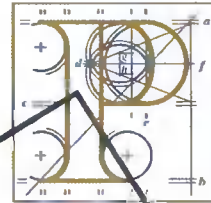
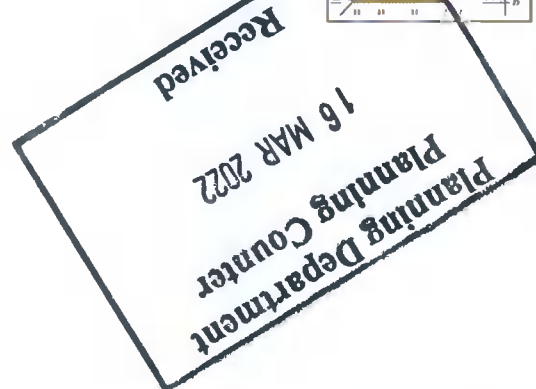


**Our Case Number:** ABP-312629-22

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



**An  
Bord  
Pleanála**



South Dublin County Council  
Planning Department  
County Hall  
Tallaght  
Dublin 24

**Date:** 15 March 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,

I have been asked by An Bord Pleanála to refer to the above mentioned appeal.

The Board is of the opinion that, in the particular circumstances of this appeal, it is appropriate in the interests of justice to request you to make submissions or observations in relation to the enclosed submissions received 2nd March, 2022 from Ita Browne and from Maria Finnegan.

In accordance with section 131 of the Planning and Development Act, 2000, (as amended), you are requested to make any submissions or observations that you may have in relation to this enclosure **on or before 4th April 2022**. The Board cannot consider comments that are outside the scope of the matter in question. Your submission in response to this notice must be received by the Board not later than **5:30pm on the date specified above**.

If no submission or observation is received before the end of the specified period, the Board will proceed to determine the appeal without further notice to you, in accordance with section 133 of the 2000 Act.

<b>Teil</b>	<b>Tel</b>	(01) 858 8100
<b>Glaó 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.

Yours faithfully,



Mary Tucker  
Executive Officer  
Direct Line: 01-8737132

BP70 Registered Post

**Teil**  
**Glaó Áitiúil**  
**Facs**  
**Láithreán Gréasáin**  
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**Tel** (01) 858 8100  
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**Email** [bord@pleanala.ie](mailto:bord@pleanala.ie)

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

Date: 2<sup>nd</sup> March 2022

An Bord Pleanála  
64 Marlborough Street  
D01 V902

27 Brookvale Downs  
Rathfarham  
Dublin 14

**Re: Case No ABP – 312629-22: 19 Hillsbrook Drive, Perrystown, Dublin 12, D12Y864**

**Observations on Appeal of Decision on Planning Permission Reg Ref: SD21A/0300**

Dear Sir/Madam,

I refer to the above Case No 312629-22 and wish to make a number of observations with regard to the planning appeal lodged on 3<sup>rd</sup> February 2022.

#### **1. MAGNITUDE OF CHANGE TO ORIGINAL PLANS**

The new plans lodged by the applicant Ashbrook Excellence to An Bord Pleanála are significantly different to those refused permission by South Dublin County Council. They therefore do not afford some residents of Hillsbrook Drive the opportunity for public consultation because they were not an affected party by the first set of plans. This is particularly relevant in the case of the newly proposed balcony to the rear of the proposed apartment development which will overlook a number of houses adjacent to 19 Hillsbrook Drive (previous plan located balcony to the front and objections were lodged by residents facing 19 Hillsbrook Drive). In addition there was no planning permission notice erected on 19 Hillsbrook Drive to inform residents of the change in position of the balcony which would inform any privacy and overlooking concerns that residents may have.

## **2. TRAFFIC**

- The proposed development will interfere with this line of sight on Hillsbrook Drive and will cause a safety hazard on what is already a busy T-junction close to local shops.
- Hillsbrook Drive is one of busier roads in Perrystown as it leads to the local shop, hairdressers and other commercial units. Any proposed development to the corner site will increase traffic volumes and will reduce visibility on an existing narrow roadway which already has a high degree of on-street parking.

## **3. PARKING**

There is already a considerable amount of on-street parking on Hillsbrook Drive and Muckcross Avenue. The revised plans contain only 1 parking space which is insufficient for the density of the proposed development (two 2 bed apartments). This density will result in at least an additional 3 cars which would create a hazard at a busy T-junction and will only exasperate existing traffic issues on the street. As a daily visitor to 15 Hillsbrook Drive to visit and collect an elderly parent, I need to park on front of my family home to minimise the distance from the house to the pick-up point of my car. Given the lack of car-parking spaces relative to the proposed density of the development, this can only result in an unacceptable increase in on-street parking on Hillsbrook Drive.

## **4. DENSITY OF PROPOSAL**

The density of the proposed development is only possible if a balcony is added to the rear of the development to provide tenants of Unit B an amenity space. This is a clear sign that the proposed density of 2 two-bedroom apartments is too high for such a tight corner site.

## **5. REAR BALCONY ON RESIDENTIAL HOUSING**

If the proposed development is granted, Unit B is the only location in the residential surroundings of Hillsbrook Drive/Muckcross Avenue where a 2<sup>nd</sup> floor balcony is located to the rear of a residential house. This completely changes the character of the back of the houses and adds to the existing haphazard development which has already taken place to the rear of the retail units on Muckcross Avenue facing onto the back gardens of Hillsbrook Drive. In addition there is no evidence that a shadow survey of the impact of the new balcony has been conducted as part of the revised proposals.

## **6. PRIVACY ISSUES ARISING FROM BALCONY ON UNIT B**

Under the new plans, the proposed balcony is now located to the rear of Unit B. This greatly reduces the privacy of houses adjacent to number 19 Hillsbrook Drive (ie 11, 13, 15 and 17) and households (including my mother's) can no longer use their back gardens without being overlooked by those using the balcony space at the same time. This is a clear diminution of privacy and at the very least, I am requesting that the private amenity area for Unit B is omitted or relocated to ground level should the new plans secure planning permission.

## **7. BIN STORAGE**

Taking into consideration the proposed density of the development, I am concerned that there is insufficient communal refuse storage facilities in the proposal and that excess bins will end up on the public street and are a safety hazard. It is worth noting that there is no management company mentioned in the proposal to oversee matters such as this and therefore the potential for the waste storage units to be a safety risk and an impediment to passing pedestrians is high.

## **8. WATER PRESSURE**

The water pressure on Hillsbrook Drive is already very low and therefore I am concerned that a further load on water pipes from three additional units will cause issues for existing residents, particularly because the pipes are old.

Overall the proposal for 19 Hillsbrook Drive represents an overdevelopment of a very small site and will have a detrimental impact on the residents of Hillsbrook Drive and the surrounding residential streets. I am in agreement with the SDCC original report that the "proposal does not blend well with the character of the area on Hillsbrook Drive" and I would contend that the revised plans (in particular the rear balcony) raise new and significant overlooking and privacy issues.

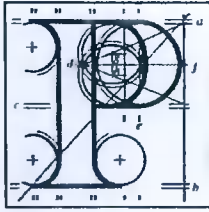
I would greatly appreciate if all of the above concerns are considered in assessing the revised planning application.

Yours Sincerely,

---

Maria Finnegan





An  
Bord  
Pleanála

## Observation on a Planning Appeal: Form.

### Your details

#### 1. Observer's details (person making the observation)

If you are making the observation, write your full name and address.

If you are an agent completing the observation for someone else, write the observer's details:

Your full details:

(a) Name

Ita Browne

(b) Address

17 Hillsbrook Drive, Perrystown, Dublin 12

### Agent's details

#### 2. Agent's details

If you are an agent and are acting for someone else **on this observation**, please also write your details below.

If you are not using an agent, please write "Not applicable" below.

(a) Agent's name

Not applicable

(b) Agent's address

Not applicable

## Postal address for letters

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

You (the observer) 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 appeal you wish to make an observation on. If you want, you can include a copy of the planning authority's decision as the observation details.

**(a) Planning authority**

(for example: Ballytown City Council)

South Dublin County Council

**(b) An Bord Pleanála appeal case number (if available)**

(for example: ABP-300000-19)

ABP-312629-22

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

(for example: 18/0123)

SD21A/0300

**(d) Location of proposed development**

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

19 Hillsbrook Drive, Perrystown, Dublin 12



## Observation details

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

Dear Sir/Madam,

I am most concerned with the revised design submitted by Ashbrook Excellence Ltd re 19 Hillsbrook Drive, Perrystown, Dublin 12 for the following reasons;

1. The new design locates a terrace to the rear of Unit B on the 1<sup>st</sup> floor. This directly impacts my privacy as I am immediately adjacent to the new development and my back garden and kitchen are now directly overlooked by the terrace. There is already a large balcony terrace overlooking my back garden from 44 Muckross Ave and I do not want my privacy to be further infringed by another balcony/terrace overlooking my private amenity.
2. The new design comprising of 2 two-bed apartment units represents overdevelopment of a tight corner site. This is clearly demonstrated by the fact that the only way of incorporating a private amenity for one of the units is to locate this on the 1<sup>st</sup> floor of the development, overlooking houses immediately adjacent to the terrace.
3. Despite the applicant's appeal to the contrary, the building line is still being compromised and I would request that the planners pay particular attention to the building line at the rear of the development in addition to the front.

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

4. The new design does not address existing traffic concerns at a busy T-junction where the building line is compromised and traffic volumes are high due to proximity to the local shops.
5. There is insufficient parking provided in the revised plans for the density of the proposed development. Only 1 space is listed and tenants of 2 two-bedroom units will require at least 3-4 additional car spaces. Due in part to proximity to local shops, there is no available on-street parking on Hillsbrook Drive or directly opposite the development on Muckcross Avenue. Any further on-street parking volumes (driven by a lack of parking space in 19 Hillsbrook Drive) constitutes a significant safety risk for both pedestrians on the main artery to the local shop and to vehicles at a T-junction.
6. I am concerned that there is still inadequate bin and cycle facilities. Any excess bins will inevitably end up on-street due to the lack of green space surrounding the development and the fact that there is no management company listed to supervise such facilities. This poses yet another safety hazard to the elderly, young families and children who use Hillsbrook Drive to go to the local shop.
7. The revised design is very different to plans initially lodged to South Dublin County Council. In particular, the terrace to the rear of the development is new and raises privacy and overlooking issues for residents of Hillsbrook Drive who do not have grounds to offer an

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

observation to An Bord Pleanála because they didn't object to initial plans which located the terrace to the front of Hillsbrook Drive.

For all of the above reasons, I hope you will take my concerns into consideration in reviewing the planning application for 19 Hillsbrook Drive.

Kind Rgds,

Ita Browne



## Supporting materials

6. If you wish, you can include supporting materials with your observation. Supporting materials include:

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

## Fee

7. You **must** make sure that the correct **fee** is included with your observation. You can find out the correct fee to include in our [Fees and Charges Guide](#) on our website.

This document has been awarded a Plain English mark by NALA.

Last updated: April 2019.



