

Michal Klicki and Agnieszka Klicka

home owners of

8 Rochfort Grove, Rochfort Downs, K78 YX24 Lucan, Dublin, Ireland.

Date: 09/12/2022

Reference Number: Objection to SD22A/0430 (previously refused as: SD18A/0453 and SD03A/0599) at 7 Rochfort Grove, Lucan, Co. Dublin.

Proposed Development: Change of use of the existing single storey double bay garage and store building to be used as a one bedroom dwelling with modifications to the front and side of the building to include new solar panels, windows and doors, communal pedestrian access and parking shared with the existing dwelling, reinstatement of boundary walls and pillars and all associated site works.

To whom it may concern,

Firstly, we would like to note that more less the same planning application has already been rejected twice, for a number of valid reasons – you will find many of them discussed below.

Let's also state at this very early stage, that both myself and my wife (as well as our neighbours who said they are going to support us and will more than likely make their own submissions) share exactly the same opinion, that the permit should not be granted – arguments below:

- **Adverse impact on car parking and vehicle access** (tenants' cars already blocking my driveway, and also often my neighbour on the left) – this is already an issue. 7 Rochfort Grove used to be rented for long years (10years+), and as far as I know the intention is to keep renting, so normally it is 3-4 people or couples living there minimum. Conversion of the existing single storey double bay garage and store building into a house will make it even harder for us, at it means more people with more cars (and it clearly cannot be assumed that they will be all traveling by bus, as they currently don't do so). As of now, all occupants have their private cars parked there, but also their work vans, and additionally cars of their friends and families visiting them often. It means that when tenants have no visitors, it is not uncommon to see 6 cars around (including 2 big commercial vans), mostly parked on the street and blocking access to my driveway when I want to hit the road. These cars are blocking all deliveries, taxis and emergency services vehicles, what is really painful, and it gets worse when tenants have their guests coming over. Realistically, this is all down to the fact that the building in question hasn't followed the original plan and it was built as big as 64 sqm on their driveway completely blocking it, and consequently having no driveway, their parking is down really to 2 small parking spots max: it is 2 max, because if two cars are parked, then they can't really squeeze between cars getting back home (there is no footpath and boundary treatment at the front of entrance was demolished to park the second car, reintroduction of boundary and pillars will certainly make it a single car parking spot), so realistically this is just a single car spot. Below in red, marks where reinstated pillars would be located (currently demolished to allow second car parking):



Tenants also cannot use the 'existing single storey double bay garage' as a parking garage, as it is not in use and is now planned to be converted to 1-bed anyway. This situation consequently requires these tenants to park right at the front of my property either on the street or a shared footpath, what blocks my driveway entrance and too often requires me to wait or honk the horn, so someone can eventually remove their car and let me enter my own property or get to work. It also cannot be assumed that 2 parking spaces (even though there is 1 space really) are going to be sufficient for 2 houses (one semi-detached, and the other one converted to 1-bed and existing office/study apartment in there). With more tenants it can only get worse – below are pictures as is, and hundreds more can be made available to confirm same:







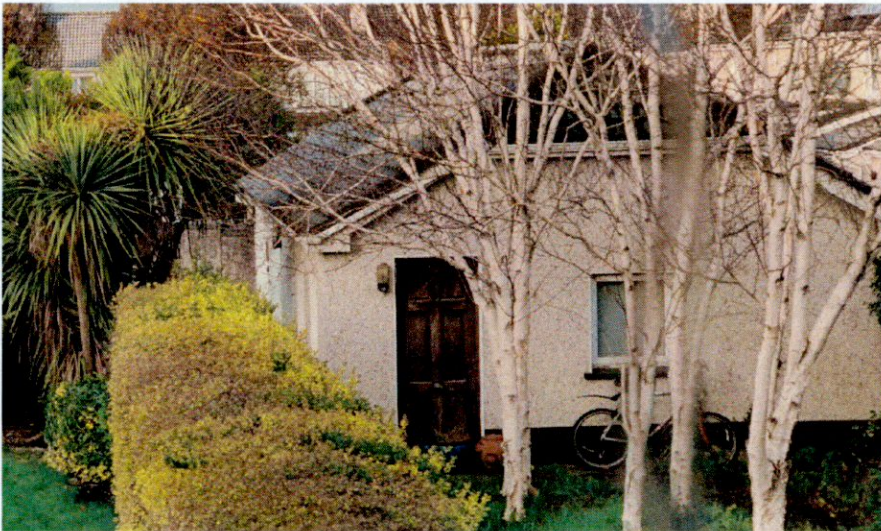
- **Adverse impact on road safety (traffic hazard) and manoeuvring turning point** - Considering this is a narrow cul-de-sac, it already makes manoeuvring extremely difficult and dangerous, especially during turning (if turning is possible, as currently it is not always a case). Obviously, situation gets worse when tenants' visitors come totalling to approximately 8 or more cars. Also, when my own friends, family, food delivery, couriers, painters and what's most critical, emergency services come, they cannot find a spot outside, or get through these cars, but also cannot access my property and park on my own driveway as it is either blocked or there is not enough space to manoeuvre and park. Especially frustrating for families and family cars:

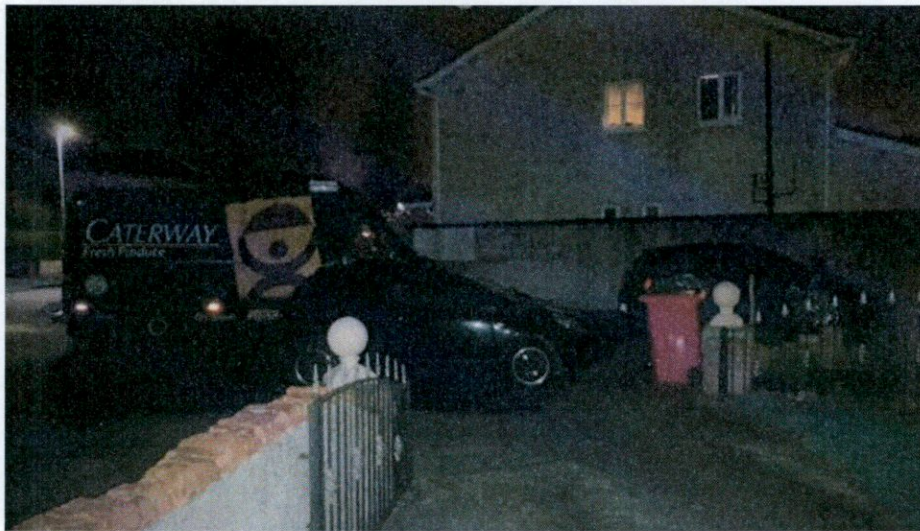






- **Emergency services access** – as mentioned, with my neighbour dwelling completely blocking their driveway to their primary house (you can see it blocked below, what is a breach of regulations, as confirmed by the firefighter I know), the only way for emergency service is through my driveway and demolishing my garden, that obviously assumes fire brigade can get through all these cars, and as you can see on the other picture below, it is currently not doable, and more tenants will only make it busier than ever:





- **Endangered public and child safety** - all these cars parked all over the place are also impacting safety of our local children playing outside (including our own child). Cul-de-sac is no longer a safe and quiet place where children can play or meet and visit each other or just have a little walk – cars are constantly parking or manoeuvring what poses a risk, even if children are supervised. It is not uncommon to see while manoeuvring an unaware children jumping out from behind the van or other car and neither the driver, nor the child can see each other. Parents are afraid that one day a child may be hit by yet another car trying to park – this risk increases when tenants are changing over time (as new tenants are unaware and don't realize this issue exists) and with more tenants with their own cars when conversion happens, it will just get worse.





- **Adverse impact on visual amenity** – pictures presented by landlord can be very misleading and were taken years ago, likely when property hasn't been rented yet. How it looks like now: this is not only the local parking spot for neighbours, their friends and whoever else wants to park because there are no yellow lines, this is also the only property in the area with 64sqm 'shed', now planned to be converted into a proper house – there is clearly a visual impact and difference between a standard semi-detached house and a semi-detached house with another house right in the front garden, placed at the exit of the driveway, surrounded by 6-8 cars blocking cul-de-sac, posing risk to child health and blocking access to emergency services and deliveries. It is definitely out of character with the adjoining dwellings in the area. I don't refer to details how the building itself looks, but more the fact that this unusual building is there, nobody in the neighbourhood has right at the property entrance a 64sqm meter bungalow, not (considering its size) to the extent that it completely blocks the driveway and access to emergency services, this is to do with the character of the area, architectural language and increased building density. First two pictures below show a typical building in the estate area with a clear driveway, the third one below my neighbours sizeable 'shed' completely blocking their driveway, very inconsistent with the remainder of the estate:

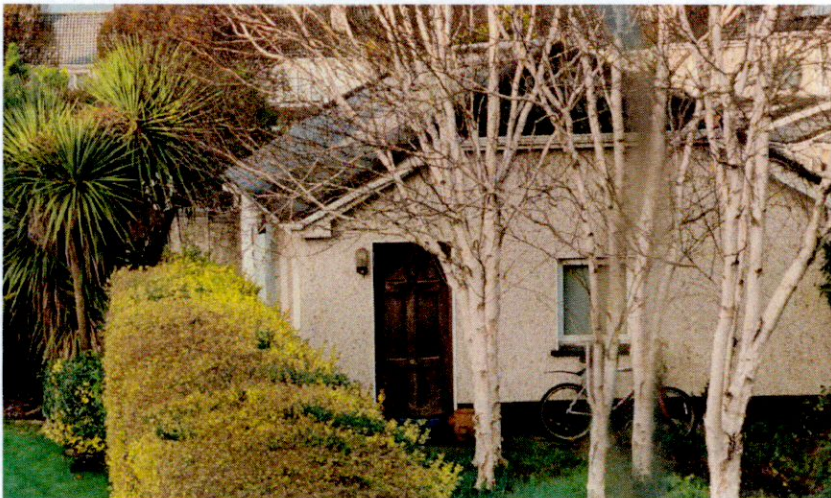


- **Impact on the price of the property** – I know landlord supplied a report that the plan has no impact on the price of the property, however it looks biased and I'm sure I can acquire one saying the opposite. As I have mentioned, the price is going to be impacted, depending whether my neighbouring house is a standard semi-detached single house or a semi-detached constant party house (more about it below) with another proper house in the garden (increased building density), placed at the front of the driveway, surrounded by 6-8 cars blocking cul-de-sac, posing risk to child health and blocking access to emergency services and deliveries. This is something I would expect a letting agent to know about – it is also worth mentioning that the correspondence from agent saying that planned upgrade will have no impact on property price is for the information of landlord only and can't be held liable to any third party for this assessment, so simply has no value. At the same time, permit not only devalues our properties, but also doubles the potential for my neighbour by having two separate and standalone properties. I – for instance – could never get a permit to build a similar dwelling on my area (as it means that I would block access to fire brigade completely) so considering circumstances, and that we all have equal rights, it should be re-erected following regulations or alternatively used as a garage (as it technically is a garage) and not considered and allowed to be upgraded.
- **Antisocial behaviour** (adverse impact on residential amenity) – unfortunately there are more signs of antisocial behaviour from 7 Rochfort Grove tenant's side and these are not efficiently addressed by landlord. At some stage in the past, it was a quite quiet location with families enjoying their life - currently our life is significantly impacted by their loud parties (parties at home, in the front garden or packed with 20 people partying in the back garden, with extremely loud music playing till 2am or 4am, can be weekend or weekdays, multiple times a month). When I brought it to tenant's attention (very young people), I was told that they are so loud 'because they celebrate their birthday', that's it, we were completely ignored a number of times, no respect. Later, when raised with a landlady, I was told that this is my issue to discuss with their tenants, and when I objected, I was told that 'as a landlady, I need to protect my tenants, they are adults and can't be telling them how to live their life'. Landlord clearly can't control their tenants effectively and more tenants around won't help when dwelling is converted to a proper house. I'm already doing too much dealing with their random rubbish, cigarette butts, after-party vomits or empty beer bottles on my driveway or in my garden, additionally doing on my own maintenance of shared footpaths, fences or bushes (I even need to cut bushes on my neighbour side as otherwise it is never done and looks really badly). Granting permit will further degrade the quality of our life for individuals, but also close neighbourhood.
- **Noise pollution** – dozen of people partying with extremely loud music at 4pm causing sleepless nights to ourselves and seeing our child going sleepy to school because she could not sleep is simply brutal, and impact our quality of life - more people will likely lead to more and not less problems.
- **Inherited compliance issues** - the building was in the past reported as not complying with building regulations (the lack of foul drain (drainage planning), surface water planning, boundary treatment, access to emergency services and the fact that the building currently doesn't comply with building regulations with regards to private open space to the rear of the property) – last time permit was rejected, and the situation didn't change at all.
- **'Shed' or a 'garage'** - lastly, this is what I'm told while talking to others in the neighbourhood about the dwelling that is now planned to be converted, they all say that it was never used with the original intention of being an office and garage (it is currently already a study/office and two garages with an attic), and because regulations were not followed originally (it ended up too big and too close to the boundary back and its right wall, completely blocked their own driveway so

emergency vehicles have no access to their house and would have to demolish my garden and wall to get there through my garden, drainage, and so on, what was even a concern for my solicitor when we were buying our property), it now creates an opportunity to try and upgrade further. Below planning shows that it is currently bigger than a a ground floor of a regular semi-detached:

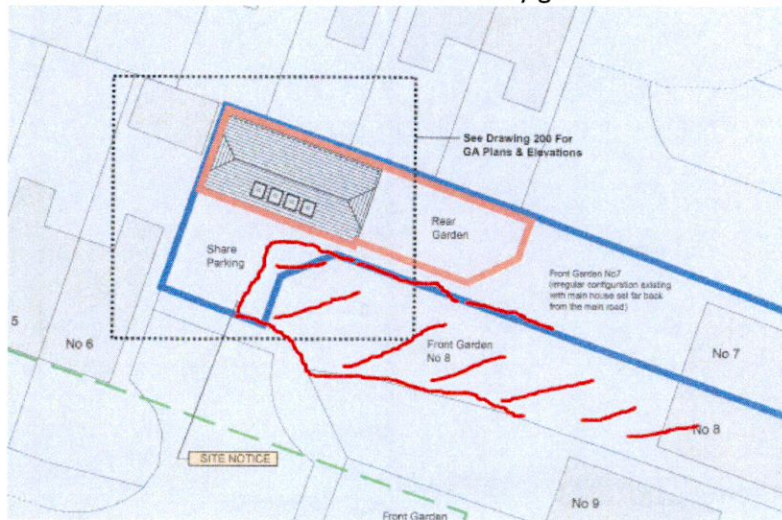


Considering the size of this planned 1-bed (64sqm), it may be relatively easily redesigned (few internal partitions) into smaller rooms 3-bed - our concerns are that it will over time be simply modified to match the previous application of this landlord to become a 3-bed house (once upgraded to a 1-bed, it will anyway automatically become 2-bed: one garage upgraded to a proper 1-bed and an 'office' space that technically is another 1-bed already; there is also a potential to convert an attic to another room making it a two storey house). I do understand that it is now too late (7 years rule) for this property to be demolished and re-erected according to regulations, but knowing this building removes tenant's access to driveway, it should be at least used as a garage to make our cul-de-sac a little bit more under control, however as you can see, the plan is to convert to a house, what is likely going to make things worse for neighbourhood.





- **Measurements** – measurement accuracy and neighbour boundary also seem to be a concern here, as according to previously submitted plans, my own property driveway was meant to be used to build parking on my own property area ('incorrect' measurements were one of many reasons it was rejected). This time plans (in blue) are more realistic; however, the planned shared parking looks to be wider than it can be – what's in red is my garden:



- More details on why it was historically rejected twice can be found in Managers and Chief Executives Orders, Notification of Decision Letters, Notification to third parties and State bodies and Objections from within previously rejected submissions - SD03A 0599 and SD18A 0453 – just a few concerns:
 - It clearly says that 'the provision of a residential unit and associated amenity space set in the front of an existing dwelling, forward to the existing building line would constitute haphazard piecemeal development, would adversely impact on the residential and visual amenities of the area. The proposed development would also be considered to set an undesirable precedent for other similar developments, which would in themselves and cumulatively, be harmful to be the residential amenities of the area and would be contrary to the proper planning and sustainable development of the area'. Also often refers to 'traffic hazard' for a reason and I presume these arguments still stay valid and are not changing only because:
 - Landlord presented an old select picture of no cars parked
 - Landlord plans to add solar panels what is really irrelevant here
 - Landlord suggest that from now on all tenants will be using bus (this is something what cannot be guaranteed and as you can see on attached pictures, it is just a wishful thinking, never was a case and will likely never be a case)
 - Architects saying that planning should go ahead as there was another example of similarly build dwelling, (a) precedent is only a precedent and potentially not necessarily following regulations, (b) it is a completely different scenario, size ratio,

it is not impacting traffic, visual, and blocking driveway, emergency services, pathways and so on, (c) referred-to undersupply or a potential existence of someone who wants to buy into the market does not mean regulations, safety and access to emergency services to others in the area should be sacrificed

- Architects suggest that because building is underutilized, it should be converted into 10bed (while considering circumstances, if underutilization and safety is concern, these garages should be utilized as garages to help situation)
 - Architects say that newly converted can be rented to elderly or disabled (which is not a profile of tenants we see renting, also disabled will need even more space to park or manoeuvre than existing tenants, what it makes it even more problematic; the assumption that elderly or disabled will be traveling on foot to shopping centre or by bus is also unrealistic, as they will be likely driving and not walking)
 - Architects refer to underutilized corner garage while again, it is overutilized blocking landlords entire driveway and blocking access to fire brigade (this argument can be made if site was much bigger)
 - Architects saying that plans are integrated and in harmony with neighbourhood profile (while in fact it is a unprecedented in a sense of scale and profile)
 - Architects referring to green and sustainable development (it probably can make landlord's rental profits more sustainable, however life of this cul-de-sac families will definitely become less sustainable - considering circumstances - if approved)
 - Knowing landlord has a number of other rental properties on the market, conversion this 'shed' into 1-bed for son is questionable (no offence, simply it is questionable) and cannot replace planning, regulations, restrictions and comfort of living and safety of others. Planning also once refers to son, other time to elderly or disabled, it only raises further questions when it comes to its purpose.
- Also says that any further work will 'seriously injure the amenities and depreciate the value of the property in the vicinity' – this is coming from planners, so a valid comment, while landlord's agency contact themselves stated that their statement is agents personal opinion and it is not an official statement and they can't be held responsible

Ourselves and our neighbours intend to appeal the decision in the unlikely event of the application being granted, so please don't hesitate to contact us, if you have any questions.

Kind Regards,

Michal Klicki

Michal
Klicki

Agnieszka Klicka

A Klicka

Michal & Agnieszka Klicki
8, Rockford Grove
Lucan
Co. Dublin
K78 YX24

Date: 13-Dec-2022

Dear Sir/Madam,

Register Ref: SD22A/0430
Development: Change of use of the existing single storey double bay garage and store building to be used as a one bedroom dwelling with modifications to the front and side of the building to include new solar panels, windows and doors, communal pedestrian access and parking shared with the existing dwelling, reinstatement of boundary walls and pillars and all associated site works.
Location: 7, Rochfort Grove, Lucan, Co. Dublin
Applicant: David & Amanda Cooke
Application Type: Permission
Date Rec'd: 14-Nov-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.

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, 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. Furney
for **Senior Planner**