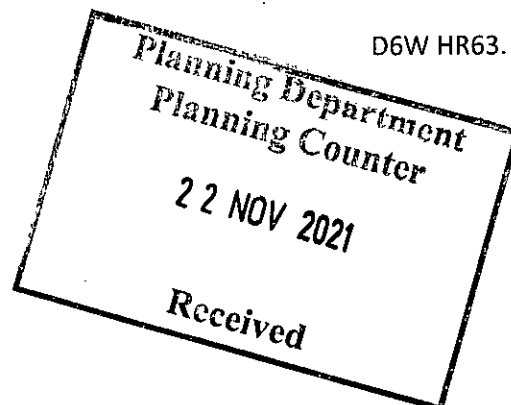


Patricia M Fitzsimons,
67 Cypress Grove Road,
Templeogue,
Dublin 6W,
D6W HR63.

Planning Department,
County Hall,
Tallaght,
Dublin 24
D24 A3XC.



Case Reference No: SD21B/0539

Referring to Address: 36 Cypress Grove North, Templeogue, Dublin 6W, D6W XT63.

To whom it may concern,

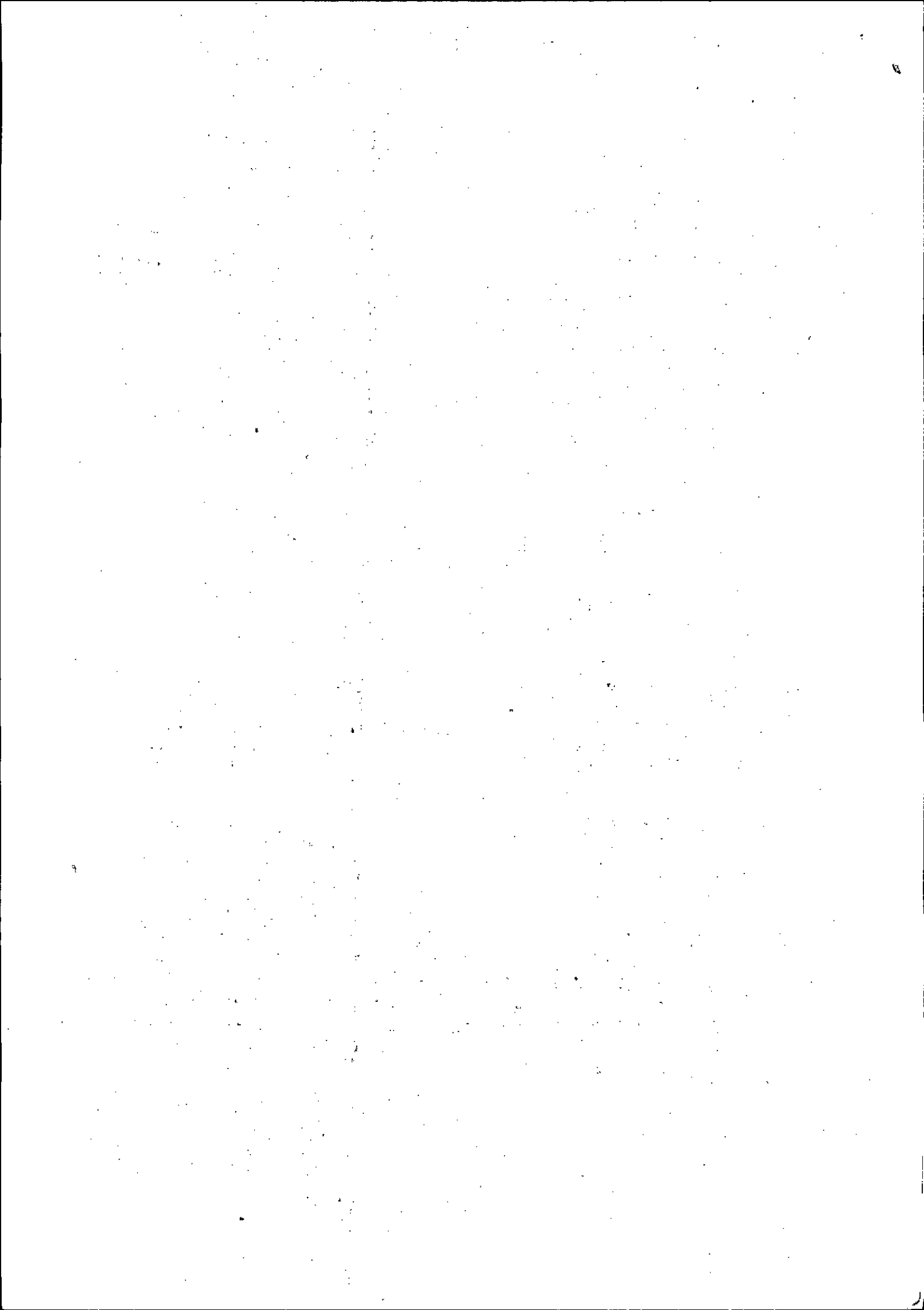
I refer to my previous correspondence dated 30th May 2018, which I have included in this submission for your reference. It has now come to my attention that there is an application for retention of the now existing dormer structure at 36 Cypress Grove North before the Council. The existing structure contravenes the original planning permission,¹ to which end I have already raised an objection during construction.

I would like to reiterate the points raised by my previous correspondence in objecting to this applicant for retention. Namely, these are:

1. As stated above, the existing structure severely contravenes the planning permission granted. In and of itself, this should be sufficient to refuse retention.² As well as a dormer which is both larger and further forward than the original plans, the original pitch of the roof has been completely altered. This not only gives the roof a look which is inconsistent with the houses around it; but converts the property, in effect, to a three-storey home. This is completely at variance with all other houses in the immediate locality. To this effect I have appended images and diagrams illustrating just how flagrant these breaches are.

¹ Ref: SD17B/0399 (Decided 15/02/2018).

² See Appendices 1, 2, 3.



2. The existing structure grievously infringes on the privacy of my home and rear garden. The right to privacy and inviolability of the dwelling are rights recognised both in the Irish Constitution and the European Convention of Human Rights. While these rights are not absolute one would imagine that the planning process exists in order to prevent disproportionate breaches of these rights. As it stands, the existing dormer overlooks the downstairs rear section my house, which is largely glass. This paired with the almost uninterrupted view from the dormer into my garden has caused a manifest breach to the privacy of my family in our home.

3. The planning permission clearly details that the proposed finish for the structure is zinc.³ As can clearly be seen from the included image,⁴ the structure is not finished in this manner. We would request that in the process of returning the structure to the dimensions specified in the granted planning permission, that the dormer be refinished in zinc.

We trust you will afford these breaches the gravity which they deserve in your contemplation of the application for retention of the existing dormer structure at 36 Cypress Grove North. To allow retention would not only fail to protect the aforementioned rights under the constitution but also establish an unacceptable precedent for dormer extensions of this nature in the area.

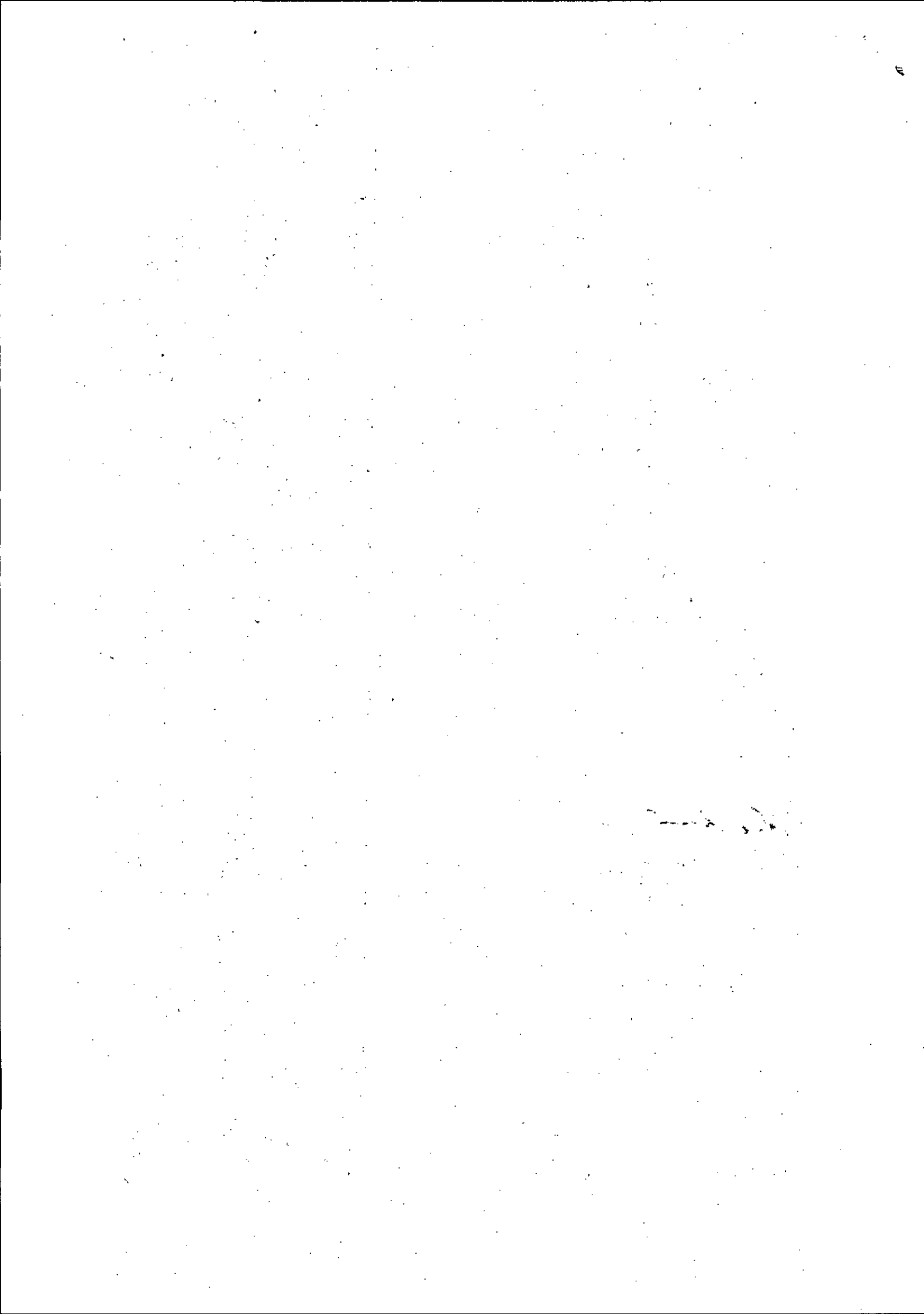
Sincerely,



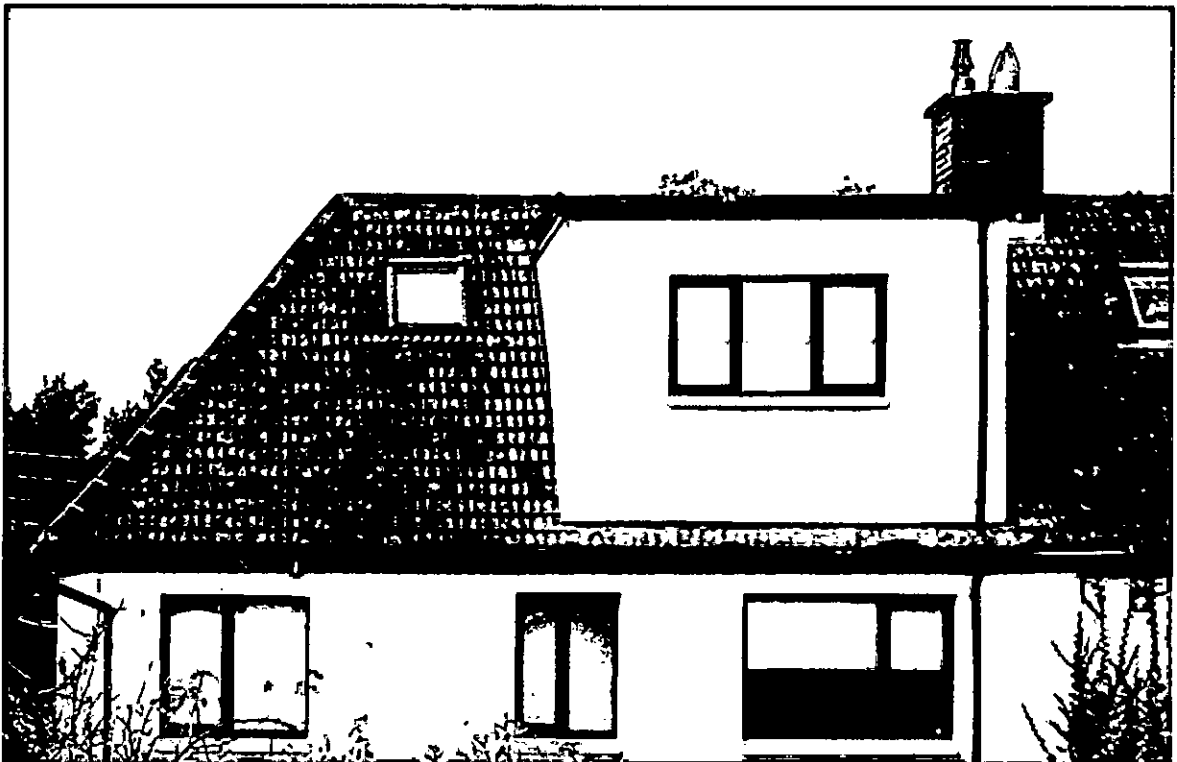
Patricia M Fitzsimons (Resident of 67 Cypress Grove Road)

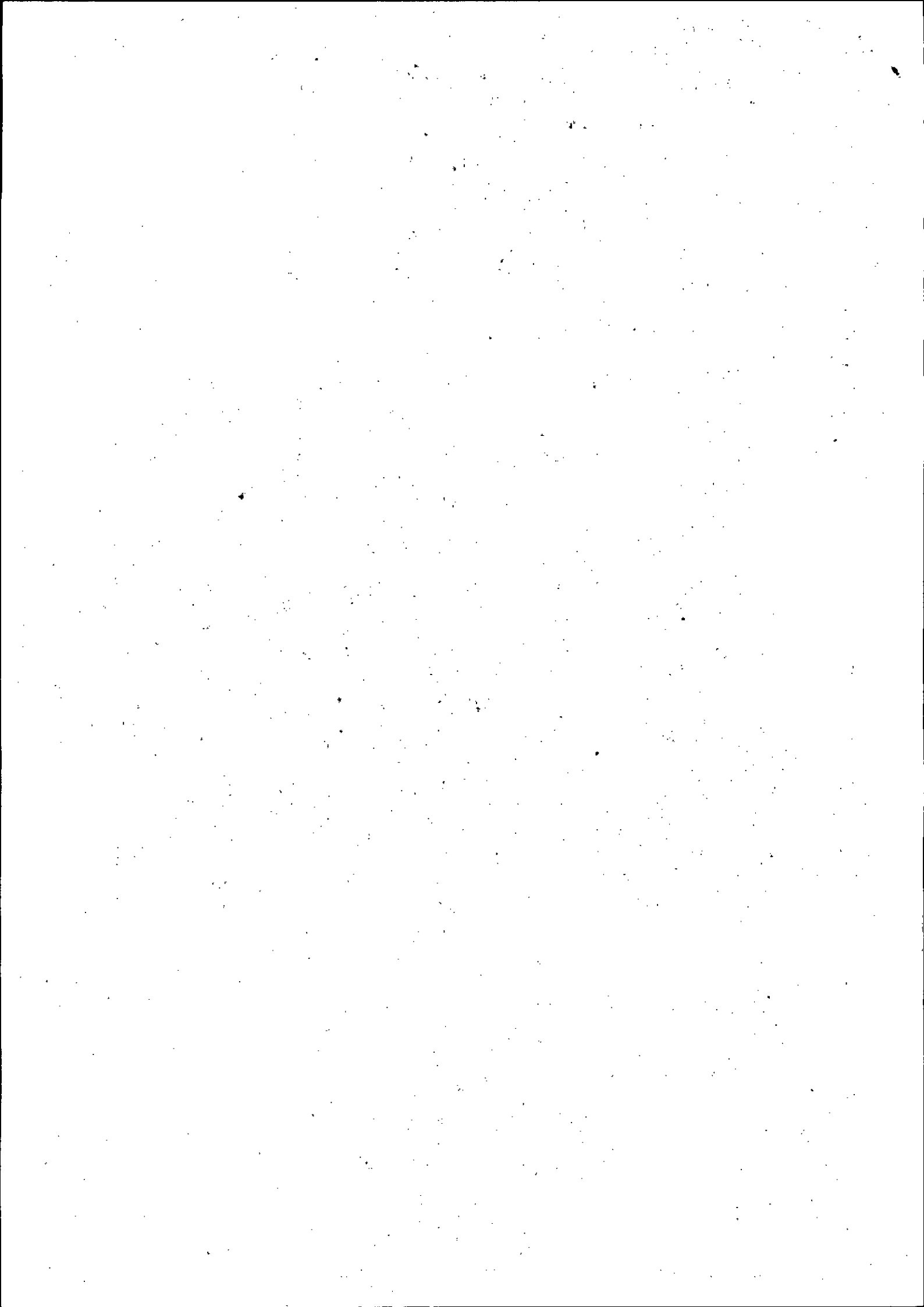
³ DWG no: HayesKL.S_02 (From original application decided 15/02/2018).

⁴ Appendix 4.

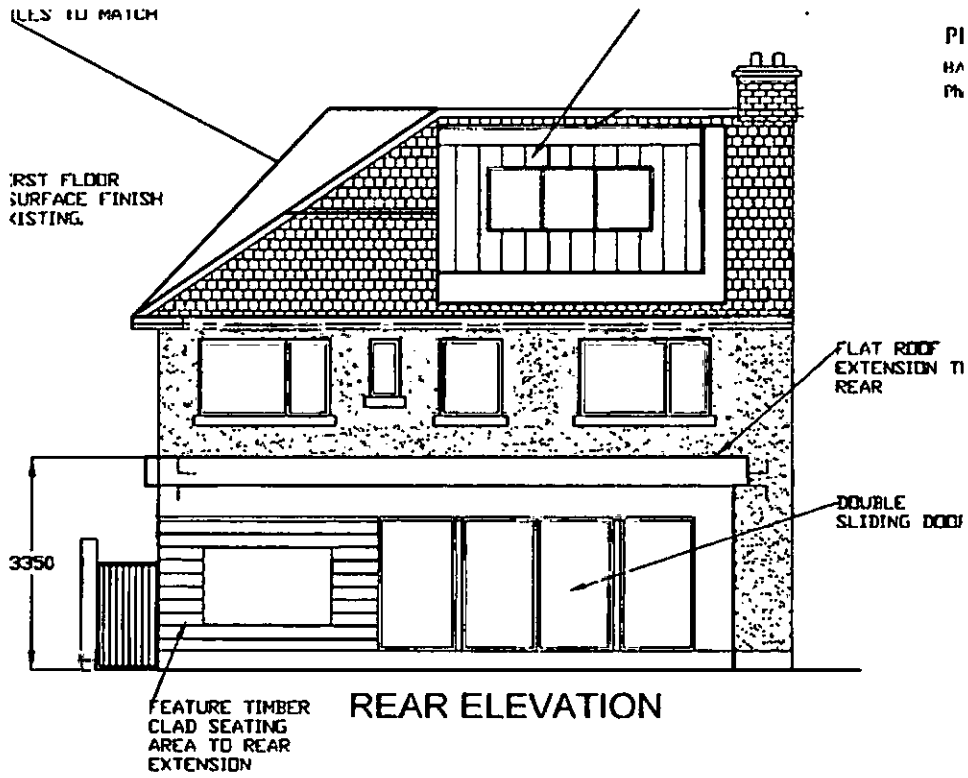


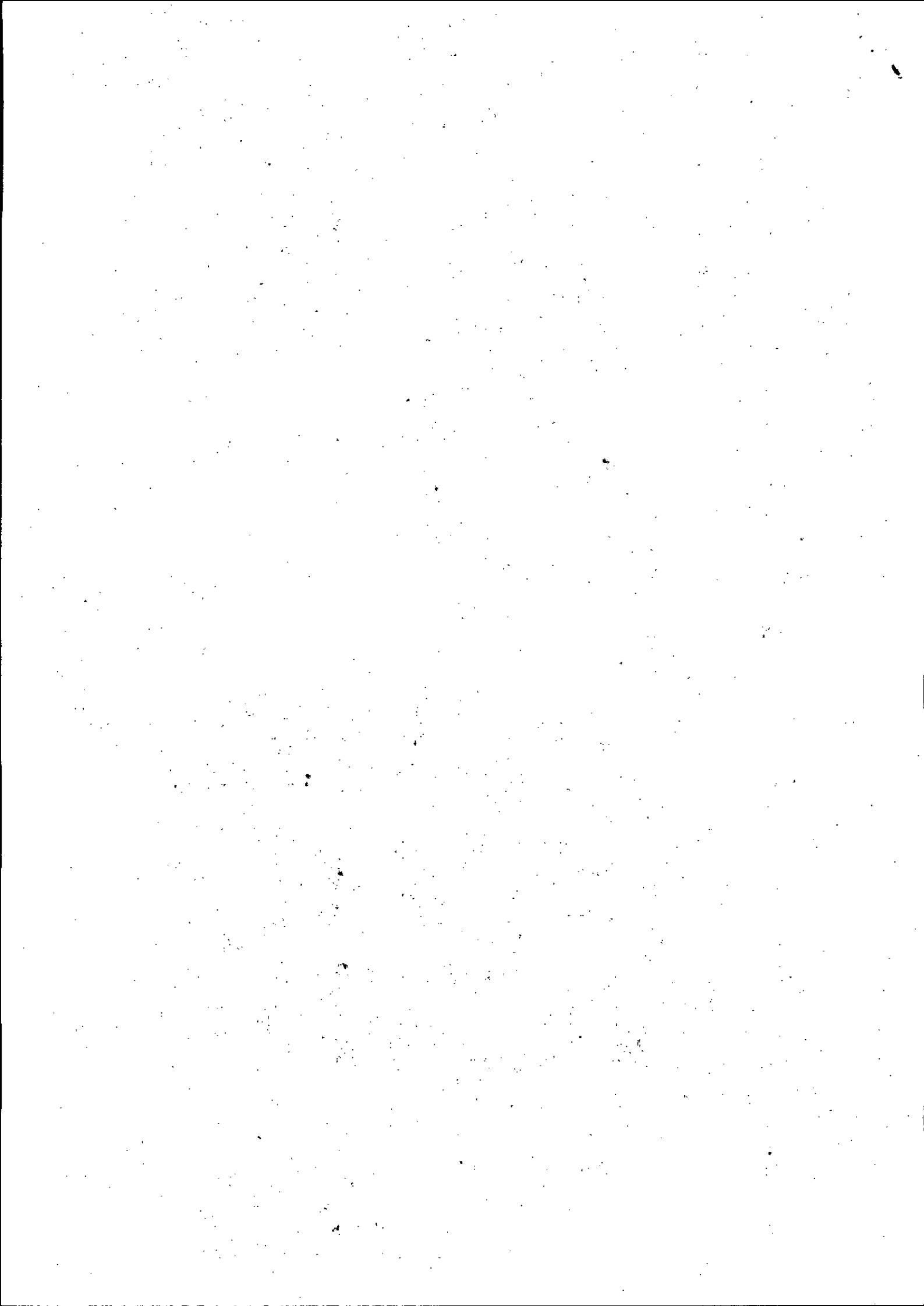
Appendix 1: Rear Elevation as constructed.



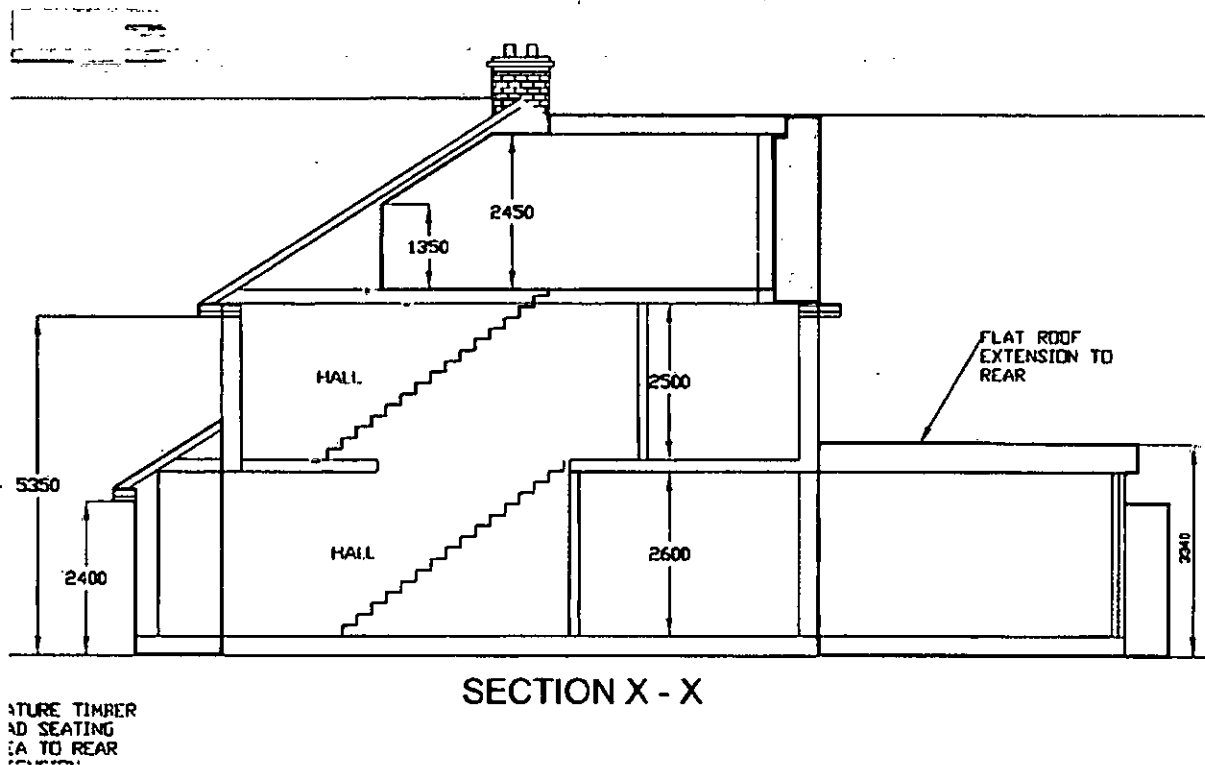
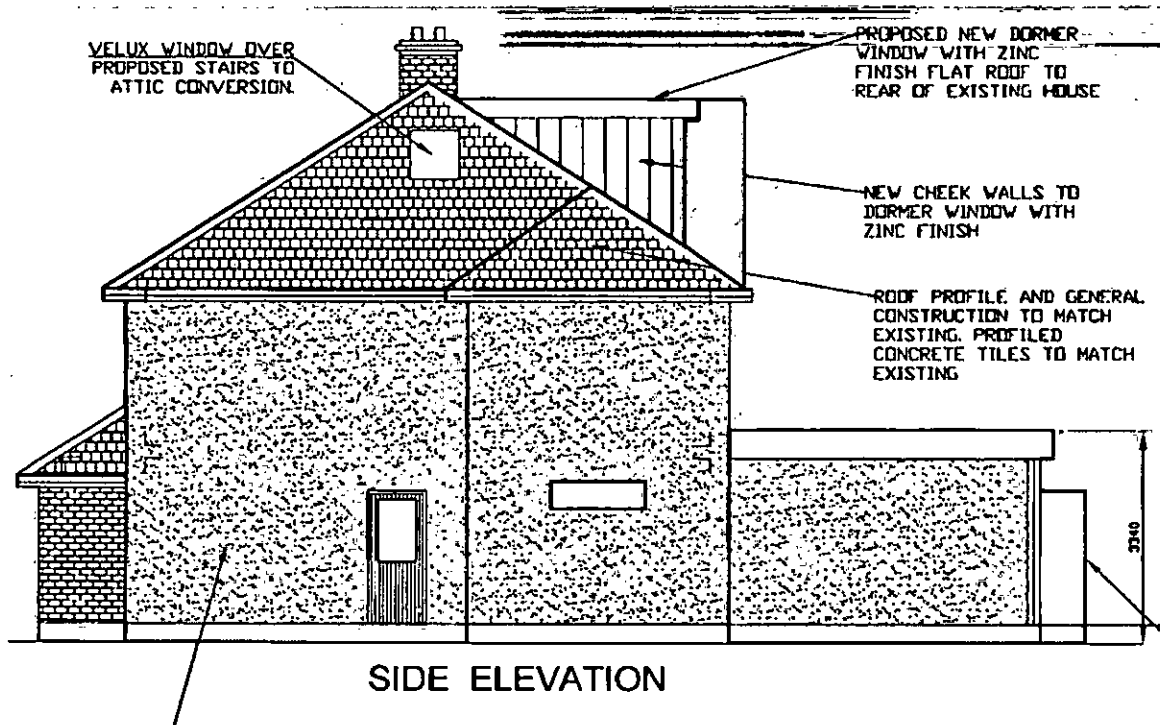


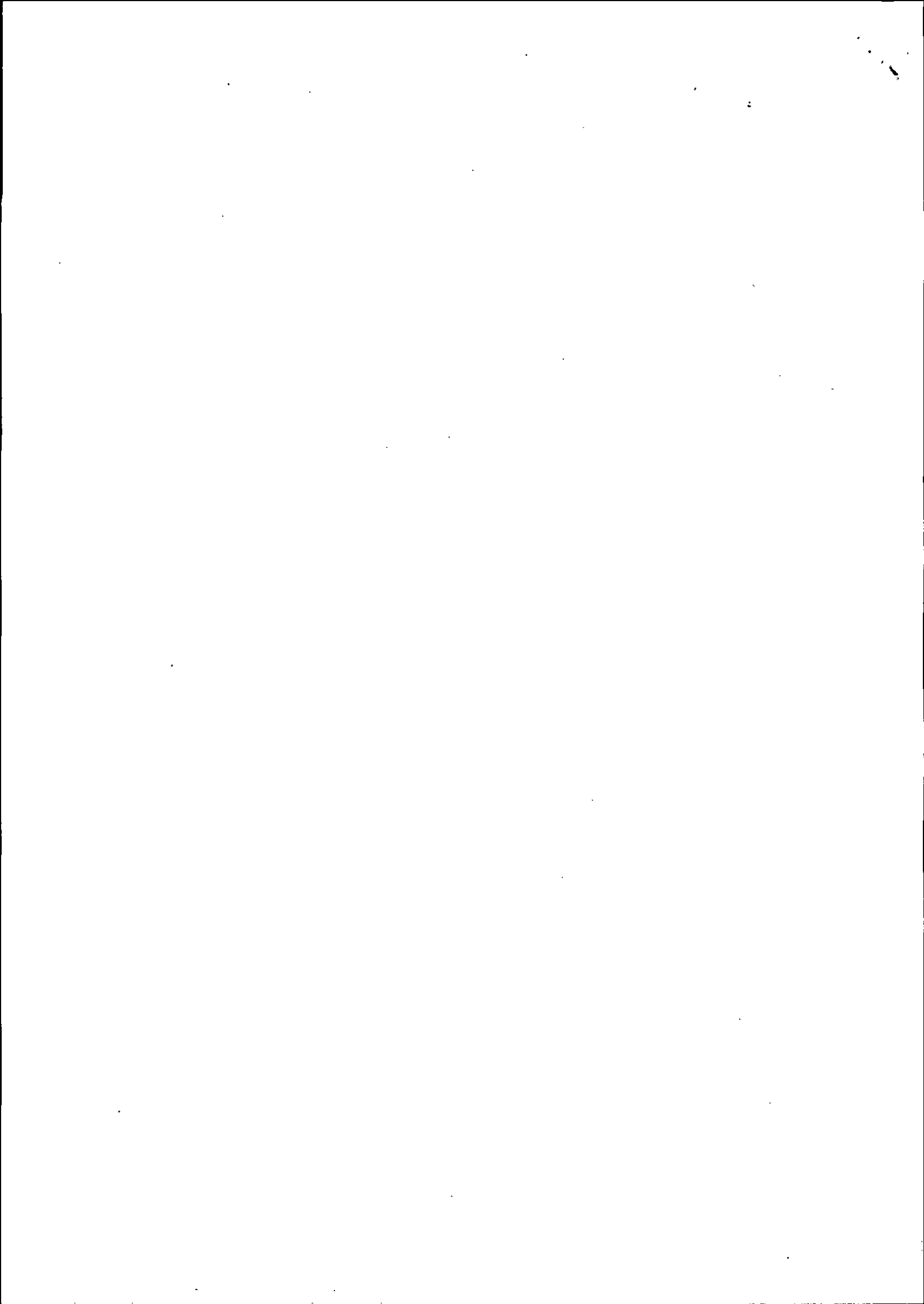
Appendix 2: Rear Elevation contravening Planning Permission



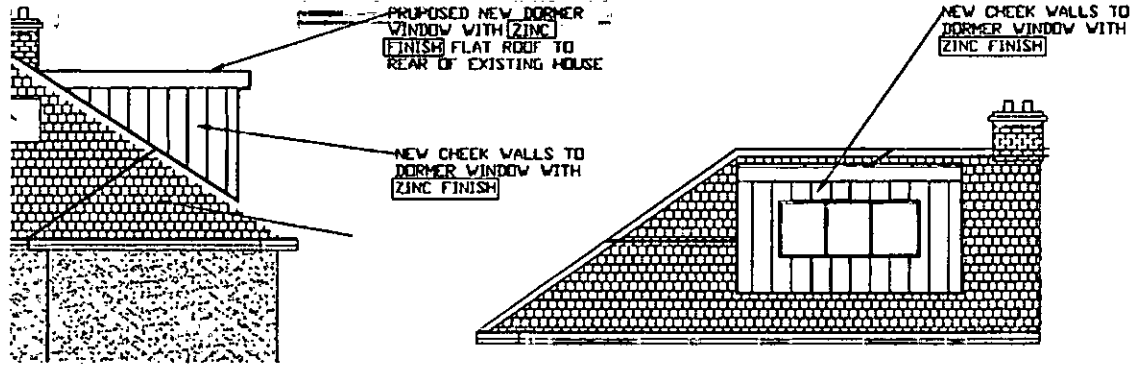


Appendix 3: Side Elevation and Section contravening Planning Permission

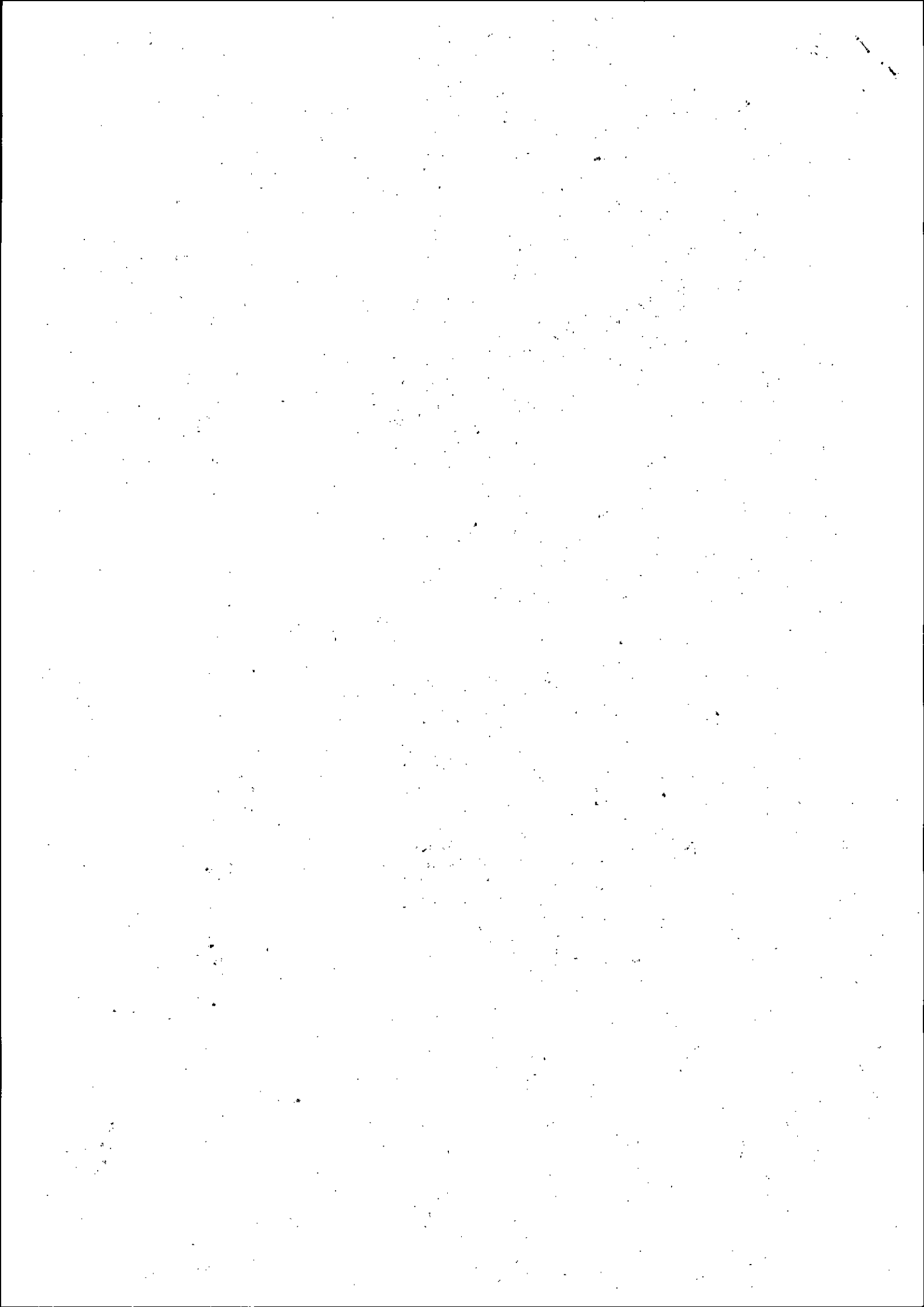




Appendix 4: Materiality as specified in planning permission vs. materiality constructed



cream plaster finish



67 Cypress Grove Road

Templeogue

Dublin 6W

30/05/2018

Attention of.

Planning Department

Enforcement Section

County Hall

Tallaght

Dublin 14

Re: Attic conversion at 36 Cypress Grove North

I wish to raise my concerns regarding the attic conversion which includes a large dormer construction being erected at present at 36 Cypress Grove North.

I have enclosed herewith a photograph of Dormer structure at 36 Cypress Grove North. The Dormer structure appears to me to be a much larger construction than appears on the planning drawings submitted to South Dublin County Council and allowed for under the planning conditions attached to the planning permission granted.

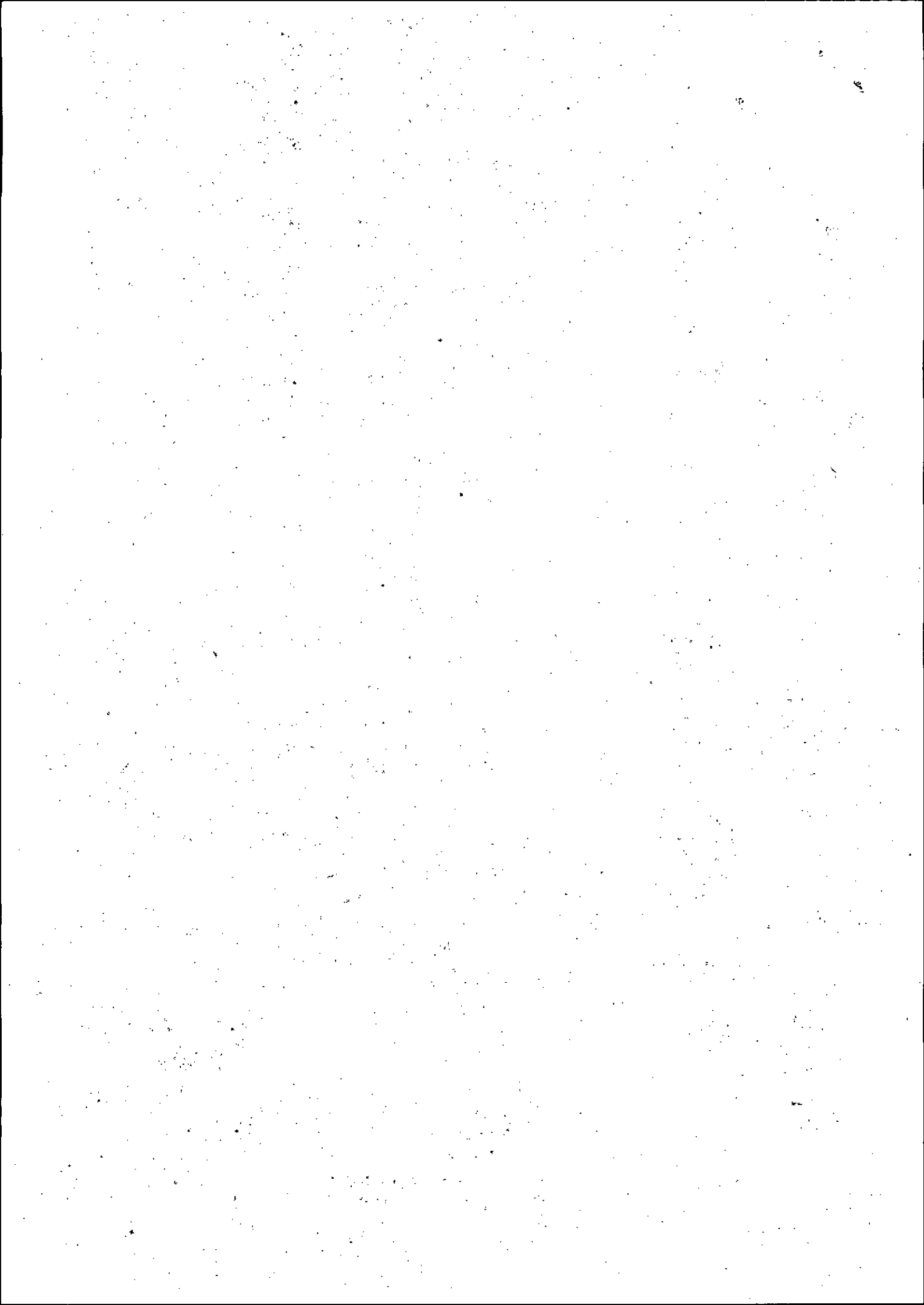
The extension to the hip slope also seems to be to a large degree at variance to the drawings and elevations submitted to South Dublin County Council when applying for planning permission.

As my home stands directing to the rear of 36 Cypress Grove North (as indicated on the enclosed OS map) the dormer structure and window as it stands now are overlooking my home 100%. My family have lost the ability to enjoy the amenity of our home as our privacy has been lost.

The very large window in the dormer structure overlooks our back garden, the patio area, the single storey kitchen, the open plan living area and the two rear bedrooms at first floor level.

The structure as it stands at present reduces privacy below reasonable levels and is visually overbearing in the rear roof slope. Creating a panoptic effect, as the structure is similar to an observation tower in construction.

Please note I was unaware of any planning application or planning permission being granted for attic conversion and dormer structure in the rear roof space of 36 Cypress Grove North until construction started on the roof on May 10th 2018 or approximately. The yet to be new neighbours did not consult with or make us aware of their intention to build into the roof space.



I am contacting your enforcement department to request that the attic structure/Dormer and the window together with the extension to the roof slope be inspected.

If found to be at odds with the planning permission and attached conditions. That the structure be stepped back from the eaves line and the front wall starts at the fifth roof tile from eaves line as shown in planning drawings to reduce the potential for overlooking.

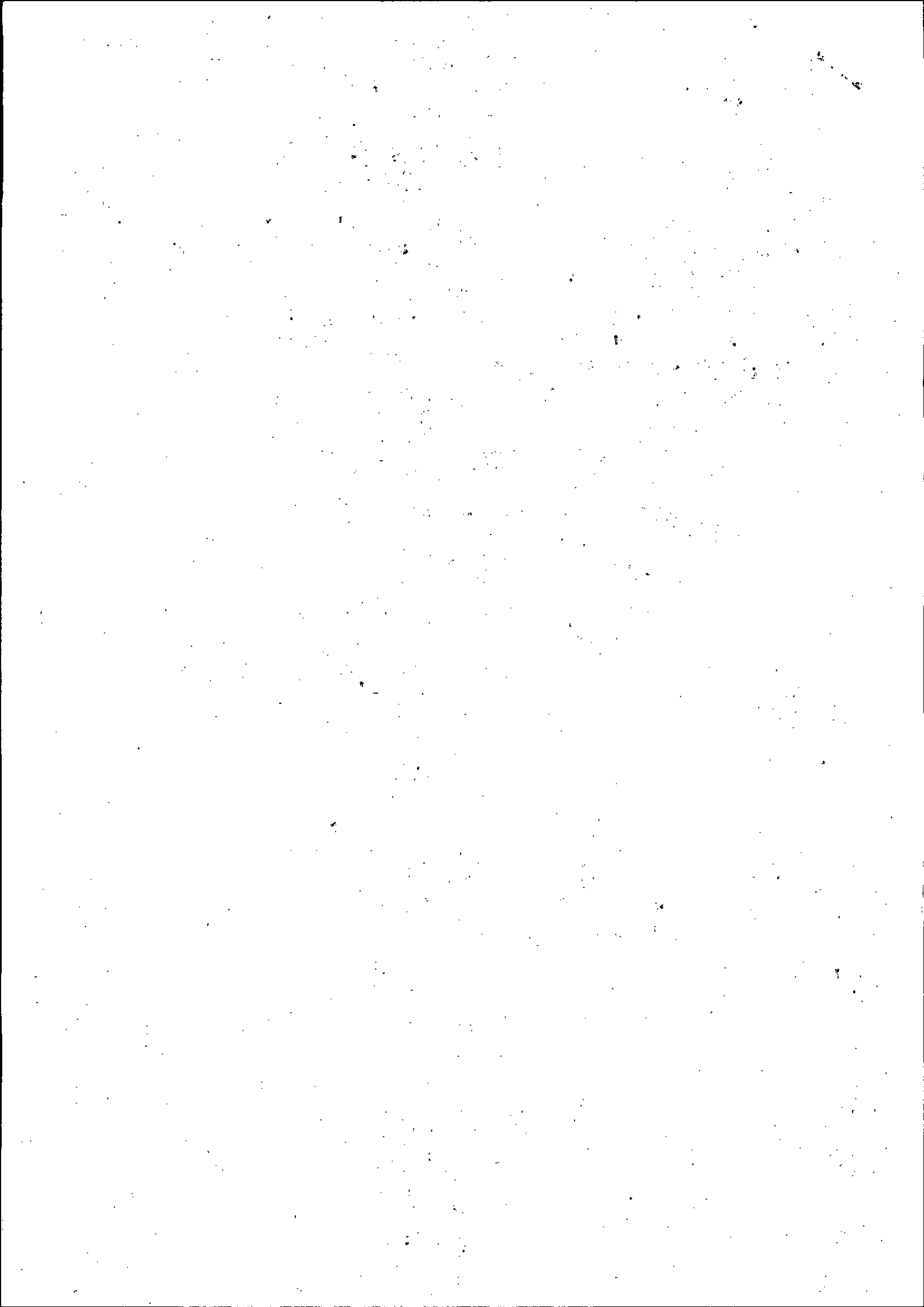
Also that the dormer structure is reduced in size in accordance with the submitted drawings and in line with the conditions set out in permission granted, to minimize visual impact and reflect both the character of the area and the surrounding buildings.

I would like to request that the window in width set out in planning conditions be inserted into the structure at a high level, with a still level of 1.7m or higher above the internal floor level of the attic room to avoid excessive overlooking of adjoining properties and which would in some measure restore the privacy enjoyed by neighbouring homes up to the beginning of May 2018.

A final consideration is that as this extension is at roof level it will be impossible to screen our home from being overlooked.

Yours faithfully

Patricia Fitzsimons







**An Rannóg Talamhúsáide, Pleanála agus Iompair
Land Use, Planning & Transportation Department**

Telephone: 01 4149000 Fax: 01 4149104 Email: planning.dept@sdblincoco.ie

**Patricia M Fitzsimons
67, Cypress Grove Road
Dublin 6W.**

Date: 23-Nov-2021

Dear Sir/Madam,

Register Ref: SD21B/0539
Development: Increase in external width of rear dormer and white render finish to rear dormer in place of zinc, from previously granted planning SD17B/0399 and all associated site works.
Location: 36, Cypress Grove North, Templeogue, Dublin 6W, D6W XT63
Applicant: Kevin & Lisa Hayes
Application Type: Retention
Date Rec'd: 20-Oct-2021

I wish to acknowledge receipt of your submission in connection with the above planning application. The appropriate fee of €20.00 has been paid and your submission is in accordance with the appropriate provisions of the Planning and Development Regulations 2001(as amended). The contents of your submission will be brought to the attention of the Planning Officer during the course of consideration of this application.

This is an important document. You will be required to produce this document to An Bord Pleanála if you wish to appeal the decision of the Council when it is made. You will be informed of the decision in due course. Please be advised that all current applications are available for inspection at the public counter and on the Council's Website, www.sdblincoco.ie.

You may wish to avail of the Planning Departments email notification system on our website. When in the **Planning Applications** part of the Council website, www.sdblincoco.ie, and when viewing an application on which a decision has not been made, you can input your email address into the box named **"Notify me of changes"** and click on **"Subscribe"**. You should automatically receive an email notification when the decision is made. Please ensure that you submit a valid email address.

Please note: If you make a submission in respect of a planning application, the Council is obliged to make that document publicly available for inspection as soon as possible after receipt. Submissions are made available on the planning file at the Planning Department's public counter and with the exception of those of a personal nature, are also published on the Council's website along with the full contents of a planning application.

Yours faithfully,

M. Furney
for **Senior Planner**

