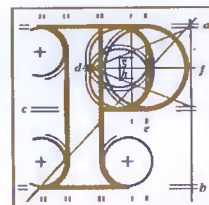


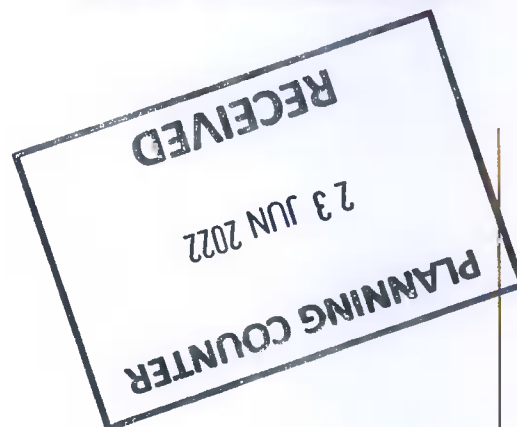
**Our Case Number:** ABP-313841-22

**Planning Authority Reference Number:** SD22A/0095



An  
Bord  
Pleanála

South Dublin County Council  
Planning Department  
County Hall  
Tallaght  
Dublin 24



**Date:** 22 June 2022

**Re:** Construction of dwelling and all ancillary site works  
50A, Springvale, Edmonstown Road, Rathfarnham, Dublin 16

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,

Teil	Tel	(01) 858 8100
Glaao 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

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-313841-22) the request at 1 on page 1 of this letter has been forwarded.

**Signed:** \_\_\_\_\_

**Print:**( \_\_\_\_\_ )

**Date:** \_\_\_\_\_

Yours faithfully,



\_\_\_\_\_  
Daniel O'Connor  
Direct Line:

BP07

**Teil**  
**Glaó Áitiúil**  
**Facs**  
**Láithreán Gréasáin**  
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Dublin 1  
D01 V902



An Bord Pleanála  
64 Marlborough Street,  
Dublin 1.

Date: 14<sup>th</sup> June 2022

our ref: KA-21-018

AN BORD PLEANÁLA	
LDG-	054573-22
ABP-	
16 JUN 2022 o-k	
Fee: €	220 Type: CLg
Time	By: RegPost

SDCoCo Decision Order Number 0670 Reg Ref: SD22A/0095. Date of decision 30<sup>th</sup> May 2022

Re: **50A Springvale, Edmondstown Road, Rathfarnham, Dublin 16.**

Dear Sir, Madam

On behalf of our client Mr. Brian Sheridan of 50A Springvale, Edmondstown Road, Rathfarnham, Dublin 16. We wish to appeal the decision from south Dublin county council on the 30<sup>th</sup> may 2022. Our grounds for appeal are as follows,

1. The first reason for refusal is reflected in a comment that the site is zoned RES and that is to protect and improve residential amenity. It is our contention that the provision of a house on this vacant site does represent a realistic proposal to improve residential amenity. The existing houses a have been constructed on a sloping site and the slope is the reason for issues of overbearing that exist at present but this is not substantially adversely changed by this proposal, The issue in relation to the balcony has been noted and the area of balcony has been reconsidered as a roof area with no access. This is shown in the accompanying drawing 21-018, PA-03(a). The building is placed in an area between the houses at a higher level and the houses at the lower level and the building is designed to be substantially lower than the existing houses in Springfield. Angles showing to the height of the existing gable and those of the new development are highlighted in drawing number 21-018-PA-04(a) The existing site is enclosed with a rendered blockwork wall and the new development although higher than that wall is substantially lower than the houses beyond.
2. The access to this site is through a simple access gateway in the control of the owner of the site. The access is fair and reasonable and the proposal is to have vehicle access the top of the ramped garden but it is viable to carry the parking area to the low grade area either way there would not be an issue in the access to the site. We are at a loss as to this being a reason for refusal.
3. The drainage installation will be in line with directions and standards and will be handled into the existing drainage system to the house already existing on the site. This we believe could be handled by way of a condition rather than a reason for refusal.

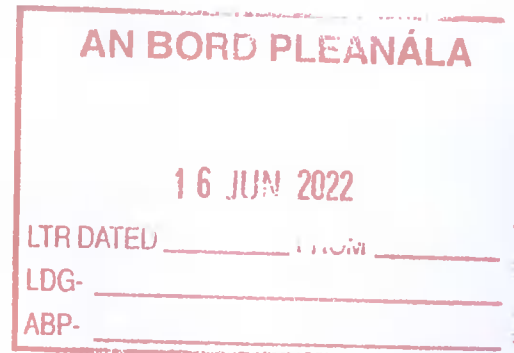


The last issue we would like to highlight is that the application was made on the 4<sup>th</sup> April 2022 and the decision was signed on the 3<sup>rd</sup> of June 2022, the last day for a decision was the 30<sup>th</sup> May 2022, we do not know what the date for decision was highlighted three days prior to the decision being made. We would question the validity of this as we do not really know what date to use for the appeal. We would request clarification on these dates as it seemed to reduce the time for the appeal to be submitted.

In conclusion we believe that this site represents a good and reasonable space for a simple small house to be constructed with direct access from the public road we believe this represent proper planning and development of this area, the proposed house is not as tall as the existing houses to the rear and we believe this will not result in negative overbearing of the structure. We believe that the removal of the rear balcony represents and reduction in the enjoyment of the completed property but understand this could be seen as a negative for the surrounding houses. We are enclosing the drawings number 21-018 -03(a) and 04(a) setting out the minor adjustments and clarifications to back up our appeal. We would look to An Bord Pleanála to overturn the decision as they see fit. We enclose a cheque for the amount €220.00 being the appropriate fee and look forward to an early and favourable decision in this matter.

Yours Faithfully

Tim Kane Dip.Arch. B. Arch(sc) FRIAI  
For Kane Architecture



Encls.