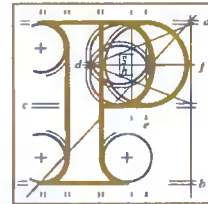


**Our Case Number:** ABP-312960-22

**Planning Authority Reference Number:** SD21A/0335



An  
Bord  
Pleanála

South Dublin County Council  
Planning Department  
County Hall  
Tallaght  
Dublin 24

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

**14 MAR 2022**

**Date:** 11 March 2022

**Re:** 6 houses, car parking, landscaping, lighting and associated site development works, the proposed development is an amendment to the partially completed development granted under SD19A/0040 Site No's 10-15, Cornerpark Rise, Cornerpark Townland, Peamount Road, Newcastle, 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,

<b>Teil</b>	<b>Tel</b>	(01) 858 8100
<b>Glaio Áitiúil</b>	<b>LoCall</b>	1890 275 175
<b>Facs</b>	<b>Fax</b>	(01) 872 2684
<b>Láithreán Gréasáin</b>	<b>Website</b>	www.pleanala.ie
<b>Ríomhphost</b>	<b>Email</b>	bord@pleanala.ie

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

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-312960-22) 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)

**Tel** (01) 858 8100  
**LoCall** 1890 275 175  
**Fax** (01) 872 2684  
**Website** [www.pleanala.ie](http://www.pleanala.ie)  
**Email** [bord@pleanala.ie](mailto:bord@pleanala.ie)

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

The Secretary,  
An Bord Pleanála,  
64 Marlborough Street,  
Dublin 1.

<b>AN BORD PLEANÁLA</b>	
€1500	
By: hand	
08 MAR 2022	
LTR DATED _____	FROM _____
LDG- 0500731 - 22	
ABP- _____	8 <sup>th</sup> March 2022

Dear Sir/Madam,

Please find enclosed 2 no. copies of a first party appeal made by CDP Architects, on behalf of Dragonglen Limited, in respect of a decision made by South Dublin County Council to refuse permission for the development of 6 no. dwellings. Reg. Ref. SD21A/0335 refers.

Please also find enclosed the appeal fee in the amount of €1,500.00 and the following drawings;

- Drawing No. 3.1.100 Proposed site plan under Reg. Ref. SD21A/0335
- Drawing No. 1.1.003 Site layout approved under condition no. 2 of SD19A/0040

We trust the enclosed is satisfactory and we respectfully request that the Board allow this first party appeal against the decision of the planning authority.

Yours sincerely,

**Paolo Trolese, CDP Architects**

4 The Mall, Main Street, Lucan, Co. Dublin, K78 V9R6

(on behalf of Dragonglen Limited)

The Secretary,  
An Bord Pleanála,  
64 Marlborough Street,  
Dublin 1.

7<sup>th</sup> March 2022

Dear Sir/ Madam,

**Re: Construction of 6 two storey, 3-bedroom terraced dwellings; all associated site development works, car parking, landscaping, open spaces, public lighting and connections to foulds and surface water drainage/attenuation systems and mains water supply; the proposed development represents an amendment to the existing partially completed development as it relates to the above-mentioned plots for which planning permission was granted under Register Reference SD19A/0040 granted on the 18th November 2019. The application provides for and planning permission is sought for an amendment to the scheme as set out in the compliance layout submitted on the 14th July 2020 and approved by South Dublin County Council on the 18th August 2021 on foot of condition No. 2a, 2b & 2c of SD19A/0040 by making provision for a vehicular access and footpath to the boundary of the lands to the rear (northern boundary) of the existing development; the development is on a site area of c. 0.15ha known as Site No's 10 - 15 Cornerpark Rise, Cornerpark Town land, Peamount Road, Newcastle, Co. Dublin. Reg. Ref. SD21A/0335**

### **Introduction**

This appeal is made by CDP Architects (the "Agent") of 4 The Mall, Main St, St. Edmondsbury, Lucan, Co. Dublin, K78 V9R6 on behalf of Dragonglen Limited (the "Appellant") of 13-18 City Quay, Dublin 2, Dublin, Ireland. Please note that the address for all correspondence is that of the Agent. The appeal is against the decision of South Dublin Council (the "Planning Authority") to REFUSE permission for the

above-mentioned development (the “Proposed Development”) at Site No’s 10-15, Cornerpark Rise, Peamount Road, Newcastle, County Dublin.

The appeal is accompanied by the appropriate appeal fee €1500.00 and the final date for making the appeal is the 10<sup>th</sup> March 2022.

The following drawings / documents are appended to this appeal –

1. Notification of Decision Register Reference SD21A/0335, dated 11<sup>th</sup> February 2022.
2. Record of Executive Business and Chief Executive’s Order, dated 11<sup>th</sup> February 2022.
3. Decision Register Reference SD19A/0040, dated 18<sup>th</sup> November 2019.
4. Record of Executive Business and Chief Executive’s Order, dated 29<sup>th</sup> March 2019.
5. Record of Executive Business and Chief Executive’s Order, dated 10<sup>th</sup> October 2019.

## Site location and proposed development

Planning permission is, in essence, sought for the development of 6 no. two storey three-bedroom terraced houses within the existing, recently constructed, residential development.

The subject site is accessed directly from the Peamount Road and is located within a couple of hundred metres of the main street of Newcastle.

19 no. dwellings have been constructed within the subject site to-date comprising a mixture of single storey and two storey houses arranged around an area of open space. The dwellings, the subject of this appeal, are located on the northern side of the area of open space generally at the location where 6 no. dwellings were originally permitted but not constructed.

Particular attention is drawn to the following specific elements of the proposed development –

- (i) Bin storage for the proposed terraced is provide identical to that agreed by compliance submission (see below);
- (ii) Dual aspect units i.e. 10 and 15 Cornerpark Green, and, Cornerpark Rise identical to the agreed compliance submission (see below);
- (iii) Landscaped privacy strip to east, albeit slightly narrower;
- (iv) All dwellings have parking directly outside each unit







*Proposed Site Layout*

## Planning History

Reg. Ref. SD19A/0040 Planning Permission GRANTED for demolition of existing stables/sheds; construction of 25 dwellings comprised of 10 three bedroom, two storey semi-detached houses (Type A); 6 three bedroom, 2 storey terraced houses (Type C); 3 three bedroom, 2 storey terraced houses (Type D); 3 three bedroom, 2 storey terraced houses (Type D1); 1 three bedroom single storey detached house; 2 two bedroom, single storey semi-detached houses (Type F); all associated site development works, car parking, landscaping, open spaces, public lighting, connections to foul and surface water drainage/attenuation and water supply. Planning permission was granted on the 10<sup>th</sup> October 2019.

## South Dublin Development Plan 2016-2022

The subject site has a RES-N zoning objective where it is an objective 'To provide for new residential communities in accordance with approved area plans'.



*Extract from Dublin City Development Plan Map E*

The relevant local area plan for Newcastle is the Newcastle-Lyons Local Area Plan 2012.



### **Decision of South Dublin Council**

By order dated 11<sup>th</sup> February 2022 South Dublin Council decided to REFUSE permission for the proposed development for one reason namely –

1. The proposed removal of the road up to the northern site boundary and the re-location of six dwellings westward would contravene materially Condition 2 attached to an existing Planning Permission (SD19A/0040), where nothing has changed on site or within policy that would require a change in the original decision. Furthermore, there are no objectives or policies within the Newcastle Local Area Plan to support the proposed vehicular connection to the north of the site into rural zoned lands. The proposed development would therefore contravene Condition 2 of an extant permission, would be contrary to the Local Area Plan and would be contrary to the proper planning and sustainable development of the area.

A copy of the said Order (and Planning Report) are contained at Appendix A and Appendix B respectively. •

### Decision on the 2019 Application.

Planning permission was granted in 2019 (SD19A/0040) for 25 dwellings on the subject site. This development is now known as “Cornerpark” and comprises 19 no. dwellings. The permission originally sought in 2019 provided for an access to the lands under the Appellant’s control to the rear (north) of the development.



*Original Submitted Site Layout*

Further information was sought in relation to a number of items – the issue of the access to the northern lands was not included in the further information request. It is noteworthy that the further information request issued requested the applicant to provide –

Item 1

- (ii) An indicative masterplan layout for the adjoining sites, demonstrating how future layouts and connections would not compromise the integrity of the burgage plots, in accordance with the provisions of the Local Area Plan.

This was done and it will be noted that the Appellant provided, in the original layout, for future access to the lands to the south. It is the Appellant’s position that connectivity, both future and existing, is always desirable.



*Site Layout Revised by Further Information Request*

Planning permission was ultimately granted subject to conditions. Condition no. 2 required certain modifications to the layout of the development.

Condition no. 2 was stated as follows –

**Revised Plans**

No development shall take place under this permission until the applicant, or owner, or developer has lodged with the Planning Authority for its written agreement –

- (i) Revised plans that incorporate the following amendments for written agreement:
  - (a) Road 1 shall not extend to the northern site boundary, it shall cease prior to the front building line of units 13 and 14.
  - (b) The terrace of units 14 to 19 shall be relocated in a westerly direction with footpath, privacy strip and private amenity spaces for houses 14 and 14 absorbed into the space and a landscaped privacy strip to the east of the terrace at house 19.
  - (c) A suitable location on the eastern side of the terrace of house type C for bin storage for the residents of this block shall be indicated on revised plans and shall include details of height, depth, materials

and screening and information demonstrating that the refuse storage facility has adequate internal space to cater for the size and number of bins allocated to each household within the terrace.

- (d) The side elevation – B on the eastern side of the terraced house type C shall incorporate the same window features at both ground and first floor level as that of side elevation – A.
- (e) Details of suitable vehicular access to unit 13.
- (f) Further details of the proposed gossip walls including depths, heights and materials for all properties where they are proposed.

The applicant or owner, or developer may consult with the Planning Authority in advance of lodging the revised plans.

REASON: To ensure that adequate space is provided for defensible space, bin storage and residential amenity.

A review of the relevant sections of the Planning Authority's planning report sheds light on the reasons Condition no. 2 as follows –

#### **8. road Issues**

The applicant has submitted a revised site layout showing roads that would provide future connectivity to the adjoining site to the south which are laid up to the boundary. The road proposed to the north of the site would form a cul de sac in its current form, it is not deemed necessary as the adjoining lands to the north are not zoned. A condition shall be attached for road 1 to cease prior to the front of building line of houses 13 and 14 as referenced earlier in this report. The Roads Section have recommended no objection. This is considered to be acceptable in this case.

Elsewhere it is stated that –

There are however concerns with the road layout that affect block 14-19. It is considered appropriate to require road 1 to cease prior to the front building line of houses 13 and 14, as it is unnecessary to a potential future access to lands to the north as they are not zoned. The block would also not have its own bin stores. Therefore, a condition moving the terrace in a westerly direction will be attached to the permission in the location of road 1 absorbing the garden

spaces, privacy strip and footpath in place at road 1 at the location. A condition recommending that the side elevation of the eastern side of the block consists of windows to create dual aspect unit with a more interesting elevation and natural surveillance is also recommended. A landscaped privacy strip can also be incorporated to the east of the terrace. It is noted that Unit 13 does not appear to have access although parking within the curtilage of the property is proposed. Vehicles would either have to cross over an area of soft landscaping or the drive of the neighbouring property to access their own drive. A condition requiring a revised layout showing how vehicles would access the drive of Unit 13 is therefore recommended. Although this is likely to result in the loss of a small amount of open space the amount left would still be of sufficient quality and quantity.

A dissection of the foregoing extract would indicate that the Planning considered that, in circumstances where, in the Planning Authority's view, the access to the northern lands was not required as it was "not zoned" certain improvements could be made to the scheme namely –

- the block would have its own bin store;
- creation of dual aspect unit to east with passive surveillance;
- landscaped privacy strip to the east of the terrace;
- Improved parking for Unit 13.

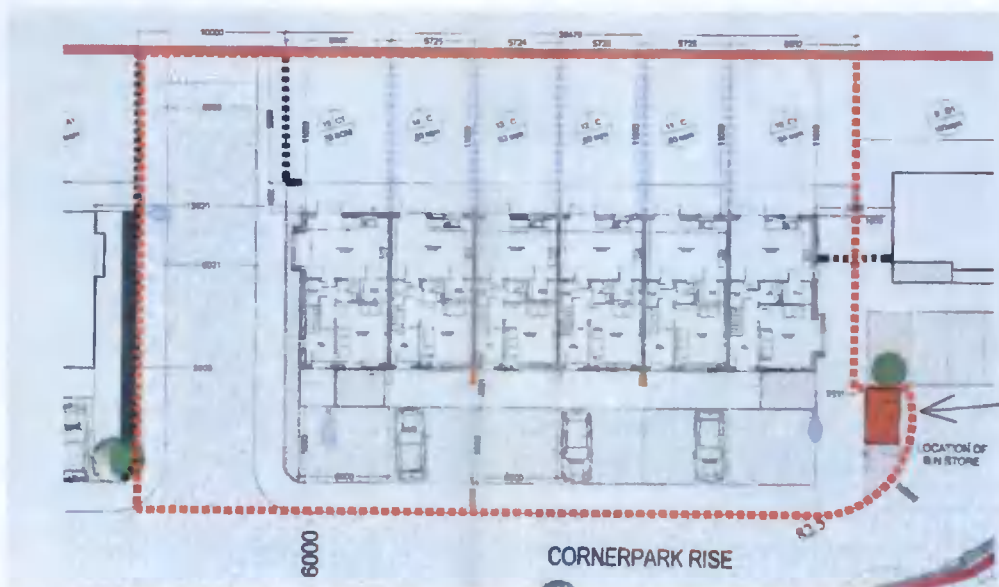
It is submitted, and will be elaborated upon below, that the foregoing desires of the Planning Authority have been complied with while maintaining access to the lands to the north.

A compliance submission acceptable to the Planning Authority was ultimately declared to be in compliance with Condition 2 on the 18<sup>th</sup> August 2021. The Compliance Report of the Planning Authority noted that Items (a), (b), (c) and (f) were now deemed to be in compliance with Condition no. 2 while Items (d) and (e) having previously agreed in an earlier submission.





*Agreed Layout Subject to Compliance Submission*



*Current Development as Proposed by the 2021 Application*

Noteworthy with respect to the current proposed layout is that –

- (i) Bin storage for the proposed terraced is provide identical to that agreed by compliance submission;
- (ii) Dual aspect units i.e. 10 and 15 Cornerpark Green, and, Cornerpark Rise identical to the agreed compliance submission;
- (iii) Landscaped privacy strip to east, albeit slightly narrower;
- (iv) All dwellings have parking directly outside each unit.

It is worth noting that while the Planners Report makes reference to the northern lands being “not zoned”, the lands to the north are in fact zoned in the South Dublin County Council Development Plan 2016-2022 (and in the Draft South Dublin County Council Development Plan 2022-2028) as zoning objective RU ‘To protect and improve rural amenity and to provide for the development of agriculture’. Table 11.7 of the Development Plan outlines a number of land use classes for RU zoned lands which would is considered to be permitted in principle or open for consideration.

**Table 11.16: Zoning Objective 'RU': 'To protect and improve rural amenity and to provide for the development of agriculture'**

USE CLASSES RELATED TO ZONING OBJECTIVE	
<b>Permitted in Principle</b>	Aerodrome/Airfield, Agriculture, Allotments, Cemetery, Concrete/Asphalt Plant in or adjacent to a Quarry, Home Based Economic Activities <sup>a</sup> , Industry-Extractive, Open Space, Public Services, Rural Industry-Food.
<b>Open for Consideration</b>	Abattoir, Bed & Breakfast <sup>a</sup> , Boarding Kennels, Camp Site <sup>b</sup> , Car Park <sup>b</sup> , Childcare Facilities <sup>b</sup> , Community Centre, Crematorium, Cultural Use <sup>a</sup> , Doctor/Dentist <sup>b</sup> , Education, Embassy <sup>a</sup> , Enterprise Centre <sup>b</sup> , Fuel Depot <sup>b</sup> , Funeral Home <sup>b</sup> , Garden Centre, Guest House <sup>a</sup> , Health Centre <sup>b</sup> , Heavy Vehicle Park, Hotel/Hostel, Offices less than 100 sq.m, Petrol Station <sup>b</sup> , Place of Worship <sup>b</sup> , Primary Health Care Centre <sup>b</sup> , Public House <sup>b</sup> , Recreational-Facility, Recycling Facility <sup>b</sup> , Refuse Landfill/Tip, Residential <sup>c</sup> , Restaurant/Café, Service Garage <sup>b</sup> , Shop-Local <sup>b</sup> , Social Club, Sports Club/Facility, Stadium, Traveller Accommodation, Veterinary Surgery.
<b>Not Permitted</b>	Advertisements and Advertising Structures, Betting Office, Caravan Park-Residential, Conference Centre, Hospital, Housing for Older People, Industry-General, Industry-Light, Industry-Special, Live-Work Units, Motor Sales Outlet, Nightclub, Nursing Home, Office-Based Industry, Offices 100sq.m-1,000 sq.m, Offices over 1,000 sq.m, Off-Licence, Outdoor Entertainment Park, Refuse Transfer Station, Residential Institution, Retail Warehouse, Retirement Home, Science and Technology Based Enterprise, Scrap Yard, Shop-Major Sales Outlet, Shop-Neighbourhood, Transport Depot, Warehousing, Wholesale Outlet, Wind Farm.

## Grounds of Appeal

The matter in issue relates to the Appellant's desire to retain access to the agricultural lands and to avoid land-locking approximately 15 acres of lands. This land was formerly used for the training of horses associated with the stables which formerly occupied the lands. Some are now used, on an informal basis, as a training field by Peamount United who have done so for a number of years. Were provision not made for some proper form of access to the subject lands, as a precaution, the only access would be a narrow substandard laneway – the lands would to all intents and purposes be landlocked.

It is the Appellant's submission that it was not necessary to move the location of the proposed houses so as to prevent, forever, any future access to the lands to the north. If the issue of concern was that the lands to the north were not zoned, and as such the cul de sac was not necessary (as is evidence by the extract from the original planning report repeated above), all that was required was for the road itself to be omitted by condition. The Newcastle-Lyons Local Area Plan acknowledges the importance of permeability by providing for similar permeability at a number of locations and the current proposal is commensurate with this objective.

The Appellant attempted to address the concerns by making a compliance submission. This was unsuccessful and has precipitated the current application. It will be recalled that an approved compliance layout was necessary for the development to proceed in an authorised manner and this was achieved. Nonetheless the Appellant is now making this planning application, as is quite appropriate, to modify the scheme.

As referred to above the current proposal achieves all of the objectives sought to be achieved by Condition no. 2 of 2019 permission and as elucidated in the relevant Planning Authority planning report i.e. –

- (i) Bin storage for the proposed terraced is provide identical to that agreed by compliance submission;
- (ii) Dual aspect units i.e. 10 and 15 Cornerpark Green, and, Cornerpark Rise identical to the agreed compliance submission;
- (iii) Landscaped privacy strip to east, albeit slightly narrower;
- (iv) All dwellings have parking directly outside each unit.

It is clear therefore that the proposed development, as now envisaged, does not materially contravene Condition no. 2 – this is said in circumstances where, as is clear from the Planning Authority’s reports –

- (i) the omission of the road was on the basis that the lands to the north, which the Appellants owns, were not zoned - however the Appellant wants to retain access to the lands irrespective of zoning;
- (ii) by omitting the road, which the Planning Authority deemed “not necessary” certain improvements could be made to the scheme, amendments not sought at the further information stage in respect of the 2019 Application. However these amendments can be achieved without landlocking the northern lands.

The Appellant does not anticipate that access to the lands will be required though this access point on a regular basis and is not necessarily fixed on the construction of a formal access roadway. In fact, a grassed area with a drop kerb would be sufficient. The lands in question are not required for public open space and any future works to same would require planning permission.

It is the Appellant’s submission that requiring it to landlock its landholding is an unnecessary interference with the Appellant’s property rights and the maintenance of the good management of its estate and is not necessitated by the proper planning and sustainable development of the area. For the avoidance of the doubt a condition requiring the Appellant to relinquish any exempted development rights under the Planning and Development Act 2000 or the Planning and Development Regulations 2001 is acceptable.



**Conclusion**

The appellant therefore requests that the Board allow this first party appeal against the decision of the planning authority subject to appropriate conditions.

Yours sincerely,

For Dragonglen Limited

A handwritten signature in blue ink, appearing to read "Gholson", is written above a horizontal line.

CDP Architects



Appendix A – Notification of Decision Register Reference SD21A/0335, dated 11<sup>th</sup>  
February 2022.

An Rannóg Talamhúsáide, Pleanála agus Iompair  
Land Use, Planning & Transportation Department  
Telephone: 01 4149000 Fax: 01 4149104 Email: [planning.dept@sducoco.ie](mailto:planning.dept@sducoco.ie)

Sarah Forde  
4, The Mall  
Main Street  
Lucan  
Co. Dublin

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

<b>Decision Order No.</b>	<b>0179</b>	<b>Date of Decision</b>	<b>11-Feb-2022</b>
<b>Register Reference</b>	<b>SD21A/0335</b>	<b>Date</b>	<b>09-Dec-2021</b>

**Applicant:**

Dragonglen Limited

**Development:**

Construction of 6 two storey, 3-bedroom terraced dwellings; all associated site development works, car parking, landscaping, open spaces, public lighting and connections to foulds and surface water drainage/attenuation systems and mains water supply; the proposed development represents an amendment to the existing partially completed development as it relates to the above-mentioned plots for which planning permission was granted under Register Reference SD19A/0040 granted on the 18th November 2019. The application provides for and planning permission is sought for an amendment to the scheme as set out in the compliance layout submitted on the 14th July 2020 and approved by South Dublin County Council on the 18th August 2021 on foot of condition No. 2a, 2b & 2c of SD19A/0040 by making provision for a vehicular access and footpath to the boundary of the lands to the rear (northern boundary) of the existing development; the development is on a site area of c. 0.15ha known as Site No's 10 - 15 Cornerpark Rise, Cornerpark Town land, Peamount Road, Newcastle, Co. Dublin.

**Location:**

Site No's 10-15, Cornerpark Rise, Cornerpark Townland,

Peamount Road, Newcastle, Co. Dublin

**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 proposed removal of the road up to the northern site boundary and the re-location of six dwellings westward would contravene materially Condition 2 attached to an existing Planning Permission (SD19A/0040), where nothing has changed on site or within policy that would require a change in the original decision. Furthermore, there are no objectives or policies within the Newcastle Local Area Plan to support the proposed vehicular connection to the north of the site into rural zoned lands. The proposed development would therefore contravene Condition 2 of an extant permission, would be contrary to the Local Area 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/0335**

Signed on behalf of the South Dublin County Council.

Yours faithfully,

  
for Senior Planner

15-Feb-2022

## 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, 2001 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