

Suite 1, 20 Harcourt Street, Dublin 2, Republic of Ireland.

Planning Department,  
South Dublin County Council,  
County Hall,  
Tallaght,  
Dublin 24.

Date: 3<sup>rd</sup> October 2022



Retention Application Window

Dear Sir/Madam,

**RE: 3<sup>rd</sup> Party Objection (Planning Register Reference SD22B/0398) Permission to retain the existing obscure glazed screen to the north elevation, providing natural light to the stairwell of the existing dwelling in lieu of the approved circular window in a similar location (application SD14A/0150, PL065.244270.)**

On behalf of my clients **Mr. & Mrs. David Mellon**, of Washington House, Butterfield Avenue, Rathfarnham, Dublin 14.

We wish to lodge an objection to the application for retention of unauthorised development at Orchardstown House, Washington Lane, Rathfarnham, Dublin 14.  
We enclose receipt for €20.00 as proof of payment of statutory fee.

This retention application is in response to the enforcement notice S 8528 - Breach of planning at Orchardstown House which was issued on the 9<sup>th</sup> June 2022 as itemised below:

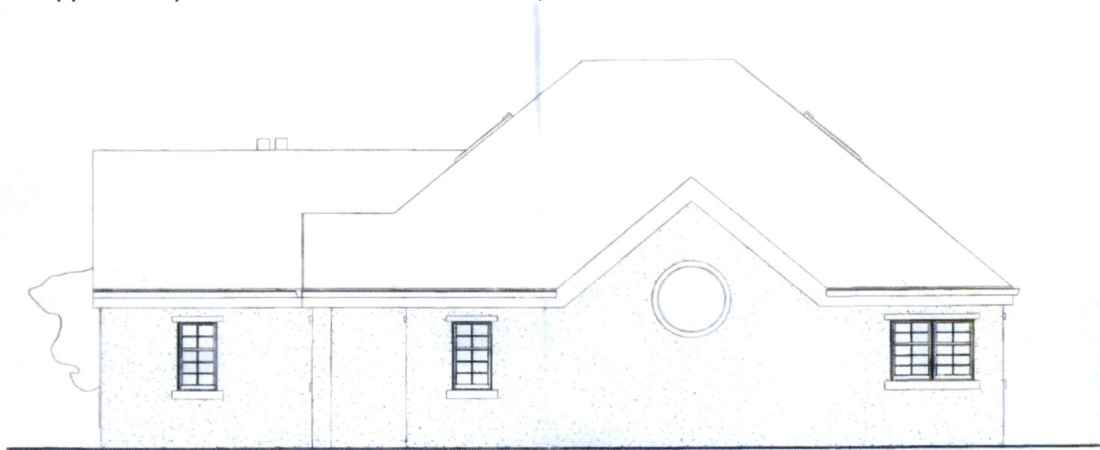
*Please be advised that an Enforcement Notice pursuant to Section 154 of the Planning & Development Acts 2000 (as amended) issued to the owners of the above lands on 8th June 2022 requiring that within the specified period commencing 13th June 2022 and ending 13th October 2022 to take the following steps.*

1. Cease the development and discontinue the use of gable window in the north-west elevation
2. Remove the window and close up the window opening.
3. Remove all resultant debris to an approved landfill site.

The particulars of application SD22B/0398 were not available to view on the on-line planning portal at the time of writing .

### Overview

The Side elevation (North West) (indicated below) and the attic plan are significantly different to the plans approved by An Bord Pleanála under SD14A/0150.



SIDE ELEVATION (NORTH / WEST)  
(SCALE 1:50)

This retention application planning wording is vague and inaccurate "... in lieu of the approved circular window in a similar location". The "as-built" window and the window approved are in no way similar in in terms of height above ground level, shape, size or position.

### Grounds for Objection

1. The window as constructed overlooks my clients property.
2. This window serves a stairwell and while it is defined as not being a habitable space there is the **perception of overlooking**.
3. The proximity of the window to the property boundary (only 1 m) is also a planning issue. There are limitations on placement of windows in exempted Developments as follows:  
S.I. No. 600/2001 - Planning and Development Regulations, 2001 exempted development Class 1 6(b)

*"Any window proposed above ground level in any such extension shall not be less than 11 metres from the boundary it faces".*



Planning Application Design statement

4. The occupants also leave this stairs/landing light on at night which is a cause of light pollution and effects my clients private amenity and enjoyment of their property (as per photo above).
5. The window in question is also effectively North Facing so there is little merit in the argument for allowing the window remain as little natural light penetration is being achieved.
6. My clients do not understand the reason for this window installation as it performs no functional purpose but has decreased the value of their property due to agian the perception of overlooking.
7. The applicants have installed a frosted coating to the inside of the window in a weak response to my clients earlier concerns.
8. My clients request is that the window is removed as directed in the enforcement notice S 8528. The stairwell of this property can be lit with Velux windows which my clients will have no issue with.

Yours sincerely,

*Olan Crowley*

**Olan Crowley, Design Manager**  
**Dip Arch, B Arch Sc., (1<sup>st</sup> Hons), FRIAI, G3 Conservation**

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AW Architects Workshop Ltd.  
c/o Olan Crowley, Design Manager  
Suite 1  
20 Harcourt Street  
Dublin 2.

Date: 07-Oct-2022

Dear Sir/Madam,

**Register Ref:** SD22B/0398  
**Development:** Permission to retain the existing obscure glazed screen to the north elevation, providing natural light to the stairwell of the existing dwelling in lieu of the approved circular window in a similar location (application SD14A/0150, PL065.244270.)  
**Location:** Woodley Lodge, Washington Lane, Dublin 14  
**Applicant:** Anthony Duffin  
**Application Type:** Retention  
**Date Rec'd:** 06-Sep-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.sdublincoco.ie](http://www.sdublincoco.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.sdublincoco.ie](http://www.sdublincoco.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. Crowley  
for **Senior Planner**