragraph (a), where the house is terraced or semi-detached, the floor area of any extension above ground level shall not exceed 12 square metres.

(c) Subject to paragraph (a), where the house is detached, the floor area of any extension above ground level shall not exceed 20 square metres.

2. (a) Where the house has been extended previously, the floor area of any such extension, taken together with the floor area of any previous extension or extensions constructed or erected after 1 October 1964, including those for which planning permission has been obtained, shall not exceed 40 square metres.

(b) Subject to paragraph (a), where the house is terraced or semi-detached and has been extended previously, the floor area of any extension above ground level taken together with the floor area of any previous extension or extensions above ground level constructed or erected after 1 October 1964, including those for which planning permission has been obtained, shall not exceed 12 square metres.

(c) Subject to paragraph (a), where the house is detached and has been extended previously, the floor area of any extension above ground level, taken together with the floor area of any previous extension or extensions above ground level constructed or erected after 1 October 1964, including those for which planning permission has been obtained, shall not exceed 20 square metres.

3. Any above ground floor extension shall be a distance of not less than 2 metres from any party boundary.

4. (a) Where the rear wall of the house does not include a gable, the height of the walls of any such extension shall not exceed the height of the rear wall of the house.

(b) Where the rear wall of the house includes a gable, the height of the walls of any such extension shall not exceed the height of the side walls of the house.

(c) The height of the highest part of the roof of any such extension shall not exceed, in the case of a flat roofed extension, the height of the eaves or parapet, as may be appropriate, or, in any other case, shall not exceed the height of the highest part of the roof of the dwelling.

5. The construction or erection of any such extension to the rear of the house shall not reduce the area of private open space, reserved exclusively for the use of the occupants of the house, to the rear of the house to less than 25 square metres.

6. (a) Any window proposed at ground level in any such extension shall not be less than 1 metre from the boundary it faces.

(b) Any window proposed above ground level in any such extension shall not be less than 11 metres from the boundary it faces.

(c) Where the house is detached and the floor area of the extension above ground level exceeds 12 square metres, any window proposed at above ground level shall not be less than 11 metres from the boundary it faces.

7. The roof of any extension shall not be used as a balcony or roof garden.

We believe that the proposed extension to the rear of No. 11 Sundale Parade, Tallaght as described in the enclosed Drawings complies with all conditions listed above and therefor we respectfully request a Section 5 Declaration on Development Exemption from the Planning Authority.

In support of this application we attach the following documents and drawings;

1. Section 5 Declaration of Exemption Form duly completed,
2. OSI Site Location Map,
3. Existing and Proposed sets of Plans, Sections and Elevations,
4. Cheque for €80 being the Registration Fee payable

We trust the foregoing and enclosures are in order and please do not hesitate to contact the undersigned with any queries which may arise.

Yours faithfully,



Piotr Alama, MRIAI
TONY MULLEN ARCHITECTS

Encl.