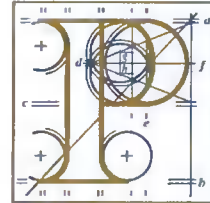


Our Case Number: ABP-312496-22

Planning Authority Reference Number: SD21B/0430



An  
Bord  
Pleanála

South Dublin County Council  
Planning Department  
County Hall  
Tallaght  
Dublin 24

LAND USE, PLANNING  
& TRANSPORTATION DEPT.

18 JAN 2022

Date: 17 January 2022

**Re:** Construction of a new façade wall to allow conversion of existing car port to new bedroom; ground floor rear extension with flat roof and all ancillary site works.  
10, Hansted Way, Lucan, Co. Dublin

Dear Sir / Madam,

Enclosed is a copy of an appeal under the Planning and Development Act, 2000, (as amended).

**Submissions of documents etc., to the Board. N.B. Copies of I-plans are not adequate, all drawings and maps should be to scale in accordance with the provisions of the permission regulations.**

1. The planning authority is required to forward specified documents to the Board under the provisions of section 128 and section 37(1)(b) of the Planning and Development Act, 2000, (as amended). Please forward, **within a period of 2 weeks beginning on the date of this letter, the following documents:-**

- (i) a copy of the planning application made to the planning authority and a copy of any drawings, maps (including ordnance survey number) particulars, evidence, a copy of any environmental impact statement, other written study or further information received or obtained by your authority in accordance with regulations under the Acts. If practicable, the original of any drawing with coloured markings should be provided or a coloured copy,
- (ii) a copy of any technical or other reports prepared by or for the planning authority in relation to the application,
- (iii) a certified copy of the relevant Manager's Order giving the decision of the planning authority,
- (iv) a copy of the notification of decision given to the applicant,
- (v) particulars of the applicant's interest in the land or structure, as supplied to the planning authority,
- (vi) a copy of the published notice and a copy of the text of the site notice erected on the land or structure,

Teil  
Glaó Áitiúil  
Facs  
Láithreán Gréasáin  
Riomhphost

Tel  
LoCall  
Fax  
Website  
Email

(01) 858 8100  
1890 275 175  
(01) 872 2684  
www.pleanala.ie  
bord@pleanala.ie

64 Sráid Maoilbhríde 64 Marlborough Street  
Baile Átha Cliath 1 Dublin 1  
D01 V902 D01 V902

under section 48(2)(c) of the Act. Any such contingency submission, in circumstances which your authority decided to refuse permission, would be without prejudice to your authority's main submission in support of its decision.

Please quote the above appeal reference number in any further correspondence.

The Board has accepted and will deal with this appeal, arising from a "split" decision on the basis of determining the application as if it had been made to it in the first instance and the Board's decision will operate to annul in total the decision of the planning authority as and from the time when the decision was made. The parties to the appeal are being advised accordingly. Furthermore you are hereby advised not to issue a final grant of permission in respect of these decisions.

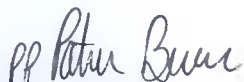
I hereby certify that the planning authority has complied with section 128 and section 37(1)(b) of the 2000 Act, (as amended), and that all material relevant to (ABP-312496-22) the request at 1 on page 1 of this letter has been forwarded.

Signed: \_\_\_\_\_

Print:(\_\_\_\_\_)

Date: \_\_\_\_\_

Yours faithfully,



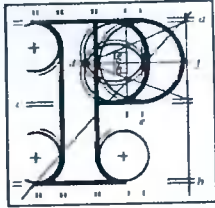
Liam Halpin  
Direct Line: 01-8737280

BP07

**Teil** (01) 858 8100  
**Glaó Áitiúil** 1890 275 175  
**Facs** (01) 872 2684  
**Láithreán Gréasáin** [www.pleanala.ie](http://www.pleanala.ie)  
**Ríomhphost** [bord@pleanala.ie](mailto:bord@pleanala.ie)

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64 Sráid Maoilbhríde 64 Marlborough Street  
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D01 V902 D01 V902



An  
Bord  
Pleanála

## Planning Appeal Form

<b>AN BORD PLEANÁLA</b>	
LDG-	<u>047288-22</u>
ABP-	_____
14 JAN 2022 o.k	
Fee: €	<u>220</u> Type: <u>CARD</u>
By:	<u>HAND</u>
12:55	

### Your details

#### 1. Appellant's details (person making the appeal)

Your full details:

(a) Name

Tracy Palmer

(b) Address

10 Hansted Way, Adamstown, Lucan, K78 YK18

### Agent's details

#### 2. Agent's details (if applicable)

If an agent is acting for you, please **also** provide their details below. If you are not using an agent, please write "Not applicable" below.

(a) Agent's name

Stephen Ellis

(b) Agent's address

9 The Dale, Kingswood Heights, Dublin 24, D24  
A9WC

## Postal address for letters

3. During the appeal we will post information and items to you or to your agent. For this appeal, who should we write to? (Please tick ✓ one box only.)

You (the appellant) at the address in Part 1

The agent at the address in Part 2

## Details about the proposed development

4. Please provide details about the planning authority decision you wish to appeal. If you want, you can include a copy of the planning authority's decision as the appeal details.

**(a) Planning authority**

(for example: Ballytown City Council)

South Dublin County Council

**(b) Planning authority register reference number**

(for example: 18/0123)

SD21B/0430

**(c) Location of proposed development**

(for example: 1 Main Street, Baile Fearainn, Co Ballytown)

10 Hansted Way, Adamstown, Lucan, K78 YK18

## Appeal details

5. Please describe the grounds of your appeal (planning reasons and arguments). You can type or write them in the space below or you can attach them separately.

On **30<sup>th</sup> July 2021**, a planning permission application was submitted to South Dublin County Council.

[A copy of the planning permission drawings and documents are included in this appeal pack].

On **23<sup>rd</sup> September 2021**, South Dublin County Council requested Additional Information, regarding carparking spaces.

[A copy of the request is included in this appeal pack].

On **23<sup>rd</sup> November 2021**, Additional Information was submitted to South Dublin County Council.

[A copy of the Additional Information drawings and documents are included in this appeal pack].

On **14<sup>th</sup> December 2021**, South Dublin County Council granted permission for one aspect of the application (rear extension) but denied permission for another aspect (carport conversion).

[A copy of these documents is included in this appeal pack].

We did not agree with the denial of planning permission for the carport conversion, and wish to appeal this decision to An Bord Pleanála.

5. Please describe the grounds of your appeal (planning reasons and arguments). You can type or write them in the space below or you can attach them separately.

In the Additional Information submission and Chief Executive's Order PR/1605/21 (the planning permission denial for our application), two relevant planning permission grants are described.

In **SD06B/0558**, planning permission was granted for a similar carport conversion. In Chief Executive's Order PR/1605/21, South Dublin County Council have suggested on Page 8 that "*SD06B/0558 was granted in 2006 with different CDP standards and the current application for the proposed development must be evaluated on SDCC CPD 2016-2022*".

It still communicates as unfair to us, that a neighbour on the same block of residential units as ours was granted permission and we were not.

In **SDZ19A/0002**, retention permission was granted for a similar carport conversion.

In Chief Executive's Order PR/1605/21, South Dublin County Council have suggested on Page 8 that "...SDZ19A/0002 retention was granted with the consideration given as each of the units in those blocks have an in-curtilage car parking space in addition to car ports...".

South Dublin County Council have also suggested that "A grant of permission would set an undesirable precedent for the similar development in the overall housing estate."

This communicates as very unfair to us, in two regards:

- (i) that in 2019 a neighbour less than 200m from our house was granted retention permission i.e., "after the fact of construction", for a carport conversion similar to our proposal. This was not "*determined some time ago*" and must have been evaluated under SDCC CPD 2016-2022.

5. Please describe the grounds of your appeal (planning reasons and arguments). You can type or write them in the space below or you can attach them separately.

(ii) South Dublin County Council have suggested granting our application would "*set an undesirable precedent*", but surely South Dublin County Council have now set that precedent already for all other units in this estate by giving this retention permission.

This now presents that other units with an in-curtilage car parking space could apply for similar retention, but we cannot, simply based on the amount of carparking spaces outside our front door, but ignoring those spaces adjacent to our house; again it seems a very unfair judgement against us.

I hope that to An Bord Pleanála can review the documentation regarding this appeal and understand my point of view in terms of developing my house for myself and my family.

Many thanks,  
Tracy Palmer

## Supporting material

6. If you wish you can include supporting materials with your appeal.

Supporting materials include:

- photographs,
- plans,
- surveys,
- drawings,
- digital videos or DVDs,
- technical guidance, or
- other supporting materials.

## Acknowledgement from planning authority (third party appeals)

7. If you are making a third party appeal, you **must** include the acknowledgment document that the planning authority gave to you to confirm you made a submission to it.

## Fee

8. You **must** make sure that the correct fee is included with your appeal. You can find out the correct fee to include in our Fees and Charges Guide on our website.



## Oral hearing request

9. If you wish to request the Board to hold an oral hearing on your appeal, please tick the “yes, I wish to request an oral hearing” box below.

Please note you will have to pay an **additional non-refundable fee** of €50. You can find information on how to make this request on our website or by contacting us.

If you do not wish to request an oral hearing, please tick the “No, I do not wish to request an oral hearing” box.

**Yes, I wish to request an oral hearing**

**No, I do not wish to request an oral hearing**

NALA has awarded this document its Plain English Mark  
Last updated: April 2019.

