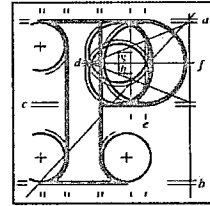


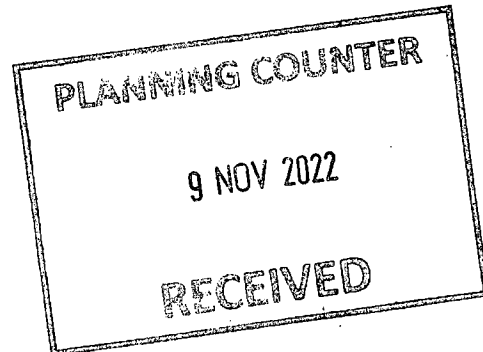
Our Case Number: ABP-315023-22

Planning Authority Reference Number: SD22A/0334



An  
Bord  
Pleanála

South Dublin County Council  
Planning Department  
County Hall  
Tallaght  
Dublin 24



Date: 08 November 2022

Re: Outline Permission for construction of a house and all associated site works.  
16, Fairways, Rathfarnham, Dublin 14, D14XR40

Dear Sir / Madam,

Enclosed is a copy of an appeal under the Planning and Development Act, 2000, (as amended).

**Submissions of documents etc., to the Board. N.B. Copies of I-plans are not adequate, all drawings and maps should be to scale in accordance with the provisions of the permission regulations.**

1. The planning authority is required to forward specified documents to the Board under the provisions of section 128 and section 37(1)(b) of the Planning and Development Act, 2000, (as amended). Please forward, **within a period of 2 weeks beginning on the date of this letter, the following documents:-**

- (i) a copy of the planning application made to the planning authority and a copy of any drawings, maps (including ordnance survey number) particulars, evidence, a copy of any environmental impact statement, other written study or further information received or obtained by your authority in accordance with regulations under the Acts. If practicable, the original of any drawing with coloured markings should be provided or a coloured copy,
- (ii) a copy of any technical or other reports prepared by or for the planning authority in relation to the application,
- (iii) a certified copy of the relevant Manager's Order giving the decision of the planning authority,
- (iv) a copy of the notification of decision given to the applicant,
- (v) particulars of the applicant's interest in the land or structure, as supplied to the planning authority,
- (vi) a copy of the published notice and a copy of the text of the site notice erected on the land or structure,

Teil	Tel	(01) 858 8100
Glaó Áitiúil	LoCall	1890 275 175
Facs	Fax	(01) 872 2684
Láithreán Gréasáin	Website	www.pleanala.ie
Ríomhphost	Email	bord@pleanala.ie

64 Sráid Maoilbhríde	64 Marlborough Street
Baile Átha Cliath 1	Dublin 1
D01 V902	D01 V902

- (vii) a copy of requests (if any) to the applicant for further information relating to the application under appeal together with copies of reply and documents (if any) submitted in response to such requests,
- (viii) a copy of any written submissions or observations concerning the proposed development made to the planning authority,
- (ix) a copy of any notices to prescribed bodies/other authorities and any responses to same,
- (x) a copy of any exemption application/certificate within Part V of the 2000 Act, (as amended), applies,
- (xi) a copy of the minutes of any pre-planning meetings.

2. To ensure that the Board has a full and complete set of the material specified above and that it may proceed with full consideration of the appeal, please certify that the planning authority holds no further material relevant to the case coming within the above list of items by signing the certification on page 3 of this letter and returning the letter to the Board.

3. In addition to the documents mentioned above, please supply the following:- Particulars and relevant documents relating to previous decisions affecting the same site or relating to applications for similar development in near proximity. "History" documents should include;

- a) Certified Manager's Order,
- b) the site location, site layout maps, all plans and
- c) particulars and all internal reports.
- d) details of any extensions of time given in respect of previous decisions.

**Copies of I-plan sheets are not adequate.**

Where your records show that a decision was appealed to the Board, it would be helpful if you would indicate the Board's reference.

Submissions or observations by the planning authority.

4. As a party to the appeal you may, under section 129 of the 2000 Act, (as amended), make submissions or observations in writing to the Board in relation to the appeal within a **period of 4 weeks beginning** on the date of this letter. Any submissions or observations received by the Board outside of that period shall not be considered, and where none have been validly received, the Board may determine the appeal without further notice to you.

**Contingency Submission**

5. If the decision of your authority was to refuse permission, you should consider whether the authority wishes to make a contingency submission to the Board as regards appropriate conditions which, in its view, should be attached to a grant of permission should the Board decide to make such a grant. In particular, your authority may wish to comment on appropriate conditions which might be attached to a permission in accordance with section 48 and/or 49 of the 2000 Planning Act (Development / Supplementary Development Contributions) including any special condition which might be appropriate under section 48(2)(c) of the Act. Any such contingency submission, in circumstances which your authority decided to refuse permission, would be without prejudice to your authority's main submission in support of its decision.

<b>Tel</b>	<b>Tel</b>	(01) 858 8100
<b>Glaó Áitiúil</b>	<b>LoCall</b>	1890 275 175
<b>Facs</b>	<b>Fax</b>	(01) 872 2684
<b>Láithreán Gréasáin</b>	<b>Website</b>	www.pleanala.ie
<b>Riomhphost</b>	<b>Email</b>	bord@pleanala.ie

64 Sráid Maoilbhríde	64 Marlborough Street
Baile Átha Cliath 1	Dublin 1
D01 V902	D01 V902

Registered Post

ref: ABP 314963-22

Planning Authority  
Reference No:

SD22A10334

Jaincays House  
18 Jainsways  
Rottfarranham  
Dublin 14 D14RF30  
3 November 2022

Dear Ms Tucker/colleague,

Thank you for taking my call yesterday afternoon in relation to our objection on the above reference number/property. Enclosed, as requested by your letter, of the 28 October 2022,

1) Acknowledgement letter.

I also took the liberty of sending everything else back to you from the date of our objection 3rd September 2022.

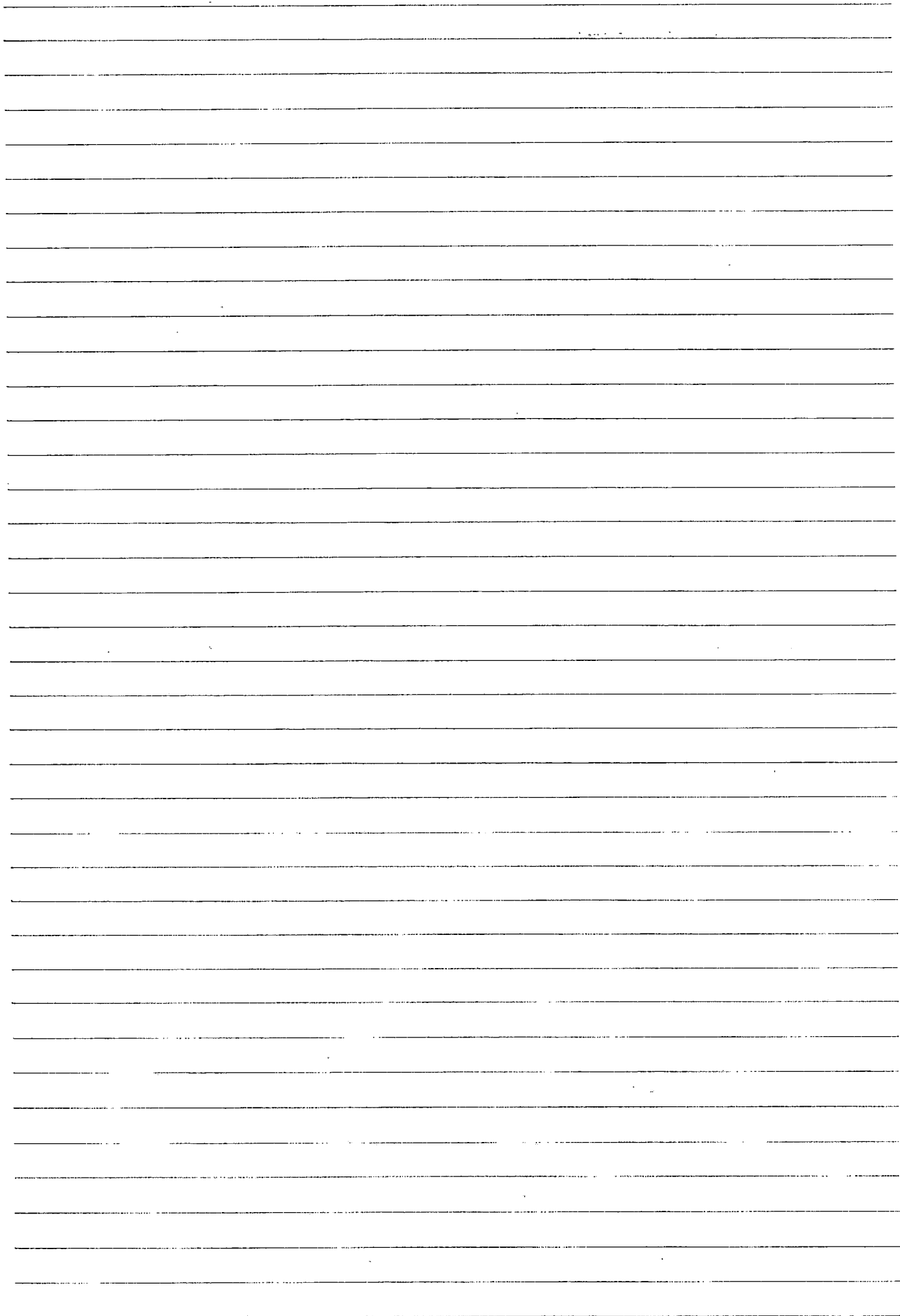
Enclosed and cheque for €220.00 euros as requested again.

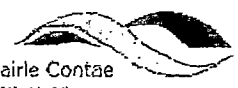
This is all being sent today by registered post within our time frame

Yours sincerely,

Susán + Gíoga Murphy.

Encl. All documents + B01 cheque €220.00





Cornhairle Contae  
Átha Cliath Theas

Land Use, Planning & Transportation Department  
Telephone: 01 414 9000

Fax: 01 414 9104

An Rannóg Talamhúsáide, Pleanála agus Ionpaircáil  
Email: [planning.dept@sdublincoco.ie](mailto:planning.dept@sdublincoco.ie)

Greg & Susan Murphy  
18 Fairways  
Rathfarnham  
D14 RF30

<b>AN BORD PLEANÁLA</b>	
LDG- <u>058 YPO - 22</u>	
ABP- _____	
04 NOV 2022	
Fee: € <u>22000</u>	Type: <u>cheque</u>
Time: _____	By: <u>reg post</u>

Date: 08-Sep-2022

Dear Sir/Madam,

**Register Ref:** SD22A/0334  
**Development:** Two storey, three bed detached dwelling of approx. 110sq.m in the side garden of the existing dwelling; new vehicular entrance to the side of the site; new pedestrian entrance to the front of the site and all associated site works.  
**Location:** 16 Fairways, Rathfarnham, Dublin 14, D14XR40  
**Applicant:** Raymond & Marie Leonard  
**Application Type:** Outline Permission  
**Date Rec'd:** 17-Aug-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 Pleanala 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).

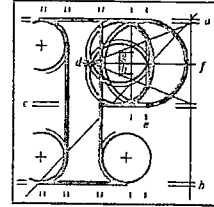
You may wish to avail of the Planning Departments email notification system on our website. When in the *Planning Applications* part of the Council website, [www.sdublincoco.ie](http://www.sdublincoco.ie), and when viewing an application on which a decision has not been made, you can input your email 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

Our Case Number ~~ABP-314963-22~~ **N**  
Planning Authority Reference Number: SD22A/0334



An  
Bord  
Pleanála

Greg and Susan Murphy  
18 Fairways  
Rathfarnham  
Dublin 1  
D14 RF30

**Date:** 28 October 2022

**Re:** Outline Permission for construction of a house and all associated site works.  
16, Fairways, Rathfarnham, Dublin 14, D14XR40

Dear Sir / Madam,

An Bord Pleanála has received your letter in which you intended to make an appeal under the Planning and Development Act, 2000, (as amended).

Section 127(1)(e) of the 2000 Act, (as amended), provides that an appeal must be accompanied by the acknowledgement by the planning authority of receipt of submissions or observations on the application. As your appeal was not accompanied by the said acknowledgement, it is regretted that it must be regarded as invalid in accordance with section 127(2)(a) of the Act. To lodge a valid appeal you must comply with ALL of the requirements of section 127.

You are reminded that the final date for the lodgement of a valid appeal is 4 weeks beginning on the day of the decision by the planning authority.

Please also note that where the final date falls on a Saturday, a Sunday, a public holiday or any other day on which the offices of the Board are closed, an appeal shall be valid as having been made in time if received by the Board on the next following day on which the offices of the Board are open.

The documents lodged by you are enclosed and a cheque for the amount lodged will be issued under separate cover.

Yours faithfully,

Mary Tucker  
Executive Officer  
Direct Line: 01-8737132

BP14T

Teil  
Glao Áitiúil  
Facs  
Láithreán Gréasáin  
Ríomhphost

Tel (01) 858 8100  
LoCall 1890 275 175  
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Email bord@pleanala.ie

64 Sráid Maoilbhríde  
Baile Átha Cliath 1  
D01 V902

64 Marlborough Street  
Dublin 1  
D01 V902

BY REGISTERED POST

The Secretary  
An Bord Pleanála  
64 Malborough Street  
Dublin 1

<b>AN BORD PLEANÁLA</b>	
LDG-	058588 - 22
ABP-	
28 OCT 2022 o.k	
Fee: €	200.00 Type: <i>duge</i>
Time:	By: <i>reg post</i>

Register Ref: SD22A/0334  
Applicants Name: Mr. Raymond & Marie Leonard  
Address : 16 Fairways Rathfarnham  
D14XR40  
Planning Authority: South Dublin County Council

26th October '22

Dear Sir/Madam,

I wish to appeal the decision to grant outline planning permission for the building of a dwelling at 16 Fairways.

I contend that the said dwelling will project sideways across the line of houses to the East and to the rear of the dwelling. This will affect the visual harmony and impact the residential and visual amenity of the Road.

In the decision to grant outline permission there is great attention and emphasis given to the need to maintain the line of houses that stretches from No 2 Fairways to No. 16 opposite Tesco but no consideration whatsoever to the houses to the rear of this proposed dwelling. It is my contention that we deserve the same consideration as the residents of Fairways opposite Tesco. The said dwelling will jut out and detract from the flow of houses in the original design of Fairways. This runs contrary to the Zoning objective RES 'to protect and /or improve Residential Amenity'. It is my contention that the dwelling is of a scale and size that will detract from the character of the adjacent dwellings.

The Decision states that there is no property to the rear of the proposed dwelling but that is incorrect. My home at 18 Fairways is directly to the rear and the proposed building would border on my property, overlooking it and have an overbearing impact on it. This will affect my privacy which I value greatly.

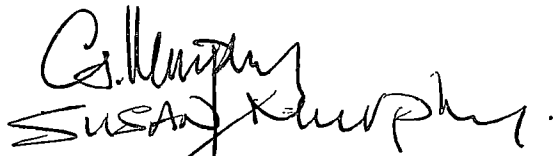




The run of houses from 6 Fairways to 16 Fairways overlooks my home and there are privacy issues there, now there is a proposal to extend this line of houses so that my home is surrounded with no privacy at all.

I respectfully request An Bord Pleanala to refuse Planning Permission for the proposed dwelling at 16 Fairways.

Yours sincerely

Handwritten signature of Greg & Susan Murphy in black ink. The signature is written in a cursive style, with 'Greg' and 'Susan' clearly legible, followed by '& Susan Murphy'.

Greg & Susan Murphy  
18 Fairways  
Rathfarnham  
Dublin D14RF30

Enc. Cheque BOI 220.00 Euro



Greg & Susan Murphy  
18 Fairways  
Rathfarnham  
D14 RF30

Date: 12-Oct-2022

Dear Sir/Madam,

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**Register Ref. No:** SD22A/0334  
**Development:** Two storey, three bed detached dwelling of approx. 110sq.m in the side garden of the existing dwelling; new vehicular entrance to the side of the site; new pedestrian entrance to the front of the site and all associated site works.  
**Location:** 16, Fairways, Rathfarnham, Dublin 14, D14XR40  
**Applicant:** Raymond & Marie Leonard  
**App. Type:** Outline Permission  
**Date Rec'd:** 17-Aug-2022

I wish to inform you that by Order dated 11-Oct-2022 it was decided to **GRANT OUTLINE PERMISSION** for the above proposal.

This decision together with the conditions/reasons attached to the decision is recorded in the Planning Register kept at this office in accordance with Article 7 of the Planning & Development Act 2000.

This Register may be inspected during office hours 9.00 a.m. – 4.00 p.m. and interested parties may obtain a certified copy of an entry therein on payment of a fee of €9.00 in respect of each entry. Alternatively, the information can be accessed on-line at [www.sdblincoco.ie](http://www.sdblincoco.ie) by selecting “*Planning Applications*” and conducting a search using available information such as the Planning Application number, Applicant Name or Location. Scanned planning files can be downloaded at this site.

It should be noted that any person who made a submission within 5 weeks of the date of receipt of the application by the Planning Authority and which was accompanied by the appropriate fee of €20.00 may appeal to An Bord Pleanála against the decision or any conditions attached to the Council's decision *within 4 weeks* beginning on (and including) the date of the Council's decision. Interested parties are advised to consult An Bord Pleanála to ascertain if an appeal has been lodged by the applicant.

In cases where the Planning Authority is notified of an appeal having been lodged, this information is published on a weekly basis on the Council's website [www.sdblincoco.ie](http://www.sdblincoco.ie), under the heading “*Weekly Lists*”.

All appeals against decisions of the Planning Authority and all correspondence in relation to new and existing appeals should be addressed to The Secretary, An Bord Pleanála, 64 Marlborough Street, Dublin 1 (Tel. 8588100 – LoCall: 1890 275 175).

Any appeal made to An Bord Pleanala will be invalid unless it is fully complete and the correct fee is received by An Bord Pleanala within the statutory appeal period. The fee in respect of an appeal by an applicant for permission relating to commercial development is €1,500; unauthorised commercial development is €4,500; other unauthorised development €660; any other appeal is €220.

Submissions or observations made to An Bord Pleanala by or on behalf of a person (other than the applicant) as regards an appeal made by another person must be accompanied by a fee of €50 and must be received within four weeks from and including the date of the receipt of the appeal by An Bord Pleanala.

Yours faithfully,

*M. Crowley*  
for Senior Planner

South Dublin County Council  
County Hall  
Town Centre  
Tallaght  
Dublin 24

3<sup>rd</sup> September 2022

Re: Planning Application 16 Fairways, Rathfarnham R & M Leonard.

Dear Sir/Madam,

I wish to object to the above planning application in the strongest possible terms. This is the 3<sup>rd</sup> application for construction of a house in this garden, the previous two having been rejected by DCC. The criteria and conditions supporting this planning refusal have not changed.

My home at 18 Fairways is a corner house and is completely surrounded by houses on all 4 sides, some of which are in close proximity and run alongside the west side of the house overlooking our back garden. Privacy is an issue without this proposed build.

The proposed building breaks the line of houses and would stick out and interfere with the constructed run of houses on Fairways. My front garden would be overlooked and my privacy denied, which I greatly value. The front of my house would be overshadowed and the light we enjoy now denied. The view from the front of my house would be the backyard of this proposed build which I find totally objectionable.

Fairways is a highly congested area with 2 entrances to Tesco, 2 sets of traffic lights, rows of double yellow lines and a yellow box all within 100 mts of 18 Fairways.

I would appeal to DCC to deny planning permission based on the above arguments.

Yours Sincerely

Greg & Susan Murphy  
18 Fairways  
Rathfarnham  
D14RF30  
Ph. 085 2560767