

An  
Bord  
Pleanála

## Planning Appeal Form

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### Your details

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

Your full details:

(a) Name

Bernard Slattery

(b) Address

9 Bolbrook Close, Tallaght Dublin 24, D24VWC5

### 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

INFINITE FOCUS

(b) Agent's address

10 FAHER McWEY STREET, EDENDERRY, CO  
OFFALY

## 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  The agent at the address in   
address in Part 1  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)

SD22B/0240

(c) **Location of proposed development**

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

9 Bolbrook Close, Tallaght Dublin 24, D24VWC5

## 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.

Permission for the construction of an 18.5sqm first floor extension to the rear was refused by SDCC for the reasons shown below.

*"1. The proposed rear first floor rear extension, by reason of its overbearing nature and depth, would result in a significant and material loss of light and over shadowing to the single storey units to the west and create an unacceptable sense of enclosure to the occupants of the attached property to the east. An almost identical proposal was refused permission under SD21B/0208. Thus, the proposed development would seriously injure the amenity of property in the vicinity and would be contrary to the guidance in the South Dublin County Council – House Extension Design Guide, the zoning objective for the area which seeks 'to protect and or improve residential amenity' and would therefore be contrary to the South Dublin County Council Development Plan 2016 - 2022 and the proper planning and sustainable development of the area."*

We had addressed all the reasons for refusal under the permission SD21B/0308 under this recent application SD22B/0240. The only reason for refusal under this application SD22B/0240 is *"its overbearing nature and depth, would result in a significant and material loss of light and over shadowing to the single storey units to the west and create an unacceptable sense of enclosure to the occupants of the attached property to the east"*

The attached daylight/ sunlight / overshadowing analysis (attached) suggest otherwise. The overshadowing of the bungalows to the south is non-existent after 8am as shown in the images on the attached document. The images show a sun simulation for existing and proposed from 6am to 6pm in June. We feel these images show that the proposed extension would not cause unacceptable additional overshadowing on the neighbours' properties. We would also note that the bungalows start to cast a shadow over their own rear garden after 2pm.

We feel that the first-floor extension would not be in anyway overbearing on the adjoining properties or make the situation worse. The adjacent

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.

bungalows are already facing the gable wall and the extension would not make the situation worse and there have been no complaints or objections from either the adjoining or adjacent neighbours in relation to the proposed extension.

## 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.



**ABP Appeal - Cover Letter**

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

Ref: Planning application for: Bernard Slattery  
At the following address: 9 Bolbrook Close, Tallaght Dublin 24, D24VWC5  
Reg. Ref. SD22B/0240

Dear Sir/ Madam,

I would like to lodge and appeal on the decision by South Dublin County Council to refuse planning permission for the proposed first floor rear extension on reg. ref. SD22B/0240.

**Schedule of Documents and Drawings**

<u>Name</u>	<u>Page Size</u>	<u>Scale</u>	<u>Qty</u>
9 Bolbrook Close - Planning – OS Map	A4	1:1000	1
9 Bolbrook Close - Planning – Existing/Proposed	A3	1:200	1
9 Bolbrook Close - Planning – Site Layout	A3	1:250	1
9 Bolbrook Close – Appeal letter/Shadow Analysis	A4	N/A	1

**AN BORD PLEANÁLA**  
LDG- 056038-22  
ABP- \_\_\_\_\_  
09 AUG 2022  
Fee: € 220 Type: PWD  
Time: \_\_\_\_\_ By: leg post

**Reason for earlier refusal has been addressed.**

Permission for the construction of an 18.5sq/m first floor extension to the rear was refused by SDCC for the reasons shown below.

The refusal reasons into the following points to be addressed separately:

*"1. The proposed rear first floor rear extension, by reason of its overbearing nature and depth, would result in a significant and material loss of light and over shadowing to the single storey units to the west and create an unacceptable sense of enclosure to the occupants of the attached property to the east. An almost identical proposal was refused permission under SD21B/0208. Thus, the proposed development would seriously injure the amenity of property in the vicinity and would be contrary to the guidance in the South Dublin County Council – House Extension Design Guide, the zoning objective for the area which seeks 'to protect/and or improve residential amenity' and would therefore be contrary to the South Dublin County Council Development Plan 2016 - 2022 and the proper planning and sustainable development of the area."*

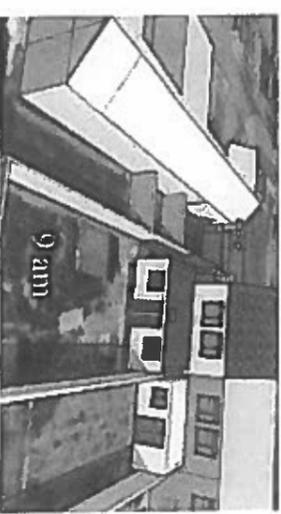
1. **Visually Overbearing**
2. **Loss of Daylight/ sunlight and overshadowing.**
3. **3m Depth**
4. **Character of the area/ similar planning applications granted.**



2. Loss of Daylight/ sunlight and overshadowing. Continued..

Overshadowing of the bungalows to the south is non-existent after 8am as shown in the images below. The images below show a sun simulation for existing and proposed from 6am to 9pm in June. We feel these images show that the proposed extension would not cause unacceptable additional overshadowing on our neighbours properties. We would also note that the bungalows start to cast a shadow over their own rear garden after 2pm.

**Existing**



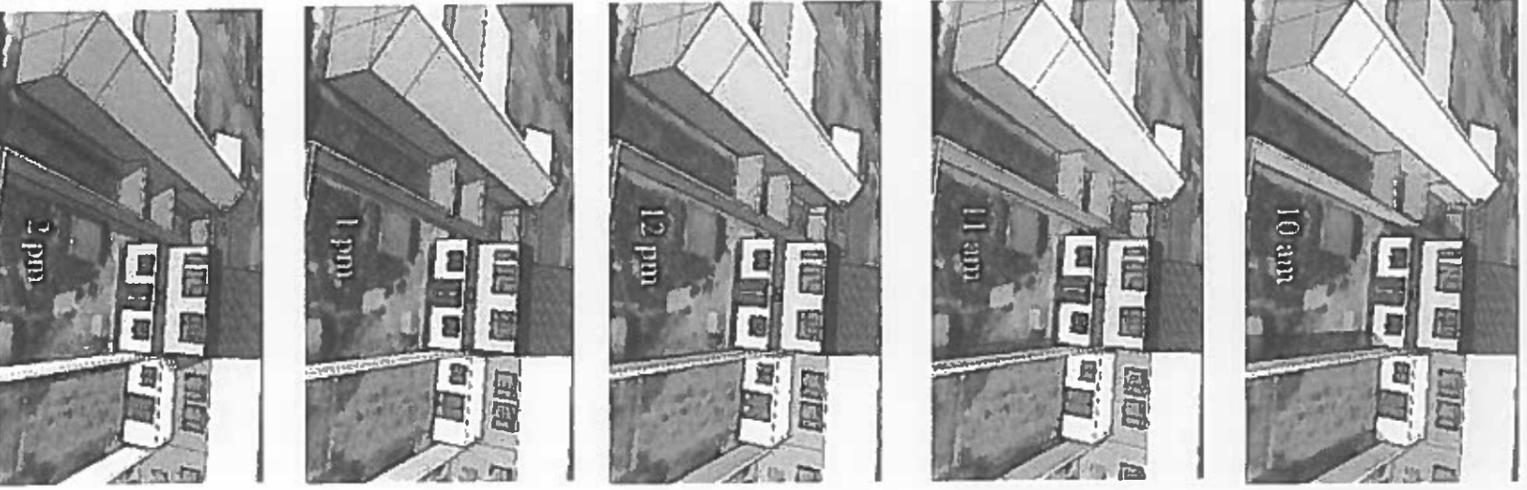
**Proposed**



**Existing**



**Proposed**



**Existing**



**Proposed**



### 3. 3m Depth

The refusal states that the 3m depth of the proposed first floor extension would have a significant overbearing impact on the attached terraced dwelling to the east. Firstly, we feel that this is incorrect as demonstrated in point 2 above due to the fact that there is an existing ground floor extension at #10 (which the planner may not be aware of – being an exempt development)

### 4. Character of the area/ similar planning applications granted.

The Bolbrook area was originally an estate of Council owned houses and has seen a shift towards owner/ occupiers as residents have been purchasing their houses over the past number of years. Looking at planning applications in other estates in the SDCC area the pattern is that house extension applications increase with more privately owned houses. Bolbrook has a lot of ground floor exempted developments but has not yet seen a need for first floor extensions. We feel that this will inevitable change with time and we can clearly see that SDCC has supported this type of extension in many other similar estates in the area. We have listed relevant Reg. Ref's below that are for similar extensions for your reference.

SD05B/0201	Fettercairn D24	First floor extension to rear.	Granted
SD21B/0207	Dunmore D24	2 storey extension to rear	Granted
SD21B/0217	Mount Carmel Park	Ground & 1st extension at rear	Granted
SD20B/0168	Tymonville D24	First floor extension	Granted
SD16B/0421	Monastery Dr. D22	First floor extension to rear.	Granted
SD16B/0263	Boot Road, D22	First floor extension to rear.	Granted

This list is by no means exhaustive and is shown to illustrate that SDCC encourages this type of development in the Dublin 24 and 22 areas. This type of development is not at all unusual under the 2016-2022 development plan and is, in fact commonplace across the SDCC area.

We feel that setting a precedent for a first floor rear extension in an up and coming area will do no harm at all. It may give residents the confidence that they can extend their house in the future and keep their family in the area rather than moving to accommodate a growing family.

### Conclusion

My client has lived at this address for the past 14 years with his wife (Pamela) and daughter (Katie) and would like to continue to do so for many years to come. The location is ideal for them in terms of his small business, access to work for wife a nurse, local schools and to public transport for college for daughter. His goal is to improve the home up to today's living standards with improved insulation, additional living space and an upstairs bathroom.

# Site Location Map



**CENTRE COORDINATES:**  
ITM 710550,727493

**PUBLISHED:** 08/08/2022  
**ORDER NO.:** 50284294\_1

**MAP SERIES:** 6 inch Raster  
**MAP SHEETS:** DN021, DNO22



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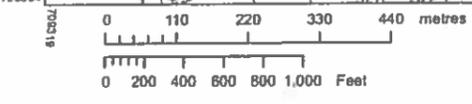
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search 'Large Scale Legend'



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# Planning Pack Map



**CENTRE COORDINATES:**  
ITM 710550,727493

**PUBLISHED:** 08/08/2022  
**ORDER NO.:** 50284294\_1

**MAP SERIES:** 1:1,000  
**MAP SHEETS:** 3390-14



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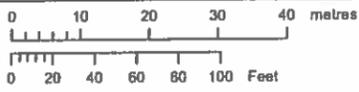
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Cliath

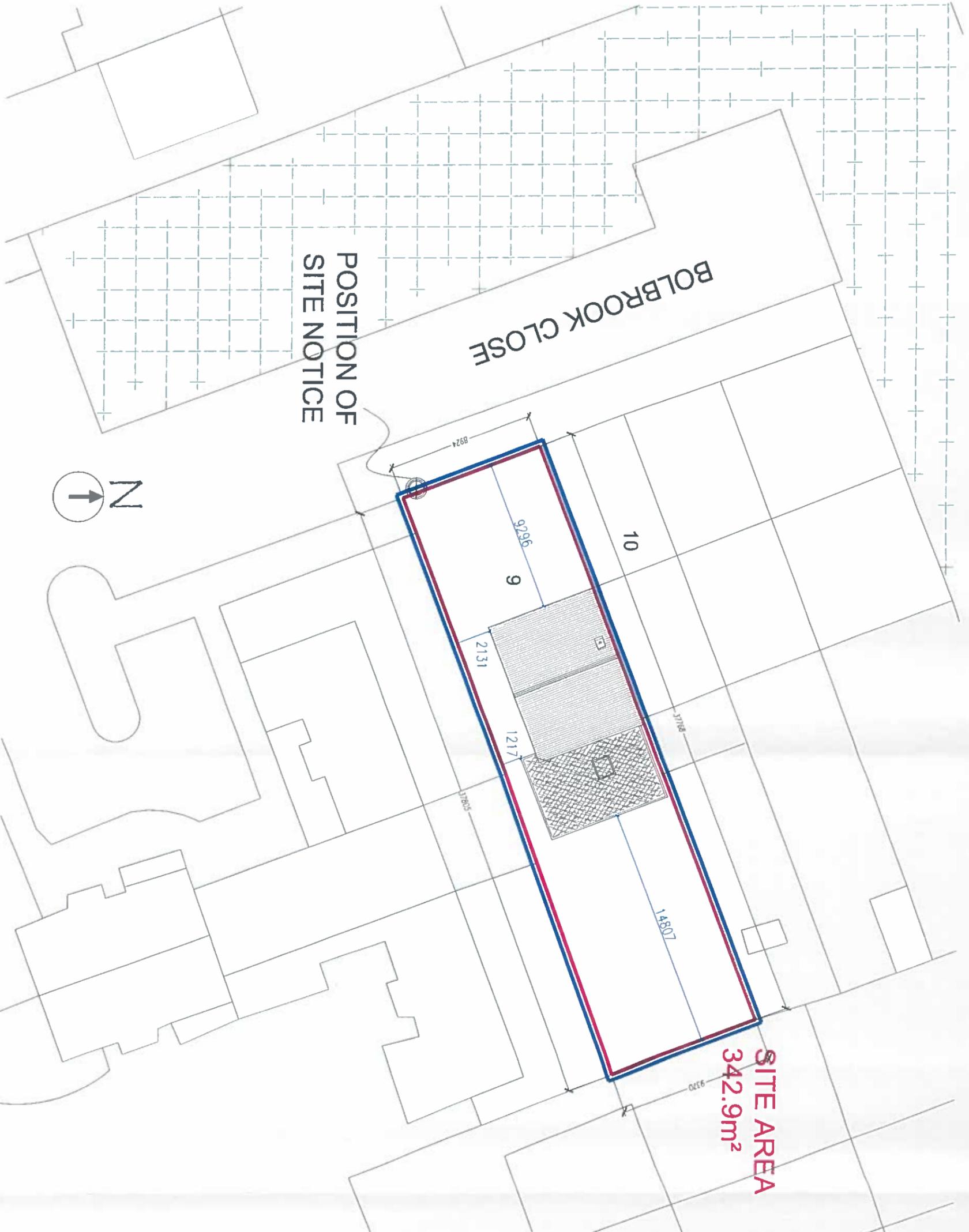


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<http://www.osi.ie>, search 'Capture Resolution'



**LEGEND:**  
<http://www.osi.ie>;  
search 'Large Scale Legend'



POSITION OF  
SITE NOTICE

BOLBROOK CLOSE



**SITE AREA**  
**342.9m<sup>2</sup>**

**AN BORD PLEANÁLA**

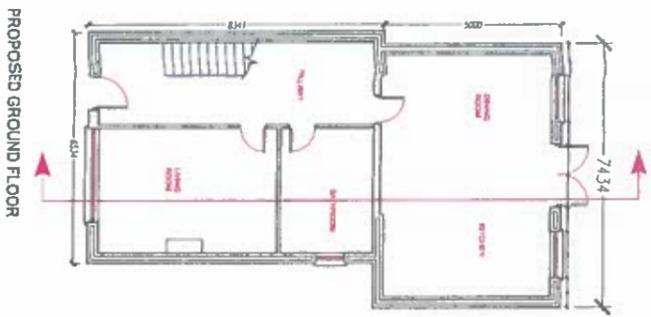
LTR DATED 09 AUG 2022  
 FROM application  
 LDG- 314333-22  
 ASP-

LTR DATED \_\_\_\_\_ FROM \_\_\_\_\_  
 LDG- 2202 9UV 6 0  
 ASP-  
**ÁLÁNÁEPLÉ BORB NV**

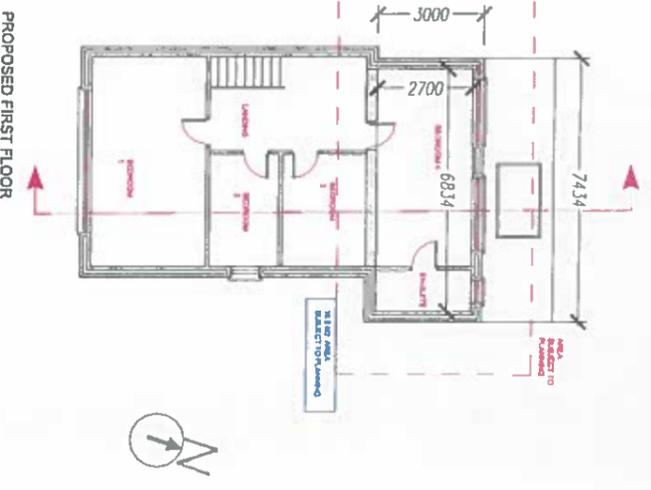
**Infinitefocus**  
 Engineers, Project & Construction Managers  
 10 Farnham McVey St, Edenderry, Co Offay  
 087 239 2208 admh@infinitefocus.ie

PROJECT: 9 Bolbrook Close, Tallaght Dublin 24, D24VWC5  
 TITLE: SITE PLAN  
 SCALE: 1:250 A3  
 DATE: 27.03.2022  
 CLIENT: Bernard Stakery

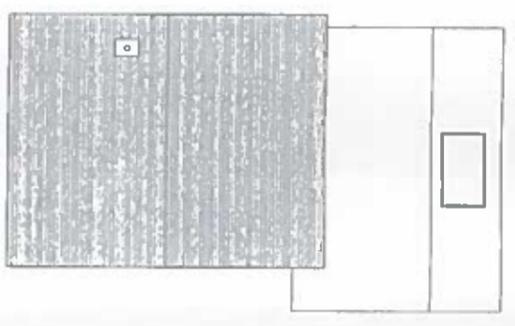
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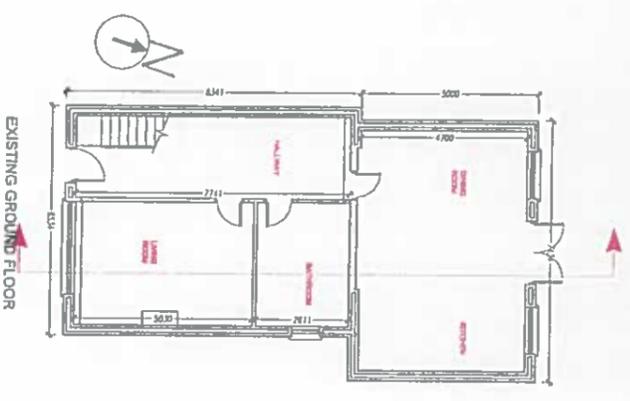
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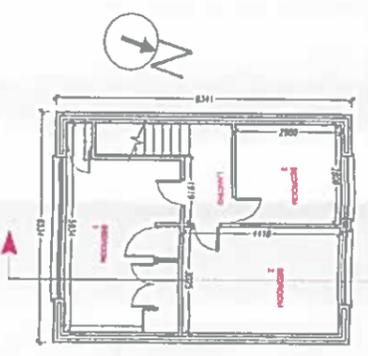
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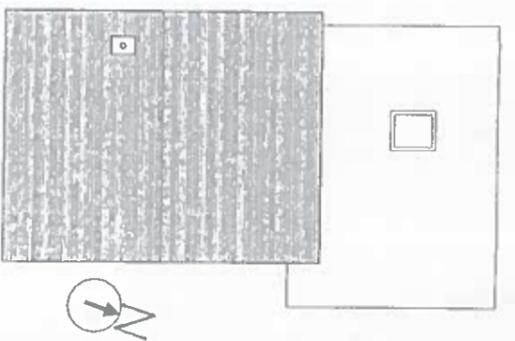
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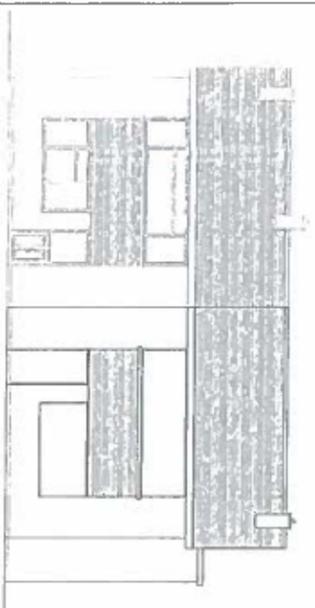
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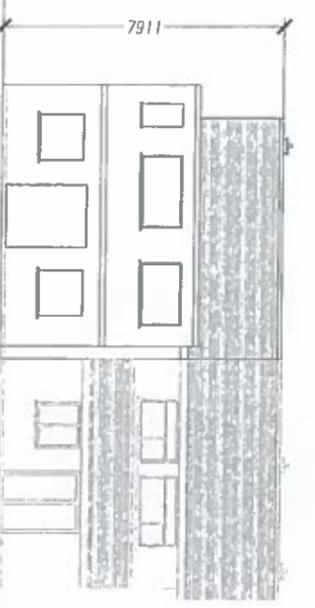
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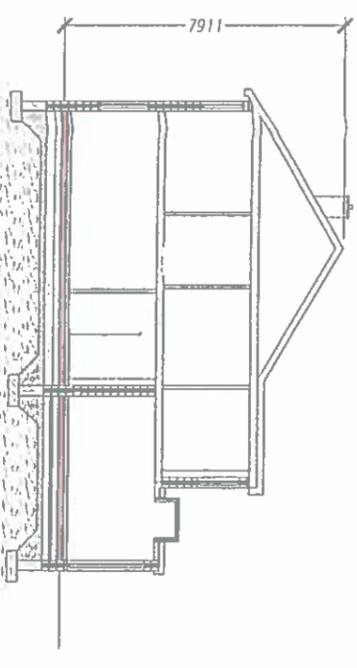
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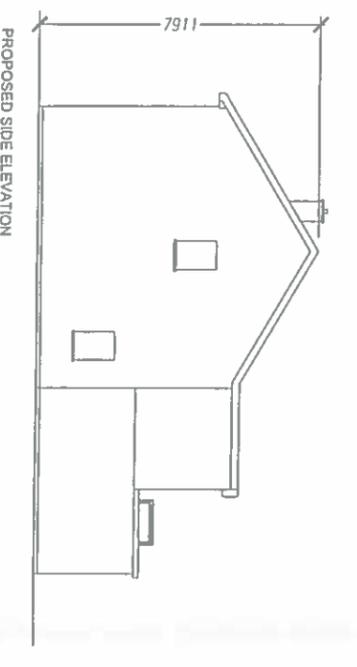
PROPOSED FRONT ELEVATION



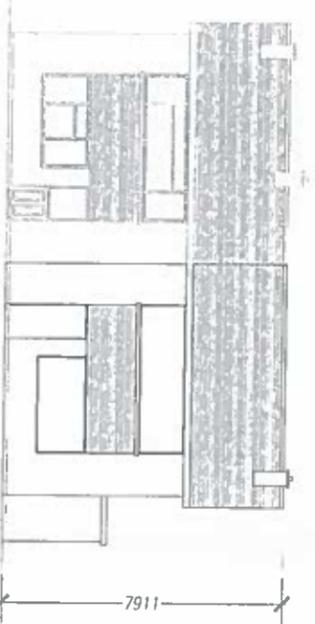
PROPOSED REAR ELEVATION



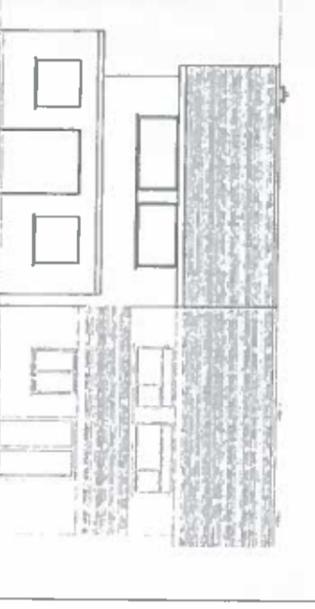
PROPOSED SECTION



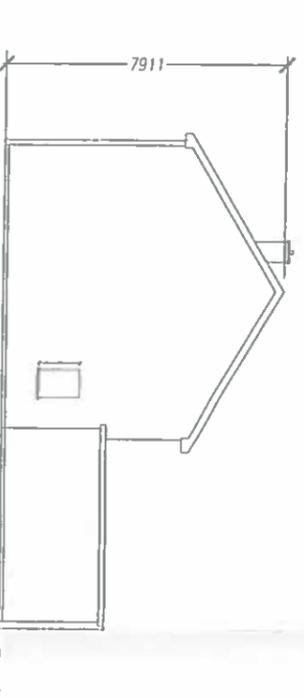
PROPOSED SIDE ELEVATION



EXISTING FRONT ELEVATION



EXISTING REAR ELEVATION



EXISTING SIDE ELEVATION

**EXISTING REAR ELEVATION**  
**AN BORD PLEANÁLA**  
 LTR DATED 09 AUG 2022  
 LDG- FROM *applicant*  
 Acip: 314333-22

<b>Infinitefocus</b> Engineers, Project & Construction Managers 10 Father McWey St, Ederberry, Co Offaly 087 299 2206 admin@infinitefocus.ie	PROJECT	9 Bolbrook Close, Tallaght Dublin 24, D24VWC5
	TITLE	PLAN, ELEVATION & SECTION
DATE: 27.03.2022	SCALE 1:200 A3; 1:100 A1	REVISION
CLIENT	Bernard Slattery	
		DRAWING NO. IF-C02