

Sorin Ursu
45, Arthur Griffith Park
Lucan
Dublin

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

Decision Order No.	0970	Date of Decision	02-Aug-2022
Register Reference	SD22A/0262	Date	01-Jun-2022

Applicant: Sorin Ursu

Development: Construction of 2 storey end of terrace house to side of existing house, removal of existing chimney stack, new entrance drive with double gates to side boundary wall and a new front door to replace existing window at front in existing porch.

Location: 45, Arthur Griffith Park, Lucan, Dublin

Time extension(s) up to and including:

Additional Information Requested/Received: /

Clarification of Additional Information Requested/Received: /

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 proposed development, with an internal floor area of 63.125sq.m and no independent storage provision, would fail to meet the minimum standards for a 2 storey, 2bed 3person house, therefore resulting in an unacceptable standard of residential amenity for future occupiers and would be contrary to Section 11.3.1(iv) and Table 11.20 of the South Dublin County Council Development Plan 2016 - 2022 and Quality Housing for Sustainable Communities-Best Practice Guidelines (DOEHLG 2007). The proposal would comprise an unacceptable form of development that would fail to meet the requirements of Section 11.3.2 of the South Dublin County Council Development Plan 2016 - 2022 and would be contrary to the residential zoning objective and the proper

planning and sustainable development of the area.

2. The applicant has failed to provide adequate visibility at the proposed vehicular entrance and has also failed to provide sufficient space for the proposed on-curtilage parking. Having regard to the information submitted in relation to car parking and access for the proposal on the site, the Planning Authority is not satisfied that the proposed development would not give rise to traffic hazard. This is contrary to the provisions of the County Development Plan and the sustainable development of the area.
3. The applicant has failed to provide the required setback distance of three meters from proposed development and the existing 225mm surface water sewer. This would prevent access for maintenance of existing surface water sewer and endanger pipe integrity due to load transfer from building to surface water sewer west of site. The proposal would therefore be would be prejudicial to public health and contrary to the proper planning and sustainable development of the area.
4. The applicant has failed to provide information regarding:
 - sustainable drainage systems;
 - the distance between the boundary wall of the proposed house and the outside diameter of the existing watermain west of the site;
 - the foul drain layout up to and including the point of connection to the public sewer.Due to the inadequate information submitted, the Planning Authority is not satisfied that the proposed development would not be prejudicial to public health and the proposal would be contrary to the Green Infrastructure policies in the South Dublin County 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: SD22A/0262

Signed on behalf of the South Dublin County Council.

Yours faithfully,

Pamela Hughes 02-Aug-2022
for **Senior Planner**

NOTES

(A) REFUND OF FEES SUBMITTED WITH A PLANNING APPLICATION

Provision is made for a partial refund of fees in the case of certain repeat applications submitted within a period of twelve months where the full standard fee was paid in respect of the first application and where both applications related to developments of the same character or description and to the same site. An application for a refund must be made in writing to the Planning Authority and received by them within a period of two months beginning on the date of the Planning Authority's decision on the second application. For full details of fees, refunds and exemptions the Planning & Development Regulations, 2001 should be consulted.

(A) APPEALS

1. An appeal against the decision may be made to An Bord Pleanála. The applicant or ANY OTHER PERSON who made submissions or observations to the Local Authority may appeal within FOUR WEEKS beginning on the date of this decision. (N.B. Not the date on which the decision is sent or received).
1. Every appeal must be made in writing and must state the subject matter and full grounds of appeal. It must be fully complete from the start. In the case of a third party appeal it must be accompanied by the acknowledgement by the Planning Authority of receipt of the submissions/observations. Appeals should be sent to:
 2. The Secretary, An Bord Pleanála, 64 Marlborough Street, Dublin 1.
 3. An Appeal lodged by an applicant/ agent or by a third party with An Bord Pleanála will be invalid unless accompanied by the prescribed fee. A schedule of fees is at 7 below.
 4. A party to an appeal making a request to An Bord Pleanála for an Oral Hearing of an appeal must, in addition to the prescribed fee, pay to An Bord Pleanála a further fee (see 7 (g) below).
 5. A person who is not a party to an appeal must pay a fee to An Bord Pleanála when making submissions or observations to An Bord Pleanála in relation to an appeal.
 6. If the Council makes a decision to grant permission/grant permission consequent on a grant of outline permission and there is no appeal to An Bord Pleanála against this decision, PERMISSION/PERMISSION CONSEQUENT ON A GRANT OF OUTLINE PERMISSION will be granted by the Council as soon as may be after the expiration of the period for the taking of such an appeal. If any appeal made in accordance with the Acts has been withdrawn, the Council will grant the PERMISSION/PERMISSION CONSEQUENT ON A GRANT OF OUTLINE PERMISSION/RETENTION as soon as may be after the withdrawal.
7. Fees payable to An Bord Pleanála from 10th December 2007 are as follows:

- (a) Appeal against a decision of a Planning Authority on a planning application relating to commercial development made by the person by whom the planning application was made. where the application relates to unauthorised development€4.500.00 or €9.000 if an E.I.A.R. is involved
- (b) Appeal against a decision of a planning authority on a planning application relating to commercial development made by the person by whom the planning application was made. other than an appeal mentioned at (a)..... €1.500.00 or €3,000.00 if an E.I.A.R. is involved
- (c) Appeal made by the person by whom the planning application was made, where the application relates to unauthorised development other than an appeal mentioned at (a) or (b)€660.00
- (d) Appeal other than an appeal mentioned at (a), (b), (c) or (f)€220.00
- (e) Application for leave to appeal.....€110.00
- (f) Appeal following a grant of leave to appeal€110.00
- (g) Referral€220.00
- (h) Reduced fee (payable by specified bodies).....€110.00
- (i) Submission or observations (by observer).....€50.00
- (j) Request from a party for an Oral Hearing€50.00

If in doubt regarding any of the above appeal matters, you should contact An Bord Pleanála for clarification at

Telephone 01-858 8100