

**LAND USE, PLANNING
& TRANSPORTATION DEPT.**

30 AUG 2022

30.08.2022

Application comments of:

Hilary Dowling & Eimear Boyle
7 Willington Court
Templeogue
Dublin 6W

Planning reference: SD22B/0346

Applicant Name & Address: Pat & Therese Monks, 5 Willington Court, Templeogue, Dublin 6w

Planning Proposal Description: "Retention for previously constructed detached single storey pitched roof garden/games room structure across end of rear garden (77.70sq.m) with ridge height at 3.380m above ground level; Retention for single storey pitched roof open plan extension to rear of existing house (39.83sq.m) with ridge height at 3.955m above ground level complete with new Velux roof light over; internal alterations and associated site works."

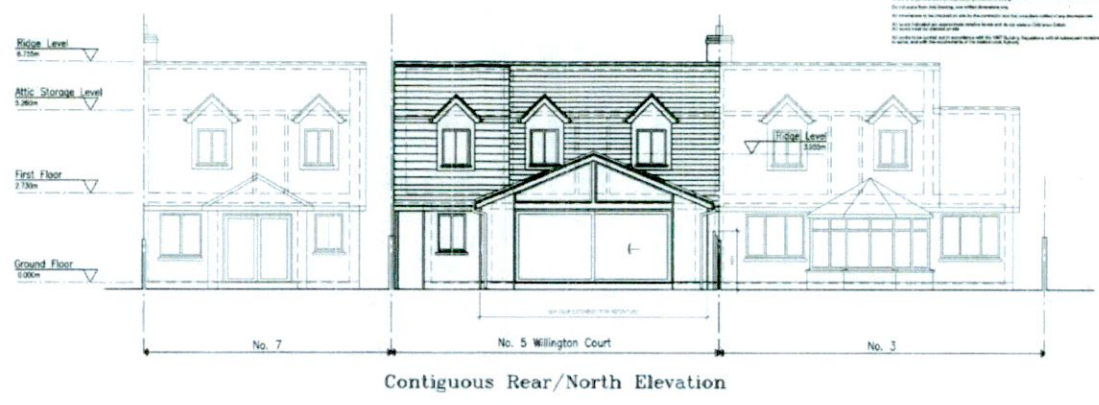
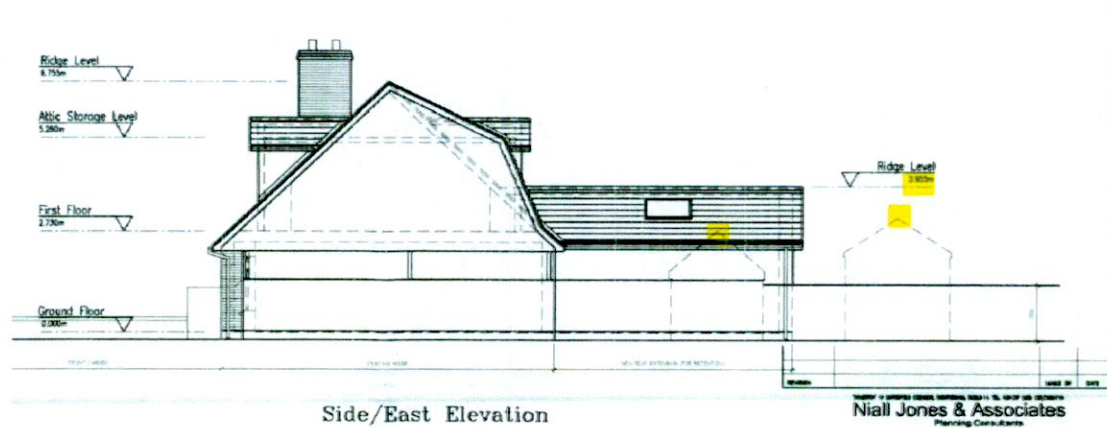
To whom it may concern,

We wish to object to this Permission for Retention application for the above application on the following grounds:

Development Plan Context & General observations:

- We lodged a complaint with the council in June 2022 in relation to the unauthorised development of the property without a grant of planning permission. We were therefore keeping an eye out for planning permission signage. We saw it for the first time on the night of the 27th of August. The sign was located in a far corner away from the entrance with construction materials, workers vans or applicant's jeep parked in front of it on the footpath obstructing a clear view of the sign. As a result, we have only had three days to prepare our comments.
- The submitted information does not include any drawings of the house before the addition of this extension, making it difficult to analyse the impact of the extension on the neighbouring houses in terms of overshadowing & visual impact of the rear extensions. The eaves level of the new extension is not indicated on the drawings.
- In line with SDCC Development Plan House Extension Design Guidelines '*extensions should not overshadow or have an overbearing impact on neighbouring properties*'. The ridge height of the new extension is 3.955m above FFL, where there was no building previously. This is far higher than the existing rear buildings on the applicant's site, and higher than the ridge height of either adjoining property. We note that in addition to no height shown for the eaves level of the new extension, there are no heights shown for the existing buildings on the applicant's property, to accurately analyse the impact of the extension.
- The existing boundary wall between our house (No. 7) and the applicants house (No. 5) is 1.73m high. Windows from our kitchen look directly onto this boundary wall, and where we had access to daylight previously, we now have an overbearing pitched roof reaching 2.225m above the existing wall.
- SDCC Design guidelines state '*the extension itself through its location or height, will not significantly reduce the amount of daylight and sunlight enjoyed by neighbouring properties or severely overshadow them. Good levels of natural light are particularly important in the habitable rooms of a house such as kitchens*'. We would argue that the rear kitchen

extension of the unpermitted built works significantly reduces our access to natural daylight, and has a negative and overbearing visual impact from our habitable spaces. Our living spaces and rear garden have been significantly impacted by these 2 new buildings. From Kitchen & Dining Room windows and from the garden, where previously we had views of the sky, we now have sight of continuous buildings. The extension is to the west of our living spaces, casting shadows in the afternoon and evening, the time when these spaces are in use.



- Using the area size supplied by the applicant in their application, a total of 117 sq. metres has been added to the existing house, originally 129.21 sq. metres, without planning permission in the last 17 months. No consideration was given to the impact of this work on any of the other residents in the area. This results in 246.74 sq. metres of buildings, excluding sheds, on a site of 471.42 sq. metres
- With the recent extension to the rear of this home, the new garden/games room, and 2 existing sheds on the site, there are numerous walls, windows and roof planes which are visually obtrusive and out of character with neighbouring homes. This negatively impacts on our quality of life and on the value of our property.
- For two summers we have endured continuous noise and dirt pollution on both weekdays and weekends. We have had to pay to have cement, spattered from a mixer located in the applicant's front garden, removed from our own vehicles on numerous occasions.

Observations re 77 square metre pitched roof structure at end of rear garden

- This construction is 77 square meters and therefore far in excess of the 25 sq. meters permitted as exempt under planning laws. Regardless of its described function it is another large building on the property which has not gone through the normal planning process and therefore not given any neighbours or others directly impacted the opportunity to review the planned structure.
- The structure was described to us as "a shed" at the beginning of construction. We assumed that the permitted area size permitted under planning exemptions would be followed and even facilitated access to part of the structure. Communication quickly broke down when there were a number of instances where we found workmen in our garden without our permission. This was communicated back to both the site manager and the applicant who ignored our privacy and security concerns and continued to enter our garden without first requesting permission.
- The structure has been built to include living facilities such as a counter, wc and sauna with separate rear access.
- This building is constructed on our shared boundary wall. This development creates a grey area as to the boundary between our two homes and gardens and the design of this structure has restricted any future options for any permitted development works that we may consider.
- The applicant has put a pitched roof on this structure which is an eyesore and overbearing. It is impacting on our enjoyment of our garden.
- The structure has been completed using perimeter LED light bulbs which emit an unbearable glare and since this games room is often in use until the early hours of the morning, this light nuisance is an intolerable intrusion into our home. Even with blinds on the window it is significantly impacting our bedroom at the rear of our home and, consequently, our ability to get a peaceful night's sleep.
- The applicant cleared a pathway and laid decking along the, hitherto, briar and bramble covered embankment of the River Poddle which flows at the rear of all our homes on Willington Court. This has enabled easier access to the rear of both of our properties and has therefore impacted on the security of our home. We have already had one attempted break in at the back of our house since this pathway was cleared.

Observations re Pitched roof open plan extension to rear of existing house

- The pitched roof, the ridge of which is 2.225m above the top of the boundary wall, has resulted in a significant loss of natural light to our kitchen and dining room. We have had a marked reduction in light in both rooms. It is worth noting that the original extension which was granted permission in July 1999 had already significantly impacted the light available to these rooms. The latest works have made our kitchen cave-like.
- The form of this roof is visually overbearing from all rooms to the rear of our home. The view from both floors, back and side windows and garden is now of multiple buildings with pitch roofs and high level windows.
- A small side window has been recently installed on site in the side of the original house. This is not indicated on the application drawings, and it is unclear if this is less than 1m from the boundary wall. This directly overlooks our kitchen, this will inevitably infringe on our privacy and it should be removed forthwith.

- We estimate that the Velux window in the side of the roof of the extension is 5 metres from the boundary wall which is far less than the 11 meters recommended in the planning permission exemptions. This has and will have a marked impact on our privacy in the upstairs of our home.

In conclusion, the detrimental effect of the works that have been done in the past 17 months on our natural light and privacy from within our home and garden is something that we would have foreseen and objected to had the proper permissions been sought.

We feel that the use of a flat roof instead of a pitched roof on both buildings, and the omission of the high level windows to the rear extension would have had significantly less impact in terms of overshadowing and visual amenity outlined above.

For us, as a family unit, the only outcome worse than having to experience further, ongoing, works in order to change the structures that we object to is to have to live with them permanently. We trust that you will consider the objection alongside the 'completed works' contravention of SDCC planning guidelines and take appropriate action.

Thank you for your time,

Hilary Dowling & Eimear Boyle
7 Willington Court
Templeogue
Dublin 6W

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7, Willington Court
Dublin 6w

Date: 30-Aug-2022

Dear Sir/Madam,

Register Ref: SD22B/0346
Development: Retention for previously constructed detached single storey pitched roof garden/games room structure across end of rear garden (77.70sq.m) with ridge height at 3.380m above ground level; Retention for single storey pitched roof open plan extension to rear of existing house (39.83sq.m) with ridge height at 3.955m above ground level complete with new Velux rooflight over; internal alterations and associated site works.
Location: 5, Willington Court, Templeogue, Dublin 6w
Applicant: Pat & Therese Monks
Application Type: Retention
Date Rec'd: 28-Jul-2022

I wish to acknowledge receipt of your submission in connection with the above planning application. The appropriate fee of €20.00 has been paid and your submission is in accordance with the appropriate provisions of the Planning and Development Regulations 2001(as amended). The contents of your submission will be brought to the attention of the Planning Officer during the course of consideration of this application.

This is an important document. You will be required to produce this document to An Bord Pleanála if you wish to appeal the decision of the Council when it is made. You will be informed of the decision in due course. Please be advised that all current applications are available for inspection at the public counter and on the Council's Website, www.sdblincoco.ie.

You may wish to avail of the Planning Departments email notification system on our website. When in the **Planning Applications** part of the Council website, www.sdblincoco.ie, and when viewing an application on which a decision has not been made, you can input your email address into the box named "**Notify me of changes**" and click on "**Subscribe**". You should automatically receive an email notification when the decision is made. Please ensure that you submit a valid email address.

Please note: If you make a submission in respect of a planning application, the Council is obliged to make that document publicly available for inspection as soon as possible after receipt. Submissions are made available on the planning file at the Planning Department's public counter and with the exception of those of a personal nature, are also published on the Council's website along with the full contents of a planning application.

Yours faithfully,

M. Furney
for **Senior Planner**