

An Rannóg Talamhúsáide, Pleanála agus Iompair
Land Use, Planning & Transportation Department
Telephone: 01 4149000 Fax: 01 4149104 Email: planning.dept@sdublincoco.ie

Robert Coughlan
25, Kiltipper Avenue
Aylesbury
Tallaght
Dublin 24.

**NOTIFICATION OF DECISION TO REFUSE PERMISSION
PLANNING & DEVELOPMENT ACT 2000 (as amended) AND
PLANNING REGULATIONS THEREUNDER**

Decision Order No.	1565	Date of Decision	06-Dec-2021
Register Reference	SD21A/0278	Date	11-Oct-2021

Applicant: Antoinette Manning

Development: Demolition of the existing single storey side extension and part demolition of shed structure; construction of a 2 storey, three bedroom contemporary style detached dwelling to the rear of the existing dwelling with flat parapeted roof; widening of existing laneway to the north with new shared surface and new public lighting; new gated entrance to the northeast of the site; private amenity space, boundary treatment, landscaping, suds drainage and all ancillary works necessary to facilitate the development.

Location: 1, St. Finbarr's Close, Dublin, 12.

Time extension(s) up to and including:

Additional Information Requested/Received: /

Clarification of Additional Information Requested/Received: /

DECISION: Pursuant to the Planning and Development Act 2000 (as amended), dated as above a decision to **REFUSE PERMISSION** is hereby made for the said development for the reason(s) set out on the Schedule hereto.

REASON(S)

1. The laneway, from which the dwelling would be solely accessed by both pedestrians and vehicles and which is shared by numerous dwelling units, is unsuitable for the additional traffic which would be generated by the residential property, furthermore, no sightlines are available from the proposed vehicular entrance and the access laneway is substandard in nature as there is inadequate room for two cars to pass, and there are substandard pedestrian facilities along the entire length of the laneway, which is currently used for rear garden access only. Having regard to this, the proposed development would endanger public safety by reason of a traffic hazard or obstruction of road users or otherwise and would therefore be contrary to the policies of the County Development Plan.
2. Having regard to the Quality Housing for Sustainable Communities-Best Practice Guidelines, (Department of the Environment, Heritage and Local Government, 2007) and the provisions of the current South Dublin County Council Development Plan, the storage space within the dwelling and proposed usable private amenity space provision would be significantly less than the minimum requirements for a two-storey 3-bedroom houses. Furthermore, the western and southern first floor windows would give rise to unnecessary overlooking of the rear amenity space of the existing dwelling and the dwelling located immediately south of the subject site. The proposed dwelling, therefore, represent a substandard form of development, and would be unacceptable with regard to the residential amenity of the area. The proposed development would, therefore, be contrary to policy and objectives of the County Development Plan and would be contrary to the proper planning and sustainable development of the area.

Please note that upon receipt of this document you are obliged to remove the planning site notice in compliance with Article 20 of the Planning and Development Regulations 2001 (as amended). Please note that any valid submissions or observations received in accordance with the provisions of the Planning and Development Regulations 2001 (as amended), have been considered in the determination of this application.

Register Reference: SD21A/0278

Signed on behalf of the South Dublin County Council.

Yours faithfully,

Brian Connolly 06-Dec-2021
for **Senior Planner**

NOTES

(A) REFUND OF FEES SUBMITTED WITH A PLANNING APPLICATION

Provision is made for a partial refund of fees in the case of certain repeat applications submitted within a period of twelve months where the full standard fee was paid in respect of the first application and where both applications related to developments of the same character or description and to the same site. An application for a refund must be made in writing to the Planning Authority and received by them within a period of two months beginning on the date of the Planning Authority's decision on the second application. For full details of fees, refunds and exemptions the Planning & Development Regulations. 200 I should be consulted.

(B) APPEALS

1. An appeal against the decision may be made to An Bord Pleanála. The applicant or ANY OTHER PERSON who made submissions or observations to the Local Authority may appeal within FOUR WEEKS beginning on the date of this decision. (N.B. Not the date on which the decision is sent or received).
2. Every appeal must be made in writing and must state the subject matter and full grounds of appeal. It must be fully complete from the start. In the case of a third party appeal it must be accompanied by the acknowledgement by the Planning Authority of receipt of the submissions/observations. Appeals should be sent to:
The Secretary, An Bord Pleanála, 64 Marlborough Street, Dublin 1.
3. An Appeal lodged by an applicant/ agent or by a third party with An Bord Pleanála will be invalid unless accompanied by the prescribed fee. A schedule of fees is at 7 below.
4. A party to an appeal making a request to An Bord Pleanála for an Oral Hearing of an appeal must, in addition to the prescribed fee, pay to An Bord Pleanála a further fee (see 7 (g) below).
5. A person who is not a party to an appeal must pay a fee to An Bord Pleanála when making submissions or observations to An Bord Pleanála in relation to an appeal.
6. If the Council makes a decision to grant permission/grant permission consequent on a grant of outline permission and there is no appeal to An Bord Pleanála against this decision, PERMISSION/PERMISSION CONSEQUENT ON A GRANT OF OUTLINE PERMISSION will be granted by the Council as soon as may be after the expiration of the period for the taking of such an appeal. If any appeal made in accordance with the Acts has been withdrawn, the Council will grant the PERMISSION/PERMISSION CONSEQUENT ON A GRANT OF OUTLINE PERMISSION/RETENTION as soon as may be after the withdrawal.
7. Fees payable to An Bord Pleanála from 10th December 2007 are as follows:
 - (a) Appeal against a decision of a Planning Authority on a planning application relating to commercial development made by the person by whom the planning application was made. where the application relates to unauthorised development.....€4,500.00 or €9,000 if an E.I.A.R. is involved
 - (b) Appeal against a decision of a planning authority on a planning application relating to commercial development made by the person by whom the planning application was made. other than an appeal mentioned at (a)..... €1,500.00 or €3,000.00 if an E.I.A.R. is involved
 - (c) Appeal made by the person by whom the planning application was made, where the application relates to unauthorised development other than an appeal mentioned at (a) or (b)..... €660.00
 - (d) Appeal other than an appeal mentioned at (a), (b), (c) or (f) €220.00
 - (e) Application for leave to appeal..... €110.00
 - (f) Appeal following a grant of leave to appeal..... €110.00
 - (g) Referral €220.00
 - (h) Reduced fee (payable by specified bodies) €110.00
 - (i) Submission or observations (by observer) €50.00
 - (j) Request from a party for an Oral Hearing..... €50.00

If in doubt regarding any of the above appeal matters, you should contact An Bord Pleanála for clarification at Telephone 01-858 8100