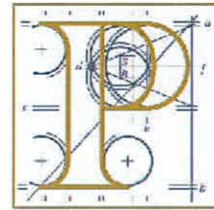


Our Case Number: ABP-313978-22

Planning Authority Reference Number: SD21A/0321



An
Bord
Pleanála

South Dublin County Council
Planning Department
County Hall
Tallaght
Dublin 24

Land Use Planning & Transportation

06 JUL 2022

South Dublin County Council

Date: 05 July 2022

Re: Construction of a dwelling and all associated site works
63, Glenbrook Park, Rathfarnham, Dublin 14.

SCANNED

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

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

(vii) a copy of requests (if any) to the applicant for further information relating to the application under appeal together with copies of reply and documents (if any) submitted in response to such requests,

(viii) a copy of any written submissions or observations concerning the proposed development made to the planning authority,

(ix) a copy of any notices to prescribed bodies/other authorities and any responses to same,

(x) a copy of any exemption application/certificate within Part V of the 2000 Act, (as amended), applies,

(xi) a copy of the minutes of any pre-planning meetings.

2. To ensure that the Board has a full and complete set of the material specified above and that it may proceed with full consideration of the appeal, please certify that the planning authority holds no further material relevant to the case coming within the above list of items by signing the certification on page 3 of this letter and returning the letter to the Board.

3. In addition to the documents mentioned above, please supply the following:- Particulars and relevant documents relating to previous decisions affecting the same site or relating to applications for similar development in near proximity. "History" documents should include;

a) Certified Manager's Order,

b) the site location, site layout maps, all plans and

c) particulars and all internal reports.

d) details of any extensions of time given in respect of previous decisions.

Copies of I-plan sheets are not adequate.

Where your records show that a decision was appealed to the Board, it would be helpful if you would indicate the Board's reference.

Submissions or observations by the planning authority.

4. As a party to the appeal you may, under section 129 of the 2000 Act, (as amended), make submissions or observations in writing to the Board in relation to the appeal within a **period of 4 weeks beginning** on the date of this letter. Any submissions or observations received by the Board outside of that period shall not be considered, and where none have been validly received, the Board may determine the appeal without further notice to you.

Contingency Submission

5. If the decision of your authority was to refuse permission, you should consider whether the authority wishes to make a contingency submission to the Board as regards appropriate conditions which, in its view, should be attached to a grant of permission should the Board decide to make such a grant. In particular, your authority may wish to comment on appropriate conditions which might be attached to a permission in accordance with section 48 and/or 49 of the 2000 Planning Act (Development / Supplementary Development Contributions) including any special condition which might be appropriate under section 48(2)(c) of the Act. Any such contingency submission, in circumstances which your

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64 Marlborough Street
Dublin 1
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-313978-22) 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 (01) 858 8100
Glaó Áitiúil LoCall 1890 275 175
Facs Fax (01) 872 2684
Láithreán Gréasáin Website www.pleanala.ie
Riomhphost Email bord@pleanala.ie

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

AN BORD PLEANÁLA
LOG 054983-22
04 JUL 2022
220 Type: Carcl
By: HAJD

AOIFE TUOMEY ARCHITECTS

July 4th 2022

The Secretary
An Bord Pleanála,
64 Marlborough Street,
Dublin 1, D01 V902

Re: First party appeal submission relating to a decision to refuse
Planning application Register Reference: SD21A / 0321

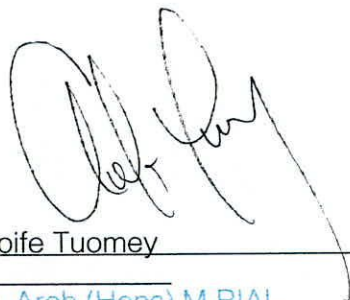
Dear Sir, Madam,

I would like to submit the enclosed Planning Appeal on behalf of the applicant Sarah MacDonald.

Sarah would like to appeal the decision by South Dublin County Council to refuse permission for the construction of a 2 storey house on a corner site at 63 Glenbrook Park, Rathfarnham.

We hope you will find that the enclosed documents provide sufficient reason to encourage the granting of a permission for this proposal .

Thank you.



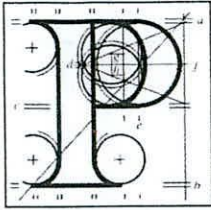
Aoife Tuomey

B. Arch.(Hons) M.RIAI.
Architect accredited with Conservation Grade 3.



Encl: Planning Appeal document.

A: the studio, 24 Raymond St. Dublin D08 N8W7 M: 086 829 8452
E: info@aoifetuomeyarchitects.ie VAT No.: IE 528797 OJ Registered: no. 221282



An
Bord
Pleanála

Planning Appeal Form

Your details

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

Your full details:

(a) Name

Sarah MacDonald

(b) Address

43 Mount Eustace Park, Tyrrellstown, Dublin 15
Y2R5

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

Aoife Tuomey

(b) Agent's address

Aoife Tuomey architects
24 Raymond St. Dublin D08 N8W7.

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/0321

(c) Location of proposed development

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

Corner site at 63 Glenbrook Park, Rathfarnham, Dublin 14

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.

See separate attachment

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 fee is 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.



PLANNING APPEAL.



Planning application Reg. Ref:

SD21A/0321

Address of the proposed development:

Corner / Side garden site at :
63 Glenbrook Park,
Rathfarnham, Dublin 14

Applicant:

Sarah MacDonald
43 Mount Eustace Park,
Tyrrellstown, Dublin 15.
M: 087 2396903.

Agent/Architect:

Aoife Tuomey architects
24 Raymond Street, Dublin D08 N8W7
M: 086 829 8452
E: info@aoifetuomeyarchitects.ie

(Please send all correspondence here)

Proposed development:

Construction of a 2 storey, detached house,
(single family dwelling), area 110m2 with
new boundary treatment .

CONTENTS:	pages
1. Background	3
2. Appeal objective	4
3. Appeal: Section 1	
Schedule of Drawings A – Original Planning Application	5
Planning application drawings	6
Copy of Statutory notices with decisions, received.	
a. Request for Additional Information .Decision order 0110	18
b. Request for Clarification of A.I. Decision order 0376	21
c. Notification of Decision to Refuse Permission Decision order- 0730	24
Making the case for the proposed House as per original Planning application	26
4. Appeal: Section 2	
Schedule of Drawings B – Original Planning Application- <i>Variation</i>	30
Planning drawings – <i>Variation</i>	31
Making the case for a Variation of the proposed House design that was submitted for the original Planning application.	42
5. Conclusion	46

BACKGROUND:

The Applicant, Sarah MacDonald is seeking planning permission to build a house for herself and her mother at the corner/side garden of no. 63 Glenbrook Park, Rahtfarnham, where her mother Mairead MacDonald currently lives.

The opportunity to build a modest sized ,energy efficient house within the curtilage of her former family home would give Sarah the opportunity to own her own house. Mairead MacDonald has lived at No. 63 since the 1960s but as she is in her eighties now she finds the house too big to manage. Her mobility is restricted and she is confined to the ground floor of the house. She would like to move to a smaller house ,preferably on one level and ideally in the same neighbourhood
The construction of the proposed house ,63A would fulfil the housing needs for both mother and daughter and the house, No. 63 would then be sold.

The original application for the house was made for a corner site of area 0.0182 hectares as agreed by Mairead MacDonald, the owner and the other members of the family. Following the refusal and the decision to appeal, Sarah's family agreed to allow an increase in the area of the corner site to 0.0195 hectares so that the provision of an on curtilage car parking space could be provided, as an option. This is described in the Design Variation drawings and it is a compromise they are prepared to make if it might facilitate the grant of permission for the house.

The Planning process began in September 2021 with a pre planning consultation application followed by the lodgement of a Planning application Reg.Ref SD21A/0321 on November 22nd 2021. Subsequent submissions were made in response to an Additional Information request made on the 25th of January and a Clarification of Additional Information request, made the 11th of May 2022. This engagement with the Planning dept on their concerns raised and addressed through the A.I. and Clarification of A.I submissions did seem to indicate that the Planning department deemed the proposal had some merit. This considered in tandem with South Dublin County Council's stated policies for residential consolidation for infill and corner sites as laid out in the SDCC Development plan 2016-2022 and the draft SDCC Development plan 2022-20228 would seem to indicate that a permission for the construction of a house at this corner site is feasible .

The application received a notification of a decision to refuse permission on 7th June '22, The reason provided was the absence of on-site car parking ,being contrary to Section 11.4.4 of the Development Plan and being indicative of the overdevelopment of the site and thus contrary to the pattern of development in the area.

Sarah and her mother are understandably disappointed that a permission was not granted. I have been asked to prepare this first party appeal of the decision to refuse on their behalf.

Please note that both the current SDCC Development plan 2016-2022 and the current SDCC draft development plan 2022-2028 which will come into effect during the timeframe of the consideration of this appeal are referred to ,where relevant.

APPEAL OBJECTIVE

There are some time constraints on the feasibility of this project and so in order to make the best possible case for a permission, two very similar proposals are being offered for consideration as follows:

Appeal - Section 1.

I would like to request that An Bord Pleanála consider the original Planning application in this part of the appeal.

I will make a case for this design in consideration of the Planners' concerns, as highlighted in the A.I and Clarification of A.I. requests.
I would also like to contend the reasons offered for the refusal by the Roads Dept. and ask that the proposal be considered without the requirement to provide an on-site car parking space.

Appeal - Section 2.

I would like to request that An Bord Pleanála also consider a Variation of the original design in this part.

The original application was restricted to a site area of 0.0182 hectares as agreed by Sarah's family. They have however agreed to allow a slightly bigger area of 0.0195 hectares for the proposed house as this may help resolve some of the issues raised.
I can now propose a variation of the house design which can -

- i. address the various planning concerns raised in the A.I / Clarification of A.I. requests and gleaned from the Record of Executive Business and Chief Executive's order.
- ii. provide an off street car parking space within the curtilage of the proposed house.

Please note that the following documents were consulted for the design of the house ,the preparation of all documents submitted in the planning application process and this Appeal

- South Dublin County Council Development Plan 2016-2022
- Draft South Dublin County Council Development Plan 2022-2028
- Guidelines for Planning Authorities on Sustainable Residential Development in Urban areas, 2009.
- Design Manual for Quality housing - Prepared by the Department of Housing, Local Government and Heritage
- DEHLG: Quality Housing for Sustainable Communities, 2007.
- Sustainable Urban Housing: Design standards for New apartments-Guidelines for Planning Authorities.
- DMuRS - .Design Manual for urban roads and streets.

APPEAL : SECTION 1

I would like to request that the original design of the house as per planning application, submitted on November 18th 2021 ,be considered as part of this appeal.

The Schedule of Drawings – A below, lists the drawings that follow here, - for your review.

SCHEDULE A. – SCHEDULE OF DRAWINGS

1 NO. COPY OF THE PROPOSED GENERAL LAYOUTS

	Drawing Description	Scale	Dwg. No.
1	Site Location Map - O.S map	1:1000	P – 1000
2.	Existing Ground floor/Site layout	1: 200	PL.S - 1001
3.	Proposed Site Layout Plan w/Roof Plan	1: 250	P – 1001
4.	Proposed Ground Floor Layout	1:100	P – 1002
5.	Proposed First Floor Layout	1:100	P – 1003
6.	Existing + Proposed Front Elevations	1:100	P – 1100
7.	Existing + Proposed Rear Elevations	1:100	P – 1101
8.	Existing + Proposed Side (N-E) Elevations	1:100	P – 1102
9.	Proposed Side (S-W) + Rear boundary elevations	1:100/1:200	P - 1103
10.	Existing + Proposed Sections A-A	1:100	P – 1200
11.	Existing + Proposed Sections B-B, Section C-C	1:100	P – 1201

Further to an Additional Information request - Decision order 0110, made on 25-01-22, subsequent amendments were made to the proposed development in response.

The applicant would be satisfied to incorporate the following as part of the original design ,by condition, if relevant.

- Item 1(ii). A reduction in the height of the proposed front boundary wall from 2.0 M to 0.9 M with the pillars' height reduced to 1.2 M max to allow for forward visibility for vehicles egressing the neighbouring property at No. 63 Glenbrook Park.
- Item 3. The widening/enlargement of the rear garden to provide a more equal division of the rear garden between the existing and proposed dwelling.

Please note that the issues raised in items 4 and 5 were already addressed on the drawings.

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

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

**Aoife Tuomey Architects
The Studio
24, Raymond Street
Dublin 8
D08 N8W7**

**PLANNING & DEVELOPMENT ACT, 2000 (as amended) AND PLANNING
REGULATIONS THEREUNDER**

Decision Order Number: 0110	Date of Decision: 25-Jan-2022
Register Reference: SD21A/0321	Registration Date: 22-Nov-2021

Applicant: Sarah McDonald
Development: Construction of 2 storey, detached house (single family dwelling on a corner/side garden site); new boundary walls to replace existing with 2 new pedestrian entrance gateways; associated site works, landscaping and connections to public services.
Location: 63, Glenbrook Park, Rathfarnham, Dublin 14.
Application Type: Permission

Dear Sir /Madam,

With reference to your planning application, received on 22-Nov-2021 in connection with the above, I wish to inform you that before the application can be considered under Section 33 of the Planning & Development Act 2000, six copies of the following **ADDITIONAL INFORMATION** must be submitted.

1. The applicant is requested to submit:
 - (i) revised appropriate drawings demonstrating there is enough room to provide for a 6 metres **long** driveway for a car to park with a vehicular entrance with a maximum width of 3.5m.
 - (ii) appropriate drawings showing a reduction in the proposed front boundary wall from 2.0m to 0.9m and pillars reduced to 1.2m to allow for forward visibility for vehicles egressing the neighbouring property at No.63 Glenbrook Park.

2. The Planning Authority has serious concerns that the level of projection of the main rear building line at first floor level at c2.8m would have a significant adverse overbearing impact on the immediate neighbour (No. 63 Glenbrook Park). The applicant is requested to significantly reduce the depth of projection of the first floor element. The applicant could give consideration to pulling forward the first floor front building line in an attempt to achieve this. Alternatively, a combined entrance with the adjacent dwelling No. 63 could be considered but the red line boundary must therefore be extended to include the entirety of No. 63.
3. The Planning Authority has significant concerns that the width of the rear garden has not provided for satisfactory amenity space and is out of character with other rear gardens in the vicinity. If the applicant has ownership of No.63 Glenbrook Park and the existing dwelling can be included for in the red/blue line boundary, the applicant is requested to submit revised appropriate drawings clearly showing for the widening/enlargement of the rear garden for the proposed dwelling such that there is a more equal division of the rear garden between the existing and proposed dwelling.
4. Drawings submitted show no dedicated storage will be provided for the proposed dwelling. This would not comply with the minimum storage area requirements as per the Quality Housing for Sustainable Communities, Best Practice Guidelines for Delivering Homes Sustaining Communities 2007. A minimum of 4sq.m of dedicated storage space should be provided for a 3 bed, 4 person, 2 storey house. The applicant is requested to submit revised appropriate drawings to clearly demonstrate the required minimum level of storage.
5. Bedroom 3 measures 10.3sq.m. and is a double bedroom. This proposed bedroom size does not comply with Section 11.3.1 Residential (iv) Dwelling Standards regarding minimum internal floor areas for proposed bedrooms. Regarding Bedroom 3, a double bedroom must measure a minimum of 11.4sq.m. In this instance Bedroom 3 only measures 10.3sq.m and would not comply with the SDCC Development Plan. The applicant is requested to submit revised appropriate drawings to clearly demonstrate the minimum internal floor area for a double bedroom is achieved.

NOTE: The applicant should note that any submission made in response to the above will be examined and MAY be deemed to be SIGNIFICANT ADDITIONAL INFORMATION by the Planning Authority. In this event the applicant(s) will be subsequently notified and requested to publish a notice in an approved newspaper and erect or fix a site notice on the land or structure to which the further information relates and to submit copies of the both the newspaper and site notices to the Planning Authority in accordance with Article 35 (1) (a) and (b) of the Planning and Development Regulations 2001 (as amended).

Note: The applicant must submit the Further Information within **6 months** of the **date of decision**. If the information is not received within this period the planning authority shall declare the application to be withdrawn.

Please ensure that your reply to this Request for Additional Information is accompanied by a covering letter marked "ADDITIONAL INFORMATION" and that the Planning Register Reference Number given above is quoted on the covering letter.

Signed on behalf of South Dublin County Council

Register Reference: SD21A/0321

Date: 27-Jan-2022

Yours faithfully,

Brian Connolly
for Senior Planner

South Dublin County Council
An Rannóg Talamhúsáide, Pleanála agus Iompair
Land Use, Planning & Transportation Department
Telephone: 01 4149000 Fax: 01 4149104 Email: planning.dept@sdublincoco.ie

Aoife Tuomey Architects
The Studio
24, Raymond Street
Dublin 8
D08 N8W7

**PLANNING & DEVELOPMENT ACT, 2000 (as amended) AND PLANNING
REGULATIONS THEREUNDER**

Decision Order Number: 0376	Date of Decision: 24-Mar-2022
Register Reference: SD21A/0321	Date: 25-Feb-2022

Applicant: Sarah McDonald
Application Type: Additional Information
Development: Construction of 2 storey, detached house (single family dwelling on a corner/side garden site); new boundary walls to replace existing with 2 new pedestrian entrance gateways; associated site works, landscaping and connections to public services.
Location: 63, Glenbrook Park, Rathfarnham, Dublin 14.

Dear Sir /Madam,

With reference to your planning application, additional information received on 25-Feb-2022, in connection with the above, I wish to inform you that before the application can be considered under the above Act(s), 6 copies of the following **Clarification of Additional Information** must be submitted:

1. The applicant has proposed two options for car parking. Option No. 2 (off-street parking on periphery of Glenbrook Park) is not appropriate as it would impinge upon an existing open space and would, by and of itself and as a precedent for future development in the county, undermine the 'RES' land-use zoning objective and the proper planning and sustainable development of the area.
Option No. 1 relates to the provision of parrallel public parking provided formally outside the northern boundary of the site. This may be an appropriate solution which would additionally narrow the carriageway on this residential street. The proposed intervention under Option 1 could

provide infill residential development with off-curtilage parking where formal arrangements can be incorporated into the public realm without reducing the amenity or rights of others, or traffic safety, and would therefore need to be carefully considered.

The applicant has not shown sufficient legal interest to initiate such a proposal as part of the planning application as the lands lie outside the ownership of the owner(s) of the subject site. The applicant is requested to clarify these proposals and submit the following information:

- (a) A letter of consent from SDCC (Economic Development Section), consenting to the inclusion of the relevant lands as part of a planning application.
- (b) A revised Site Location Map - at a scale of no less than 1:1000 - showing a revised red line boundary, including the relevant lands as part of the planning application site.
- (c) A revised Site Layout Plan - at a scale of no less than 1:500 - showing the same revision to the red line boundary.
- (d) Plans, elevations and sections drawings - at a scale of no less than 1:200 - showing the details of the proposal under Option 1.
- (e) The applicant may wish to consult with the SDCC Water Services Department (servicemaps@sdblincoco.ie) regarding the location of any pipes in the area and any measures required to ensure no detrimental impact to services.
- (f) The applicant is advised that the parallel spaces would be public car parking spaces. Alternatively, in conjunction with the red line amendments in point no.2, the applicant is also invited to consider a shared parking area with the existing house with consideration of widening the existing entrance to 3.5m.

2. The applicant has not addressed item 3 of the Request for Additional Information to the satisfaction of the Planning Authority. The proposed development seeks the subdivision of what is currently a single residential plot. It is considered that the private amenity of the proposed dwelling could be greatly improved by way of modest adjustment to the rear garden boundary proposed to intersect the existing plot.

The applicant has noted that the lands inside the blue line are outside the red line boundary of the planning application. It is prudent and accurate, though not strictly enforced, that an application for subdivision of an existing site should include in its red line the entirety of the site to be subdivided.

The applicant is therefore requested to clarify their proposals and lodge the following information:

- (a) Revised Site Location Map - at a scale of no less than 1:1000 - showing the red line boundary to include the entirety of the existing residential plot, which it is proposed to be subdivided.
- (b) Revised Site Layout Plan - at a scale of no less than 1:500 - showing the same revision to the red line boundary.
- (c) The applicant should also consider a realignment of the proposed rear garden boundary to improve the quality of the private amenity space proposed to be afforded to the proposed new house.

Please ensure that you submit a covering letter, mark your reply “CLARIFICATION OF ADDITIONAL INFORMATION” and quote the Planning Register Reference Number given above.

NOTE: The applicant must submit the further information **within six months of the date of the original Request for Additional Information**. If the information is not received within this period the Council will declare the application withdrawn.

Yours faithfully,

25-Mar-2022


for Senior Planner

Aoife Tuomey Architects
The Studio
24, Raymond Street
Dublin 8
D08 N8W7

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

Decision Order No.	0730	Date of Decision	07-Jun-2022
Register Reference	SD21A/0321	Date	11-May-2022

Applicant: Sarah McDonald

Development: Construction of 2 storey, detached house (single family dwelling on a corner/side garden site); new boundary walls to replace existing with 2 new pedestrian entrance gateways; associated site works, landscaping and connections to public services.

Location: 63, Glenbrook Park, Rathfarnham, Dublin 14.

Time extension(s) up to and including:

Additional Information Requested/Received: 25-Jan-2022, 24-Mar-2022/25-Feb-2022, 11-May-2022

Clarification of Additional Information Requested/Received: 25-Jan-2022, 24-Mar-2022/25-Feb-2022, 11-May-2022

DECISION: Pursuant to the Planning and Development Act 2000 (as amended), dated as above a decision to **REFUSE PERMISSION** is hereby made for the said development for the reason(s) set out on the Schedule hereto.

REASON(S)

1. The provision of an unallocated public parking space would not be an adequate substitute for the provision of on-curtilage parking at this established low density residential area. The absence of on site car parking is contrary to Section 11.4.4 of the Development Plan, is indicative of the overdevelopment of the subject site and would be contrary to the pattern of development in the area. The SDCC Roads Department outline that the proposal would lead to a reliance on-street parking which would increase the risk of a traffic accident in this instance, thereby endangering

public safety by reason of a traffic hazard. Furthermore, the location of the proposed public parking space would result in a reduction of manoeuvrability for cars accessing and egressing the opposite property at No. 55 Glenbrook Park which may in turn result in a traffic hazard. The proposal would be contrary to the 'RES' zoning objective for the area which seeks 'To protect and/or improve residential amenity' and would be contrary to the SDCC Development Plan 2016-2022.

Please note that upon receipt of this document you are obliged to remove the planning site notice in compliance with Article 20 of the Planning and Development Regulations 2001 (as amended). Please note that any valid submissions or observations received in accordance with the provisions of the Planning and Development Regulations 2001 (as amended), have been considered in the determination of this application.

Register Reference: SD21A/0321

Signed on behalf of the South Dublin County Council.

Yours faithfully,

Pamela Hughes 13-Jun-2022
for Senior Planner

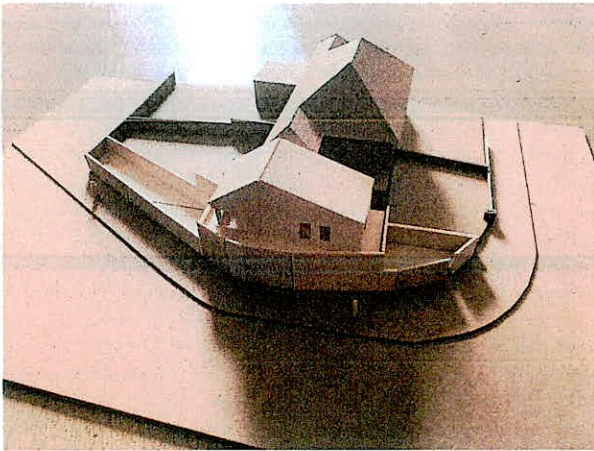
MAKING A CASE FOR THE HOUSE DESIGN SUBMITTED IN THE ORIGINAL PLANNING APPLICATION.

DESIGN

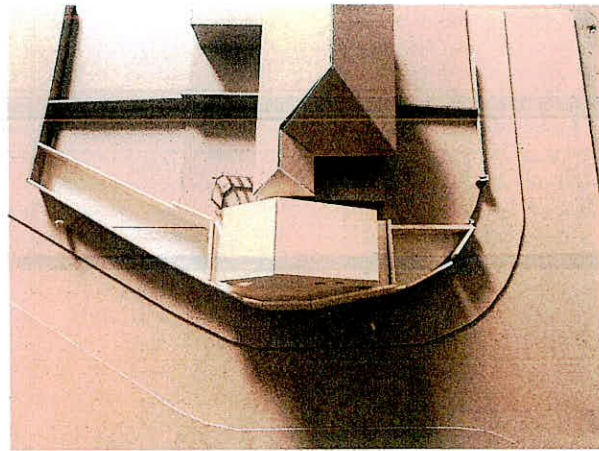
The original planning application drawings describe the proposed house for this corner/side garden site. I would hope they will demonstrate that the following criteria, outlined in the SDCC (draft) development plan, are met

1. The house has been designed and sited to match the building line of No. 63 (and the line of adjoining houses) at ground floor level. The pitched roof profile, though asymmetric responds to the pitched roof profiles which are prevalent in the area.
2. The proposed materials for the house are a mix of brick and render which are common materials used throughout the residential estate. A zinc finish is proposed for the roof but this is a compatible/complimentary material to the roof tile finish for the houses there.
3. The height of the roof for proposed 63A aligns with the lower roof height for the adjoining house(s) and is positioned at a lower level, by the public path level so there is a notional stepping down at the corner for the new house.
4. The house has dual frontage and maximises the passive surveillance of the public path along its North-east boundary.
5. The First floor level of the house was designed to 'step back' as it 'moves' around the corner as a means to transition from the formal line of houses along Glenbrook Park to the open green space behind the house.
6. The side wall of the house and the proposed new boundary walls aim to reinforce the corner boundary condition. The use of the rendered block wall was a unifying element that begins at the front of the house and continues around the corner to the rear boundary line. It provides a visually uniform element for house and boundary wall. Future planting will soften the appearance of the walls here.
7. The height of the boundary wall is a constant 2 metres, again to simplify the boundary condition and also to provide privacy to the front garden so that this could be used as an amenity space as well as the garden to the rear.
8. The private open space has an area of 60m² to the rear, meeting the minimum residential standards for a 3 bed house. It enjoys an East/South/West aspect getting good light throughout the day.

The following images show a working model of the design intent.



Aerial view of the N-E boundary



Aerial view of the site plan:note the stepping back of the first floor level of the house.



Side view of the Front and N-E boundary walls. View to the rear of the house with an East/South/West aspect

There is no provision for an on-site car parking space as part of this design. Whereas I will deal with this specifically in the next section I will comment here on the reasoning behind this as it relates to the design of a new house within this established residential estate .

1.It was considered preferable to use the available site for private open space and amenity rather than for a car parking space given the available site area was initially more restricted.

2.It was considered given the ample space for on street car parking in a quiet residential estate with low volumes of traffic that it might be acceptable to park the car on the street outside the house.(See images of the aerial views of the estate below)

3. The SDCC (draft) Development Plan 2022-2028 ,Chapter 7 contains policies and objectives for sustainable movement that over time will aim to facilitate an increase in walking, cycling and the use of public transport and a decrease in the use of the private car. The forthcoming bus connects routes will also improve the public transport for the area. In anticipation of these changes a view was taken with this design that the permission for a new house which meets all other residential standards criteria should not be dependent upon the provision of an on-site car parking space.

NON PROVISION OF AN ON SITE-CAR PARKING SPACE

The proposed house was refused permission on the recommendation of the Roads Department mainly due to the 'absence of an on-site car parking space' and the consequences of this .

I will comment briefly upon each reason offered in the Notification of Decision to Refuse (*in italics below*) as follows:

The provision of unallocated public parking space would not be an adequate substitute for the provision of on curtilage parking at this low density residential area'

This was a response to the submissions made further to the A.I and Clarification of A.I requests where a compromise proposal to locate a public car parking space on the stretch of public road outside the house might offer a suitable alternative where providing on-site car parking for the corner site was challenging. We were never convinced this was a viable proposal given the applicant has no ownership of the road and though we appreciated the Planners' attempts to facilitate this ,we are no longer pursuing this as an option

'The absence of on site car parking is contrary to Section 11.4.4 of the Development Plan, is indicative of the overdevelopment of the subject site and would be contrary to the pattern of development in the area'

The pattern of development in the Glenbrook Park area was set back in the 1960s and has changed little since. It is the policy of SDCC to encourage appropriate development on Corner/Side garden site and infill sites as per SDCC Development Plan 2016-22 11.3.2(i) Infill sites and (ii) Corner/Side garden sites. There are not many corner sites in Glenbrook Park and there is not likely to be any further development in the immediate vicinity of this corner site given the established nature of the estate and an open green area 'Old Orchard' behind the house . The site coverage of the house is 43(46)% and the plot ratio is approx. 0.6 which does not represent overdevelopment for the area.

The SDCC (draft)Development plan 2022-2028 , Section 13.5.8: Residential Consolidation, Infill sites states for development on infill sites ,subject to appropriate safeguards to protect residential amenity,..... that reduced car parking standards maybe considered for infill development'.

'The SDCC Roads Dept outline that the proposal would lead to a reliance on-street parking which would increase the risk of a traffic accident in this instance, thereby endangering public safety by reason of a traffic hazard'

This is an application for one modest sized house in a low density, suburban, residential estate. Every other house in the estate has a front driveway with space to park 1 or 2 cars on it , a huge capacity for off street parking by modern standards. This as a consequence reduces the need for on street parking for the area other than for visitors and deliveries. The images below show aerial views of Glenbrook Park and the 'Corner/Side garden site', with empty roads, generally traffic free with little on- street parking. The applicant owns a car and has a choice of over 50 metres + of public road upon which to park in close proximity to the house .The public estate roads are 6 metres min. in width and there are footpaths and grass verges either side measuring between 2.8 to 4+ metres. The applicant in this case is the only resident at this location who would rely upon on street parking. I do not agree that this situation could increase the risk of a traffic accident nor is public safety is endangered .



*'Furthermore the location of the proposed public parking space would result in a reduction of manoeuvrability for cars accessing and egressing the opposite property at No. 55 Glenbrook Park which may result in a traffic hazard'
The proposal would be contrary to the RES' zoning objective for the area which seeks 'to protect and/or improve residential amenity' and would be contrary to SDCC development Plan 2016-2022*

The proposal to create a public parking space along the road outside the boundary of the proposed house is no longer part of either design here and so this reason for a refusal will not apply. Had this been a viable option, the position of the proposed public car parking space could have been placed at the location of optimum safety in compliance with the standards outlined in the DMuRS.

I would hope An Bord Pleanála may have discretion in this instance to consider the context of the site within this quiet residential estate and deem that the provision of an on-site car parking space for the proposed house is not a requisite for the development of the site for the provision of a house.

APPEAL : SECTION 2

As highlighted in the 'Background', Sarah MacDonald and her mother are keen that an opportune permission may be granted for a house .To this end I would like to propose a variation of the House design that will address the concerns raised by the Planning Dept. through the A.I. and Clarification of A.I. requests and the reasons given by the Roads Dept in the Decision to Refuse . Consideration was also taken of all comments made in the Record of Executive Business and Chief Executive's order ,PR/0730/22.

The Schedule of Drawings - B below lists the original planning drawings as amended ,that describe the variation proposed, for your review.

SCHEDULE B. – SCHEDULE OF DRAWINGS

1 NO. COPY OF THE PROPOSED GENERAL LAYOUTS - **VARIATION**

	Drawing Description	Scale	Dwg. No.
1	Site Location Map - O.S map	1:1000	PL-Appeal – 1000
2.	Proposed Site Layout Plan w/Roof Plan	1: 250	PL-Appeal – 1001
3.	Proposed Ground Floor Layout	1:100	PL.-Appeal – 1002
4.	Proposed First Floor Layout	1:100	PL.-Appeal – 1003
5.	Existing + Proposed Front Elevations	1:100	PL.Appeal – 1100
6.	Existing + Proposed Rear Elevations	1:100	PL.Appeal – 1101
7.	Existing + Proposed Side (N-E) Elevations	1:100	PL.Appeal – 1102
8.	Proposed Side + Rear boundary elevations	1:100/1:200	PL.Appeal - 1103
9.	Existing + Proposed Sections A-A	1:100	PL.Appeal – 1200
10.	Existing + Proposed Sections B-B, Section C-C.	1:100	PL.Appeal – 1201