



Kingswood Heights Residents' Association

Planning Department
South Dublin County Council
County Hall
Tallaght
Dublin 24



Planning Observation

| | |
|--|--|
| Planning Retention Application Reference No: | SD22B/0404 |
| Proposed Development: | Structure to rear of 38 Walnut Close, Kingswood Heights, Tallaght, Dublin 24. |
| Planning Enforcement Reference: | S8965 |

To whom it may concern,

The Kingswood Heights Residents' Association wish to make the following observations in relation to the unauthorised development at the above address, and submit that South Dublin County Council *should not* grant permission for retention of same, for the following reasons:

1.0 Site Title and Ownership

Title to a significant portion of the site that has been developed without the required planning permission is not held by the applicant.

Land Registry Folio No. 1380F makes it clear that South Dublin County Council is the "full owner" of the portion to the site adjoining the public footpath to the rear of the property, dated 08 September 2011. The original shed structure did not extend beyond the boundary of the site owned by the applicant.

We submit that to allow retention of this unauthorised development on lands that are not in the ownership of the applicant would set a dangerous precedent that is not in accordance with the appropriate development and planning of the area.

2.0 Impact on Visual and Residential Amenity

We consider that the development is unduly visually obtrusive and out of character with the existing pattern of single-story garden structures, both in the immediate vicinity and throughout the area as a whole. No other property in Kingswood has constructed a separate rear garden two-storey structure.

By reason of its height, scale and massing, we are of the view that the unauthorised development seriously injures the residential amenity of the Old Ballymount Road. The planting bed that previously adjoined the public footpath, in the ownership of South Dublin County Council, has also been built-on. See photos on following page.

3.0 Insufficient Detail

We consider that insufficient detail has been provided in order to reasonably assess the impact of the development in relation to the visual amenity enjoyed by the neighbouring dwellings and the surrounding area as a whole. The purpose and proposed use of the structure is also not clearly detailed within the application for retention.

4.0 Conclusion

The proposed development, by reason of its design – its massing, scale and height is unduly visually obtrusive. It seriously injures the amenities of the adjacent residential properties by reason of visual intrusion and significant overbearing in a way that is out of character with the prevailing form of garden shed-type structures in the area.

To permit retention of an unauthorised development of this nature, constructed on land that is in the ownership of South Dublin County Council, would set an undesirable precedent.

We respectfully ask that for all of the above reasons, the proposed development be considered substandard and not in accordance with the sustainable planning and development of the area. We ask that permission for retention, in this instance, should be refused and that the enforcement application followed through.

Yours sincerely,

Dorene McCarthy, Fionnuala Purcell, Breda Brennan

for and on behalf of Kingswood Heights Residents' Association

Kingswood Heights Residents Association
c/o 43 The Grove
Kingswood Heights
Tallaght
Dublin 24

Date: 12-Oct-2022

Dear Sir/Madam,

Register Ref: SD22B/0404
Development: Permission for a new first floor extension with new roof and roof windows to shed at rear of site and all associated site works; Retention of all new shed walls at ground floor and first floor level only that are connected to existing shed at rear of site and all associated site works.
Location: 38 Walnut Close, Kingswood Heights, Dublin 24
Applicant: Greachan O'Dunlaing
Application Type: Permission and Retention
Date Rec'd: 09-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.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. Crowley

Senior Planner