

*Architects, Chartered Engineers & Chartered Town Planning Consultants*

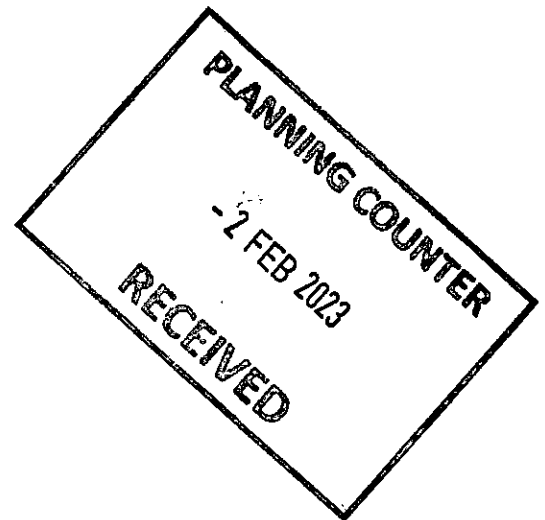


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35/37 Glasthule Road, Glasthule, County Dublin A96 A2R5  
Tel 01-2303979 087 900 2568

31st January 2023

Planning Department,  
Land Use, Planning & Transportation Department,  
South Dublin County Council,  
County Hall,  
Tallaght, Dublin 24,  
D24 YNN5



**Planning Application Ref:** SD22A/0466

**Location:** 124, Templeville Drive, Dublin 6W

**Proposal:** Demolition of existing three bedroom dormer dwelling house and the construction of four number two storey three bedroom semi-detached dwellings on a stated area of 780 square metres (sqm); Creation of three separate vehicular access points off Templeville Drive with one off the main road to the south, and two off the side road to the east, with all ancillary site works and landscaping.

**Applicants:** Barry & Susanne Coleman

**Application Type:** Permission.

Dear Sir/Madam,

On behalf of my clients, Paul and Áine McLaughlin of No. 126 Templeville Drive, immediate next door neighbours, I am writing with the following observations and to object to the proposed development at 124 Templeville Drive, a domestic property in single ownership, as it represents overdevelopment of the property which would seriously injure the residential amenities of properties in the vicinity, depreciate the value of my client's property (see attached valuation letter), would establish an undesirable precedent for similar developments, which would be harmful to residential amenities and contravenes materially the CPD land use objective for the area



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which is RES - *To protect and/or improve residential amenities*. The Planning Authority is, therefore, asked to refuse the proposed development in the interests of residential amenities and the proper planning and sustainable development of the area.

### **A. Context and Character**

No. 124 Templeville Drive has a stated area of 0.078 hectares, and comprises the entire property at number 124, Templeville Drive Dublin 6W, a detached dormer dwelling house with a single-storey kitchen/living room extension to the side with rear garden on a corner site. No 124 is located on the northern side of Templeville Drive. The garden slopes gradually downhill from west to east. The roadside boundary comprises a wall at a height of approximately 1.2 metres, to the east is a walled boundary with a height of approximately two metres. The boundaries within the rear garden space comprise walls, at a height of approximately 1.8 metres.

My client's property at no. 126 Templeville Drive is immediately adjacent to no 124. No 126, like all the houses along this side of the Road are vernacular style dormer bungalows with rear back gardens bounded by walls at c.1.8 metres high. To the east, across the link road, the houses are two storey, in a similar style with pitched roofs. The layout of Templeville Drive consists of back to back dwellings. The link road to the east has no houses fronting onto it. Along this link road, the boundary is to the rear gardens of No. 124 and No. 48 Templeville Drive and consists of a wall at a height of c. 2 metres.

The stated area of 124 Templeville Drive is 780sqm.

The existing average residential density of Templeville Drive is 10 units per hectare.

The reasons for objecting to the proposed development are as follows: -

### **B. Invalid Planning Application**

Sufficient legal interest: From the declaration submitted in Planning Ref. SD20A/0191 -ABP Ref - 308458-20, the current area of the property containing the garage and outhouse was declared as in



the ownership of Rachel Coleman, the daughter of the current applicants. If so, a letter of consent should have been submitted with this current planning application.

Drawing not in accordance with the Planning and Development Regulations, 2001, as amended:

Contiguous elevations are required with planning applications to demonstrate the proposal in the context of the area. No such drawings are listed in the submitted Drawing Schedule.

**C. Proposal**

The proposal is to demolish an occupied existing three bedroom dormer dwelling house;

- In its place, to construct four number two storey three bedroom semi-detached dwellings, each with a floor area of c.112sqm;
- To create three separate vehicular access points off Templeville Drive with one shared vehicular entrance off the main road to the south, and two separate access points off the side road to the east, with all ancillary site works and landscaping.

The four three bedroom houses are quite modern in design with flat roofs and brick finishes. The flat roofs are stated as sedum blanket green roofs. While not planning issues, the applicant states that the proposed dwellings meet the required standards of the Building Control Act, as amended, for energy and universal access (Part L and Part M of the Building Regulations). Due to the inadequate width of the parking bays for house nos. 3 & 4, it is doubtful that universal access would be achieved.

The fenestration of the windows in the design of the proposed houses is completely different to the style of existing windows in Templeville Drive. The rear bedroom windows are large with an area of c.4sqm. The other rear window at this level is framed by a lattice of bricks. The brick configuration consists of 24 rows and 6 columns, providing 84 small opes, each measuring 130mm x 75mm. The



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overall viewing area of opes is some 0.70 sqm. Viewing, therefore, from these bedroom windows is maintained, but the visual appearance of the brick lattice, measuring 1.2m x 2m, on the rear facade is a discordant visual feature.

#### **D. Contravenes Materially Planning Policy**

In the Planning Guidelines on Sustainable Residential Development in Urban Areas (DoEHLG 2009), section 5.9. (i) states:

*"In residential areas whose character is established by their density or architectural form, a **balance has to be struck between the reasonable protection of the amenities and privacy of adjoining dwellings, the protection of the established character and the need to provide residential infill.** The Local Area Plan should set out the planning authority's views with regard to the range of densities acceptable in the area. **The design approach should be based on a recognition of the need to protect the amenities of directly adjoining neighbours and the general character of the area and its amenities, i.e. views, architectural quality, civic design etc.**"*

The proposed development does not meet the required balance test above as the proposal would fail to protect the established character and pattern of development at Templeville Drive. The existing and established back to back residential layout and design in this part of Templeville Drive currently ensures a balance between the amenities and privacy of adjoining dwellings; the proposed development would negatively alter this balance.

Due to the design and scale of the proposal located in such close proximity to adjacent dwellings, especially no 126, the proposal would seriously injure residential amenities of privacy and aspect by reason of overlooking and overbearing aspect.

Under South Dublin County Development Plan the land use zoning objective for the site is RES - *To protect and/or improve residential amenities.*



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The land use zoning objective is the fundamental guiding principle for considering all proposals. As detailed below in this letter, the proposal due to its design, scale and siting within the curtilage of a single residential dwelling house would contravene materially the RES zoning objective as it represents overdevelopment of this single dwelling and garden property at 124 Templeville Drive with the construction of four two storey semi-detached dwellings on an area of just 780 sqm. sited in a haphazard form without respecting existing building lines in close proximity to adjacent dwellings, causing a detrimental impact on both the established character of this residential suburban area and residential amenities, that is, privacy, aspect, public health and traffic hazard by reason of an incongruous form of development out of character with the established pattern of development in the area, overlooking, overbearing aspect, diversion of sewer and surface water sewer, potential flooding, and inadequate sight-lines and turning circles endangering public safety by reason of traffic hazard.

The policies and objective for residential consolidation are set in chapter 6 where it states:

*H13 Objective 1: To promote and support residential consolidation and sustainable intensification at appropriate locations and to encourage consultation with existing communities and other stakeholders.*

*H13 Objective 5: To ensure that new development in established areas does not unduly impact on the amenities or character of an area.*

*H13 Objective 7: To support and facilitate the replacement of existing dwellings with one or more replacement dwellings, subject to the protection of existing residential amenities and the preservation of the established character (including historic character and visual setting) of the area (see Policy NCBH 22: Features of Interest and Chapter 12: Implementation and Monitoring).*

In chapter 12: : Implementation and Monitoring, one of the criteria for Residential Consolidation Infill Sites set out in Section 12.6.8 states:for development should meet the following criteria:



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*'A site analysis that addresses the scale, siting and layout of new development taking account of the local context should accompany all proposals for infill development. **On smaller sites of approximately 0.5 hectares or less a degree of integration with the surrounding built form will be required, through density, features such as roof forms, fenestration patterns and materials and finishes.'***

The policy and objectives support sustainable residential consolidation with requirements. The requirements are that any proposal is located at **appropriate locations, subject to the proposal protecting existing residential amenities and the preservation of the established character.** An additional requirement for smaller sites, such as the property at 124 Templeville Drive, is a **degree of integration with the surrounding built form will be required, through density, features such as roof forms, fenestration patterns and materials and finishes.** In this planning application, the density of the proposal is 5 times the existing average residential density in the area and the roof forms, fenestration patterns, materials and finishes are completely the opposite to those existing in Templeville Drive, which will seriously injure the visual amenities of the area.

**E. Contrary to previous Planning Decisions at 124 Templeville Drive, Templeogue.**

This is the **fourth** iteration of proposals for this residential property. All previous proposals containing **backland development** as part of the development have been refused planning permission by reason of contrary to the Development Plan policies, in particular, the land use zoning object 'RES' - To protect and/or improve residential amenities.

With each planning application, my clients have witnessed the proposed developments for this property increase in number and density, to this current proposal involving the proposed demolition of the current house and situate a 'mini estate within an estate'.

A reasonable expectation of my clients is that the planning decisions on planning applications at this property would be respected and provide them with confidence about any future development. In addition, it is reasonable to expect that the past decisions would provide certain guidance to the owners of this property on the acceptable amount and form of development.



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Only one the previous planning applications (Plan Ref. SD20A/0191) for a two storey, two bedroom dwelling house, in the side garden of 124 Templeville Drive, was granted planning permission by the Board, on appeal, and against the recommendation of the Board Inspector. As no. 124 Templeville Drive is situated on a corner and a number of similar corner sites have been developed, **an additional dwelling house to the side is acceptable in principle.** The reasons of the Board to grant this planning application, as set out below, are relevant to the consideration of the current proposal as the reasons reiterate the importance of the location of any development to the side of an existing dwelling and that the proposed development, by virtue of its similar scale, roof profile and layout, would not seriously injure the visual and residential amenities of property in the area by reason of loss of light and overshadowing.

The planning applications are as follows:

SD18A/0311

Permission refused for development of two detached dwellings within the side and rear garden of existing house.

The application was refused for the following reasons:

- 1. The proposed development, by virtue of its scale and layout, would represent overdevelopment of the site and would result in piecemeal development which would be out of keeping with the character and pattern of development in the area. It would also result in an overbearing form of development which would be injurious to residential amenities and would fail to respect the established building line in the area. The proposed development would therefore be contrary to Section 11.3.2 of the South Dublin County Development Plan 2016-2022 which relates to residential consolidation and would materially contravene the 'RES' zoning objective, as set out in the South Dublin County Development Plan 2016-2022, which seeks "To protect and/or improve residential amenity".*



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*2. The Planning Authority is not satisfied, based on the information submitted, that satisfactory arrangements can be made for water supply and foul and surface water drainage. The proposed development would therefore be potentially prejudicial to public health.*

*3. The proposed development would set an undesirable precedent for other similar developments, which would in themselves and cumulatively, be harmful to the residential amenities of the area and would be contrary to the proper planning and sustainable development of the area.*

SD19A/0193

Permission refused for:

Change existing house from a three bedroom to a two bedroom house;

Demolish existing garage and replace with a two storey, two bedroom house; new front gate to give access for off-street parking;

Construction of a new two storey three bedroom dwelling to the rear of the site with new vehicular access from the side road to two off-street parking spaces; development will include rear gardens exceeding Development Plan standards; associated drainage (including diverting existing surface water drain); landscaping and all associated site development works.

Three reasons for refusal can be summarised as follows:

*Proximity of development to existing surface water sewer, which could not be satisfactorily diverted, would be, therefore, prejudicial to public health;*

*Inadequate sight-lines to the proposed vehicular access, thereby endangering public safety by reason of a traffic hazard; and*





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*Establishment an undesirable precedent, which, would in themselves and cumulatively, be harmful to the residential amenities and would be contrary to the proper planning and sustainable development of the area.*

SD20A/0190

Refusal of Planning Permission for:

- (a) Remodelling of the existing house to change from a three bedroom to a two bedroom house and reduce in size from 145sq.m to 122.34sq.m;
- (b) Construction of a new two-storey, three bedroom dwelling of 198.87sq.m, to the rear garden of existing house, i.e. to the rear of the site, with new vehicular access from the side road to 2 off-street parking spaces and diversion of an existing surface water drain. The development will provide a rear garden exceeding Development Plan standards, associated drainage, landscaping and all associated site development works at 124 Templeville Drive, Templeogue.

The planning application was refused, and upheld on appeal, for the following reasons:

1. *Having regard to the location of the site in the rear garden space of an existing dwelling and inclose proximity to existing and proposed dwelling to the south, it is considered that the proposed development, by reason of its height, form and proximity of the two-storey southern gable would seriously injure the residential amenities of property in the vicinity by reason of overbearing and loss of light to rear gardens and would, therefore, be contrary to the underlying residential land use zoning objective and with the proper planning and sustainable development of the area.*
2. *Having regard to the restricted nature of the site, it is considered that the proposed development by reason of its scale, form and layout would constitute overdevelopment of a limited site area, would compromise the quality of private amenity space associated with number 124 and the permitted dwelling in the side garden of number 124, and would be out of character with development in the vicinity. The proposed development would, therefore,*



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*adversely impact upon the amenities of future residents and would be contrary to the proper planning and sustainable development of the area.*

SD20A/0191

Permission granted on appeal for demolition of existing garage and outhouse and construction of a new two-storey, two bedroom house of 100.5sq.m in the side garden of an existing dwelling; existing access point will be blocked up and a new shared vehicular access will be created to give revised access to three off street parking spaces for the existing and new house; development will include a rear garden, associated drainage, landscaping and associated site development works.

**Reasons of the Board** are as follows:

*Having regard to the provisions of the South Dublin County Development Plan 2016- 2022, to its nature scale and layout and to the pattern of development in the area , the Board considered that, subject to compliance with the conditions as set out below, the proposed development would not seriously injure the visual or residential amenities of the area and would be acceptable in terms of pedestrian and traffic safety. The proposed development would, therefore, be in accordance with the proper planning and sustainable development in the area.*

*In deciding not to accept the Inspector's recommendation to refuse permission, the Board was satisfied, **having regard to the location of the site to the side of an existing dwelling that the proposed development, and by virtue of its similar scale, roof profile and layout would not seriously injure the residential amenities of property in the area by reason of loss of light and overshadowing and would, therefore, be in accordance with the proper planning and sustainable development of the area.***

*Furthermore, **having regard to the site and to the pattern of development in the surrounding neighbourhood including the dwelling to the immediate east, the Board considered that the proposed development by reason of its scale, design and layout would not constitute overdevelopment of the site and would provide an acceptable quantity and quality of private amenity space and would not injure the character of the area. The proposed development would not***



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*seriously injure the amenities of future occupants and would be in accordance with the proper planning and sustainable development of the area.*

#### **F. Overdevelopment of the Property**

Due to overdevelopment, the quantity, design, and layout of the proposed development on such a confined site area will seriously injure the amenities of properties in the vicinity and future residents of the proposed houses. The stated site area is 780 square metres (sqm), giving an average residential density of some 51 units per hectare or 256 bedspaces per ha. which is an extremely high density for this established residential area. The proposal is an instance of the design failing to integrate with the character of the neighbourhood, thereby, causing a detrimental impact on residential amenities and contrary to the proper planning and sustainable development of the area.

The layout is an inverted L shape with 2 semi-detached dwellings facing the main road (house nos. 1 & 2) and 2 semi-detached dwellings (house nos. 3 & 4) facing the link road located in the garden area to the rear. The applicant maintains that the proposal maintains the existing building lines, while the drawings show that the proposed layout breaks all the building lines - to the front, rear and side, illustrating the failure of the design to integrate with the surrounding built environment and character of the area. The front facade of house number 1 and 2 stands 1.5 metres forward of the established building line adjacent to 126 Templeville Drive which will cause overshadowing and loss of daylight to the living areas of my client's dwelling house.

The applicant submits, from an urban design perspective, that the insertion of the proposed two storey flat roof dwellings at c. 6.3 metres high, a lower height than adjacent dwellings, between back to back vernacular style dormer bungalows on one side and vernacular style two storey houses on the other, somehow assimilates the difference. From an urban design perspective, this approach would not be considered good practice within the established layout of this residential area.

Each proposed house has a rear garden with below standard separation distances/ depth to the boundaries, with a 5.5 metres distance in house no. 2 and c.6.1 metres distance for house Nos 1, 3,



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& 4. Usual standards for garden depths are 11 metres and, in the case of mews developments, 7.5 metres, in order to protect residential amenities of privacy, aspect and daylighting. The close proximity of house nos. 3 & 4 at a mere distance of 6.1 metres will have a detrimental impact on the privacy enjoyed by my client's property at no. 126 by reason of overlooking of the rear garden and rear windows and, the rear facades of these two dwellings will be an overbearing aspect due to the size (14.9m X 6.2m) in such close proximity.

In addition three of the houses do not meet the minimum garden size requirements, with stated areas for house nos. 3, 2 & 1 on drawing no. 006 of 51.9sqm, 55sqm, and 58.3sqm. while the minimum required standard as set out in the CDP is some 60 sqm. In houses of this generous size with 5 bedspaces, it would be expected that the size of gardens would exceed the minimum standard.

The number of car parking spaces is below the required standards for Zone 1. The applicant states that the proposal falls within Zone 2 parking designation due to the proximity of the property to the bus service of no.15. in Templeogue Village. The no. 15 bus service is not a high quality transport mode, such as the DART or Luas. Scheduled bus arrival times for the no. 15 bus service are often irregular. At peak times, the bus is full by the time it reaches Templeogue, and travel times to the Dublin City Centre are between 50 minutes to an hour. The no. 15, therefore, could not be defined as a high quality public transport mode.

The appropriate designated parking standard is Zone 1 where the maximum number of parking spaces is 2 per dwelling. House nos. 1 & 2 are shown with a front shared parking area for 2 cars each, without, however, the adequate space to manoeuvre vehicles to exit safely from the property. Drawings for House nos. 3 & 4 show a designate parking area to the side of each house. The design drawings for house nos. 3 & 4 show one parking space per dwelling, while the Engineering Report from Coyle Civil and Structural, details 2 parking spaces per dwelling. To provide 2 spaces per dwelling at the side of House nos. 3 & 4 would result in cars parking onto the public pavement, as the length of the driveways are too short. In both instances, the parking areas are too narrow, below 3 metres width to allow a person to alight from a vehicle and, certainly, not a wheelchair user. In addition, there are inadequate sightlines for the safe egress of vehicles from the



property, due to the existing boundary walls at 2 metres high to the north of House no.4 and to the south of house no. 3. The vertical alignment requirements in the Design Manual for Urban Roads and Streets in Figure 4.67 show that the maximum height to be safe for pedestrians is 0.6m. Cars exiting from house 4 would be blind to pedestrians/cyclist and traffic coming from the north and cars exiting from house no. 3 would be blind to pedestrians/cyclists and traffic coming from the south. Due to the inadequate sight lines the movement of vehicles out of the parking bays to the side of house nos. 3 & 4 would endanger the public safety of pedestrians, cyclists and vehicles on the public road due to traffic hazard.

The applicant refers to the current national housing crisis as justifying the proposal **despite admitting in his submission that there are inadequacies in his proposal with regard to vehicular access, boundary proximities and overlooking** (Submitted Planning Report, para. 2.3 Site Constraints).

Clearly, the applicant has not considered the CDP, where South Dublin County Council has set out clearly in chapter 2, 'Core Strategy', backed up by Appendix 2 on Methodology and Implementation, how the Council will achieve the required housing targets of some 15,576 units in the lifetime of the plan and additional units, if required, on land banks. Figure 9 in Chapter 2 of the CPD identifies housing capacity sites and no property in Templeville Drive is identified. In South Dublin County, the total housing capacity is some 42,570 units on **990** hectares, at an average density of 43 units per hectare. As set out in Appendix 2, the basis of housing targets for infill development are on current grants of planning permission. In the case of this property, there is a grant of planning permission for one additional dwelling in the side garden only. There is no reason to permit this proposal on the basis of inadequate housing targets by South Dublin County Council.

#### **G. Disregard for the Context of the Property & Established Pattern of development in Templeville Drive.**

The area consists of traditional vernacular pitched roof domestic dwellings set out in a back to back configuration only with narrow back gardens providing the separation distance between dwellings. On this section of the road, the houses are semi-detached dormer bungalows, essentially single storey and single aspect in the roof space. To the east, the houses remain in the same vernacular as



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2 story pitched roof dwellings. The average residential density in the area would be 10 units per hectare (ha) or 50 bedspaces/ha.

The proposed development ignores the context of this residential area by proposing four semi-detached flat roof dwellings, with two located in a backland location in the rear garden forming an inverse L shape configuration. On a site of a mere 760 sqm. the average residential density of the proposal is some 51 units/ha or 256 bedspaces per ha. Such a change in the average residential density, at over 5 times the current one, illustrates the proposal represents overdevelopment of the property and an abrupt transition in the established character of the area. The style and configuration of the proposal, ignores the existing back to back dwelling configuration of the estate, the vernacular style of the houses, and the established building lines. The proposal, therefore, contravenes materially the County Development Plan (CDP) Policy objective H13 Objective 7:

*'To support and facilitate the replacement of existing dwellings with one or more replacement dwellings, subject to the protection of existing residential amenities and the preservation of the established character (including historic character and visual setting) of the area (see Policy NCBH 22: Features of Interest and Chapter 12: Implementation and Monitoring).'*

The proposed 4 three bedroom semi detached houses, due to their scale in such proximity to my clients dwelling at no. 126 Templeville Drive, would cause an overbearing aspect and severe overlooking and overshadowing. In addition, the proposed development would cause a detrimental impact on residential amenities of the future occupiers of house no. 2, due to the close proximity of the gable wall of the proposed two storey house no 3 which would cause severe overshadowing and would be an overbearing aspect to the rear habitable rooms and rear garden of house no 2 to the south, thereby seriously injuring their amenities.

The proposal represents piecemeal development, completely contrary to the character and pattern of development in this mature residential area which would be visually intrusive and be an undesirable precedent for similar development in the area. The proposal contravenes materially policy H13 Objective 5 where it is the objective *'To ensure that new development in established areas does not unduly impact negatively on the amenities or character of an area'*.



## H. Drainage

### Foul Drainage.

The foul drainage to 124 Templeville Drive is served currently by a drain from the south of the property. To provide foul drainage to the proposed four houses, the proposal is, however, to divert the existing combined drain from my clients's property at no. 126 Templeville Drive. The existing combined drain serving my clients' property currently has a direct run, from west to east, to the existing foul sewer on the link road. Should a problem occur, the line is easily rodded from my clients Armstrong Junction.

The proposed diversion of the foul drain is shown on drawing C:100, where the line of the drain would run towards the south, before traversing east across the site to the link road where it is proposed to create a new entry point into the public sewer further south than the existing one. The proposed diversion of the foul drain will change the gradient, introduce 2 new acute bends, and enter the mains sewer at higher point on the link road which will decrease the flow and capacity of foul sewer due to the proposed gradients. Therefore, the proposal will decrease the effective operation of my clients foul sewer drainage system which would be prejudicial to public health and detrimental to current amenities.

The foul sewer line, the development proposes to discharge into, was surveyed in August 2020. This is identified on Irish Water Maps as the line from manhole SO1229006 to manhole SO12299105. The survey of this line shows that it has a measured fall of 1 in 256.

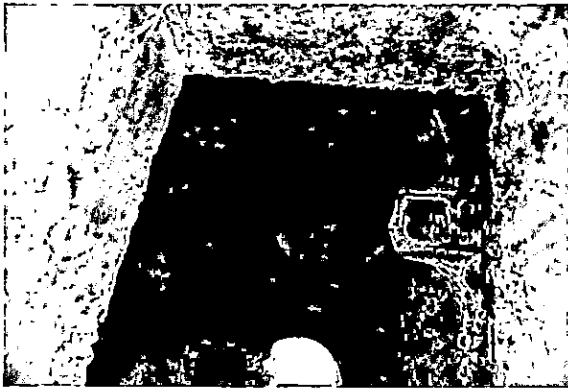
The falls indicate a problematic foul sewer, as was found on site, with blockages at the manholes.



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SO1229006



SO12299105

Additional discharges from the new developments will exacerbate the problems and so the developments are premature as there is no capacity in the system. A full and comprehensive survey of the system should have been submitted with the application. I cannot find one invert level on the survey drawing. The submission was made without an invert level on the manholes at either end of the receiving pipe despite the notice given to the applicants in the observations made in the previous two planning applications for full comprehensive topographical, level, leakage and video surveys of the foul system to be carried out.

The Planning Authority is, therefore, asked to refuse Planning permission, as the proposal will decrease the effective operation of my clients foul sewer drainage system which would be prejudicial to public health and detrimental to current amenities.

#### Surface Water Drainage.

The applicant proposes to divert the **450 mm** diameter public main trunk surface water sewer which runs through the northern section of his garden to the surface water drain on the link road. Under the Public Health Acts any sewer connected to a public sewer becomes a public sewer. This is a main trunk surface water sewer for the area and benefits all of the residents. Currently should blockage occur **anywhere** in this trunk surface water sewer, one can access the full length of the drain from the manhole in the **public** link road, labelled here EX.S2.





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This main trunk surface water sewer was laid along the line of an old stream and for this reason alone should not be diverted as to do so will interfere with the land drainage that was served by the old stream. The 450 trunk drain was provided in accordance with Dublin County Council building Bye-Law 82 (1)

**Sub-soil**        82. (1) The sub-soil of the site of a new building shall, wherever the dampness of the site renders the precaution necessary, be effectually drained by means of earthenware field pipes or other suitable pipes properly laid to a suitable outfall.

The land drains are more commonly stone filled trenches which often can only be found in wet weather and are very difficult to identify. Today in agriculture when land drains are problematic they are replaced using specialised machines. This of course is not possible in an urban subdivided setting. The system at Templeville therefore is delicate and easily destroyed if interfered with. The camera survey submitted with the application fully demonstrate the working of the drain with many roots going in through the open joints as it was designed, it's function being to collect sub-soil drainage as the ditch before had done for centuries. The moving of this pipe would interrupt the drainage from the land of No. 48 and No. 46 to the rear and make them liable to ponding and flooding. It will also adversely affect the applicants land and any future residents occupying the land. If the land drains are herring boned the moving of this pipe would interrupt the drainage of my clients land at No. 126.

At No. 150 there is a manhole at the head of this trunk surface sewer. For some reason the 450 pipe has been shuttered and concreted. (Perhaps someone had a rodent problem).

On inspection, the pipe is fully functional and was flowing with 3" of water, 4 hours after light rain in the morning. The pipe was dipped and found to be 1.38 deep which slightly conflicts with the drawing levels.

As the 450 mm diameter public main trunk surface water sewer is functional, the proposal to divert the surface water sewer should be refused as there is potential for ponding and flooding of the adjacent gardens. The line of the 450mm public main surface water requires a clear wayleave area



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of 3 metres on either side of the drain to be maintained to ensure access for future maintenance. On drawing C-100, the wayleave for the proposed diverted main trunk surface water sewer is less than a metre either side, which is sub standard.

The applicant states that the "*drainage design follows the same principal of that approved in Plan Ref. SD20A/0190*". Plan No. SD20A/0190 was refused planning permission by SDCC, a refusal which was upheld on appeal.

#### **I. Endanger Public Safety by reason of a Traffic Hazard**

The proposed 2 vehicular exits from the backland area onto the link road (house nos. 3 & 4) adjoin 2 metre high boundary walls leaving the traffic from the 2 vehicular exits blind to pedestrians, especially the children going and coming from St. Pius X National School on a daily basis, or very young children heading to Ally's Crèche or Horizon's Crèche.



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**Photo showing pedestrians at location of proposed entrance to link road heading to St. Pius X.**

There are inadequate sightlines for the safe egress of vehicles from the property, due to the existing boundary walls at 2 metres high to the north of House no.4 and to the south of house no. 3. The vertical alignment requirements in the Design Manual for Urban Roads and Streets in Figure 4.67 show that the maximum height to be safe for pedestrians is 0.6m. Cars exiting from house 4 would be blind to pedestrians/cyclist and traffic coming from the north and cars exiting from house no. 3 would be blind to pedestrians/cyclists and traffic coming from the south. Due to the inadequate sight lines the movement of vehicles out of the parking bays to the side of house nos. 3 & 4 would endanger the public safety of pedestrians, cyclists and vehicles on the public road due to traffic hazard.



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Photo showing pedestrians at location of proposed entrance to link road heading to St. Pius X.

The vehicular entrances to house nos. 3 & 4 are too narrow at some 2.6 metres. As shown in Coyles Engineering Report the proposal is for 2 parking spaces in each driveway. To provide 2 spaces per dwelling at the side of House nos. 3 & 4 would result in cars parking onto the public pavement, as the length of the driveways are too short. In both driveways, the parking areas are too narrow, below 3 metres width to allow a person to alight from a vehicle and, certainly, not a wheelchair user.

On site parking for house nos. 1 & 2 is in a shared arrangement with four car parking spaces is compromised also, mainly due to the overdevelopment of the entire property. It is doubtful that with the parking of 4 cars, that there could be safe manoeuvring of cars in and out of the site, due to the relative short depth of the 'garden' area to the front facades. The residential amenities of my



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clients' property will be adversely impacted due to the creation of car park immediately adjacent to their living room windows by reason of noise and light intrusion from vehicles.

### **Summary**

In conclusion, the Planning Authority is asked to refuse this proposed development, in the interests of residential amenities and the proper planning and sustainable development of the area, for the following reasons: -

1. The proposal for the construction of four two storey semi-detached dwellings on an area of just 780 sqm. is overdevelopment of this property and, due to its design, scale and siting within the curtilage of a single residential dwelling house, would contravene materially the RES zoning objective - 'To protect and/or improve residential amenities.
2. This is the **fourth** iteration of proposals for this residential property since 2018. All previous proposals containing **backland development** as part of the development have been refused planning permission by reason of contrary to the Development Plan policies, in particular, the land use zoning object 'RES' - To protect and/or improve residential amenities.
3. The proposal is overdevelopment of this single dwelling and garden property at 124 Templeville Drive with the construction of four two storey semi-detached dwellings on an area of just 780 sqm. sited in a haphazard form without respecting existing building lines in close proximity to adjacent dwellings, therefore, causing a detrimental impact on both the established character of this residential suburban area and residential amenities, privacy, aspect, public health and traffic hazard by reason of an incongruous form of development out of character with the established pattern of development form in the area, serious overlooking, overbearing aspect, diversion of surface water sewer, potential flooding, and inadequate sight-lines and turning circles endangering public safety by reason of traffic hazard.
4. On a site of a mere 760 sqm. the average residential density of the proposal is some 51 units/ha or 256 bedspaces per ha. Such a change in the average residential density, at over 5 times the current one, illustrates the proposal represents overdevelopment of the property and an



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abrupt transition in the established character of the area. The style and configuration of the proposal, ignores the existing back to back dwelling configuration of the estate, the vernacular style of the houses, and the established building lines. The proposal, therefore, contravenes materially the County Development Plan (CDP) Policy objective H13 Objective 7 - *"To support and facilitate the replacement of existing dwellings with one or more replacement dwellings, **subject to the protection of existing residential amenities and the preservation of the established character (including historic character and visual setting) of the area (see Policy NCBH 22: Features of Interest and Chapter 12: Implementation and Monitoring).**"*

5. The proposed 4 three bedroom semi detached houses, due to their scale in such proximity to my clients dwelling at no. 126 Templeville Drive, would cause an overbearing aspect and severe overlooking and overshadowing, thereby, seriously injuring amenities of properties in the vicinity which would be contrary to the proper planning and sustainable development of the area.
6. Due to the scale and siting of the proposal in the rear garden of number 124 Templeville Drive, the proposed development would depreciate the value of my clients' property at no. 126 Templeville Drive - see attached valuation letter.
7. The proposed development would cause a detrimental impact on residential amenities of the future occupiers of house no. 2, due to the close proximity of the gable wall of the proposed two storey house no 3 which would cause severe overshadowing and would be an overbearing aspect to the rear habitable rooms and rear garden of house no 2 to the south, thereby seriously injuring their amenities.
8. The proposal represents piecemeal development, completely contrary to the character and pattern of development in this mature residential area which would be visually intrusive and be an undesirable precedent for similar development in the area. The proposal contravenes materially policy **H13 Objective 5** where it is the objective *'To ensure that new development in established areas does not unduly impact negatively on the amenities or character of an area'*.



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9. The proposed drainage design to serve the development will decrease the effective operation of my clients' foul sewer drainage system which would be prejudicial to public health and detrimental to current amenities. The 450 mm diameter public main trunk surface water sewer is functional, therefore, the proposal to divert this main trunk surface water sewer should be refused as there is potential for ponding and flooding of the adjacent gardens.
  
10. Due to the inadequate sight lines the movement of vehicles out of the parking bays to the side of house nos. 3 & 4 would endanger the public safety of pedestrians, cyclists and vehicles on the public road due to traffic hazard.

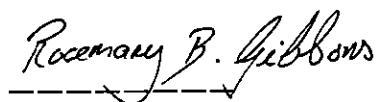
In summary, for the reasons above, the Planning Authority is asked to refuse planning permission for this development in order to protect the residential amenities of residents, and the visual amenities of the character of the area in the interests of the proper planning and sustainable development of this residential area.

We enclose the Statuary observation fee in the sum of €20.

Please contact Gibbons and Associates if you have any queries.

We look forward to receiving your notification of decision, in due course

Yours Faithfully,



Rosemary B. Gibbons, M.A., M.Sc., Diploma Urban Design., MRTPI

Chartered Town Planner.



**Gibbons & Associates**

Appendix A



Mr. Paul McLaughlin,  
126 Templeville Drive,  
Templeogue,  
Dublin 6W

Date: 02/10/18

Our Ref.: TE/EG

Re: 126 Templeville Road, Templeogue, Dublin 6W

Dear Paul,

We refer to your recent instruction and confirm that we have inspected the above property with the objective of estimating the current open market value only thereof.

The property comprises of a detached two storey dormer bungalow style residence with gardens to front and rear thereof and garage to the side and is situated to the south side of Templeville Drive. Templeville Drive runs off Cypress Grove Road and is located c.4 miles south of Dublin City centre. The immediate area surrounding the subject property is predominantly residential in character with some commercial interspersed. All amenities are within easy reach including a selection of schools, shops, bus services etc.

The building is basically of concrete construction with a part red brick part pebble dash façade with a pitched tiled roof over. The windows are double glazed pvc framed throughout, the floors are of part timber/part solid and the internal walls and ceilings are plastered. There is also a small single storey extension to the rear of the property of concrete block construction with a flat roof over.

We note that there is gas fired radiator central heating installed which we assume to be in good working order.

The accommodation downstairs briefly includes hallway, living room, kitchen/dining, bathroom and two bedrooms. Upstairs are 2 bedrooms both with en-suites. Outside there is a front garden with drive in with access to a side garage. To the rear is a beautiful garden which is laid in lawn.

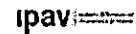
We did not carry out a detailed survey of this property. We were not in a position to inspect the under floor timbers or other parts of the structure which were unexposed, covered or inaccessible and we are, therefore, unable to report that the property is free from defect. However, from our brief inspection we did note that the property has been well maintained.

PROPERTY ADVISORS

Terenure Office 98 Terenure Road East, Terenure, Dublin 6 D06 YW61 T 01 49093000 E [terenure@dng.ie](mailto:terenure@dng.ie) PS. No. 002047

Chairman Paul Newman FRICS FCSI MIPAV Chief Executive Keith Lowe FRICS FCSI MIPAV

Partners Pat Hickey MRICS MSCS, David Hogan FCCA FMAAT, Michael Glynn MR III Grad, Susan Stevin MIPAV, Carol Strong MRICS MSCSI  
Orla McNamara MRICS, Brian Dempsey MRICS MSCSI MIPAV, Deirdre O'Gara, Gemma Larrigan BA MIPAV





This valuation is subject to sight of a satisfactory report from a suitably qualified architect or engineer as any problems/ major defects found would affect this valuation.

We assume, for the purpose of our valuation, that the title is held freehold or under long lease subject to a nominal ground rent and is free from any onerous covenants or encumbrances whatsoever affecting the title and that vacant possession would be available of the entire.

We understand that all main services are available to this property however, we did not test same.

Our valuation as set out below, is based on the information available to us at the date of this letter and furthermore, assumes that normal market conditions were appertaining at that time.

We are assuming for the purposes of our valuation, that any necessary planning and/or statutory requirements have been obtained and strictly complied with, together with any conditions attaching thereto.

Our letter and valuation is intended solely for the information of our client and consequently Douglas Newman Good cannot be held liable to any third party whatsoever for the contents of this letter or any part thereof.

In our opinion, the current open market value of the property is in the region of €610,000 (Six hundred and ten thousand euro). We have however noticed a planning application has been submitted seeking to construct a dwelling in the neighbouring properties (No.124) rear garden. Should this be granted permission it will negatively affect your properties value.

We trust the above is of assistance to you, but should you have any queries please do not hesitate to contact our office.

Yours sincerely,



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**Eoin Gorry**  
**Senior Negotiator**  
**Douglas Newman Good**



PROPERTY ADVISORS

Gibbons & Associates {for P. & Á. McLaglin}  
35 / 37 Glasthule Road  
Glasthule  
Co. Dublin  
A96 A2R5

Date: 02-Feb-2023

Dear Sir/Madam,

**Register Ref:** SD22A/0466  
**Development:** Demolition of an existing single storey plus dormer three bedroom dwelling house and the construction of four two storey three bedroom semi-detached dwellings; Three separate vehicular accesses are to be created off Templeville Drive with one to the south and two to east of the site with all ancillary site works and landscaping.  
**Location:** 124, Templeville Drive, Templeogue, Dublin 6W  
**Applicant:** Barry & Susanne Coleman  
**Application Type:** Permission  
**Date Rec'd:** 21-Dec-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](http://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](http://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,

  
for Senior Planner