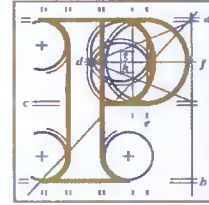


Our Case Number: ABP-313577-22

Planning Authority Reference Number: SD22A/0062



An
Bord
Pleanála

South Dublin County Council
Planning Department
County Hall
Tallaght
Dublin 24

Land Use Planning & Transportation

18 MAY 2022

South Dublin County Council

Date: 17 May 2022

Re: Demolition of shed/garage building to rear, construction of two houses, vehicular entrance off Brideswell Lane and ancillary site development works.
104 Boot Road, Clondalkin, Dublin 22

Dear Sir / Madam,

Enclosed is a copy of an appeal under the Planning and Development Act, 2000, (as amended).

Submissions of documents etc., to the Board. N.B. Copies of I-plans are not adequate, all drawings and maps should be to scale in accordance with the provisions of the permission regulations.

1. The planning authority is required to forward specified documents to the Board under the provisions of section 128 and section 37(1)(b) of the Planning and Development Act, 2000, (as amended). Please forward, **within a period of 2 weeks beginning on the date of this letter, the following documents:-**

- (i) a copy of the planning application made to the planning authority and a copy of any drawings, maps (including ordnance survey number) particulars, evidence, a copy of any environmental impact statement, other written study or further information received or obtained by your authority in accordance with regulations under the Acts. If practicable, the original of any drawing with coloured markings should be provided or a coloured copy,
- (ii) a copy of any technical or other reports prepared by or for the planning authority in relation to the application,
- (iii) a certified copy of the relevant Manager's Order giving the decision of the planning authority,
- (iv) a copy of the notification of decision given to the applicant,
- (v) particulars of the applicant's interest in the land or structure, as supplied to the planning authority,
- (vi) a copy of the published notice and a copy of the text of the site notice erected on the land or structure,

Tel	Tel	(01) 858 8100
Glaó Áitiúil	LoCall	1890 275 175
Facs	Fax	(01) 872 2684
Láithreán Gréasáin	Website	www.pleanala.ie
Ríomhphost	Email	bord@pleanala.ie

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

under section 48(2)(c) of the Act. Any such contingency submission, in circumstances which your authority decided to refuse permission, would be without prejudice to your authority's main submission in support of its decision.

Please quote the above appeal reference number in any further correspondence.

I hereby certify that the planning authority has complied with section 128 and section 37(1)(b) of the 2000 Act, (as amended), and that all material relevant to (ABP-313577-22) the request at 1 on page 1 of this letter has been forwarded.

Signed: _____

Print:(_____)

Date: _____

Yours faithfully,

PP Daniel O'Conor

Patrick Buckley
Administrative Assistant
Direct Line: 018737167

BP07

Teil
Glaio Áitiúil
Facs
Láithreán Gréasáin
Riomhphost

Tel
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64 Sráid Maoilbhríde
Baile Átha Cliath 1
D01 V902

64 Marlborough Street
Dublin 1
D01 V902



STEPHEN MASON
ARCHITECTURAL AND PLANNING SERVICES
2 Clonkeefy, Castlerahan, Ballyjamesduff, Co Cavan
MOBILE - 087 746 4003
TEL - 049 8542727
EMAIL - stephenmasontech@yahoo.ie
WEB - stephenmasonaps.com

15th May 2022

An Bord Pleanála
64 Marlborough Street
Dublin 1

SOUTH DUBLIN COUNTY COUNCIL PLANNING APPLICATION REF: SD22A/0062

LOCATION: 104 BOOT ROAD, CLONDALKIN, DUBLIN 22, D22 K7N8

PROPOSAL: PLANNING PERMISSION SOUGHT FOR

(1) THE DEMOLITION OF THE EXISTING SHED/GARAGE BUILDING TO THE REAR OF THE EXISTING DWELLING (2) THE CONSTRUCTION OF 2NO. 2 BEDROOM 3 PERSON DETACHED TWO STOREY PITCHED ROOF MEWS DWELLINGS WITH A SINGLE STOREY FLAT ROOF REAR PROJECTION, LOCATED TO THE REAR OF THE EXISTING DWELLING AND FRONTING ONTO BRIDESWELL LANE. (3) THE VEHICULAR ENTRANCE IS OFF BRIDESWELL LANE (4) CONNECTION TO ALL PUBLIC SERVICES, AND (5) ALL NECESSARY ANCILLARY SITE DEVELOPMENT WORKS TO FACILITATE THIS DEVELOPMENT

Dear Sir/Madam:

On behalf of our client Mr John Dunne (first party) of 64 Monastery Park, Clondalkin, Dublin 22, we wish to appeal the Decision of South Dublin County Council to REFUSE PERMISSION for the above as per Decision Order No: 0493 dated 19th April 2022.

Please find enclosed:

- An Bord Pleanála Planning Appeal Form.
- The statutory First Party Submission fee of €1500.00.

OTHER PLANNING – DECISION PENDING

A Planning Application for residential development within the rear garden of no 97 Boot Road, is running concurrently with this Planning Application for residential development within the rear garden of no 104 Boot Road.

AN BORD PLEANÁLA	
LDG-	<u>053354 - 22</u>
ABP-	_____
16 MAY 2022 o.k	
Fee: € <u>1500</u>	Type: <u>cheque</u>
Time: <u>11:12</u>	By: <u>hand</u>

South Dublin County Council Planning Application Ref: SD22A/0063. (no 97).

Proposal: Planning Permission sought for

(1) The demolition of the existing shed/garage building to the rear of the existing dwelling (2) The construction of 1 no. 2 bedroom 3 person detached single storey pitched roof mews dwelling with attic conversion, and a single storey flat roof rear projection located to the rear of the existing dwelling and fronting onto Brideswell Lane. (3) The vehicular entrance is off Brideswell Lane. (4) connection to all public services. (5) all necessary ancillary site development works to facilitate this development

This Planning Application was Refused permission by South Dublin County Council on 19-04-2022. This decision is also being appealed to An Bord Pleanála.

These 2 no Planning Applications, are a coordinated approach to provide residential development on other lands in the vicinity of the previously approved the Mews Application for the rear garden of no 99 Boot Road, and will aim to fulfil the development potential of the un-developed serviced lands within a residential environment in the vicinity along the laneway.

A total of 4 no houses would be initially be constructed facing onto Brideswell Lane.

These 2 no Planning Applications (no 99 and no 104) are likely to begin a process of consolidating the residential amenity of area.

Refer to attached drawing 441-200, which indicates the previous approved residential properties and the proposed residential properties, within the rear gardens facing onto Brideswell Lane.

SITE LOCATION

The subject site is located in the established residential area of Boot Road in Clondalkin, Dublin 22.

This area is made up of mostly two storey dwellings in terraces of four with long rear gardens.

The subject site is well located in close proximity to and well served by public bus routes.

The subject site is easily accessible by car, bicycle and foot.

The centre of Clondalkin village which has services that fulfil occasional and day to day needs, is within walking distance from the subject site.

The subject site is accessed by the laneway to the rear known as Brideswell Lane.

The laneway is a cul de sac and is maintained by the Local Authority.

There is no direct pedestrian access from the subject site to Fonthill Road or the petrol station.

Our reasons to appeal the decision to REFUSE PLANNING PERMISSION include:

- The proposed Mews development is to provide a residential dwelling, on serviced lands to the rear of a substantial garden of the main house at 97 Boot Road.

There was no Third Party Observations to this Planning Application.

- As per the current South Dublin County Council Development Plan 2016 – 2022.
The subject development site is zoned A.
'to protect and/or improve residential amenity'.

The development potential of the rear gardens in the area served by the laneway is evident.

- This Planning Application (and no 104) will continue the process off providing residential development on residential zoned lands.
- An Bord Pleanala previously approved the Mews Application for the rear garden of no 99 Boot Road.

Planning Application details:

Planning Application Reference: SD19A/0385

Proposed Development: Conversion of an existing single storey structure into a two bed mews dwelling with one reception room; kitchen/dining area; bathroom; rear garden with all associated site works; existing structure will be given a new pitched roof; parking will utilise the existing three spaces off Brideswell Lane.

Date Received: 11-12-2019.

Decision Date: 12-02-2020.

Decision: Refuse Permission.

This decision was appealed to An Bord Pleanala by the applicant.

An Bord Pleanala Reference: ABP-306855-20

Decision Date of An Bord Pleanala: 31-07-2020 to Grant Permission.

The previous approved Planning Application for no 99, set a precedent for this type of development, and as a result of this favourable decision the applicant sought to develop there own site.

- There are a number of commercial businesses located on the lane, which we understand may be operating without the benefit of Planning Permission and are inconsistent with the land-use zoning objective.

We submit that the commercial business currently operating at no 104 has Planning Permission.

- Following any Grant of Planning Permission the current commercial activities at no 104 (and no 97) will cease.

This will greatly remove a number of vehicles which access and park within the lane.

- After the re-development of no 104 (and 97) there will be upto 3no commercial businesses remaining at the rear off nos 96, 101 and 102 Boot Road, which would not be in accordance with the proper planning and sustainable development of the area.
- The proposed Mews development is in accordance with current South Dublin County Council Development Plan and the document Quality Housing for Sustainable Communities.

Development Standards are complied with for:

- Separation distance.
 - Private open space provision.
 - Refuse bins storage.
 - Car parking.
- The subject site is accessed by the laneway to the rear known as Brideswell Lane. The laneway is a cul de sac and is maintained by the Local Authority. There is no direct pedestrian access from the subject site to Fonthill Road or the petrol station.

Public lighting exists to part of the lane.

A 1.3m wide footpath exists to part of the lane, as far as the crèche building.

The clear width of the lane is minimum c.6m.

This is sufficient width to extend the footpath and provide a c.4.5m access road.

- The planners report states:

In addition, the proposed vehicular access for House No. 1 is reliant on traversing the front curtilage of House No. 2 and there appears to be insufficient room to navigate the access point without reversing and turning manoeuvres out onto the lane, which presents a significant traffic hazard. As such, the proposed dwellings could not operate independently of each other and would be reliant on an agreement between the future residents.

We submit that a new dedicated vehicular entrance can be provided in front of house no 1.
Refer to attached Planning drawing 441/104 marked up to show possible entrance position.

CONCLUSION

Mews houses are synonymous with Dublin, and this Planning Application (and no 97) seeks to provide a much needed dwelling house on serviced lands, within an existing residential area, which will aid with the housing crises.

This proposed development makes the most use of un-developed serviced lands within a residential environment.

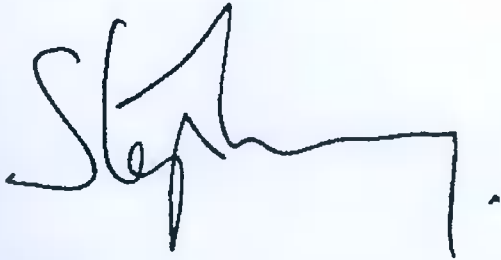
These 2no Planning Applications, (no 99 and no 104) are a coordinated approach to provide residential development on other lands in the vicinity of no 99, and will aim to fulfil the development potential of the un-developed serviced lands within a residential environment in the vicinity along the laneway.

These 2no Planning Applications (no 99 and no 104) are likely begin a process of consolidating the residential amenity of area.

The character of the laneway would be improved by the proposed development(s), and would not have a negative visual impact on existing or future residential amenity in the area.

We ask that An Bord Pleanala reverse the Decision of South Dublin County Council.

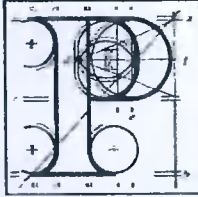
Yours sincerely,

A handwritten signature in black ink, appearing to read 'Stephen', followed by a horizontal line and a vertical line ending in a small dot.

STEPHEN MASON

STEPHEN MASON ARCHITECTURAL AND PLANNING SERVICES

On behalf of Mr John Dunne (applicant / first party).



An
Bord
Pleanála

Planning Appeal Form

Your details

1. Appellant's details (person making the appeal)

Your full details:

(a) Name

John Dunne

(b) Address

64 Monastery Park
Clondalkin
Dublin 22

Agent's details

2. Agent's details (if applicable)

If an agent is acting for you, please also provide their details below. If you are not using an agent, please write "Not applicable" below.

(a) Agent's name

Stephen Mason

(b) Agent's address

2 Clonkeefy
Castlerahan
Ballyjamesduff

Co Cavan
A82 H330
087 7464003

Postal address for letters

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

You (the appellant) at the address in Part 1

The agent at the address in Part 2

Details about the proposed development

4. Please provide details about the planning authority decision you wish to appeal. If you want, you can include a copy of the planning authority's decision as the appeal details.

(a) Planning authority

(for example: Ballytown City Council)

South Dublin County Council

(b) Planning authority register reference number

(for example: 18/0123)

SD21A / 0062

(c) Location of proposed development

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

Rear of 104 Boot Road, Clondalkin, Dublin 22

Appeal details

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

Refer to attached letter with supporting documents

Supporting material

6. If you wish you can include supporting materials with your appeal.

Supporting materials include:

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

Acknowledgement from planning authority (third party appeals)

7. If you are making a third party appeal, you **must** include the acknowledgment document that the planning authority gave to you to confirm you made a submission to it.

Fee

8. You **must** make sure that the correct fees are included with your appeal. You can find out the correct fee to include in our Fees and Charges Guide on our website.

Oral hearing request

9. If you wish to request the Board to hold an oral hearing on your appeal, please tick the “yes, I wish to request an oral hearing” box below.

Please note you will have to pay an **additional non-refundable fee** of €50. You can find information on how to make this request on our website or by contacting us.

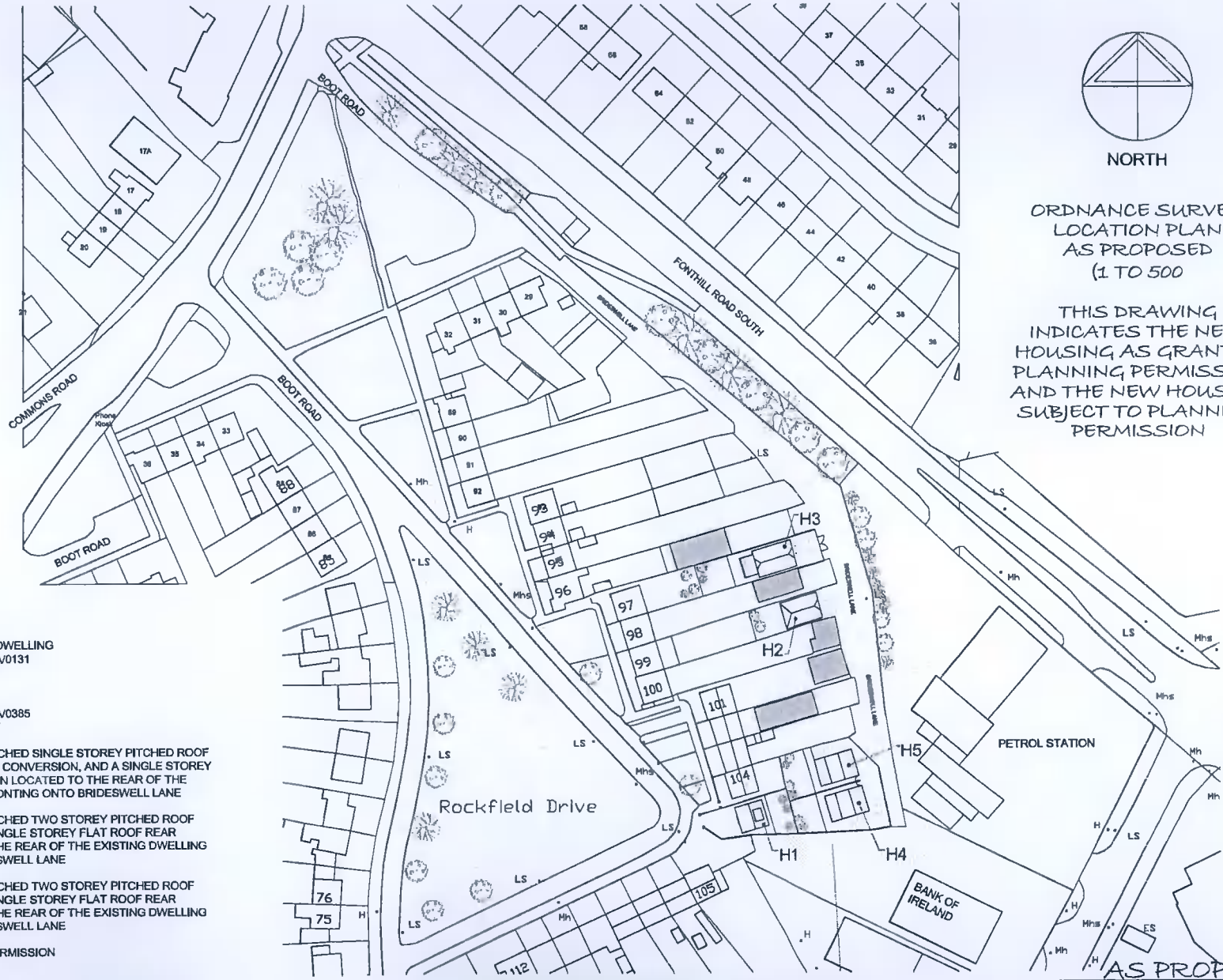
If you do not wish to request an oral hearing, please tick the “No, I do not wish to request an oral hearing” box.

Yes, I wish to request an oral hearing

No, I do not wish to request an oral hearing

NALA has awarded this document its Plain English Mark
Last updated: April 2019.





ORDNANCE SURVEY
LOCATION PLAN
AS PROPOSED
(1 TO 500)

THIS DRAWING
INDICATES THE NEW
HOUSING AS GRANTED
PLANNING PERMISSION
AND THE NEW HOUSING
SUBJECT TO PLANNING
PERMISSION

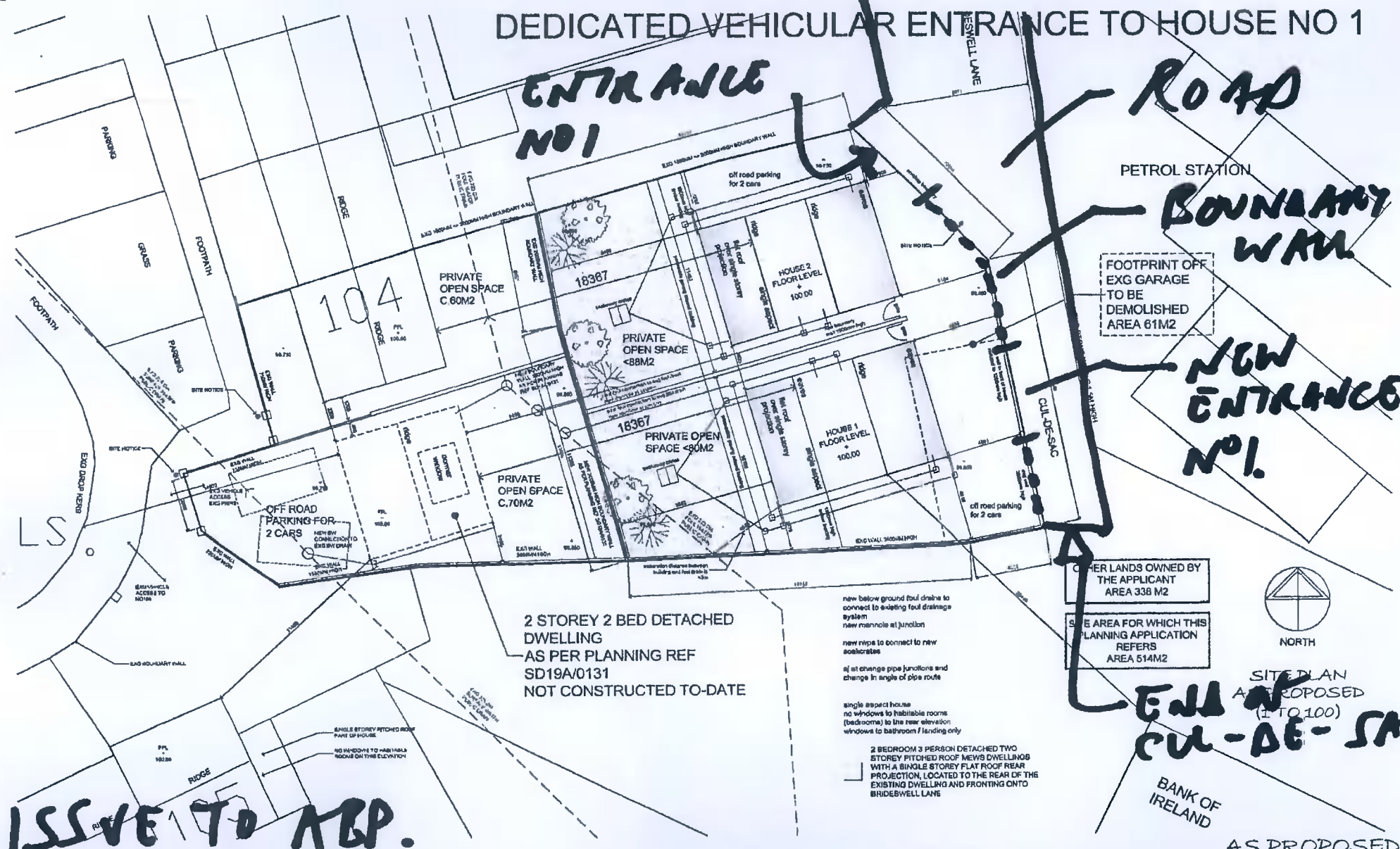
SCHEDULE OF NEW HOUSING

- H1 2 STOREY 2 BED DETACHED DWELLING
AS PER PLANNING REF SD19A/0131
NOT CONSTRUCTED TO-DATE
 - H2 2 BED MEWS DWELLING
AS PER PLANNING REF SD19A/0385
NOT CONSTRUCTED TO-DATE
 - H3 (*) 2 BEDROOM 3 PERSON DETACHED SINGLE STOREY PITCHED ROOF
MEWS DWELLING WITH ATTIC CONVERSION, AND A SINGLE STOREY
FLAT ROOF REAR PROJECTION LOCATED TO THE REAR OF THE
EXISTING DWELLING AND FRONTING ONTO BRIDESWELL LANE
 - H4 (*) 2 BEDROOM 3 PERSON DETACHED TWO STOREY PITCHED ROOF
MEWS DWELLINGS WITH A SINGLE STOREY FLAT ROOF REAR
PROJECTION, LOCATED TO THE REAR OF THE EXISTING DWELLING
AND FRONTING ONTO BRIDESWELL LANE
 - H5 (*) 2 BEDROOM 3 PERSON DETACHED TWO STOREY PITCHED ROOF
MEWS DWELLINGS WITH A SINGLE STOREY FLAT ROOF REAR
PROJECTION, LOCATED TO THE REAR OF THE EXISTING DWELLING
AND FRONTING ONTO BRIDESWELL LANE
- (*) SUBJECT TO PLANNING PERMISSION

AS PROPOSED

<p>AS PROPOSED</p> <p>SCALE: DRAWING TO SCALE AT A1 SIZE</p>	<p>ORDNANCE SURVEY PLAN REF MAP SERIES: 1:1000 MAP SHEET: 3328-14 ITM CENTRE POINT CO-ORDINATE X,Y = 709982, 730527</p>	<p>PLANNING PERMISSION FOR (1) THE CONSTRUCTION OF 1 NO. 2 BEDROOM 3 PERSON DETACHED SINGLE STOREY PITCHED ROOF MEWS DWELLING WITH ATTIC CONVERSION, AND A SINGLE STOREY FLAT ROOF REAR PROJECTION LOCATED TO THE REAR OF THE EXISTING DWELLING AND FRONTING ONTO BRIDESWELL LANE, (2) THE VEHICULAR ENTRANCE IS OFF BRIDESWELL LANE, (3) CONNECTION TO ALL PUBLIC SERVICES, (4) ALL NECESSARY ANCILLARY SITE DEVELOPMENT WORKS TO FACILITATE THIS DEVELOPMENT AT 67 BOOT ROAD, CLONDALKIN, DUBLIN 22, D22 X3P7 FOR JOHN DUNNE</p>	<p>PLANNING APPLICATION DRAWING</p> <p>SCALE 1 TO 500 DATE JANUARY 2022</p> <p>DRO NO 441/201</p>	<p>STEPHEN MARON ARCHITECTURAL AND PLANNING SERVICES 2 CLONKEEPLY CASTLERAHAN, BALLYJAMESDUFF, CO DUBLIN TEL - 087 746 4003</p>
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DEDICATED VEHICULAR ENTRANCE TO HOUSE NO 1



ISSUE TO ABP.

END OF
CU-DE-SAC
AS PROPOSED

<p>AS PROPOSED</p> <p>SCALE: DRAWING TO SCALE AT A1 SIZE</p>	<p>ORDNANCE SURVEY PLAN REF MAP SERIES: 111000 MAP SHEET: 3325-14 11M CENTRE POINT CO-ORDINATE X,Y = 709962, 730527</p>	<p>PLANNING PERMISSION FOR (1) THE CONSTRUCTION OF 2NO. 2 BEDROOM 3 PERSON DETACHED TWO STOREY PITCHED ROOF MEWS DWELLINGS WITH A SINGLE STOREY FLAT ROOF REAR PROJECTION LOCATED TO THE REAR OF THE EXISTING DWELLING AND FRONTING ONTO BRIDEWELL LANE, (2) THE VEHICULAR ENTRANCE TO THE REAR OF THE EXISTING DWELLING AND FRONTING ONTO BRIDEWELL LANE, (3) ALL NECESSARY ANGLICULAR SITE DEVELOPMENT WORKS TO FACILITATE THIS DEVELOPMENT</p> <p>AT 104 BOOT ROAD, CLUNDESK, DUBLIN 22, D22 K7N1 for JOHN DUNNE</p>	<p>PLANNING APPLICATION DRAWING</p> <p>SCALE 1 TO 100</p> <p>DATE JANUARY 2022</p> <p>DWB NO 441 / 104</p>	<p>STEPHEN MARON ARCHITECTURAL AND PLANNING SERVICES 3 CLONKEEY, CASTLERAHALL, BALLYJAMESBOUFF, CO DAVAN TEL: 087 796 4003</p>
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