

John Whelan,
5 Mountdown Park,
Manor Estate,
Terenure,
Dublin 12,

09 May 2022

Ref SD22B/0159

By email to planningsubmissions@sdublincoco.ie

Dear Sir/Madam,

I the undersigned am objecting to the granting of planning retention permission for Mr Bill Sheehan, 7 Mountdown Park Dublin 12 (South Dublin County Council Planning Reference Number: **SD22B/0159**). My objection to the granting or retention permission is based on the injurious effect that the unauthorised works have had on my property. Such are the extent of the effects, elaborated upon below, that restitution of the site to its pre-existing condition as well as suitable remediation for the detrimental impact of the unauthorised works is the only way forward.

For the following reasons, I object to the granting of retention permission in this case:

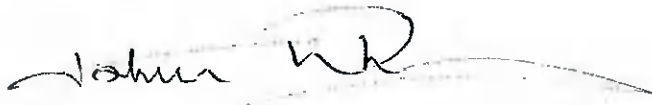
1. Sewerage system being compromised by the over development of the site, removal of access points to the piping to the rear of no 7 (Back Garden which has now been built over). As a result, our sewerage system has been compromised and must be cleared out every 3-4 months due to the ingress of concrete and other construction waste into the pipes arising from the carrying out of the unauthorised works. In our time in our house since 1963 we have had no issues with the sewerage system until the development of No 7 has taken place. A plumber was commissioned to investigate the issue and found waste concrete in the sewerage line originating from the unauthorised works at 7 Mountdown Park. Similar issues were identified in the sewerage system of No. 9 Mountdown Park.

2. Related to the above, the odour of foul water and effluent in 5 Mounddown Park is pervasive because of the damage which the unauthorised works have caused to the sewerage system. Prolonged exposure to such odours is damaging to the quality of life and health of the occupants of No. 5 Mounddown Park.
3. Separation distances between No 7 property and the neighbouring property No 5 have been compromised meaning we now have issues with light and overshadowing.
4. The over development of the site, size, scale and bearing of the building as completed is having a negative impact on the neighbouring properties and is not in keeping with the general neighbourhood, it is also aesthetically damaging to all neighbouring properties and has devalued the prices of properties beside this development, i.e. No 5 & No 9.
5. Completed works in the rear of the property also significantly exceeded the exempted development provisions previously relied upon in SD16B/0230.
6. The Applicant seeking retention permission for the works completed was issued with an enforcement notice pursuant to Section 154 of the Planning and Development Act 2000 (as amended). The works completed to date do not accord with the plans and particulars as outlined in Reg Ref SD16B/0230. On the 20th of May 2021, the Applicant was issued with correspondence requiring the following steps be taken between the 24th of May 2021, and the 16th of August 2021.
 - i. Construct the development in compliance with Condition no. 1 of planning permission SD16B/0230.
 - ii. Remove the first-floor front extension and replace with a dormer extension as per planning permission granted for the elevations.
 - iii. Remove the first-floor rear extension and replace with a dormer extension as per the planning permission granted for the elevations.
 - iv. Remove the pitched roof on the rear extension and replace with the permitted flat roof as per the granted planning permission.
 - v. Remove the door on the ground floor (where the garage is converted to a habitable space) and replace with a window as per the granted planning permission.

- vi. Remove all resultant debris to an approved landfill site or salvage yard.
7. To date, these steps have not been complied with and this current retention permission is nothing more than an attempt to short circuit the planning process by securing permission for unauthorised works which are injurious to the character of the area and the amenity of the neighbouring properties.

On foot of the above ground, I strenuously object to the granting of retention permission for unauthorised works which are already the subject of enforcement proceedings particularly in such circumstances where the result works have had a substantial detrimental impact on my property and the wider neighbourhood.

Regards


John Whelan

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

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

**John Whelan
5, Mountdown Park
Dublin 12**

Date: 11-May-2022

Dear Sir/Madam,

Register Ref: SD22B/0159
Development: Retention of alterations to dwelling including single storey pitched roof extension to the rear; dormer attic extension to the front and rear roof; single storey extension to the front and internal changes to the layout and associated site works.
Location: 7, Mountdown Park, Dublin 12
Applicant: Billy Sheehan
Application Type: Retention
Date Rec'd: 14-Apr-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