

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

**Nicolas Howden**  
**17, Inchicore Terrace North**  
**Inchicore**  
**Dublin 8**  
**D08RCX5**

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

<b>Decision Order No.</b>	<b>0387</b>	<b>Date of Decision</b>	28-Mar-2022
<b>Register Reference</b>	SD22A/0027	<b>Date</b>	01-Feb-2022

**Applicant:** Paula and Barry Egan

**Development:** (a) Change of use of existing unused horse stables (151.34sqm.) to a two bedroom, single storey, detached private annex dwelling to the main house on the same site. The new dwelling will be used by members of the same family and be served by existing access and car parking at the main house. No changes to the footprint of the existing building are proposed. (b) Permission is also sought for associated landscaping, foul and surface water drainage and all associated site works necessary to facilitate development.

**Location:** 'Mattie', Windmillhill, Rathcoole, Co. Dublin, D24T267

**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. Having regard to the proposed change of use of an existing horse stables and tack room to provide a family flat dwelling in the south eastern corner of the subject site (separated from the existing main dwelling), it is considered that the proposed development would be contrary to South Dublin County Development Plan Policy 2016-2022, including Sections 2.4.2 and 11.3.3(ii) and would therefore 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:           SD22A/0027**

Signed on behalf of the South Dublin County Council.

Yours faithfully,

 30-Mar-2022  
for **Senior Planner**

## 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. 200 I 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