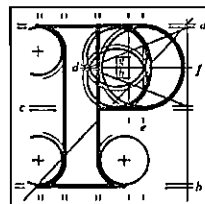


Our Case Number: ABP-315218-22

Planning Authority Reference Number: SD22A/0136



An
Bord
Pleanála

South Dublin County Council
Planning Department
County Hall
Tallaght
Dublin 24

Land Use Planning & Transportation

02 DEC 2022

South Dublin County Council

Date: 01 December 2022

Re: 3 houses with vehicular access to each off St. Patrick's Cottages, single storey extension and alterations to No. 51 Grange Park including a new vehicular entrance off St. Patrick's Cottages; closing up the two existing vehicular entrances off Whitechurch Road, landscaping, fencing and site works.

Site bounded by St Patrick's Cottages, Whitechurch Road & Grange Park, Rathfarnham, Dublin 14

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,

Teil	Tel	(01) 858 8100
Glaos 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

- (vi) a copy of the **published notice** and a copy of the text of the **site notice** erected on the land or structure,
- (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) the 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.

Please note that in accordance with section 251 of the Planning and Development Act, 2000, (as amended), the period beginning on 24th December and ending on 1st January, both dates inclusive, should be disregarded for the purposes of calculating the last date for lodgement of submissions or observations.

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IMB MAGAHY BRODERICK ASSOCIATES

STRUCTURAL, CIVIL AND ENVIRONMENTAL ENGINEERS

123 Lower Baggot Street, Dublin 2
Tel: + 353-1-969 5019, 969 5020
Web: www.mbas.ie
Email: info@mbas.ie

28 November 2022

An Bord Pleanála,
64 Marlborough street
Dublin 1
D01 V902

Re:

AN BORD PLEANÁLA	
LDG-	<u>054557-22</u>
ABP-	_____
28 NOV 2022	
Fee: €	<u>1500.00</u> Type: <u>cheque</u>
Time:	<u>11.06</u> By: <u>hurd</u>

Decision Order Number: 0830	Date of Decision: 30-Jun-2022
Register Reference: SD22A/0136	Registration Date: 06-May-2022

Applicant: John Lyons
Development: 3 new two and a half storey houses with vehicular access to each off St. Patrick's Cottages and a single storey extension and alterations to No. 51 Grange Park including a new vehicular entrance off St. Patrick's Cottages; sundry site works including closing up the two existing vehicular entrances off Whitechurch Road, landscaping, fencing and site works.
Location: Site bounded by St Patrick's Cottages, Whitechurch Road & Grange Park, Rathfamham, Dublin 14
Application Type: Permission

Dear Sir/ Madam,

On behalf of our client, Mr. John Lyons, Gurtavallig House, Riverstown Tara. Co. Meath, C15 DC42, we wish to appeal the decision made by South Dublin Co. council in respect of the above planning permission application.

Firstly, it is stated that the development fails to "integrate" with "Grange Park and Whitechurch Road". There is no established building line (because there are no buildings) on Whitechurch Road, and the building line on Grange Park is terminated by Nos. 51 and 52 which turn at 45 degrees to the road, to create a clear end.

The interior rooms of the houses on Grange Park are all significantly smaller than current standards dictate and therefore copying these houses is not an option, but the roof profile and form is replicated as much as is appropriate. The council's own conservation officer is reported as approving of the scheme's appearance.

The planners report suggests facing the houses onto Grange Park. This is not a practicable response as vehicular access to the houses would be precluded as they are too close to the corner.

Furthermore, there is a public sewer traversing the front of the site, and, to address flooding concerns, the floor level of houses needs to be raised above c. 1.0m above the street level, which would preclude wheelchair accessibility.

Therefore, the response, access from St. Patricks Cottages, is the appropriate one to:

- Protect the new houses from Flood risk
- Avoid the sewer
- Allow for vehicular access and access for wheelchair users.

The Councils Road department confirm that they are happy with access from St. Patricks Cottages. The following is an extract from their report.

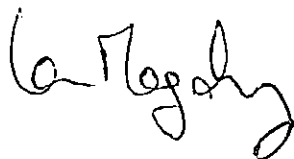
No Roads objections subject to the following conditions:

1. The boundary walls at both vehicle access points shall be limited to a maximum height of 0.9m, and any boundary pillars shall be limited to a maximum height of 1.2m, in order to improve forward visibility for vehicles.
2. The existing vehicular access point shall be limited to a width of maximum 3.5m wide for the proposed development.
3. Footpath and kerb shall be dished and widened, and the dropped crossing shall be constructed to the satisfaction of South Dublin County Council and at the applicant's expense. The footpath and kerb shall be dished and widened to the full width of the proposed widened driveway entrance.
4. Any gates shall open inwards and not out over the public domain.
5. All vehicles parked in the driveways must exit the site in a forward direction. No vehicles to reverse onto the public roadway at any time.

Conditions 1-3 have already been met by our response to the additional information request. Condition no 4 is irrelevant as no gates are proposed and condition No 5 can be addressed by advising the house owners accordingly.

Therefore, the second reason for refusal, (that the proposal is contrary to the proper planning and development of the area because of insufficiencies in the road Safety Audit), does not bear any scrutiny, and should not have been included as a reason for refusal.

We look forward to your decision in due course,



Ian Magahy B.E., C.Dip.A.F., M.I.E.I., *Chartered Engineer*