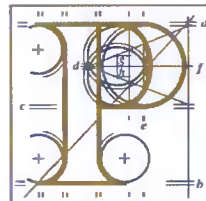


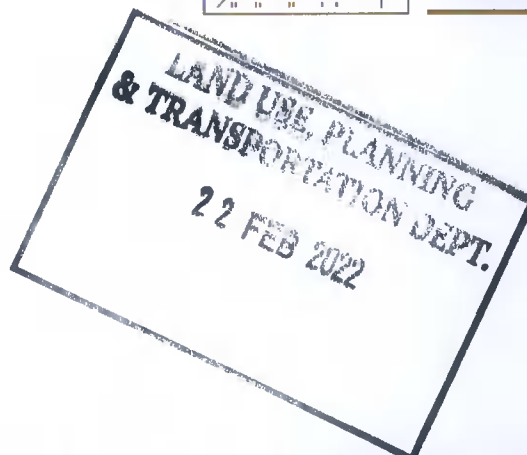
Our Case Number: ABP-312778-22

Planning Authority Reference Number: SD21B/0531



An
Bord
Pleanála

South Dublin County Council
Planning Department
County Hall
Tallaght
Dublin 24



Date: 21 February 2022

Re: Single storey extension and 'French' doors to the rear, front porch infill, internal renovations, dormer roof to the front of the main roof and all ancillary works.
32, Mountdown Park, Manor Estate, 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
Glaos 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

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.

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-312778-22) 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	Tel	(01) 858 8100
Glaó Áitiúil	LoCall	1890 275 175
Facs	Fax	(01) 872 2684
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64 Sráid Maoilbhríde	64 Marlborough Street
Baile Átha Cliath 1	Dublin 1
D01 V902	D01 V902

Peter Brennan
Hayfield House
Knocklyon Road
Templeogue
Dublin 16
D16 DX62

14th February 2022

Dear Sir/Madam,

Please find enclosed an appeal made on behalf of Alison McGinley, 32 Moundown Park, Manor Estate, Dublin 12, D12 XN73, against Condition No. 2 of planning permission register reference: SD21B/0531, from South Dublin County Council.

AN BORD PLEANÁLA	
LDG-	<u>049210-22</u>
ABP-	_____
16 FEB 2022	
Fee: €	<u>220</u> Type: <u>card</u>
Time: <u>2:30</u>	By: <u>hand</u>

Yours Sincerely,



Peter Brennan

An Bord Pleanála Appeal

Appellant: Alison McGinley
Address: 32 Mountdown Park, Manor Estate, Dublin 12, D12 XN73
Agent: Peter Brennan
Address: Hayfield House, Knocklyon Road, Templeogue, Dublin D16 DX62
Nature of Appeal: Against decision of the Second Schedule, Condition No. 2. Window. The window as annotated in the south-western elevation as showed in the 3D drawings, submitted in response to the AI request (3D Ortho 01), shall be omitted. REASON: To protect the residential amenity of the adjoining property
Location of Development: 32 Mountdown Park, Manor Estate, Dublin 12, D12 XN73
Planning Authority: South Dublin County Council
Reg. Ref. No: SD21B/0531
First Party Appeal Fee: €220
Date: 14/02/22

1.0 Introduction

2.0 Site Context

3.0 Grounds of Appeal

4.0 Design Statement

5.0 Conclusion

6.0 Appendixes

1.0 Introduction

Alison McGinley is appealing against the Second Schedule, Conditions & Reasons; *Condition No. 2. Window*. The window as annotated in the south-western elevation as showed in the 3D drawings, submitted in response to the AI request (3D Ortho 01), shall be omitted. REASON: To protect the residential amenity of the adjoining property

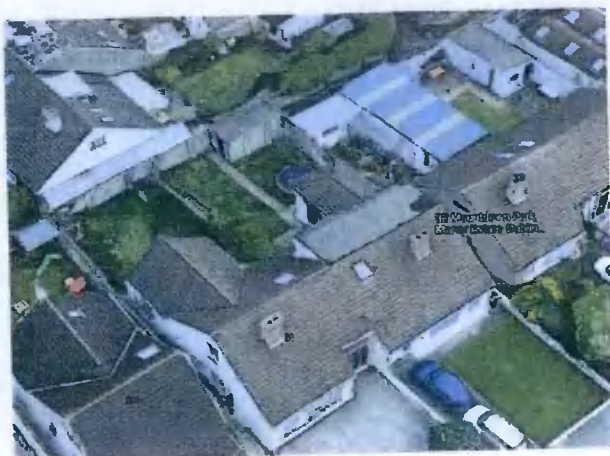
2.0 Site Context

3.0 32 Mountdown Park, Manor Estate, Dublin 12, D12 XN73, is a 152m², two-storey, 3-bedroom semi-detached bungalow, built circa 1970's.

3.1. Appendix A: 32 Mountdown Park, Manor Estate, Dublin 12, D12 XN73 - Front



3.2. Appendix B: 32 Mountdown Park, Manor Estate, Dublin 12, D12 XN73 - Aerial



Images courtesy of Google Maps

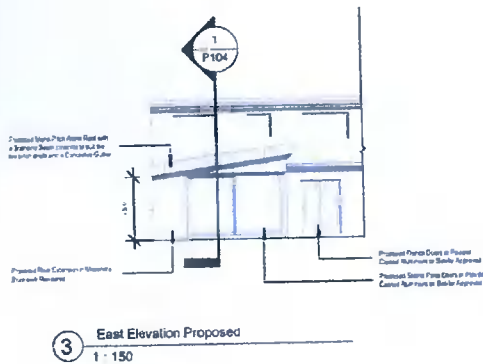
4.0 Grounds of Appeal

It is proposed to install a Sliding Patio Doors to the rear of the ground floor extension of 32 Mountdown Park, Manor Estate, Dublin 12. The planning Authority has specified in the Second Schedule, Condition No. 2. Window, *"The window as annotated in the south-western elevation as indicated in the 3D drawings, submitted in response to the AI request (3D Ortho 01), shall be omitted. REASON: To protect the residential amenity of the adjoining property."*

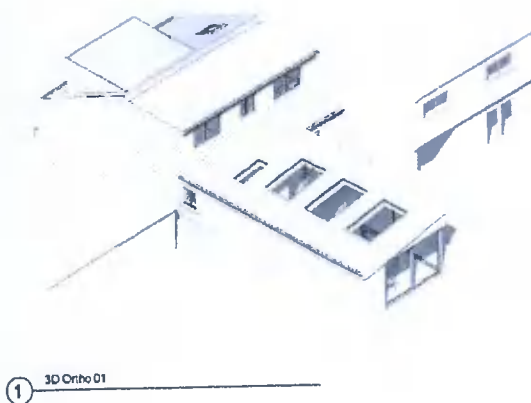
The planning department notes state *"from the 3D drawings, submitted in response to the AI request (3D Ortho 01) that a ground floor window is proposed in the south-west elevation. The south-west elevation directly abuts the boundary with the adjoining property and the proposed window would have a direct and negative impact on the amenity of this property. This window should be omitted by way of condition of permission."*

The 3D Ortho 01 drawing was submitted as part of the planning application, and again with the revisions to the roof to address the further information request as illustrated below:

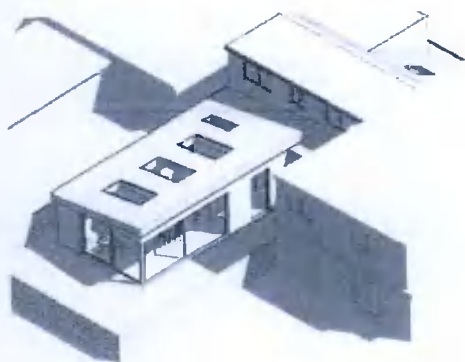
4.1. Appendix C: 32 Mountdown Park, Manor Estate - Proposed Rear Extension Elevation



4.2. Appendix D: 32 Mountdown Park, Manor Estate - Proposed Rear Extension 3D Ortho 01



4.3. Appendix E: 32 Mountdown Park, Manor Estate - Proposed Rear Extension 3D Ortho 03



3 3D Ortho 03

The South Dublin County Council House Extension Design Guide, 2010 has the following guidance on house extensions, including in particular front, side, rear extensions and roof alterations: *“Provide comfortable internal space and useful outside space; - Do not overlook, overshadow or have an overbearing impact on neighbouring properties”*

The window in question is representative of sliding patio doors on the ground floor level which are just under 5 meters from the rear boundary, which have been specified as part of the overall design to avail of natural sunlight from the west in the evenings, and to make use of the private amenity space to the rear of the extension so not to form a shaded recessed area which would be undesirable to use otherwise.

The overbearing impact of the proposed extension on the adjoining property was addressed as a way of further information, and regarding overlooking, the nearest house directly to the rear parallel, and back-to-back, with No. 32 Mountdown Park is No. 6 Mountdown Drive which is circa 86 meters from the proposed rear extension, and No's 7-12 Mountdown Avenue are perpendicular to No. 32 Mountdown Park, and the distance to the window of the nearest property to the rear, No. 12, is circa 14 meters away which exceeds the required planning regulation of 11 meters for first floor windows from a boundary, and as a single storey extension with the revised roof, there is no overshadowing of the neighbouring properties

5.0 Design Statement

The extension proposed at No. 32 Mountdown Park addresses additional space requirements and the reconfiguration of the existing dwelling to suit a growing family with the rear extension offering a larger kitchen, dining, and family room with a section of garden to the south and west with glazing specifically positioned to avail of as much natural light as possible with direct sunlight from the south during the day, and from the west in the evenings. The patio doors on both aspects facilitate both light permeation to the living space, access to the garden, as well as ensuring the private amenity space of the rest of the garden is used to its full potential by combining the use of both spaces in the summer months which would otherwise form a dark and unusable recessed space.

As mentioned above, there is a considerable distance of circa 86 meters between the proposed extension and the property directly to the rear, and the nearest first floor window on the dormer bungalows along Mountdown Drive, which are perpendicular to the proposed extension, is circa 14 meters away which exceeds the required 11 meters for first windows from a boundary.

6.0 Conclusion

The proposed glazed patio doors to the southwest cause no negative overbearing or overshadowing impact to the adjoining properties and feature as an integral part of the overall design availing of natural light and forming usable private amenity space. We would therefore ask that An Bord Pleanála remove Condition Number 2, of the Second Schedule, and grant permission for the glazed sliding patio doors to the rear of the proposed extension as submitted to the planning authority, and provided in the enclosed floor plans, elevations & 3D Views in Appendix F, 5.1.

7.0 Appendixes

3.1 Appendix A: 32 Mountdown Park, Manor Estate, Dublin 12, D12 XN73 - Front

3.2 Appendix B: 32 Mountdown Park, Manor Estate, Dublin 12, D12 XN73 – Elevation

4.1 Appendix C: 32 Mountdown Park, Manor Estate - Proposed Rear Extension Elevation

4.2 Appendix D: 32 Mountdown Park, Manor Estate - Proposed Rear Extension 3D Ortho 01

4.3 Appendix E: 32 Mountdown Park, Manor Estate - Proposed Rear Extension 3D Ortho 03

5.1 Appendix F: 32 Mountdown Park, Manor Estate, Planning Ref. SD21B/0531: Floor Plans, Elevations, Site Plan, and 3D Views of the proposed Rear Extension at 32 Mountdown Park, Manor Estate, Dublin 12. Planning Ref. SD21B/0389

Yours Sincerely,



Peter Brennan (Agent)

32 Mountdown Park

Please find the photographs attached that show the over shadow from the newly constructed extension next door to our existing property.

There is a need for the end of the proposed extension to be glazed as per planning application as this would allow the full capture of sunlight from a south westerly direction into the main living area of the property.

The addition of the newly built extension next door increases our need for the ability to capture all the available sunlight.

The glazed rear of the proposed extension does not overlook any other property and only looks directly to our back garden wall at end of the garden.

I hope you can look favourably on this proposal as we are trying to modernise this 1960's era built property into a modern sustainable family home for the future.

