

Watson Fitzpatrick & Associates
98, Woodlawn Park Grove
Firhouse
Dublin 24

**NOTIFICATION OF DECISION TO REFUSE PERMISSION
PLANNING & DEVELOPMENT ACT 2000 (as amended) AND
PLANNING REGULATIONS THEREUNDER**

Decision Order No.	1538	Date of Decision	06-Dec-2022
Register Reference	SD22A/0394	Date	20-Oct-2022

Applicant: Mr. W. Fay

Development: Demolition of extension to side and construction of two storey three bedroom house to side.

Location: 75, Woodlawn Park Avenue, Firhouse, Dublin 24

Time extension(s) up to and including:

Additional Information Requested/Received: /

Clarification of Additional Information Requested/Received: /

DECISION: Pursuant to the Planning and Development Act 2000 (as amended), dated as above a decision to **REFUSE PERMISSION** is hereby made for the said development for the reason(s) set out on the Schedule hereto.

REASON(S)

1. Internal Space Standards.

The applicant has stated on notices and drawings that the dwelling would provide 3-bedrooms. An assessment of the dwelling against the relevant standards of the South Dublin County Development Plan 2022 – 2028, Table 3.20, and Section 5.3.2 of the Quality Housing for Sustainable Communities Guidelines 2007 demonstrates that the dwelling, as proposed, does not meet the relevant internal accommodation standards. The house would provide 74 sq.m internal accommodation, below the 92 sq.m required by the Development Plan. In addition, the aggregate bedroom floor area would be below the required minimum of the Guidelines, with none of the bedrooms providing the minimum floor area to be considered as a double bedroom. No dedicated storage is indicated on floor plans, save for wardrobe space which does not count towards the storage recommendations of the Guidelines. Furthermore, the living room does not provide the minimum recommended width for a 3-bedroom house. When assessed against the criteria for 2-

bedroom dwellings, the proposal is similarly deficient in terms of a lack of storage provision and the size of bedrooms provided. Having regard to the foregoing, the proposed dwelling would provide sub-standard accommodation and would not be in the interest of the proper planning and sustainable development of the area.

2. Traffic Safety and Access Arrangements.

From drawings, it appears that within the blue line boundary of the development site, an additional driveway would be provided to serve the existing dwellings. This has not been stated on the public notices, and is not detailed within drawings or included within the red line boundary of the site. In granting the access arrangements for the proposed dwelling, the existing dwelling would lose its access, and new arrangements cannot be considered under the scope of the current application based on the aforementioned issues. The Planning Authority cannot grant permission for development that would impact on the accessibility of the existing housing. The applicant would need to include the full blue line site within the red line boundary of the development, and provide detailed drawings of existing and proposed access arrangements. Without this information, a full assessment of the development in terms of traffic safety cannot be undertaken. The development is therefore contrary to the proper planning and sustainable development of the area, and poses a potential traffic safety hazard as currently presented.

3. Irish Water.

The applicant has not provided proposed water or foul water drawings showing connections to the necessary infrastructure to service the dwelling. The application cannot be decided without a clear understanding that the proposal can adequately connect into existing Irish Water infrastructure in the area.

Please note that upon receipt of this document you are obliged to remove the planning site notice in compliance with Article 20 of the Planning and Development Regulations 2001 (as amended). Please note that any valid submissions or observations received in accordance with the provisions of the Planning and Development Regulations 2001 (as amended), have been considered in the determination of this application.

Register Reference: SD22A/0394

Signed on behalf of the South Dublin County Council.

Yours faithfully,

Pamela Hughes 06-Dec-2022
for **Senior Planner**

NOTES

(A) REFUND OF FEES SUBMITTED WITH A PLANNING APPLICATION

Provision is made for a partial refund of fees in the case of certain repeat applications submitted within a period of twelve months where the full standard fee was paid in respect of the first application and where both applications related to developments of the same character or description and to the same site. An application for a refund must be made in writing to the Planning Authority and received by them within a period of two months beginning on the date of the Planning Authority's decision on the second application. For full details of fees, refunds and exemptions the Planning & Development Regulations, 2001 should be consulted.

(A) APPEALS

1. An appeal against the decision may be made to An Bord Pleanála. The applicant or ANY OTHER PERSON who made submissions or observations to the Local Authority may appeal within FOUR WEEKS beginning on the date of this decision. (N.B. Not the date on which the decision is sent or received).
1. Every appeal must be made in writing and must state the subject matter and full grounds of appeal. It must be fully complete from the start. In the case of a third party appeal it must be accompanied by the acknowledgement by the Planning Authority of receipt of the submissions/observations. Appeals should be sent to:
 2. The Secretary, An Bord Pleanála, 64 Marlborough Street, Dublin 1.
 3. An Appeal lodged by an applicant/ agent or by a third party with An Bord Pleanála will be invalid unless accompanied by the prescribed fee. A schedule of fees is at 7 below.
 4. A party to an appeal making a request to An Bord Pleanála for an Oral Hearing of an appeal must, in addition to the prescribed fee, pay to An Bord Pleanála a further fee (see 7 (g) below).
 5. A person who is not a party to an appeal must pay a fee to An Bord Pleanála when making submissions or observations to An Bord Pleanála in relation to an appeal.
 6. If the Council makes a decision to grant permission/grant permission consequent on a grant of outline permission and there is no appeal to An Bord Pleanála against this decision, PERMISSION/PERMISSION CONSEQUENT ON A GRANT OF OUTLINE PERMISSION will be granted by the Council as soon as may be after the expiration of the period for the taking of such an appeal. If any appeal made in accordance with the Acts has been withdrawn, the Council will grant the PERMISSION/PERMISSION CONSEQUENT ON A GRANT OF OUTLINE PERMISSION/RETENTION as soon as may be after the withdrawal.
7. Fees payable to An Bord Pleanála from 10th December 2007 are as follows:

- (a) Appeal against a decision of a Planning Authority on a planning application relating to commercial development made by the person by whom the planning application was made. where the application relates to unauthorised development€4.500.00 or €9.000 if an E.I.A.R. is involved
- (b) Appeal against a decision of a planning authority on a planning application relating to commercial development made by the person by whom the planning application was made. other than an appeal mentioned at (a)..... €1.500.00 or €3,000.00 if an E.I.A.R. is involved
- (c) Appeal made by the person by whom the planning application was made, where the application relates to unauthorised development other than an appeal mentioned at (a) or (b)€660.00
- (d) Appeal other than an appeal mentioned at (a), (b), (c) or (f)€220.00
- (e) Application for leave to appeal.....€110.00
- (f) Appeal following a grant of leave to appeal€110.00
- (g) Referral€220.00
- (h) Reduced fee (payable by specified bodies).....€110.00
- (i) Submission or observations (by observer).....€50.00
- (j) Request from a party for an Oral Hearing€50.00

If in doubt regarding any of the above appeal matters, you should contact An Bord Pleanála for clarification at

Telephone 01-858 8100