



**Planning & Development
Consultants**

M 087 261 5871
T 01 539 4960
E info@bpsplanning.ie
W www.bpsplanning.ie

Ballinacorney
Greenan
Wicklow
A67W662

Planning Department,
South Dublin County Council,
County Hall Tallaght,
Dublin 24, D24 A3XC

11 April 2022

Dear Sir/Madam,



Third Party Planning Objection Report in respect of South Dublin County Council planning application, reg. ref. SD22A/0080. The proposed development comprises of 'Detached three storey, four bedroom house in a contemporary design with flat roofs and bedroom balconies; the drainage arrangements are to simply tap into the existing and as approved under planning ref SD11A/0065 and as amended by S15A & SD17A/0163; a new pedestrian and vehicular access boundary walls and new vehicle crossover on lands at Castlefield Avenue Knocklyon adjoining number 5 Knocklyon Road and Mimosa, Castlefield Avenue Dublin 16 and all associated site works' at Lands at Castlefield Avenue, Knocklyon, Dublin 16.

BPS Planning Consultants – a firm of Irish Planning Institute¹ accredited town planning and development consultants – have been appointed by Barry Minnock of Saint Anthony, 5 Old Knocklyon Road, Knocklyon, Dublin D16 E2V8 to make a planning objection on its his [hereafter referred to as 'client'] in respect of South Dublin County Council [hereafter referred to as 'SDCC'] planning application, reg. ref. SD22A/0080, which proposes the above proposed development at Lands at Castlefield Avenue, Knocklyon, Dublin 16.

This planning application was submitted on the 16/03/2022. **The final date for the submission of objections is the 19/04/2022.** This planning objection is lodged on or before the 19/04/2022.

For the convenience of the planning authority, this Planning Objection Report sets out the rationale for our client objecting (Section 2.0); sets out the site location and description (Section 4.0); reviews the site's zoning and designations (Section 7.7); sets out the proposed development (Section 5.0); sets out pre-planning issues raised, the site's planning history and a relevant planning application in the vicinity (Section 3.0); and sets out our client's objections to the proposed development (Section 7.0) Finally, Sections 8.0 and 9.0 set out our client's conclusions and recommendations following this BPS planning assessment.

Our client maintains several serious concerns / grounds for objection in respect of this planning application. These are set out in turn in Section 7.0 'Grounds for objection' of the attached Planning Objection Report. However, the entire report and this letter should be considered to represent our client's full objection.

In terms of the validation of this planning objection, please find attached:

1. Payment of the e20 fee;
2. A completed Planning Objection Form; and
3. A Planning Objection Report.

If you require any further details, please contact BPS using the contact details set out on our letterhead.

Best wishes,

Brendan Buck
Director
BPS Planning Consultants Ltd

¹ <https://www.ipi.ie/>



Planning & Development Consultants

Third Party Planning Objection Check List

1. The Objection must be in writing.
2. Name of the Objector: BARRY MINNOCK
3. Address of the Objector: SAINT ANTHONY, 5 OLD KNOCKLYON ROAD, KNOCKLYON, DUBLIN D16 E2V8.
4. If an agent is involved, state the name of the agent: BRENDAN BUCK.
5. Address of the agent (DURING COVID): BPS PLANNING CONSULTANTS, BALLINATONE LOWER, GREENAN, COUNTY WICKLOW, A67W662.
6. State the Subject Matter of the Objection: THIRD PARTY PLANNING OBJECTION REPORT IN RESPECT OF SOUTH DUBLIN COUNTY COUNCIL PLANNING APPLICATION, REG. REF SD22A/0080.
7. Brief description of the development: DETACHED THREE STOREY, FOUR BEDROOM HOUSE IN A CONTEMPORARY DESIGN WITH FLAT ROOFS AND BEDROOM BALCONIES; THE DRAINAGE ARRANGEMENTS ARE TO SIMPLY TAP INTO THE EXISTING AND AS APPROVED UNDER PLANNING REF SD11A/0065 AND AS AMENDED BY S15A & SD17A/0163; A NEW PEDESTRIAN AND VEHICULAR ACCESS BOUNDARY WALLS AND NEW VEHICLE CROSSOVER
8. Location of development: LANDS AT CASTLEFIELD AVENUE KNOCKLYON ADJOINING NUMBER 5 KNOCKLYON ROAD AND MIMOSA, CASTLEFIELD AVENUE DUBLIN 16 AND ALL ASSOCIATED SITE WORKS
9. Name of planning authority: SOUTH DUBLIN COUNTY COUNCIL.
10. Planning authority register reference number: REG. REF. SD22A/0080.
11. Attach, in full, the grounds for objection and the reasons, considerations and arguments on which they are based. ATTACHED IN FULL IN PLANNING OBJECTION REPORT
12. Enclose/Pay the correct fee for the **THIRD** party Objection: CHEQUE FOR E20 ATTACHED.
13. Ensure that the OBJECTION is received by South Dublin County Council in the **correct manner** and in **time**. THIS PLANNING APPLICATION WAS SUBMITTED ON THE 16/03/2022. THE FINAL DATE FOR THE SUBMISSION OF OBJECTIONS IS THE 19/04/2022. THIS PLANNING OBJECTION IS LODGED ON OR BEFORE THE 19/04/2022



Planning & Development
Consultants

Planning Objection Report

Third Party Planning Objection Report in respect of South Dublin County Council planning application, reg. ref. SD22A/0080. The proposed development comprises of 'Detached three storey, four bedroom house in a contemporary design with flat roofs and bedroom balconies; the drainage arrangements are to simply tap into the existing and as approved under planning ref SD11A/0065 and as amended by S15A & SD17A/0163; a new pedestrian and vehicular access boundary walls and new vehicle crossover on lands at Castlefield Avenue Knocklyon adjoining number 5 Knocklyon Road and Mimosa, Castlefield Avenue Dublin 16 and all associated site works' at Lands at Castlefield Avenue, Knocklyon, Dublin 16.

This Planning Objection Report has been produced by BPS Planning Consultants Ltd. for and on behalf of Barry Minnock, Saint Anthony, 5 Old Knocklyon Road, Knocklyon, Dublin D16 E2V8.

Contents

1.0	Introduction
1.1	No consultation with and/or permissions given from client
2.0	Rationale for the making of this objection
2.1	The submitted rationale for this dwelling requires review
3.0	Relevant planning history of applicant & client properties
3.1	The planning history of the site sets the context for this current application
3.1.1	Planning permission, reg ref. SD20A/0115 to revise reg. ref. SD17A/0163
3.1.2	Planning permission, reg ref. SD17A/0163 for the applicant's original site
3.2	Planning permission, reg. ref. SD15B/0234 for client's site
4.0	Location and site description relative to client property
5.0	Proposed relationship with client property
6.0	Technical concerns with the planning application
6.1	The applicant misleadingly claims a 8m setback to client property
6.2	The applicant provides elevations from reg. ref. SD17A/0163 and not reg. ref. ABP-308637-20
6.3	The public notices exclude reference to the 3rd storey terrace (26.8sq.m)
7.0	Objections to the proposed development
7.1	Issue 1: Concerns over the proposed orientation of the internal site layout & dwelling
7.1.1	The proposed orientation of the site – front to east is not acceptable
7.1.2	The proposed orientation of the dwelling – front to east is not acceptable
7.2	Issue 2: Height, scale, bulk, massing, and design concerns
7.2.1	The proposed dwelling's height is not acceptable – it is up to two storeys too tall
7.2.2	Proposed dwelling's side elevations' scale, bulk and massing is not acceptable
7.2.3	Proposed dwelling's design is odd and out of context
7.3	Issue 3: Contrary to the established character and pattern of development in the area
7.4	Issue 4: Negative residential & visual amenity impacts on client property
7.4.1	The proposed dwelling would be visually overbearing onto our client's property
7.4.2	The proposed dwelling would cause negative overshadowing of our client's property
7.4.3	The proposed dwelling would cause negative overlooking of our client's property
7.5	Issue 5: Proposed dwelling would impact negatively on the granted dwellings to the east
7.6	Issue 6: The proposed development represents cumulative overdevelopment of the site
7.7	Issue 7: The proposed development – as submitted – is contrary to planning policy
7.7.1	The proposal is contrary to national planning guidance
7.7.2	Contrary to SDCC Development Plan 2016-2022 policy
7.7.2.1	Contrary to the RES zoning of the site
7.7.2.2	The proposal is contrary to section 2.3.1 'Residential Design & Layout' of the CDP
7.7.2.3	Contrary to s. 2.4.0 'Residential Consolidation – Infill, Backland, Subdivision & Corner sites'
7.7.2.4	Contrary to s. 2.2.0 'sustainable neighbourhoods'
7.7.2.5	The proposal is contrary to section 2.3.5 'Privacy and security' of the CDP
7.7.2.6	The proposal is contrary to s. 11.3.2 (i) 'Infill Sites' of the SDCC CDP 2016-2022
7.7.2.7	Proposal is contrary to s. 11.3.2 (ii) 'Corner/Side Garden Sites' of the SDCC CDP 2016-2022
7.8	Issue 8: Sewage and drainage systems cannot support a further dwelling
7.9	Issue 9: The proposed development would set an undesirable precedent
7.10	Issue 10: Depreciation in the value of adjoining properties
7.11	Issue 11: Construction phase concerns
7.11.1	Construction traffic & construction parking – concerns
7.11.2	Measures to reduce impacts on adjoining properties & the footpath should be agreed
7.11.3	Working hours
7.11.4	Proposed phasing of the construction works should be agreed at planning stage
7.10.4	Proposed phasing of the construction works should be agreed at planning stage
8.0	Conclusion
9.0	Recommendation
9.1	Recommended reasons for refusal
9.2	Recommendation in the event of a request for significant further information

1.0 Introduction

BPS Planning Consultants – a firm of Irish Planning Institute¹ accredited town planning and development consultants – have been appointed by Barry Minnock of Saint Anthony, 5 Old Knocklyon Road, Knocklyon, Dublin D16 E2V8 to make a planning objection on its his [hereafter referred to as 'client'] in respect of South Dublin County Council [hereafter referred to as 'SDCC'] planning application, reg. ref SD22A/0080, which proposes the following proposed development at Lands at Castlefield Avenue, Knocklyon, Dublin 16:

Detached three storey, four bedroom house in a contemporary design with flat roofs and bedroom balconies; the drainage arrangements are to simply tap into the existing and as approved under planning ref SD11A/0065 and as amended by S15A & SD17A/0163; a new pedestrian and vehicular access boundary walls and new vehicle crossover on lands at Castlefield Avenue Knocklyon adjoining number 5 Knocklyon Road and Mimosa, Castlefield Avenue Dublin 16 and all associated site works.

This planning application was submitted on the 16/03/2022. The final date for the submission of objections is the 19/04/2022. This planning objection is lodged on or before the 19/04/2022.

For the convenience of the planning authority, this Planning Objection Report sets out the rationale for our client objecting (Section 2.0); sets out the site location and description (Section 4.0); reviews the site's zoning and designations (Section 7.7); sets out the proposed development (Section 5.0); sets out pre-planning issues raised, the site's planning history and a relevant planning application in the vicinity (Section 3.0); and sets out our client's objections to the proposed development (Section 7.0). Finally, Sections 8.0 and 9.0 set out our client's conclusions and recommendations following this BPS planning assessment.

Our client maintains several serious concerns / grounds for objection in respect of this planning application. These are set out in turn in Section 7.0 'Grounds for objection' of this report. However, this entire report should be considered to represent our client's full objection.

1.1 No consultation with and/or permissions given from client

Our client wishes to note that he has not been consulted by the Applicant in respect of the proposed development. At no point has he given any indication that the proposed development, as now submitted, would be acceptable to him.

Our client is opposed to this scheme, as submitted, for the reasons set out in this Planning Objection Report.

2.0 Rationale for the making of this objection

BPS has discussed this proposal with our clients to understand the rationale for why they consider there to be no alternative but to object. They offered the following points:

- There have been several planning applications lodged by the applicant's family in recent years. These mostly pertain to the areas shown in green in Fig. 1. The Applicants in most of these applications are Chris and Helen Lawlor. The current Planning Application Form states that the applicant is a young nephew, a Mr Hollingsworth, who is stated as being the outright owner of the property; this may very likely be the case, but as these lands have been the subject of so many previous planning applications, it is not clear to BPS why this small area of the wider site would have been subdivided and its legal ownership passed to the applicant while it remains part of the wider site for which multiple planning permissions remain live. We have advised our client to ask SDCC to consider the matter of the planning and legal boundaries of this site which may or may not align with the most recent planning permissions. Our clients ask this only to ensure that all planning and legal matters are appropriately addressed by all parties. This is in the best interests of the area.
- The Lawlor family has made multiple planning applications pertaining to the areas shown in green in Fig. 1. It is not clear to our clients as to why different names are being used for each application as they are all family members of the Lawlor family. Ross Hollingsworth, 21, is the nephew of Helen Lawlor. Whether Ross owns the land or not or whether the house would be for him or not are not really matters relevant to this planning application's assessment. What SDCC may wish to ask itself is why are these planning applications being submitted in different family names? Why is there any need to make a case that there is another family member with a housing need? The question of whether the proposal is or is not acceptable is not something which can or should be influenced by who is going to live in it. Any property which obtains planning permission can be immediately sold. This is not a rural house where an occupancy condition could apply.
- Our client's current property at Saint Anthony (D16 E2V8, highlighted in dark red in Fig. 1) was previously owned by the mother of Chris Lawlor. Our clients' understanding is that Chris Lawlor managed to secure the acquisition of land from South Dublin County Council, highlighted in green in Fig. 1, based on being close to

¹ <https://www.ipi.ie/>

his family home and in particular his mother. Once land was secured from SDCC, the family home was put up for sale and our client purchased property in 2014

- Our clients completed a significant renovation of Saint Anthony under planning approval SD15B/0234. They adopted a contemporary design but took great care to ensure property was fitting with the area and verified all their neighbours were happy with the design by visiting each neighbour individually to take through the plans. They were conscious of minimising any impact from a light perspective and did not overlook our neighbours. They were also very conscious of adherence to all SDCC guidelines
- To date, Chris & Helen Lawlor and family have submitted 7 planning permissions on the lands shown in green in Fig 1. Their approach to development of these lands, including the current site, would benefit from a masterplan as the neighbourhood, SDCC and An Bord Pleanála do not know what the end-state development is going to look like. As one new house is permitted, so another is lodged. Our clients would like there to be alien drawn under what is to finally be built alongside their property.
- The original submission was a single dwelling now called Mimosa by the applicant. Our client did not object. Plans were resubmitted for another dwelling with a garage to one side. The garage was never built and then another planning submission was made for a house in the place of garage. Our client objected to this. The design was changed to reduce the impact and then our client submitted a letter to support and ABP granted permission under appeal, reg. ref. ABP-308637-20. In that letter that our client outlined that of more significance to their family home was/is the south side of our property where this new proposal is located.
- This latest proposed development being located to the south side of our client's home, so will seriously impact on their family life. The property will back directly onto the shared boundary.
- This objection is lodged because:
 1. The height of the property will tower over our client's property. It is not appropriate to view elevations with the property 'Mimosa' as context as this property is on a hill. The elevations in the submission also do not appear correct so need to be independently validated. The site is currently on substantially higher ground than property on 'Saint Anthony' and our client does not believe there are any easy ways to lower due to road and drainage systems in place on the plot.
 2. The development would have a devastating direct impact on all our client's living and garden amenity areas. The submitted shadow diagrams only partially outline the impact and are not comprehensive.
 3. The balconies, terrace and windows proposed overlook our client's property. The rooftop is also easily accessible and directly overlooks our client's property. They will have no privacy in their home and gardens.
 4. The property is not in keeping with the area. This design does not fit in with any other properties in the area. It is important to consider the historical importance of the area.
 5. The location of the dwelling on the plot maximises the negative impacts on our client's home. The only type of property we can see working on this plot is a dormer bungalow style dwelling with traditional roof to minimise impact on our property from a light and privacy perspective.
 6. It is extremely difficult to make a dwelling work on this plot without compromising key planning guidelines. The house is not in line with properties on Old Knocklyon Road or Castlefield Avenue. The proposed dwelling represents a poor response to this restricted and constrained site. The plot should indeed be handed over to Castlefield residents association as it is a critical piece of the entrance to this large estate.

The remainder of this report outlines these concerns in more detail such that SDCC's assessment is fully informed by an independent planning assessment of the proposals.

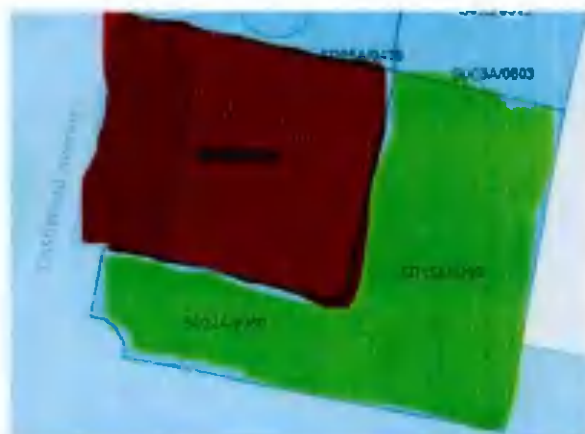


Fig. 1: Client property surrounded by applicant's family sites)

2.1 The submitted rationale for this dwelling requires review

The proposed dwelling is a large, no expense spared, extravagant building. With balconies, large terrae, odd, shaped windows and a design which would be challenging for any building on a restricted site. It would be a very expensive house to build, yet the applicant's cover letter refers to the proposal being for a young nephew who can't afford to purchase a house in the locality. With respect, if this was a two storey, 2 bedroom, modest dwelling, then our client could accept this argument, but it is clearly not. The argument is targeted at SDCC's planning assessment and is an unwarranted attempt to bring matters into the assessment which are irrelevant. The fact is that this dwelling is far too large for the site, and it needs to be cutback to something reasonable and the back to front orientation revised.

Our client cannot be asked to allow the value of his property to be depreciated to facilitate the applicant's Dr Seuss style dream home.

3.0 Relevant planning history of applicant & client properties

3.1 The planning history of the site sets the context for this current application

Since 2011, the applicant has lodged multiple planning applications. The planning history is now exhaustive for this site and, as such, we focus here only on the proposed amendments between the most recent planning permissions, reg. refs. SD20A/0115, SD17A/0163, and the current proposal.

3.1.1 Planning permission, reg. ref. SD20A/0115 to revise reg. ref. SD17A/0163

Planning application, reg. ref. SD20A/0115 proposed to revise permission reg. ref. SD17A/0163 with the addition of a "5 bedroom detached dwelling including 5 rooflights, converted attic and single storey extension to rear and all associated site works adjacent to existing dwelling" in place of the permitted shed and immediately adjoining our client's property. Our client objected.

This was refused by SDCC. The SDCC refusal reasons were:

1. Having regard to: - the topography of the site in general - the one and a half storey dwelling to the west and its location within its own site - the significant level difference between the proposed dwelling and the existing dwelling to the west the proposed new dwelling, by reason of the excessive height, and depth (front to back) proposed and the proximity of the proposed structure to a shared boundary and neighbouring residential property, including habitable room windows and their private amenity space, would result in a feature that would be overbearing and create an unacceptable sense of enclosure to the detriment of the amenity of the neighbouring property to the west. Thus, the proposed development would seriously injure the amenity of property in the vicinity and would be contrary to the zoning objective for the area which seeks 'to protect/and or improve residential amenity' and would therefore be contrary to the South Dublin County Council Development Plan 2016 - 2022 and the proper planning and sustainable development of the area.

2. Having regard to the proposed vehicular access for the proposed and existing dwellings including the pillar heights and widths, the proposed parking layouts, proximity of the spaces to the dwellings and the ability of vehicles to safely manoeuvre within and access and egress the site safely and the location of a street tree, it is considered that the proposed development would generate a traffic hazard and would endanger public safety. The proposal would therefore be contrary to the proper planning and sustainable development of the area.

3. The proposal would result in consequences for the successful implementation of existing permission SD17A/0163 and would result in unsafe traffic conditions due to the changes required to the front parking layout to the detriment of pedestrian and vehicular safety. The proposal would therefore result in a traffic hazard and would be contrary to the proper planning and sustainable development of the area.

4. Given the topography of the site and the proposed siting of the boundary wall in a visually prominent location and adjacent to the rear amenity space of the neighbouring property to the west of the site, the proposal would have an unacceptable visual impact on the site and surrounding area. The proposal would therefore contravene Policy H16 of the South Dublin County Development Plan 2016-2022 and the proper planning and sustainable development of the area.

The applicant family lodged a first party appeal, reg. ref. ABP-308637-20, with new drawings, photomontages, and a planning consultant report. These showed a modest two storey dwelling adjoining our client's property which is traditional in design. This was permitted by ABP subject the new drawings submitted on 11 November 2020 (see Figs. 2 to 4). This decision offers no precedent for the current planning application.



Fig. 2: Revised drawings submitted to ABP on 11 November 2020



Fig. 3: Revised drawings submitted to ABP on 11 November 2020



Fig. 4: CGI images submitted to ABP on 11 November 2020

3.12 Planning permission, reg. ref. SD17A/0163 for the applicant's original site

Following a request for Further Information, planning permission was granted on 13/09/2017, under planning file, reg. ref. SDA/0163, for 'Detached two storey, double fronted, five bedroomed house with a converted attic and six 'Velux' type roof lights, a detached double garage, boiler house and garden shed. The drainage arrangements to remain as approved under planning Reg. Ref. SD11A/0065 and as amended by SD15A/0299 and a new pedestrian and vehicular access, boundary walls and new vehicle crossover part of folio 6866gF & 75126L and all ancillary site works'

The permitted dwelling is traditional in nature, 2 storey and SDCC made sure by way of its planning assessment that it did not unduly impact on our client's property.



Fig. 5: The site layout permitted under SDCC decision, reg. ref. SD17A/0163

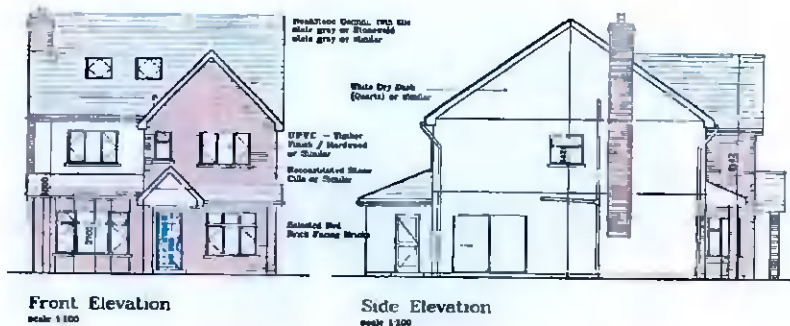


Fig. 6: The traditional two storey elevations permitted under SDCC decision, reg. ref. SD17A/0163

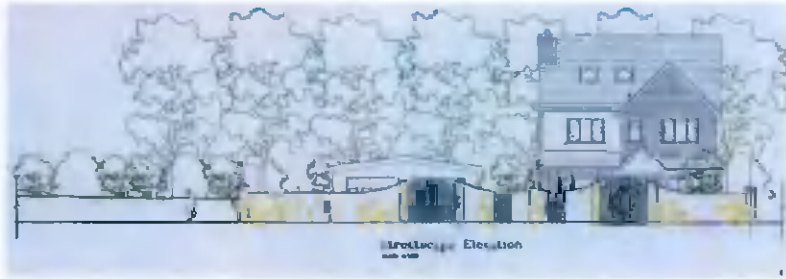


Fig. 7: The traditional two storey elevations permitted under SDCC decision, reg. ref. SD17A/0163

3.2 Planning permission, reg. ref. SD15B/0234 for client's site

Under planning permission, reg. ref. SD15B/0234, our client obtained planning permission on 16/12/2015 for: 'Extension of the existing single storey dwelling to include the addition of a room to front and an adjoining domestic garage to the side, reconfiguration of internal space & front door to allow for use on upper floor; existing roof to be removed and replaced with dormer style roof allowing use of upper floor; dormer roof to include a covered balcony with carport under giving access to garage, all elevations to be altered to allow for new design; existing vehicle entrance to be closed and new entrance walls & piers created other side of site; existing septic tank to be decommissioned and sewerage and surface water connected to Council mains and all ancillary site works'.

Our client's planning application proposals were designed to have no negative impacts on the applicant property. The applicant's submitted drawings are representative of what our client's property now looks like (see Figs. 8 and 9).

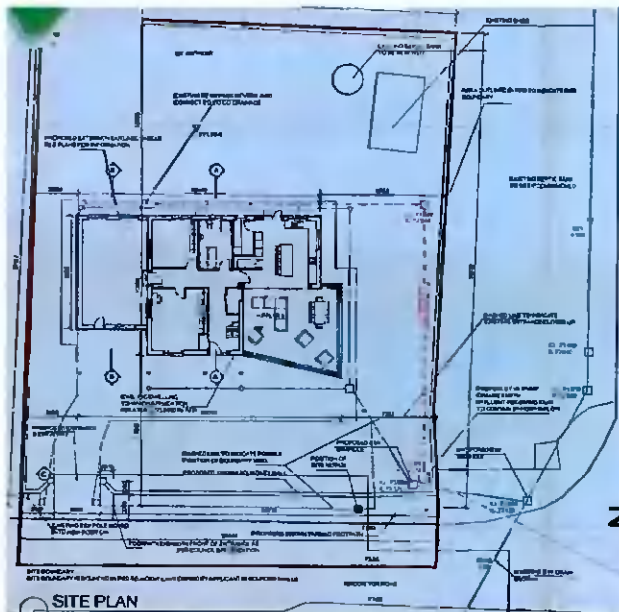


Fig. 8: The site layout permitted under SDCC decision, reg. ref. SD15B/0234

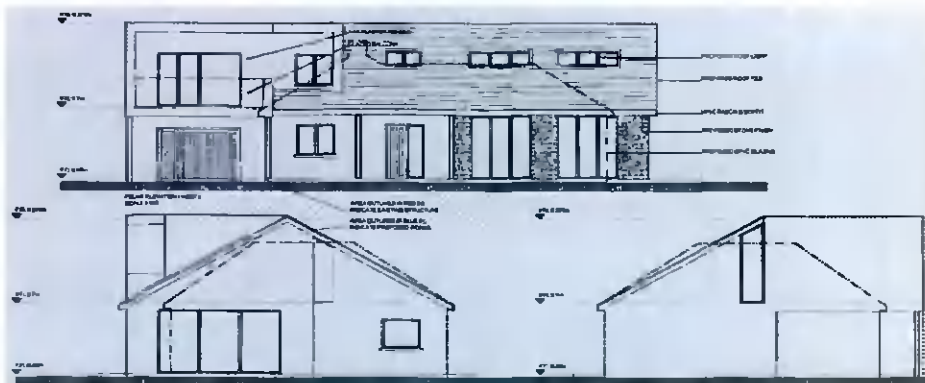


Fig. 9: The side and front elevations permitted under SDCC decision, reg. ref. SD15B/0234

4.0 Location and site description relative to client property

Our client lives at Saint Anthony, 5 Old Knocklyon Road, Knocklyon, Dublin D16 E2V8 which adjoins the applicant site to the north and northwest. The applicant site comprises of a small area of infill land on the corner of Old Knocklyon Road and Castlefield Avenue. The site adjoins the north side entrance pier for the main vehicular and pedestrian entrance to the Castlefield Manor scheme. From adjoining roads, the site reads as an area of public open space

Under the applicant's many previous planning applications – most recently planning application, reg ref SD17A/0163 – planning permission has been granted already for a new dwelling sited to the southeast of our client's property. The applicant now proposes to divide this site to create a new infill corner site property containing a two storey dwelling

The existing relationship between our client's property and the applicant's infill site (for this latest planning application) is one whereby there is nothing on the site which presently causes any negative impacts, etc. It is an empty piece of land. The site slopes upwards from west to east alongside our client's property boundary with the new dwelling sited to the east of the current site being located on higher ground than our client's property.

In reviewing the current planning application, it is reasonable to note how the applicant proposals must reasonably be viewed cumulatively. That is, this proposal provides for a second dwelling within what was originally permitted as a single dwelling in one residential property. While this is a developing area and residential infilling is taking place and is acceptable in principle, the applicant must nonetheless respect our client's established residential and visual amenities and fit into the existing character and pattern of the development (albeit one that continues to emerge).

The established building types along Castlefield Avenue are 2 storey dormer bungalows and 2 storey dwellings. The infill dwelling the subject of planning permission reg ref D17A/0163 is 2 storeys. The established building types along Old Knocklyon Road is also 2 storey dormer bungalows and 2 storey dwellings

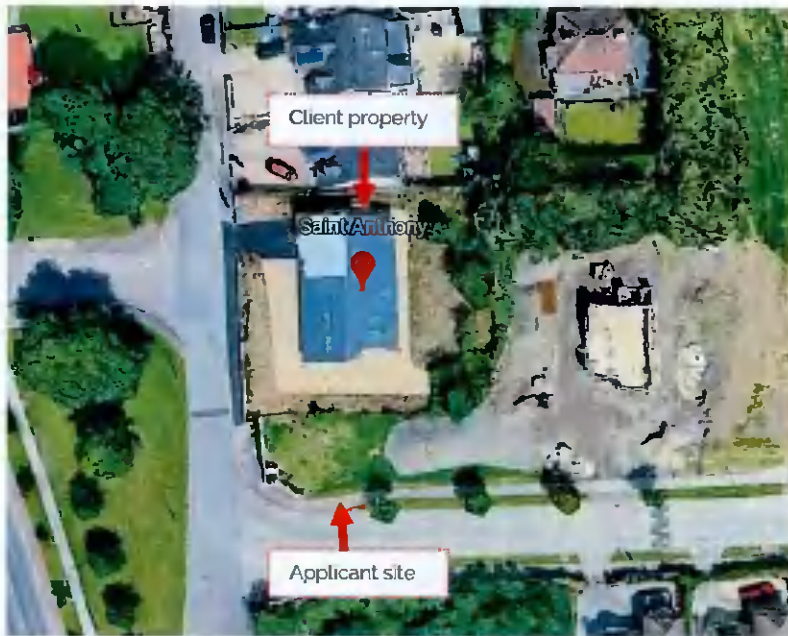


Fig. 10: The applicant's site adjoining client's property sited to the north



Fig. 11: Site as submitted under, reg. ref. SD17A/0163, adjoining client's property sited to the north & west

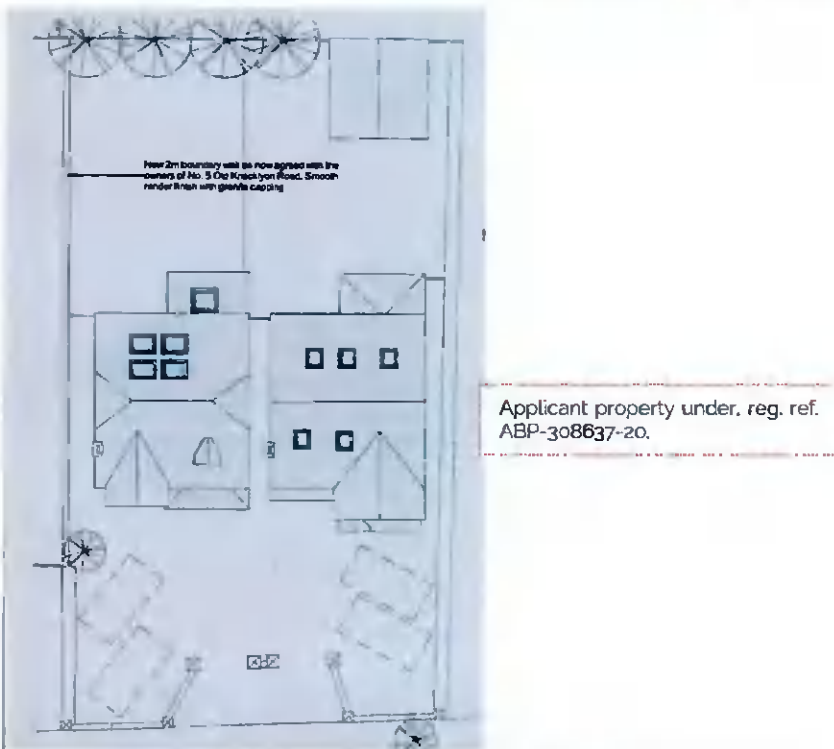


Fig. 12: Applicant's site as per ABP appeal reg. ABP-308637-20 adjoining client's property sited to the west



Fig. 13: The applicant site adjoining client property – corner of Castlefield Avenue & Old Knocklyon Road²



Fig. 14: The existing character and pattern of development along Old Knocklyon Road³



Fig. 15: View down Castlefield Avenue toward site – road comprises of 2 storey/2 storey dormer dwellings⁴

5.0 Proposed relationship with client property

The applicant proposes a 178sq m. 4 bedroom, infill dwelling in place of the grassed corner to the south of our client's property. The submitted Proposed Site Layout Plan as uploaded to the SDCC website is almost impossible to review. This arises because the applicant has squeezed most of the submitted drawings onto one sheet.

Insofar as can be discerned from the Proposed Site Layout Plan, the applicant proposes:

1. A new infill dwelling which maintains an almost Dr Seuss appearance with storey after storey sited on top of one another with no apparent order. The result is a building with a commercial form.

² Google Streetview used such that SDCC can also objectively review the same images as those provided

³ Google Streetview used such that SDCC can also objectively review the same images as those provided

⁴ Google Streetview used such that SDCC can also objectively review the same images as those provided

2. A north elevation which is sited close to the shared boundary with our client's property. This north elevation is almost 4 storeys tall with the 4th storey comprising of "water tank storage" and "solar panels".
3. The applicant has oriented the dwelling such that it faces east and does not conform to the established building line orientation of front elevations along Old Knocklyon Road.
4. Car parking to the rear of the property adjoining our client's rear garden in an area and along a stretch of road where car parking is generally located to the front of dwellings.

Our client maintains significant concerns over the applicant's proposals as they adjoin his property. These are set out in Section 7.0 of this Planning Objection Report.



Fig. 16: Applicant's proposed site plan adjoining client's property sited to the north

6.0 Technical concerns with the planning application

6.1 The applicant misleadingly claims a 8.m setback to client property

The applicant's cover letter states that our client's property is sited 8.2m from the proposed north elevation of this 178sq.m nearby 4 storey building. This is not the case. The proposed dwelling is sited almost hard up to the shared boundary with our client's property. The applicant may be referring to the elevation to elevation distance, but this is irrelevant given the site context. The siting of this applicant dwelling causes overbearing and overshadowing because of the lack of any setback and given the orientation of the two properties side by side.

6.2 The applicant provides elevations from reg. ref. SD17A/0163 and not reg. ref. ABP-308637-20

The garage permitted to adjoin our client's property under reg. ref. SD17A/0163 is shown on the submitted elevations and not the dwelling permitted under reg. ref. ABP-308637-20. The submitted 'as permitted' drawings are not appropriate as they are clearly superseded with another approved planning submission.

6.3 The public notices exclude reference to the 3rd storey terrace (26.8sq.m)

Our client objects to how the applicant proposes a 26.8sq.m terrace at 3rd storey level but this is not mentioned in the public notices. This is a significant part of the applicant proposals with sliding doors and a door out onto its extent. It has the potential to cause significant overlooking. The applicant should be required to re-advertise.

The applicant also provides no balustrades around this massive terrace area which is sited at high level. Balustrades would be required and would add to the visual overbearing appearance of the building especially its side elevations.

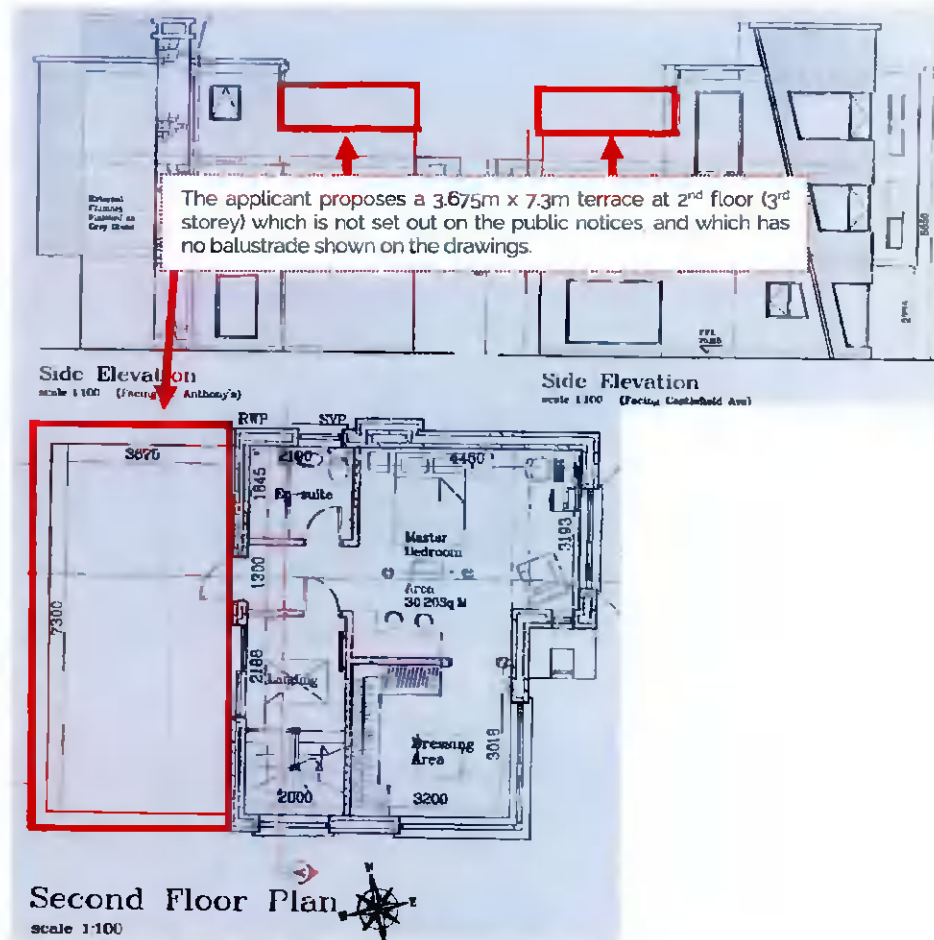


Fig. 17: The third storey terrace is not mentioned in the public notices

7.0 Objections to the proposed development

7.1 Issue 1: Concerns over the proposed orientation of the internal site layout & dwelling

7.1.1 The proposed orientation of the site – front to east is not acceptable

Our client strenuously objects to the applicant's proposal to ignore the established orientation of sites along Old Knocklyon Road and to place their rear garden at the west side of the site and front garden at the east side of the site.

This proposal is wholly contrary to the established character and pattern of development along Old Knocklyon Road. There is a reason why existing properties along residential roads maintain front gardens and rear gardens in a row. It is to protect their adjoining respective residential and visual amenities. It is not acceptable for:

- 1 Our client's rear garden to adjoin the applicant's proposed front garden with its vehicular entrance, access driveway and parking areas which will generate noise.
- 2 It is not reasonable for the future occupants of the proposed dwelling to maintain a rear garden which adjoins Old Knocklyon Road and our client's front garden with its vehicular entrance, access driveway and parking areas which will generate noise.
- 3 As noted in Section 7.1.2 of this report, the proposed orientation of the site has knock-on impacts on the siting and design of the proposed dwelling and how it would impact on our client's property.

It is not our client's concern or problem that the applicant appears to be proposing this site orientation as they would otherwise have difficulties providing a vehicular entrance and parking within the site. The applicant's siting proposals suggest that this site may not be developable. The applicant's proposal needs to be re-designed such that its rear garden adjoins our client's rear garden.



Fig. 18: Existing character and pattern of development sites front gardens to Old Knocklyon Road

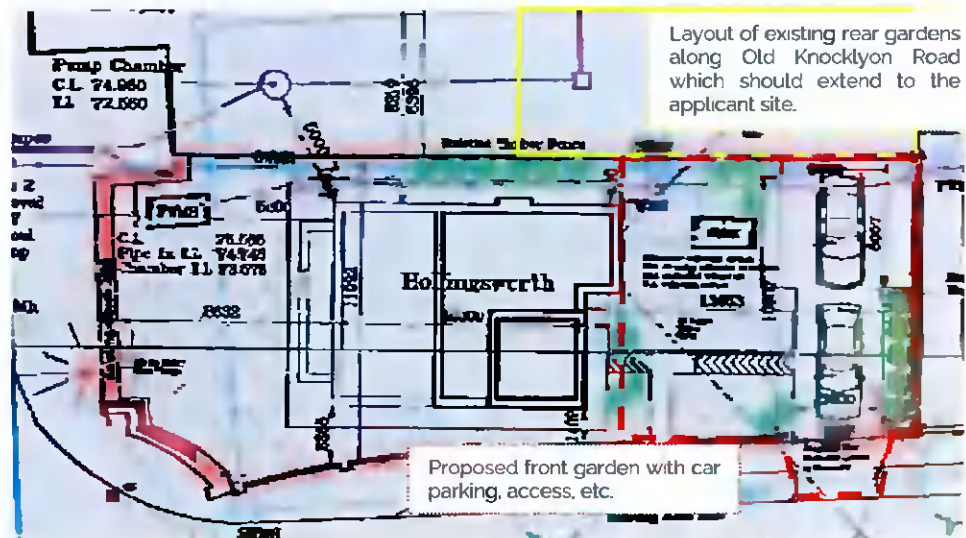


Fig. 19: Applicant's Proposed Site Layout Plan sites the front garden adjoining client's rear garden, etc.

7.1.2 The proposed orientation of the dwelling – front to east is not acceptable

The applicant's infill dwelling is sited and should face Old Knocklyon Road. The dwelling is sited such that it follows the building line along Old Knocklyon Road, but the applicant drawings show the building's front elevation facing east. This is a somewhat bizarre siting and design decision and one our client cannot support.

The applicant site adjoins our client's property for its full southern boundary. Our client's front elevation faces Old Knocklyon Road, and the rear elevation faces east across the rear garden.

The applicant proposals would site the applicant's 3 storey 'front elevation' such that its 6 no very large full height and up to 2.5m wide windows face east with views over our client's rear garden. These massive windows would also overlook the new dwelling under construction to the east (which previously formed part of the current site).

The applicant's siting proposal is contrary to the established character and pattern of development along Old Knocklyon Road and would impact negatively on adjoining properties including our client's property and rear garden.

The applicant's proposed infill dwelling needs to be re-designed such that its front elevation faces west, and its rear elevation faces east. The proposed dwelling should reduce in height to the rear and not increase in height.

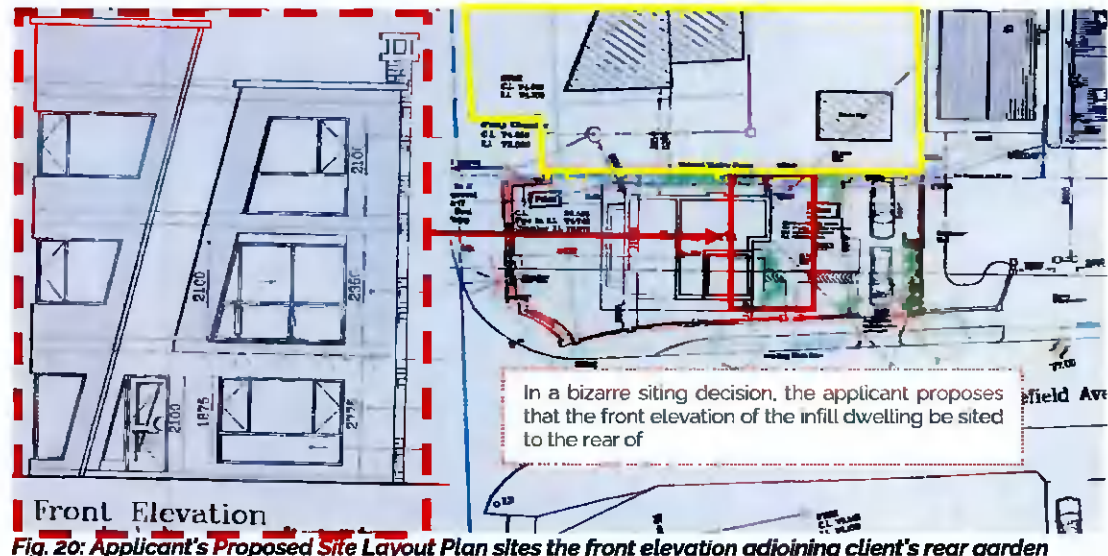


Fig. 20: Applicant's Proposed Site Layout Plan sites the front elevation adjoining client's rear garden

7.2 Issue 2: Height, scale, bulk, massing, and design concerns

The applicant cover letter states: "The design of the proposed dwelling has taken it's [sic] cues from Sta. Anthony's as this is the elevation which will be most noticeable". What does this even mean? Our client's dwelling is single storey in form as it addresses the applicant site, it is setback from the shared boundary, and it is on lower ground levels. The applicant building is up to 4 storeys immediately adjoining the shared boundary and it is on a higher ground level.

7.2.1 The proposed dwelling's height is not acceptable – it is up to two storeys too tall

The applicant's proposed 178sq.m dwelling rises to a maximum height of approx 9.8m over what is a de facto 4 storeys which 3 residential storeys and a storey containing rooftop water tanks and solar panels. The dwelling is flat roofed but is stacked on each level to multiple differing heights

The applicant's cover letter states "we have effectively a 3 storeys house that is no taller than a conventional two storey house". The proposed dwelling rises to 9.8m which is taller than Mimosa which has a pitched roof, is located on a much larger site, setback from all boundaries and sites a lower height shed between our client's boundary and the dwelling. The applicant's reasoning makes little sense.

The dwelling is sited at the end of our client's and his neighbour's row of houses and is on the highest ground levels. The dwelling would not only be the tallest dwelling on the row but also that on the tallest ground levels. Not only this, but the applicant's cover letter confirms how "Due to the existing topography of the site, it will be necessary to bring the existing ground level to the level of the existing public footpath". The ground levels are to rise. The same letter then states that the "ground levels will be reduced for the house to "more or less with those of Saint Anthony's", but this is hard to following on the submitted drawings and would require considerable earth moving. Our client does not believe there are any easy ways to lower due to road and drainage systems in place on the plot.

The existing and established building heights context on adjoining roads is 2 storeys. The proposed dwelling's 3rd and 4th storeys are not acceptable as they are out of context. The applicant cover letter states: "The subject site is restricted and height was the only solution". The manifestation of building height as proposed in this scheme is unacceptably out of context. Our client should not suffer for the restricted size of the site by way of its overdevelopment.

Fig. 22 shows the proposed "front" elevation which is to adjoin our client's rear elevation and the side elevation which is to face our client's property.

These elevations are too tall and should be pitched roof in accordance with adjoining and nearby dwelling – pitched roofs help to reduce visual impact by grading heights down towards boundaries



Fig. 21: The higher ground levels of the applicant site relative to client property (client's roof shown)

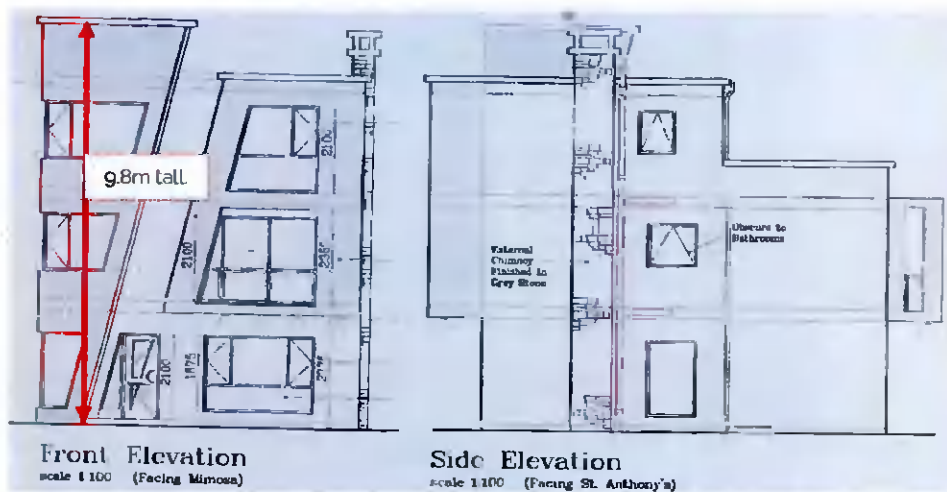


Fig. 22: The height of the proposed dwelling's "front" elevation and side elevation facing client's property

7.2.2 Proposed dwelling's side elevations' scale, bulk and massing is not acceptable

The applicant's proposed dwelling is not only too tall, but its north and south facing elevations are also undignified in their respective scales, bulk, and massing. The building resembles shipping containers stacked one on top of each other just not in a neat manner. Oddly, the first floor offers the largest elevation to face our client's property and has large projecting balconies on either end.

The applicant proposes two balconies at second storey level, one on each of the front and rear elevations (which are orientated the opposite way to our client's dwelling – see Section 7.1 of this report). These balconies are substantial at 6.025m x 12m and 4.557m x 12m internal floor area. These balconies project 15m out from the building adding to its overbearing bulk, scale, and massing at first floor, they would also cause negative overlooking.

As a result, the side elevation is over 12m wide at first floor level as it faces north. The second floor staggers back from the front elevation but also projects outwards and over the ground floor front elevation with a massive terrace provided facing west. On top of the 2nd storey is a bulky water storage structure which is served by a stair from the second floor – it is an extra storey and adds to the overall bulk, scale, and massing of the elevation.

The proposed side elevation facing our client's property would cause the negative residential and visual amenity impacts set out in Section 7.4 of this Planning Observation Report, while the south facing elevation would by its odd, over-scaled, bulky, and heavily massed appearance, detract from the adjoining streetscape where it is sited close to the road.

The building needs to be re-scaled to that of a standard two storey pitched roof dwelling which can fit into this site at an acceptable and contextually compatible scale.

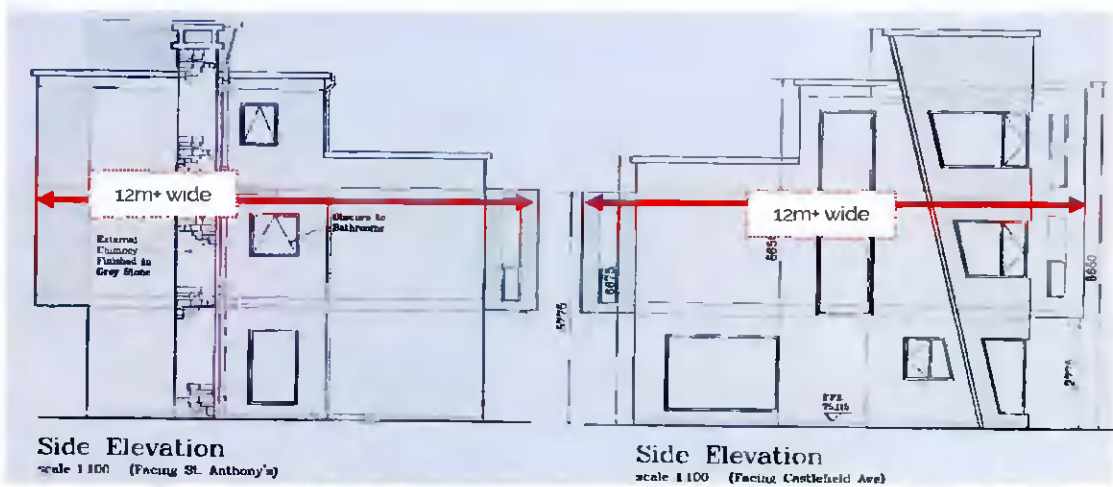


Fig. 23: The odd, over-scaled, bulky, and heavily massed appearance of the side elevations

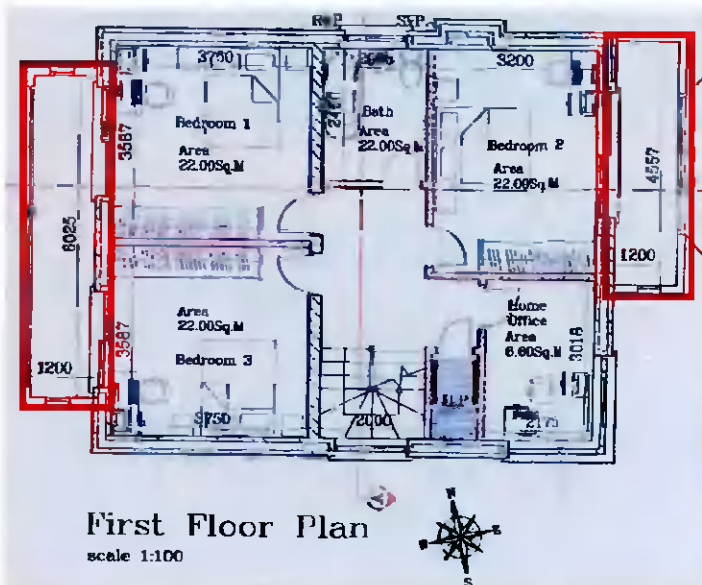


Fig. 24: The large second storey balconies increase the massing of the building

7.2.3 Proposed dwelling's design is odd and out of context

The applicant's designer does not appear to claim to be an architect, and, with respect, this is clear from the proposed design. It is difficult to know where to start with critiquing the building.

The applicant's cover letter states: "In designing this house ... we took into consideration a number of factors (unlisted) and not only considered the Local Authority development plan but reviewed recent applications on and around the site". Given that the proposed building could easily have been lifted out of a theme park or retail warehouse development where it would be the Eddie Rockets, it is difficult to know what the applicant is talking about. Where are these recent applications around the site for similar designs?

The applicant states: "The more modern design allows for the house to be stepped and setback to break up the bulk and massing and diminish the overall effect of the third floor". If this was the aim, it has not been achieved.

We offer the following concerns about the design:

1. The proposal is an ad hoc, piecemeal, jamboree of design elements. It has angled elevational sections, a multiplicity of different window types including angled windows, cantilevered floors, a stacked approach to the levels, stepped out balconies, staggering from west to east and a bizarre chimney which appears to have some form of stone cladding. This design is described as "contemporary", but it does not in fact know what it is.
2. The building has a Dr Seuss type appearance because it is angled, vertical and horizontal in its design. It is a little bit of everything and, as such, would be visually jarring and discordant within the streetscape and as viewed from adjoining and nearby properties.

3. Good contemporary architecture takes elements from nearby buildings and especially from adjoining buildings and finds a way to incorporate them into the scheme. This building design goes out of its way to avoid this and instead maintains the appearance of a commercial building which would have, as suggested above, an Eddie Rockets at ground floor and offices above.
4. The design appears as though designed by the client who wishes to express some new vision for this area which is wholly out of context. The over-sized windows, balconies, terrace, 4th storey water tank element all make little sense architecturally but are the types of elements one likes to see in a boutique "contemporary hotel". Every bedroom served by a balcony and the building thrusting above its neighbours with shouty features and details which are blatantly odd such as the chimney.
5. This is a highly visible corner site which needs to integrate visually with two adjoining residential roads. The proposal offers nothing barring roughly following the building line along Old Knocklyon Road which could be considered to offer a bridging design between these two residential roads.
6. BPS acknowledges that architectural tastes differ, but when one considers how this proposed 4 storey structure with its odd design is to be sited alongside our client's dwelling and at the end of a row of dwellings which share many architectural characteristics (pitched roofs, mostly single storey, dormer elements, similar window types and sizes, modest proportions, neighbourly design elements, etc.), it is impossible to consider this a neighbourly design.
7. It is necessary to make comparisons to our client's adjoining dwelling. Our client's dwelling was recently significantly redeveloped. He did not propose 3 or 4 storeys, instead, the dwelling is mostly single storey and certainly it is single storey adjoining the applicant site. The dwelling's height was minimised as it is on higher ground levels than the site to the north and would otherwise have caused overshadowing. At its front elevation, our client's dwelling comprises of a contemporary mostly single storey dwelling with a two storey element at its north end. This element is a carefully considered part of the design and includes a balcony which is carefully enclosed to avoid overlooking impacts – it is essentially a large dormer but with an understated and quality architectural finish. By comparison, the applicant dwelling is unneighbourly in its design, scale, height, mass, bulk, balconies, terrace, etc.
8. The proposed dwelling design is wholly at odds with the design of the permitted dwelling to the east/northeast which is sited on what was once part of the current application's site. No adequate explanation is provided as to why the two designs are so different, yet they are adjoining dwellings on almost the one site. Could they not have been visually integrated?

BPS considers that the proposed design is unacceptable at this location or at any location. It is an overblown and poorly considered proposal which ignores its context and the pattern and character of development in the area. The proposed design should be refused.



Fig. 25: The applicant site is on the tallest ground levels of this row of houses but is 4 storeys tall

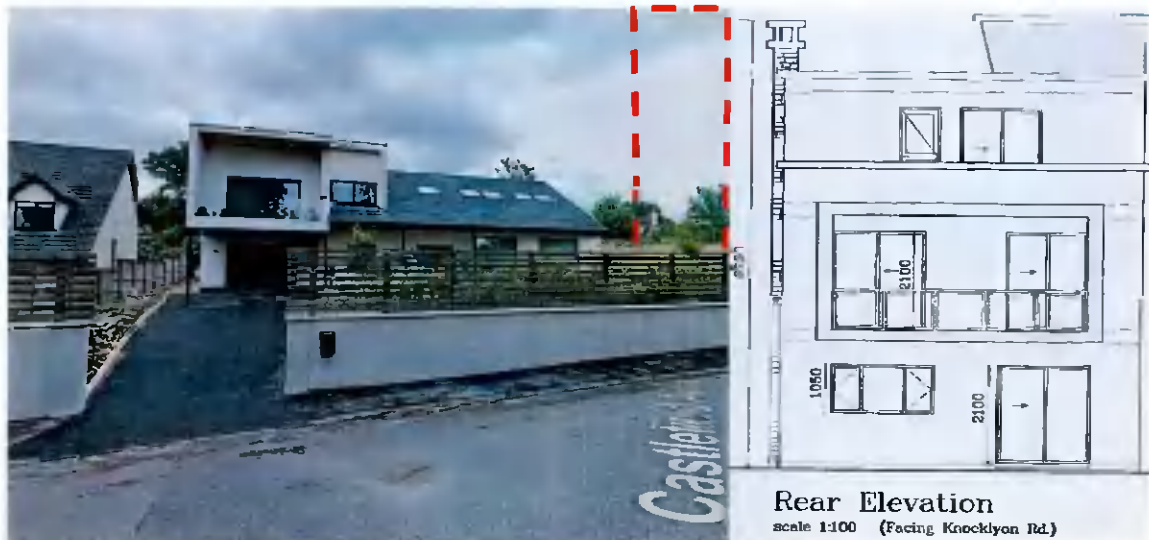


Fig. 26: Client's adjoining dwelling is mostly single storey with a 2 storey element adjoining the site

7.3 **Issue 3: Contrary to the established character and pattern of development in the area**

The houses in the vicinity of the site generally consist of 1 to 2 storeys and are conservative in design and appearance. There are serious concerns regarding the proposed development which is out of character with the pattern of development in the area

The proposed development would be seriously out of character with development in the area and would be visually disruptive on the streetscape. The proposed development would seriously injure the amenities of, and depreciate the value of property in the vicinity.

It is clear from a review of aerial photographs of this area that the orientation of the proposed dwelling is at odds with its context.

7.4 **Issue 4: Negative residential & visual amenity impacts on client property**

The applicant cover letter argues that the proposed up to 4 storey dwelling will be lower than other houses sited on higher ground. This is hardly an argument. Based on this argument, we are then told that the dwelling will have "less of an impact in terms of visual and overshadowing perspectives". For the reasons set out below, BPS does not agree with these claims.

7.4.1 **The proposed dwelling would be visually overbearing onto our client's property**

Arising from its siting immediately adjoining our client's southern property boundary and the height, width, scale, bulk, massing, and design of the proposed north elevation of the dwelling, BPS submits that it would cause significant, negative and permanent visual overbearing onto our client's property, including his dwelling, front garden, side garden and rear garden.

No landscaping plan or tree planting schedule has been submitted which in any way offers any mitigation of the likely visual overbearing impact that this visually dominant and visually obtrusive building would have on our client's property.

The proposed dwelling needs to be reduced to 1 and 2 storeys in a entirely revised proposal for this site. The current proposal places the ambitions of the applicant far above protecting the visual amenities of our client's property. This is not a neighbourly proposal.



Fig. 27: The restricted size of the applicant site adjoining client's property



Fig. 28: The existing view from client's property's north elevation ground floor window toward the applicant site

7.4.2 The proposed dwelling would cause negative overshadowing of our client's property

The applicant cover letter argues that there would be no overshadowing of our client's property and that the proposed design has addressed this issue. This is not the case. The submitted shadow diagrams are extremely limited and cannot reasonably be referred to as a complete shadow assessment or any shadow assessment at all.

The proposed dwelling is located on higher ground levels than those of our client's site and rises to a height even at the top of just the 3rd storey of 8.65m. The 4th storey rises to 9.925m tall. The second storey is over 12m wide. All of this immediately adjoins our client's southern boundary. That is, the entire building would stand in the way of sunshine reaching our client's property from the southeast, south, and southwest.

BPS cannot understand claims made in the applicant cover letter that our client's dwelling would not be overshadowed. Any person with a cursory understanding of the path of the sun would know that a structure of the size proposed sited on the southern boundary of an adjoining property would cause overshadowing. Perhaps the applicant carried out no shadow assessment at all.

Just to take a few examples where we apply only the building height of 9.925m, www.suncalc.org finds that the applicant building would cause the following overshadowing:

21st March/21st September. The applicant's dwelling would overshadow significant areas of our client's property from 9am each morning until 5pm in the evening. The shadow lengths arising extend to 25.45m at 9am, to 13.28m at 1pm, and to 39.87m at 5pm. The shadow lengths shorten slightly if one removes the proposed 4th storey element, but not by much. The proposed dwelling is unacceptable in terms of its overshadowing impact on this date. This could be mitigated by reducing the building to a 2 storey flat roofed proposal.



Fig. 29: Shadow thrown by the building at 9am across our client's property



Fig. 30: Shadow thrown by the building at 10am across our client's property

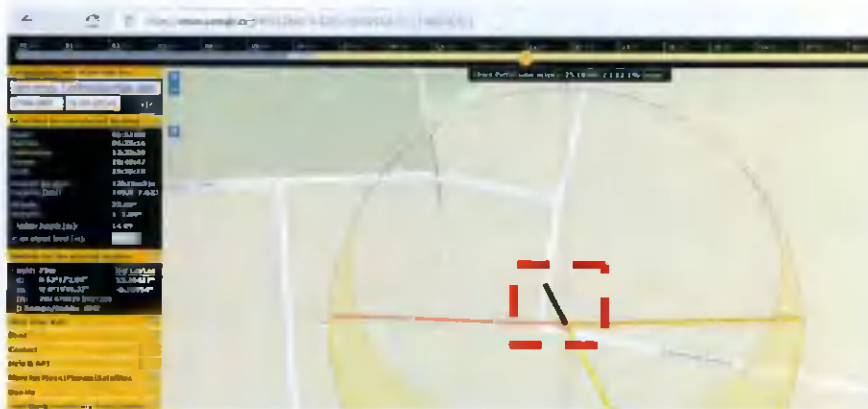


Fig. 31: Shadow thrown by the building at 11am across our client's property

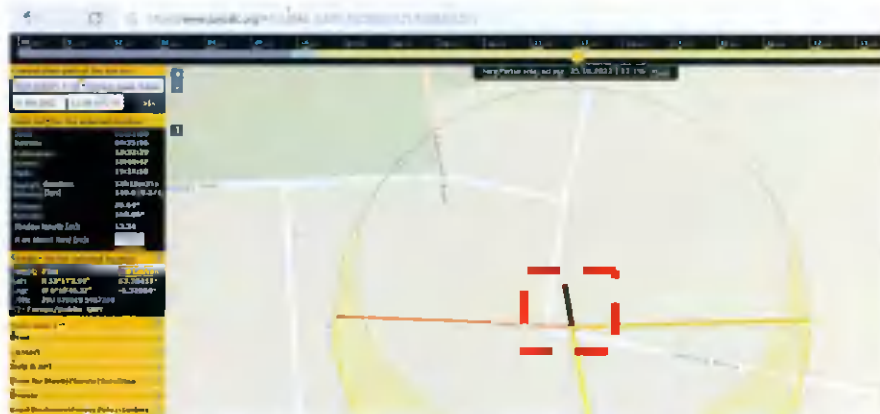


Fig. 32: Shadow thrown by the building at 12 noon across our client's property



Fig. 33: Shadow thrown by the building at 1pm across our client's property



Fig. 34: Shadow thrown by the building at 2pm across our client's property



Fig. 35: Shadow thrown by the building at 3pm across our client's property

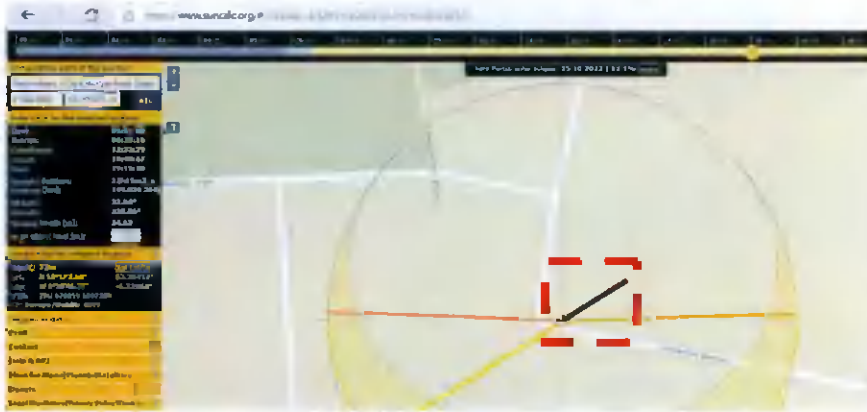


Fig. 36: Shadow thrown by the building at 4pm across our client's property



Fig. 37: Shadow thrown by the building at 5pm across our client's property

June 21st: The applicant's dwelling would overshadow the southern areas of our client's property from 11am each morning until 4pm in the evening. The shadow lengths arising extend to 8.53m at 9am, to 5.84m at 2pm, and to 8.75m at 4pm. The shadow lengths shorten slightly if one removes the proposed 4th storey element, but not by much. The proposed dwelling causes moderate overshadowing of our client's property on this date. This could be mitigated by reducing the building to a 2 storey flat roofed proposal.



Fig. 38: Shadow thrown by the building at 11am across our client's property

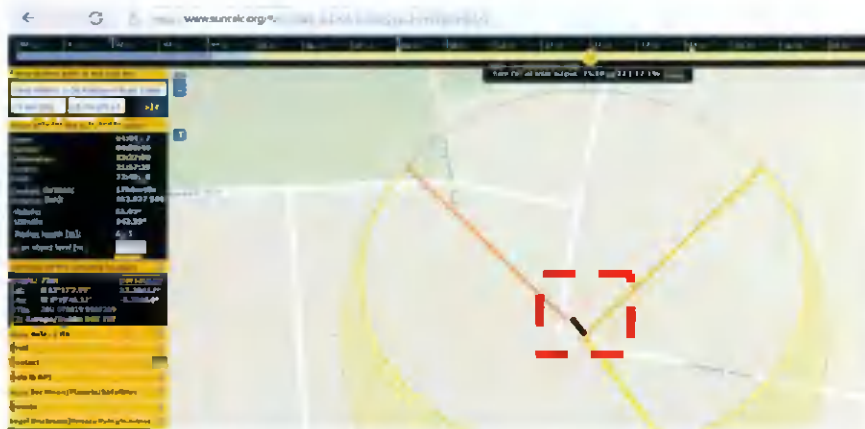


Fig. 39: Shadow thrown by the building at 12 noon across our client's property



Fig. 40: Shadow thrown by the building at 1pm across our client's property



Fig. 41: Shadow thrown by the building at 2pm across our client's property

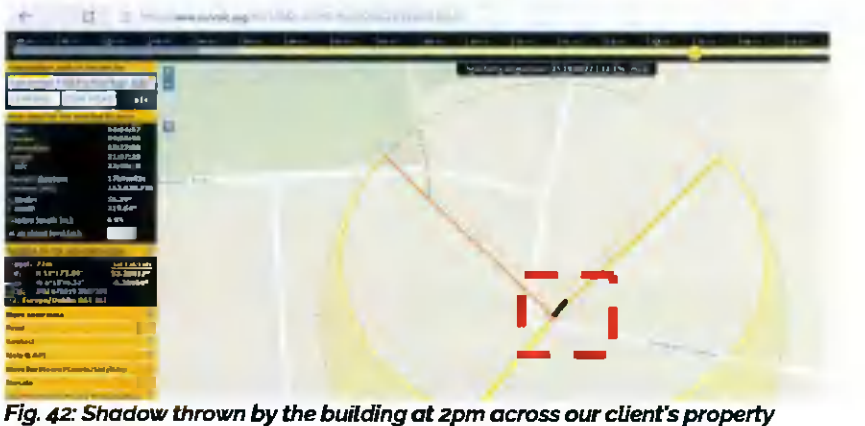


Fig. 42: Shadow thrown by the building at 2pm across our client's property



Fig. 43: Shadow thrown by the building at 4pm across our client's property

21st December: The applicant's dwelling would overshadow substantial areas of our client's property from 9am each morning until 4pm in the evening. The shadow lengths arising extend to 300.57m at 9am, to 43.22m at 1pm, and to 942m at 4pm. The shadow lengths shorten slightly if one removes the proposed 4th storey element, but not by much. Despite how the sun is low in the sky this time of year and the days are short, the proposed dwelling still causes significant overshadowing of our client's property on this date. This could be mitigated by reducing the building to a 2 storey flat roofed proposal.

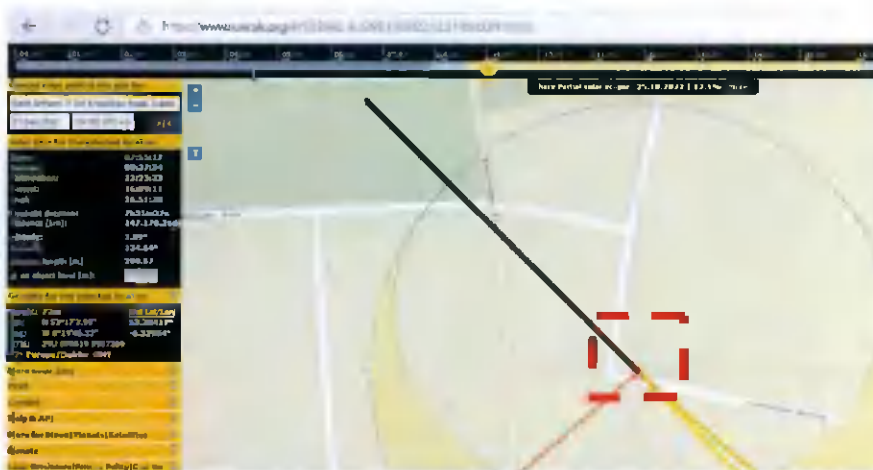


Fig. 44: Shadow thrown by the building at 9am across our client's property

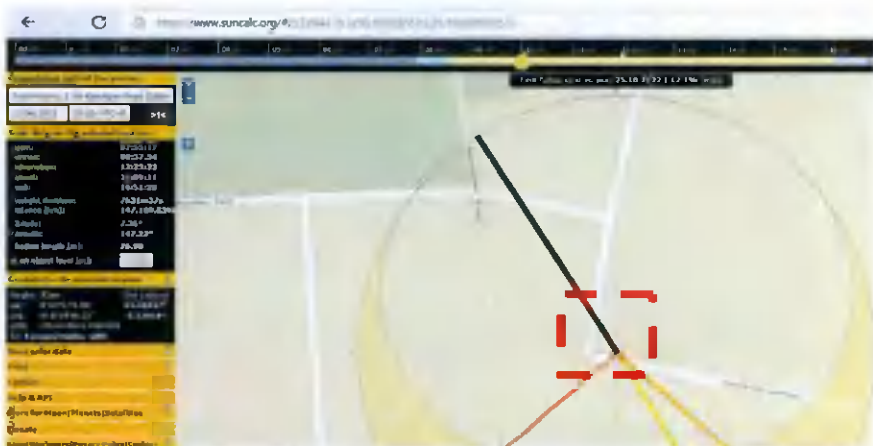


Fig. 45: Shadow thrown by the building at 10am across our client's property



Fig. 46: Shadow thrown by the building at 11am across our client's property

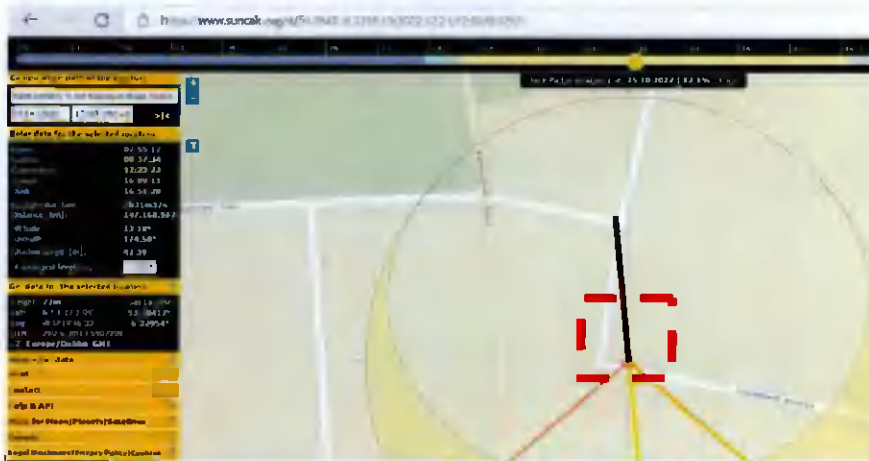


Fig. 47: Shadow thrown by the building at 12 noon across our client's property

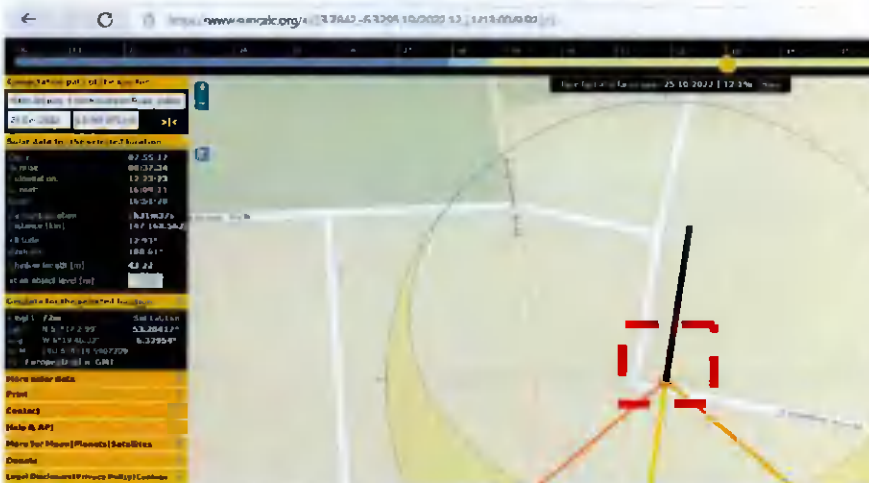


Fig. 48: Shadow thrown by the building at 1pm across our client's property



Fig. 49: Shadow thrown by the building at 2pm across our client's property

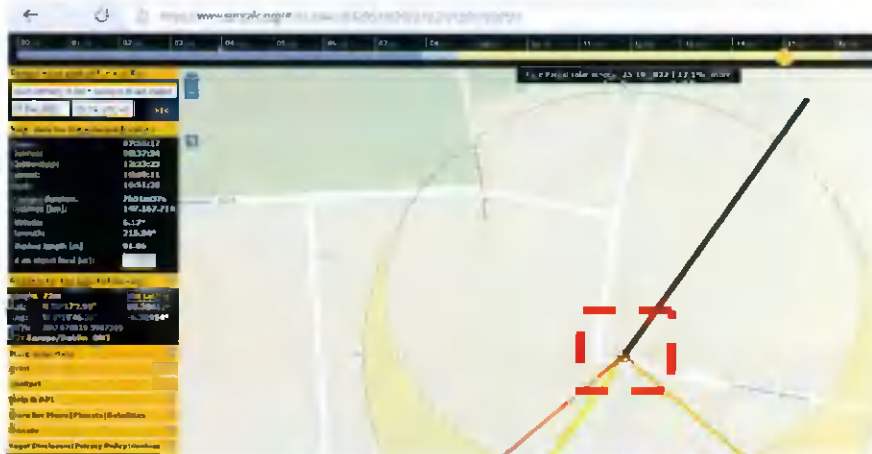


Fig. 50: Shadow thrown by the building at 3pm across our client's property



Fig. 51: Shadow thrown by the building at 4pm across our client's property

The applicant's dwelling would moderately to significantly overshadow our client's property throughout the year arising from the siting, height, scale, and bulk of the proposed applicant dwelling. The proposal cannot be justified as it has been submitted. The proposal should be refused on this ground. Overshadowing concerns could be mitigated by reducing the building to a 2 storey flat roofed proposal. This would still cause some overshadowing, but these would not be more moderate.

7.4.3 The proposed dwelling would cause negative overlooking of our client's property

The applicant cover letter claims: "There is no appreciable [whatever this is meant to mean] overlooking due to its siting to the south & 82m distance from Saint Anthony's". Perhaps the applicant was looking at a different site plan to that submitted when this statement was written. In the one BNPS has reviewed, the applicant dwelling is sited almost hard up to our client's property boundary and does cause direct overlooking, indirect overlooking and the perception of overlooking.

The following areas of the proposed dwelling raise direct or indirect overlooking concerns. Please bear in mind that the applicant site is located on higher ground levels than our client's property. These are:

1. At first floor:

The "front" elevation is, actually, the rear elevation, and it would adjoin our client's rear garden. The proposed balcony on the front elevation is large and those standing on the south end could look into our client's garden in a manner that those standing at internal windows could not. There is no fair basis for a balcony at this location and it should be removed.

There is a wholly unnecessary full height side window in the other proposed balcony (that which is to face the public road to the west). This window would look directly into our client's property.

The north side elevation window serving the bathroom appears to be larger than necessary and should not be able to open to allow direct views into our client's property.

2. At second floor:

BPS considers the proposed second floor windows in the rear facing "front" elevation to be unacceptable. These would overlook our client's rear garden in a manner which is unbalanced relative to our client's adjoining dwelling being single storey only. We acknowledge that the view from the most southerly of the windows would be somewhat restricted, but the perception of overlooking also arises.

The proposed second floor terrace served by a standard door and a sliding door is 3.675m x 7.3m in size and is excessive in the areas that it would allow residents of the dwelling to overlook. These areas would include the entirety of our client's property. The terrace is wholly unacceptable.

The north side elevation window serving the bathroom appears to be larger than necessary and should not be able to open to allow direct views into our client's property.

3. At third floor:

BPS considers the applicant's proposal to site another room (whether used for water tanks or any other use) at third floor level accessed by its own internal stair from second floor level and with a door out onto the roof whereby residents of the dwelling could stand overlook into our client's property to be unacceptable and poorly considered.

The proposed dwelling has been designed with windows, balconies, a terrace, and a roof which would cause direct overlooking, indirect overlooking, and perception of overlooking impacts from high levels on our client's property. This is not acceptable. The proposal cannot reasonably be granted in the manner submitted

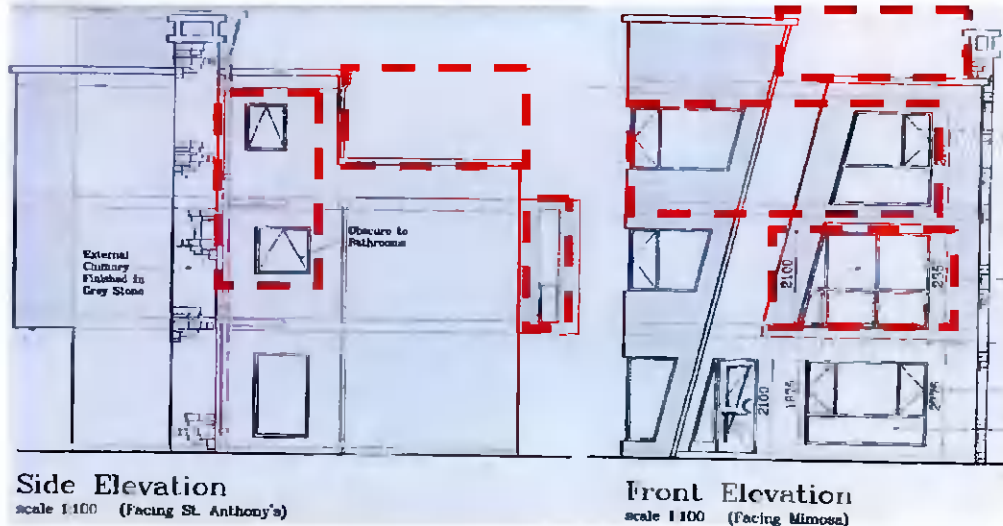


Fig. 52: Areas of overlooking concern (1)

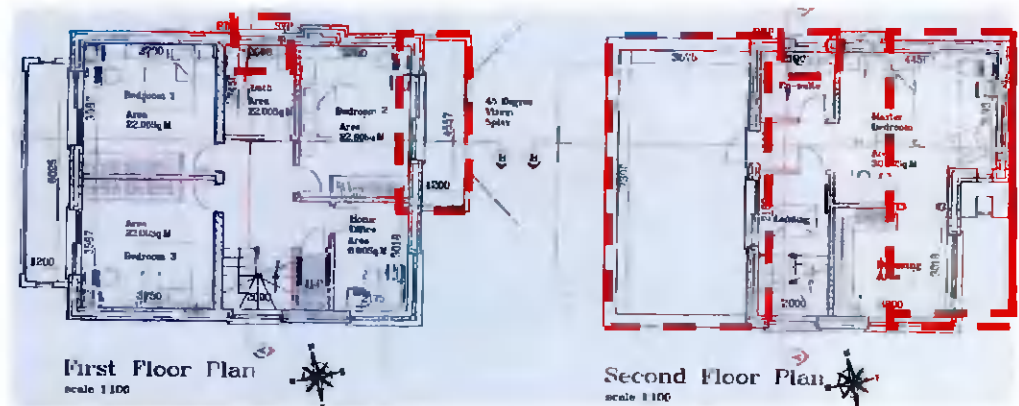


Fig. 53A: Areas of overlooking concern (3)

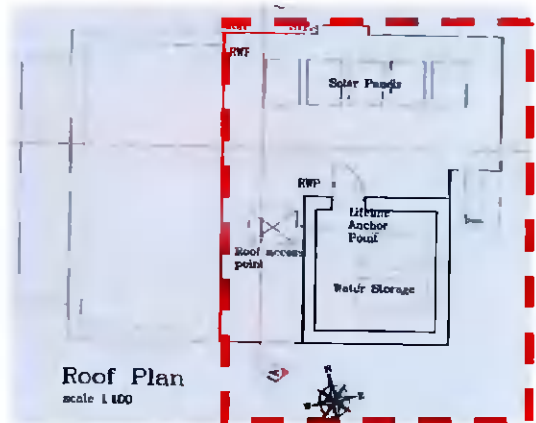


Fig. 53B: Areas of overlooking concern (3)

7.5 Issue 5: Proposed dwelling would impact negatively on the granted dwellings to the east

The applicant’s proposed infill dwelling is oriented such that its front elevation faces the permitted dwellings to the east referred to in Section 7.1 of this report. These dwellings which are sited on what was once part of the applicant site appear to be considered by the applicant as being allowed to have only those residential and visual amenities which they consider would remain after this third dwelling is built. The applicant presents the proposals as though ABP did not grant a new dwelling in place of the previously permitted shed under appeal, reg. ref. ABP-308637-20.

The applicant is clearly aware that a large up to 4 storey dwelling orientated with its front elevation facing these other dwellings would cause negative residential and visual amenity impacts but their cover letter argues that these are not so bad. In fact, they are significantly bad.

The applicant seeks to place the visual overbearing and visual dominance impacts of the dwelling’s siting, scale, and design onto these permitted dwellings and onto our client’s dwelling and then to argue that this could not be avoided. This is clearly not acceptable. The problems with the siting of the proposed infill dwelling arising from the above points are:

- 1 The proposed infill dwelling would visually overbear onto and be visually dominant in respect of the new permitted dwelling to be sited to the east. The proposed dwelling’s rear (“front”) elevation is too large given the site context.
- 2 The proposed infill dwelling would overlook the permitted dwellings to the east from a first floor balcony and from excessively scaled and tall second floor windows.
- 3 The proposed infill dwelling would overshadow the permitted dwellings to the east in the afternoons and evenings when the sun is in the southwest and west.

The proposed infill dwelling would significantly, negatively, and permanently impact on the residential and visual amenities of the permitted dwellings to the east. It should be refused planning permission.

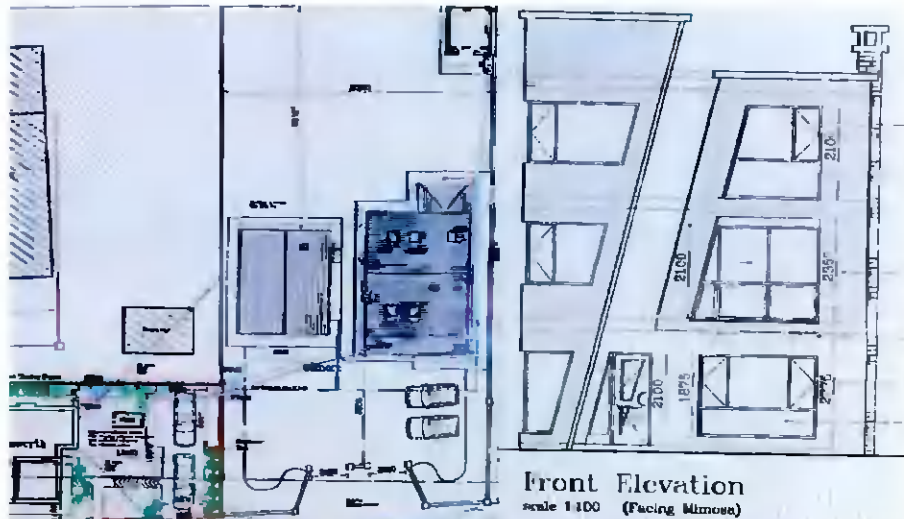


Fig. 54: The proposed rear ("front") elevation to face the permitted dwellings to the east

7.6 Issue 6: The proposed development represents cumulative overdevelopment of the site

Our client acknowledges that he lives in a property which has been recently redeveloped. But this work was completed in a manner that respects the existing pattern and character of development along his road and in this area. The applicant's proposed dwelling does not achieve this.

When viewed individually, and/or cumulatively with the permitted houses to the east which are sited in what was once the current site (just larger in size), the proposed dwelling appears out of place and inappropriate.

BPS considers that the proposed development represents overdevelopment of the applicant site which would adversely impact on residential amenity, on the character and established pattern of development in the area and would be contrary to Section 11.3.2 of the SDCC CDP 2016-2022 and the site's zoning.

While our client accepts that there may be potential for a proposed side garden dwelling to be permitted alongside their property this should be required to meet the same planning requirements as any other dwelling and should ensure the protection of residential amenities and comply with all CDP standards.

7.7 Issue 7: The proposed development – as submitted – is contrary to planning policy

7.7.1 The proposal is contrary to national planning guidance

For the following reasons, the proposed development is contrary to Section 5.9.1 'the 'Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas - Cities, Towns and Villages' (DoEHLG 2009). Section 5.9.1 states:

In residential areas whose character is established by their density or architectural form, a balance has to be struck between the reasonable protection of the amenities and privacy of adjoining dwellings, the protection of established character and the need to provide residential infill ... The design approach should be based on a recognition of the need to protect the amenities of directly adjoining neighbours and the general character of the area and its amenities, i.e. views, architectural quality, civic design etc. [Emphasis added]

For the reasons set out in this Planning Objection Report, primarily the proposed development's failure to reasonably protect the amenities and privacy of adjoining and nearby dwellings and the established character and pattern of development of the area, the proposed development should be refused.

The existing and established residential layout and design of properties along Old Knocklyon Road currently ensures a balance between the amenities and privacy of adjoining dwellings, the proposed development would negatively alter this balance

Section 5.9.1 of the guidelines note how: "the design approach should be based on a recognition of the need to protect the amenities of directly adjoining neighbours and the general character of the area and its amenities, i.e. views, architectural quality, civic design etc.". The applicant's proposals provide for an up to 4 storey dwelling to be located in a restricted corner site which immediately adjoins our client's rear garden. The proposed dwelling will impact on the character of the area, as the house is larger and taller than what would normally be considered a modest infill dwelling. The proposal would impact on the views from adjoining properties, as instead of enjoying the shared visual amenities of a line of rear gardens side by side, these

adjoining properties would now maintain views toward a large and over-sized dwelling. The proposed dwelling would also be visually injurious to the streetscape.

Our client submits that the proposed development is contrary to the guidelines as the infill development proposed fails to respect and is injurious to the existing built form, scale, character, pattern of development and residential amenity of Old Knocklyon Road.

7.7.2 Contrary to SDCC Development Plan 2016-2022 policy

7.7.2.1 Contrary to the RES zoning of the site

Under the South Dublin County Development Plan 2016-2022, the site is zoned objective 'RES' – with the stated objective to "Protect and/or improve residential amenity" For the reasons given in Sections 7.1, 7.2, 7.3 and 7.4 of this report, our client submits that the proposed up to 4 storey infill dwelling fails to protect the residential amenity of adjoining properties, including their own.

In particular, there are significant concerns that the proposed two storey dwelling would, due to its location, cause overbearing, overshadowing and overlooking impacts on our clients' property and the property to the east.

In this regard, BPS notes that the proposed dwelling is orientated with what should be its front elevation facing rear and vice versa. The effect of this is to exacerbate and amplify the residential and visual amenity impacts and streetscape impacts of the proposal.

The proposal would be detrimental to the residential amenities of both adjoining properties which is contrary to the site's zoning which seems to protect and/or improve residential amenity; not allow existing residential amenities to be negatively impacted on.

7.7.2.2 The proposal is contrary to section 2.3.1 'Residential Design & Layout' of the CDP

For the reasons set out in Sections 7.1 to 7.4 of this Planning Objection Report, our client submits that the proposed development is contrary to Section 2.3.1 'Residential Design & Layout' of the CDP. This area has been carefully designed and laid out in a manner which protected each adjoining property. The applicant asks that this established pattern of housing development be set aside in this case – and that the proposed dwelling's front elevation faces rear - thereby creating a precedent for such backland development to substantially modify the character and pattern of development in this area.

In particular, the proposal causes concerns when assessed under:

- HOUSING (H) Policy 11 'Residential Design and Layout':

It is the policy of the Council to promote a high quality of design and layout in new residential development and to ensure a high quality living environment for residents, in terms of the standard of individual dwelling units and the overall layout and appearance of the development

The proposed infill dwelling would represent a substandard development at this location which would impact negatively on the residential and visual amenities of existing properties and their occupiers. The proposed dwelling's location would also be contrary to the established character and pattern of development in this area.

- H11 Objective 1:

To promote a high quality of design and layout in new residential development and to ensure a high quality living environment for residents, in terms of the standard of individual dwelling units and the overall layout and appearance of the development in accordance with the standards set out in Chapter 11 Implementation.

The proposed infill dwelling does not represent a high quality design and layout for a new residential development as it is located on a restricted site to the south of an existing dwelling and adjoins our client's rear garden to the north and northeast.

Having regard to the limited size and constricted nature of the applicant site and its relationship to adjoining property, it is considered that the proposed development would represent inappropriate overdevelopment of a cramped site, would be out of character with the pattern of development in the area, would be visually obtrusive and orientated in the opposite manner to the established building line, would set a negative precedent for similar infill development and would seriously injure the amenities of adjoining residential property. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

7.7.2.3 Contrary to s. 2.4.0 'Residential Consolidation – Infill, Backland, Subdivision & Corner sites'

For the reasons set out in Section 7.1 to 7.4 this Planning Objection Report, our clients submit that the proposed development is contrary to Section 2.4.0 'Residential Consolidation – Infill, Backland, Subdivision & Corner Sites' of the CDP. Particular non-compliance issues arise with respect to:

- HOUSING (H) Policy 17 'Residential Consolidation'

*It is the policy of the Council to support residential consolidation and **sustainable intensification at appropriate locations**, to support ongoing viability of social and physical infrastructure and services and meet the future housing needs of the County [emphasis added].*

The proposed 178sq.m infill dwelling is almost 4 storeys in height and is significant in scale, massing and bulk terms. It also has balconies, a roof terrace and a door which opens from a rooftop room onto the roof. This is not an appropriate location for such a development. It does not represent sustainable intensification as it would impact negatively on adjoining and nearby properties and on the pattern and character of the area. The proposal is, in short, overdevelopment.

- H17 Objective 1:

*To support residential consolidation and sustainable intensification **at appropriate locations** and to encourage consultation with existing communities and other stakeholders [emphasis added].*

In addition to the response to Policy H17 above, our client notes how the applicant has made no effort to provide a neighbourly development response to their restricted site such that it would not unduly impact on his property. The submitted proposals ask that they be allowed to treat our client's site as collateral damage.

- H17 Objectives 2 and 3:

*To maintain and consolidate the County's existing housing stock through the consideration of applications for housing subdivision, backland development and infill development on large sites in established areas, **subject to appropriate safeguards and standards identified in Chapter 11 Implementation** [emphasis added].*

*To favourably consider proposals for the development of corner or wide garden sites within the curtilage of existing houses in established residential areas, **subject to appropriate safeguards and standards identified in Chapter 11 Implementation** [emphasis added].*

Our clients lives in a recently upgraded house which is relatively modest and that respects the character and pattern of development in this area and which does not negatively impact on adjoining properties (see Section 7.4 of this Planning Objection Report). The applicant is not content to seek a similar development of a house in this infill site; instead, they seek to over develop the site. The applicant proposals fail the appropriate safeguards and standards identified in Chapter 11 of the CDP [these are taken as read]

The proposed infill site – originally part of the site to the east – is not an appropriate or sustainable location for the siting, scale, and height of the proposed dwelling. The proposal is contrary to Section 2.4.0 'Residential Consolidation – Infill, Backland, Subdivision & Corner Sites' of the CDP.

7.7.2.4 Contrary to s. 2.2.0 'sustainable neighbourhoods'

The proposal is contrary to Section 2.2.0 'Sustainable Neighbourhoods' and HOUSING (H) Policy 6 'Sustainable Communities' of the SDCC CDP 2016-2022 which states:

It is the policy of the Council to support the development of sustainable communities and to ensure that new housing development is carried out in accordance with Government policy in relation to the development of housing and residential communities.

The proposed infill dwelling is not compatible with a sustainable community at this location as permitting this dwelling would fail to protect the residential and visual amenities of an existing adjoining dwellings and its rear garden. The proposal would fail to protect the amenities of the area and as such is contrary to the site's zoning

7.7.2.5 The proposal is contrary to section 2.3.5 'Privacy and security' of the CDP

Section 2.3.5 'Privacy and Security' of the CDP states: "A high level of privacy and security is an important part of residential amenity, particularly in higher density schemes. Security can be improved by providing a clear definition between public, semi-private and private spaces and maximising passive and active surveillance of streets and spaces" and HOUSING (H) Policy 15 'Privacy and Security' states: "It is the policy of the Council to

promote a high standard of privacy and security for existing and proposed dwellings through the design and layout of housing”.

The applicant infill dwelling planning application would by way of its design and siting would impact negatively on the privacy and perceived privacy of our client's property and the existing dwelling to the east.

7.7.2.6 The proposal is contrary to s. 11.3.2 (i) 'Infill Sites' of the SDCC CDP 2016-2022

The proposal is contrary to Section 11.3.2 (i) 'Infill Sites' of the SDCC CDP 2016-2022 which sets out criteria for such development. The concerns are as follows

1. *Infill sites should be guided by the Sustainable Residential Development in Urban Areas – Guidelines for Planning Authorities DEHLG, 2009 and the companion Urban Design Manual.*

For the reasons set out in this Planning Objection Report, the Applicant's proposed infill dwelling is not compatible with these guidelines.

2. *Infill sites should be guided by a site analysis that addresses the scale, siting and layout of new development taking account of the local context should accompany all proposals for infill development. On smaller sites of approximately 0.5 hectares or less a degree of architectural integration with the surrounding built form will be required, through density, features such as roof forms, fenestration patterns and materials and finishes. Larger sites will have more flexibility to define an independent character.*

The applicant appears to have ignored this policy as there is little evidence that the proposal is guided by a site analysis. The scale, siting and layout of the infill development is at odds with its context, with the streetscapes and with adjoining properties. The policy is clear that on smaller sites a degree of architectural integration with the surrounding built form will be required, through density, features such as roof forms, fenestration patterns and materials and finishes. The applicant's house design offers no visible attempt to respect adjoining and/or nearby roof forms, fenestration patterns and materials and finishes. The applicant provides no acceptable justification for why the proposed dwelling is sited back to front and at up to 4 storeys tall adjoining our client's mostly single storey dwelling. The proposal appears as overdevelopment, is cramped in appearance, and would impact negatively on adjoining and nearby properties.

3. *Significant site features, such as boundary treatments, pillars, gateways and vegetation should be retained, in so far as possible, but not to the detriment of providing an active interface with the street*

The applicant offers minimal details as to the proposed boundary treatments. This up to 4 storey dwelling is to be sited back to front and to adjoin two public roads yet its visual integration is poor.

4. *Where the proposed height is greater than that of the surrounding area a transition should be provided (see Section 11.2.7 Building Height).*

The applicant proposes an up to 4 storey infill dwelling when our client's adjoining dwelling is mostly single storey. Negative residential and visual amenity impacts would arise for our client's adjoining property. Instead of trying to minimise the height of this dwelling, the applicant has deliberately added height with no transition down to our client's property. The fact that the house increases in height from west to east emphasises the poorly considered design and siting of the dwelling.

The proposed dwelling would appear as piecemeal development and as such would adversely impact on the character of the area and the established pattern of development in the area (see Section xx of this Planning Objection Report).

Our client submits that, for the reasons given above and in this report, the proposed development does not comply with Section 11.3.2 (i) 'Infill Sites' of the SDCC CDP 2016-2022.

7.7.2.7 Proposal is contrary to s. 11.3.2 (ii) 'Corner/Side Garden Sites' of the SDCC CDP 2016-2022

The proposal is contrary to Section 11.3.2 (ii) 'Corner/Side Garden Sites' of the SDCC CDP 2016-2022 which sets out criteria for such development including:

1. "(ii) Corner/Side Garden Sites Development on corner and/or side garden sites should meet the criteria for infill development in addition to the following criteria”.

Response: Section 7.7.2.6 above confirms that the proposal fails to comply with Section s. 11.3.2 (i).

2. "The site should be of sufficient size to accommodate an additional dwelling(s) and an appropriate set back should be maintained from adjacent dwellings”.

Response: The proposed setback from our client's property (not discernible from the plans available online) is insufficient to mitigate the overbearing, overshadowing and overlooking impacts of an up to 4 storey building sited on higher ground levels

3. "The dwelling(s) should generally be designed and sited to match the building line and respond to the roof profile of adjoining dwellings",

Response: The proposed dwelling(s) has not been designed and sited to match the orientation of our client's adjoining residential property. It is a back to front dwelling. The proposal fails to respond to the roof profile of adjoining dwellings.

4. "The architectural language of the development (including boundary treatments) should respond to the character of adjacent dwellings and create a sense of harmony".

Response: The proposed dwelling(s) has not been designed to any apparent architectural language. It is a hodgepodge of poorly realised ideas. It fails to respond to the character of adjacent dwellings and create a sense of harmony. It would be a discordant and dominant visual element adjoining our client's dwelling and in the streetscape

5. "Contemporary and innovative proposals that respond to the local context are encouraged ...".

Response: The proposed dwelling(s) has not been designed in any manner that could be considered innovative. It is devoid of local context and needs to be redesigned in full

Our client submits that, for the reasons given above and in this report, the proposed development does not comply with Section 11.3.2 (ii) "Corner/Side Garden Sites' of the SDCC CDP 2016-2022.

7.8 Issue 8: Sewage and drainage systems cannot support a further dwelling

Our client considers that the sewage and drainage systems in place were not designed to handle 3 houses on this plot of land. There are already foul smells from existing drainage system for 'Mimosa'. This will be compounded if 2 additional houses are built (one already approved). From a drainage perspective, this will increase the flooding risk in the area and there is a high risk as systems being overloaded due to underground river close to property.

7.9 Issue 9: The proposed development would set an undesirable precedent

BPS submits that the proposed up to 4 storey house sited in a very restricted sliver of land would, if granted, would set an undesirable precedent for similar developments on restricted sites and immediately adjoining residential properties and rear gardens, in the vicinity. Several precedent issues need to be avoided in future applications in this area:

1. Back to front houses are not acceptable forms of development where there is an established building line.
2. "Contemporary" dwelling design does not mean anything goes and that no design references to context are required.
3. New building heights to the south of existing properties on higher ground levels should, ideally, be the same height or lower in height than the adjoining dwelling.

The applicant's siting, design, height, scale, bulk, massing, and detailed materials and finishes decisions do not make much sense when viewed in the context of this site and its surrounds.

7.10 Issue 10: Depreciation in the value of adjoining properties

Our client is concerned that the proposed development would seriously injure the amenities and depreciate the value of his property. The potential impact that a proposed development can have on an adjoining property is recognised by the Planning Acts which include a reason for refusal reason 10. (c) of the Fourth Schedule 'Reasons for the Refusal of Permission which Exclude Compensation' of the Planning Acts 2000-2015:

10. In the case of development including any structure or any addition to or extension of a structure, the structure, addition or extension would— (c) seriously injure the amenities, or depreciate the value, of property in the vicinity.

Our client submits that this reason for refusal is appropriate in this case.

7.11 **Issue 11: Construction phase concerns**

These points are made without prejudice to our client's position that this planning application should be refused for the reasons set out above and in Section 9.1 of this report.

7.11.1 **Construction traffic & construction parking – concerns**

Our client is concerned that, if granted, the proposed development would cause traffic during the construction period. The applicant's proposed site entrance arrangements would, once the foundations are in, only allow trucks to drive in and then reverse out (into a busy road with on road parking). The applicant has not provided a detailed traffic assessment or construction phase management plan.

Details are needed regarding how – throughout the construction phase – the scheme will receive:

- Concrete deliveries (that park up during concrete pumping);
- Deliveries of building materials; and
- Any other deliveries as requires (e.g. deliveries of machinery).

It must be assumed that all deliveries will be by full sized trucks / HGVs. Construction vehicles entering and exiting the site will cause disruption.

Our client does not consider that any construction access arrangements are satisfactory. The problems with vehicles especially larger vehicles, accessing the site during construction, means it is inevitable that there would be fly parking by trucks / HGVs, delivery vehicles, worker cars, etc. on the road.

If SDCC is to consider granting planning permission for the proposed development, then adjoining roads should be treated carefully during any part of the construction phase of this project. There is a need to require that the applicant provides a Construction Management Plan. This should which sets out how the proposed development can be constructed without causing substantial and significant disruption and without causing a traffic hazard for adjoining properties and users of the adjoining public footpath.

In the event planning permission is granted for this scheme, construction arrangements should be planned such that there are minimal impacts on their property:

1. No construction access into the site should be allowed to take place by way of parking – at all – on Old Knocklyon Road. The Construction Management Plan should confirm this arrangement. A plan for how construction vehicles will access the site and park needs to be agreed prior to any planning permission being granted.
 - No construction vehicles should be permitted to reverse out of the site at any stage without site workers providing guidance at all times
 - No construction worker's vehicles should park / fly park on Old Knocklyon Road at any time.
2. All related road construction matters including timetabling of works should be communicated by the contractor to our clients such that they can ensure the area is kept safe for children in the area, etc

These matters need to be addressed by way of Further Information and not left to any planning condition.

7.11.2 **Measures to reduce impacts on adjoining properties & the footpath should be agreed**

Our client asks that if SDCC is to consider granting planning permission for the proposed development, then careful consideration needs to be given – before any planning permission is granted and/or construction work begins on site – to minimising and mitigating impacts on their adjoining property, including:

1. All measures to reduce noise and vibration from the works relative to their adjoining property should be put in place prior to and retained during construction.
2. All measures to reduce dust, soil, and other waste deposits within or within the vicinity of their adjoining property should be undertaken
3. All measures to ensure the ongoing safe access and use of the public footpaths adjoining the applicant site should be put in place.

These measures should be included as a condition in the event planning permission is granted.

7.11.3 **Working hours**

Our client requests that, given the existing low noise levels in this area, that if planning permission is to be granted, the hours of construction related activities (deliveries and on site works) should be restricted to (as per the SDCC CDP 2016-2022).

- 8am (not 7am) to 6pm Monday to Friday; and
- 9am to 2pm on Saturdays.

There should be no work outside of these hours or on Sundays and Bank Holidays. There should also be a condition attached to any planning permission stating that no special arrangements for deliveries, etc. can be made outside of these hours/days.

7.11.4 Proposed phasing of the construction works should be agreed at planning stage

Our client potentially faces years of disruption if planning permission is granted. He therefore needs to understand what the construction works timetable will be. This schedule should set out: (i) When the construction works would take place and for how many months; (ii) When the excavations of the site and site preparation works will take place and for how many months, and (iii) How long the construction phase would take.

8.0 Conclusion

BPS has reviewed the planning application, including all drawings, visited the site, had due regard to the provisions of the South Dublin County Development Plan 2016-2022 and all matters arising and recommend that permission for the proposed development should be refused for the reasons and considerations stated below.

Given the site context, its planning history (that provides for an existing house to the east of that now proposed), and all applicable planning policy, including those set out in the South Dublin County Development Plan 2016-2022, BPS concludes that the proposed development, by reason of its siting/orientation, size/scale, up to 4 storey nature and overall design, would have a negative impact on 5 Old Knocklyon Road, on the existing dwelling to the east, on the streetscape and on the residential and visual amenities of the surrounding area.

It is considered that the proposed development would represent inappropriate overdevelopment of a cramped infill site, would be out of character with the pattern of development in the area, would be visually obtrusive and back to front relative to the established building line, would set a negative precedent for similar infill development and would seriously injure the amenities of adjoining residential property. The proposed development would also undermine the character and pattern of development in the area.

While the Development Plan supports infill development schemes, the siting, design, height, scale, bulk and massing of the proposed dwelling, it does not support proposals which would detract from the visual and residential amenities of adjoining and neighbouring properties. The proposal fails to accord with the relevant land use zoning objective, which provides for the protection of the residential amenities of adjoining properties and should be refused.

The proposed development is contrary to the provisions of SDCC's planning policy on infill and corner site development set out in Sections 11.3.2 (i) 'Infill Sites' and Section 11.3.2 (ii) 'Corner/Side Garden Sites' of the of the SDCC CDP 2016-2022.

Contrary to claims made in the applicant, the proposed development would not have a complementary impact to the surrounding dwellings. It would however cause significant and cumulative impacts on the residential and visual amenities of surrounding properties especially our client's which would experience significant overbearing, overshadowing, and overlooking which would have a permanent and negative impact on his property causing a depreciation in his property value. The proposal would also set a poor precedent for similarly poorly designed and considered schemes elsewhere in this area.

9.0 Recommendation

It is recommended that, for the reasons set out above that this planning application be refused.

9.1 Recommended reasons for refusal

BPS considers that the proposed development should be refused for the following reasons:

1. The proposed development, by virtue of its scale and layout, would represent overdevelopment of the site and would result in piecemeal development which would be out of keeping with the character and pattern of development in the area. It would also result in an overbearing form of development which would be injurious to residential amenities and would fail to respect the established building line in the area. The proposed development would therefore be contrary to Section 11.3.2 'Infill Sites' and Section 11.3.2 (ii) 'Corner/Side Garden Sites' of the South Dublin County Development Plan 2016-2022 which relates to residential consolidation and would materially contravene the 'RES' zoning objective, as set out in the South Dublin County Development Plan 20-16-2022, which seeks 'To protect and/or improve residential amenity'.

2. The proposed development comprising of the construction of a second dwelling on an originally wider site where there is currently one dwelling, would constitute overdevelopment having regard to its scale and its footprint with its consequent impacts in terms of overlooking, overshadowing and overbearing nature upon the adjacent dwellings and rear gardens. The proposed development would be out of character with the prevailing pattern of development in the area, would be visually dominant by reason of its siting, scale, mass and bulk and would seriously injure the visual and residential amenities of the area. The proposed development would therefore be contrary to the proper planning and sustainable development of the area.
3. The proposed development would set an undesirable precedent for other similar developments, which would in themselves and cumulatively be harmful to the residential amenities of the area and would be contrary to the proper planning and sustainable development of the area.
4. The proposed development, by reason of its siting, layout, height, design, scale and limited separation distances to site boundaries, would result in a loss of light and outlook to adjoining properties and, as such, constitute an un-neighbourly form of development resulting in a material loss of residential amenity. The proposed development would therefore be contrary to the provisions of Section 11.3.2 (i) and Section 11.3.2 (ii) 'Corner/Side Garden Sites' of the SDCC CDP as they relates to infill backland residential development as such the proposed development, would seriously injure the visual amenities and depreciate the value of property in the vicinity and would be contrary to the proper planning and sustainable development of the area.
5. Having regard to the restricted nature of the site and the pattern of development in the area, it is considered that the proposed development, by reason of its overall scale, design, height and positioning on site relative to the adjoining properties, the existing dwelling and the proposed concurrent side garden dwelling, would constitute an overbearing form of development which would seriously injure the residential amenities of property in the vicinity and would, therefore, be contrary to the proper planning and sustainable development of the area.

9.2 Recommendation in the event of a request for significant further information

Our client requests that the following revisions be required by way of refusing the planning application and allowing a new planning application to be made or by the provision of revised drawings by way of Significant Further Information (that would require re-advertising)

1. The dwelling should be orientated such that its front elevation aligns with our client's front elevation and the rear elevation and rear gardens are sited in a sensitive manner. The current back to front orientation is unacceptable.
2. The proposed dwelling be reduced to single or two storeys in height.
3. The dwelling should be 2 bedrooms only and its scale, bulk, massing etc. revised downward accordingly. A 178sq m dwelling cannot be fitted into the site.
4. The proposed dwelling design should be revised such that it respects its context and offers a quality infill proposal. There are many examples within the SDCC area if the applicant drives around.
5. A full shadow study for the 21st of March, June, September and December should be submitted.
6. Photomontages should be provided.
7. A Construction Management Plan should be provided.

Ends/.

**An Rannóg Talamhúsáide, Pleanála agus Iompair
Land Use, Planning & Transportation Department**

Telephone: 01 4149000 Fax: 01 4149104 Email: planning.dept@sdblincoco.ie

**BPS Planning
Ballinatone
Greenane
Rathdrum
Co. Wicklow**

Date: 13-Apr-2022

Dear Sir/Madam,

Register Ref: SD22A/0080
Development: Detached three storey, four bedroom house in a contemporary design with flat roofs and bedroom balconies; the drainage arrangements are to simply tap into the existing and as approved under planning ref SD11A/0065 and as amended by S15A & SD17A/0163; a new pedestrian and vehicular access boundary walls and new vehicle crossover on lands at Castlefield Avenue Knocklyon adjoining number 5 Knocklyon Road and Mimosa, Castlefield Avenue Dublin 16 and all associated site works.
Location: Lands at Castlefield Avenue. Knocklyon. Dublin 16
Applicant: Ross Hollingsworth
Application Type: Permission
Date Rec'd: 16-Mar-2022

I wish to acknowledge receipt of your submission in connection with the above planning application. The appropriate fee of €20.00 has been paid and your submission is in accordance with the appropriate provisions of the Planning and Development Regulations 2001(as amended). The contents of your submission will be brought to the attention of the Planning Officer during the course of consideration of this application.

This is an important document. You will be required to produce this document to An Bord Pleanála if you wish to appeal the decision of the Council when it is made. You will be informed of the decision in due course. Please be advised that all current applications are available for inspection at the public counter and on the Council's Website, www.sdblincoco.ie.

You may wish to avail of the Planning Departments email notification system on our website. When in the **Planning Applications** part of the Council website, www.sdblincoco.ie, and when viewing an application on which a decision has not been made, you can input your email address into the box named **"Notify me of changes"** and click on **"Subscribe"**. You should automatically receive an email notification when the decision is made. Please ensure that you submit a valid email address.

Please note: If you make a submission in respect of a planning application, the Council is obliged to make that document publicly available for inspection as soon as possible after receipt. Submissions are made available on the planning file at the Planning Department's public counter and with the exception of those of a personal nature, are also published on the Council's website along with the full contents of a planning application.

Yours faithfully,

M. Furney
for **Senior Planner**