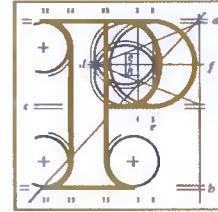


**Our Case Number:** ABP-312629-22

**Planning Authority Reference Number:** SD21A/0300



**An  
Bord  
Pleanála**

**LAND USE, PLANNING  
& TRANSPORTATION DEPT.**

**- 7 FEB 2022**

South Dublin County Council  
Planning Department  
County Hall  
Tallaght  
Dublin 24

**Date:** 04 February 2022

**Re:** Demolition of apartment at 19A Hillsbrook Drive, construction of a semi-detached two-storey apartment development comprising 3 apartments, existing house to be retained with its own vehicle access and off-street parking, cycle parking, refuse storage, and all associated site works. 19, Hillsbrook Drive, Perrystown, Dublin 12

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	Tel	(01) 858 8100
Glaó Áitiúil	LoCall	1890 275 175
Facs	Fax	(01) 872 2684
Láithreán Gréasáin	Website	www.pleanala.ie
Ríomhphost	Email	bord@pleanala.ie

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

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.

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-\_\_\_\_\_) the request at 1 on page 1 of this letter has been forwarded.

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

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

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

Yours faithfully,

*PO. Mark Lamer*

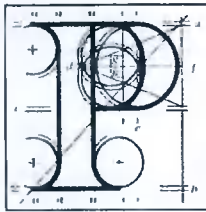
Liam Halpin

Direct Line: 01-8737280

BP07

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Facs	Fax	(01) 872 2684
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D01 V902	D01 V902



An  
Bord  
Pleanála

## Planning Appeal Form

LDG- 048589-22

ABP-

03 FEB 2022

Fee: € 1500 Type: card

Time: 1250 By: hanel

### Your details

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

Your full details:

(a) Name

Ashbrook Excellence Ltd

(b) Address

Kylecarrick, St Mathais Wood, Church Road,  
Kiliney Co Dublin

### 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

Studio 304 Architecture Ltd

(b) Agent's address

The Glasshouses, 92 George's Street Lower, Dún  
Laoghaire, Co Dublin



## 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)

SD21A/0300

**(c) Location of proposed development**

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

19 Hillsbrook Drive, Perrystown, Dublin

## 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.

1. The reasons for refusal are unwarranted and could have been dealt with through the application process and specifically by a request for further information or by condition
2. The planning authority set out in the planners report supporting the decision that the applicant has failed to provide sufficient information in relation to drainage. We wish to highlight in this appeal that the applicant has endeavoured to provide further information as part of this appeal.
3. We submit that the proposal to develop the site has been described in the planners report as acceptable in principle and that the factors identified in the refusal; density, building line and private amenity space have all been addressed in the revised proposal for consideration.

## 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.





**Studio 304**  
Architecture

92 George's Street Lower,  
Dún Laoghaire,  
Dublin, A96 VR66

**studio-304.com**

03.02.2022

**Re: First Party Appeal Reg. Ref. SD21A/0300**

Dear Sir / Madam

We, Studio 304 Architecture Ltd, The Glasshouses, 92 George's Street Lower, Dún Laoghaire, Co Dublin are instructed by our client, Ashbrook Excellence Ltd, Kylecarrick, St Mathais Wood, Church Road, Kiliney Co Dublin to lodge this first party appeal against the decision of South Dublin County Council issued on 7th January 2022 under Reg. Ref. SD21A/0300 to refuse permission for the development proposed in this case.

The last day for appeal in this case is noted as 4th February 2022 and we confirm this appeal is lodged within this timeframe. This appeal has been prepared by Studio 304 Architecture Ltd. In accordance with requirements, we enclose the statutory fee.

**Original Application**

We maintain the proposed development as put forward at application stage is consistent with appropriate development parameters, accords with all relevant national planning policy, would not represent any inappropriate amenity impact and therefore should be granted permission. We therefore ask the board to review the application in full.

Should the board be of the opinion that a reduced density is required an alternative option is provided in this appeal for their consideration, if they were so minded to grant permission for a revised scheme. The details of this alternative option are clearly set out and form part of our appeal documentation.

**Appeal Documentation**

The preparation of this documentation responds to the reasons of refusal and also to the areas identified in the planners report that required further information such as drainage and access.

The applicant has also taken into account the concerns raised by the neighbours during the planning process and has sought to respond to these concerns with the revised design proposal.

We ask that the board consider the revised scheme now put forward as a means of addressing the reasons for refusal provided by South Dublin County Council

The following items are enclosed:

- Planning Appeal Form
- Cover Letter
- Revised option plans elevations and section (labelled Appeal)
- Revised Design Statement (labelled Appeal)
- Irish Water Confirmation of feasibility

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## **Grounds of Appeal**

Our client has lodged the appeal for the following reasons;

The reasons for refusal are unwarranted and could have been dealt with through the application process and specifically by a request for further information or by condition

The planning authority set out in the planners report supporting the decision that the applicant has failed to provide sufficient information in relation to drainage. We wish to highlight in this appeal that the applicant has endeavoured to provide further information as part of this appeal.

We submit that the proposal to develop the site has been described in the planners report as acceptable in principle and that the factors identified in the refusal; density, building line and private amenity space have all been addressed in the revised proposal for consideration.

## **Revised Design Option**

The revised design enclosed within this appeal responds directly to the following key issues raised in the planners report :

- Density: The planners report has stated that two units, rather than three would be a suitable density for the site. The revised proposal contains two units.
- Building Line: The planners report has cited the breaking of the building line as a reason for refusal. The revised design sites within the building line
- Private Amenity: The planners report identified the position of the private amenity space as a reason for refusal. This was also a concern for the some of the neighbours who objected during the process. The first floor terrace has now been relocated to the rear of the building.
- Active façade: The concerns raised in the planners report regarding the blank façade have been addressed by altering the pattern of fenestration
- Amenity: The areas for bin and cycle store for each unit have been defined

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Dún Laoghaire,  
Dublin, A96 VR66

**studio-304.com**

In conclusion we submit that the reasons for refusal cited within the planners report can be overcome with an amended scheme that suits the existing built context and also provides high quality accommodation. We trust that the Board will accept our arguments and the considerations noted in the attached documentation and now find in favour of the proposal and grant permission for the scheme as amended.

We confirm that the act for the applicant in this case and ask that all future correspondence in this matter be directed to this office. In this regard we look forward to receiving written acknowledgment in due course.

Yours Faithfully



Gary Tynan

Director  
BArch(Hons) DipArch RIAI RIBA RIAIS

**Studio 304** Ltd

Gary Tynan

9 Adelphi House  
Upper Georges Street  
Dun Laoighaire  
Dublin  
Ireland

Uisce Éireann  
Bosca OP 448  
Oifig Sheachadta na  
Cathrach Theas  
Cathair Chorcaí

Irish Water  
PO Box 448  
South City  
Delivery Office  
Cork City

[www.water.ie](http://www.water.ie)

1 December 2021

**Re: CDS21008452 pre-connection enquiry - Subject to contract | Contract denied**

**Connection for Housing Development of 3 unit(s) at 19 Hillsbrook Drive, Perrystown, Dublin**

Dear Sir/Madam,

Irish Water has reviewed your pre-connection enquiry in relation to a Water & Wastewater connection at 19 Hillsbrook Drive, Perrystown, Dublin (the Premises). Based upon the details you have provided with your pre-connection enquiry and on our desk top analysis of the capacity currently available in the Irish Water network(s) as assessed by Irish Water, we wish to advise you that your proposed connection to the Irish Water network(s) can be facilitated at this moment in time.

SERVICE	<p style="text-align: center;"><b>OUTCOME OF PRE-CONNECTION ENQUIRY</b></p> <p style="text-align: center;"><b><u>THIS IS NOT A CONNECTION OFFER. YOU MUST APPLY FOR A CONNECTION(S) TO THE IRISH WATER NETWORK(S) IF YOU WISH TO PROCEED.</u></b></p>
Water Connection	Feasible without infrastructure upgrade by Irish Water
Wastewater Connection	Feasible without infrastructure upgrade by Irish Water
<b>SITE SPECIFIC COMMENTS</b>	
Water Connection	<p>The design and construction of the Water &amp; Wastewater pipes and related infrastructure to be installed in this development shall comply with the Irish Water Connections and Developer Services Standard Details and Codes of Practice that are available on the Irish Water website. Irish Water reserves the right to supplement these requirements with Codes of Practice and these will be issued with the connection agreement.</p> <ul style="list-style-type: none"> <li>• There are Irish Water assets near the site boundaries. Records of the assets on the map below, are indicative and must be verified on site. Any trial investigations should be carried out with the agreement and in the presence of the Local Authority Water Services Inspector.</li> <li>• Structural integrity and access for maintenance of the assets must be secured at any time during and after the proposed works.</li> </ul>



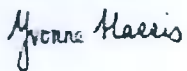
location of the Irish Water underground network is identified prior to excavations or any other works being carried out. Service connection pipes are not generally shown but their presence should be anticipated.

**General Notes:**

- 1) The initial assessment referred to above is carried out taking into account water demand and wastewater discharge volumes and infrastructure details on the date of the assessment. **The availability of capacity may change at any date after this assessment.**
- 2) This feedback does not constitute a contract in whole or in part to provide a connection to any Irish Water infrastructure. All feasibility assessments are subject to the constraints of the Irish Water Capital Investment Plan.
- 3) The feedback provided is subject to a Connection Agreement/contract being signed at a later date.
- 4) A Connection Agreement will be required to commencing the connection works associated with the enquiry this can be applied for at <https://www.water.ie/connections/get-connected/>
- 5) A Connection Agreement cannot be issued until all statutory approvals are successfully in place.
- 6) Irish Water Connection Policy/ Charges can be found at <https://www.water.ie/connections/information/connection-charges/>
- 7) Please note the Confirmation of Feasibility does not extend to your fire flow requirements.
- 8) Irish Water is not responsible for the management or disposal of storm water or ground waters. You are advised to contact the relevant Local Authority to discuss the management or disposal of proposed storm water or ground water discharges
- 9) To access Irish Water Maps email [datarequests@water.ie](mailto:datarequests@water.ie)
- 10) All works to the Irish Water infrastructure, including works in the Public Space, shall have to be carried out by Irish Water.

If you have any further questions, please contact Kevin McManmon from the design team at [kmcmanmon@water.ie](mailto:kmcmanmon@water.ie) For further information, visit [www.water.ie/connections](http://www.water.ie/connections).

Yours sincerely,



**Yvonne Harris**

**Head of Customer Operations**

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## APPEAL

19 HILLSBROOK DRIVE PERRYSTOWN,  
DUBLIN 12, DUBLIN, D12 Y864

DESIGN STATEMENT



### Site Analysis

The site is located on the corner of Hillsbrook Drive and Muckross Avenue. There is an existing end of terrace house, and apartment on the site. The property has the gable end of a terrace facing Muckross Avenue as its boundary to the eastern side.

Typical materials in the area include roughcast render and concrete roof tiles on pitched roofs.

The proposed development is designed to sit within the existing building lines and respond to the roof profile of adjoining buildings.

The architectural language of the development including boundary treatments responds to the character of adjacent dwellings and creates a sense of harmony.

The development is a contemporary and innovative proposal that responds to the local context.

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## APPEAL

19 HILLSBROOK DRIVE PERRYSTOWN,  
 DUBLIN 12, DUBLIN, D12 Y864

DESIGN STATEMENT



## Visual and Residential Amenity

The proposal has been designed and sited to sit completely within the building line and follows the roof profile of adjoining dwellings.

The scale of the proposed building matches the scale of the adjacent buildings and as such provides an appropriate infill to the corner site.

The private amenity areas are all now located at the rear of the building, and the first floor terrace is screened with privacy louvres to prevent overlooking into no.48a.

The pattern of fenestration has been adjusted to provide a more active façade and introduce ground floor windows to the Muckcross Avenue elevation. A contemporary corner window has been included at first floor level along with a wide picture window to the first floor apartment living space.

The first floor terrace is set into the building and as such provides a set back in reducing the proposed building height adjacent to no.48a. It should be noted that the window directly opposite to the proposed development is an opaque window (bathroom behind).

It is intended that the substantial areas of open space in proximity to the site: on Muckcross Green (located approximately 100m from the site) and Perrystown Community Centre and the closest large parks are Tymon and Bushey Park (approx. 1.6km away, as the crow flies), would be acceptable to offset the lack of communal/public open space provided with the proposed development.

The revised scheme now provides for 2 high quality apartments, each dual aspect, and with their own entrance and private amenity areas.

## Access & Parking

The proposed development features one off street parking space as shown in the proposed layout. The depth of the space available is in excess of 6 metres. There are 2 new proposed driveways to facilitate the separation and parking arrangements, these are located broadly in the same position as the existing driveway.

## Drainage and water supply

The revised drainage layout included shows surface water connecting to surface drains only and SuDS measures introduced including; planter boxes, filter drains and water butts.

## Compliance with Apartment Standards

	Unit A	Compliance	Minimum Standard*	Unit B	Compliance	Minimum Standard*
Floor Level	Ground			First		
Apartment Type	2 Bedroom (3p)			2 Bedroom (3p)		
Floor Area (m2)	74	✓	63	80	✓	63
Floor to Ceiling Height (m)	2.7	✓	2.7	2.4	✓	2.4
Aggregate Floor Areas (m2) (Kitchen / Living / Dining)	31.3	✓	28	29.6	✓	28
Aggregate bedroom floor areas (m2)	22.4	✓	20.1	20.1	✓	20.1
Storage Requirements (m2)	5.3	✓	5	5.1	✓	5
Private Amenity Space (m2)	13.5	✓	6	6	✓	6
Communal Amenity Space (m2)	37	✓	14	37	✓	14

### Standards

\* Department of Housing, Local Government and Heritage  
Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities, December 2020

\*\* South Dublin County Council Development Plan 2016 - 2022

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# APPEAL

19 HILLSBROOK DRIVE PERRYSTOWN,  
DUBLIN 12, DUBLIN, D12 Y864

DESIGN STATEMENT

Proposed Illustration



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**APPEAL**

19 HILLSBROOK DRIVE PERRYSTOWN,  
DUBLIN 12, DUBLIN, D12 Y864

DESIGN STATEMENT



**Proposed Materials**

The proposed materials include roughcast render, smooth render and tiles. These are combined with aluminium framed clear glazed windows.

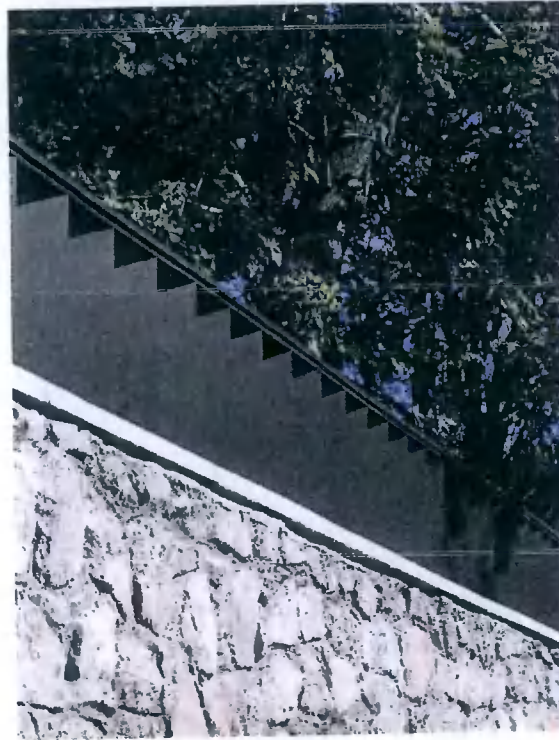
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**APPEAL**

19 HILLSBROOK DRIVE PERRYSTOWN,  
DUBLIN 12, DUBLIN, D12 Y864

DESIGN STATEMENT





### Examples of Privacy Louvres

The proposed privacy louvres at ground floor level are provided to increase privacy at ground floor level where there are windows facing directly onto the public highway.

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## APPEAL

19 HILLSBROOK DRIVE PERRYSTOWN,  
DUBLIN 12, DUBLIN, D12 Y864

DESIGN STATEMENT