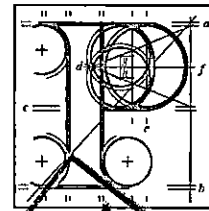


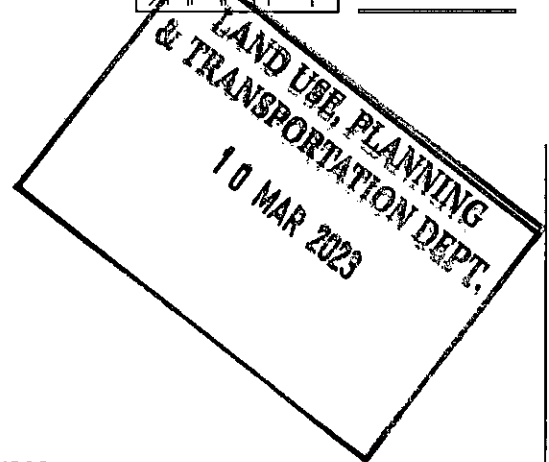
Our Case Number: ABP-315996-23

Planning Authority Reference Number: SD22A/0455



An
Bord
Pleanála

South Dublin County Council
Planning Department
County Hall
Tallaght
Dublin 24



Date: 09 March 2023

Re: Demolition of existing structures and construction of 3 houses
Townland of Perrystown, (laneway of, Muckross Avenue), Perrystown, Dublin 12

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,

Tel	Tel	(01) 858 8100
Glaó Áitiúil	LoCall	1800 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.

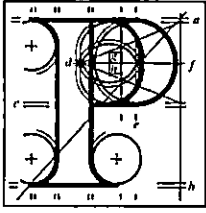
4. As a party to the appeal you may, under section 129 of the 2000 Act, (as amended), make submissions or observations in writing to the Board in relation to the appeal within a **period of 4 weeks beginning** on the date of this letter. Any submissions or observations received by the Board outside of 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

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



AN BORD PLEANÁLA
LDG- 061711-23
SP- _____
08 MAR 2023
FEE €1500 Type: CHA
An Bord Pleanála Time: 5.42pm By: HAND

An Bord Pleanála

Planning Appeal Form

Your details

1. Appellant's details (person making the appeal)

Your full details:

(a) Name

Kristian Hogan
Ciara Dolan & Jarlath and Kevin Dolan

(b) Address

9 Glenair Manor, Delgany, Co. Wicklow
Eaton Brae, Shankill, Co. Dublin

Agent's details

2. Agent's details (if applicable)

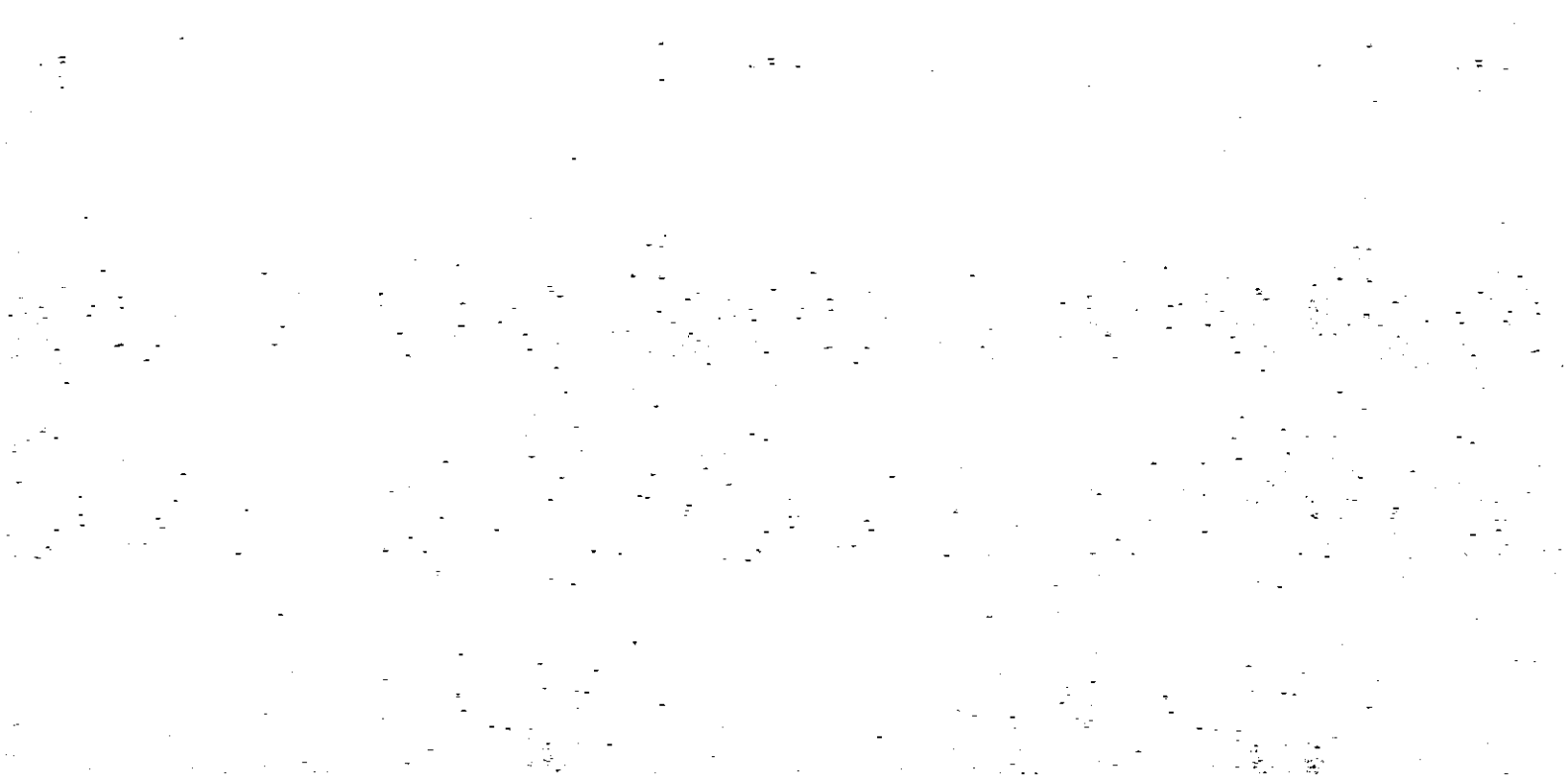
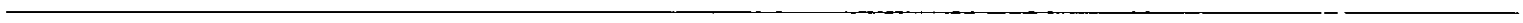
If an agent is acting for you, please **also** provide their details below. If you are not using an agent, please write "Not applicable" below.

(a) Agent's name

RMLA

(b) Agent's address

Unit 3B, Santry Avenue Industrial Estate, Santry
Avenue, Santry, Dublin 9, D09 PH04





Postal address for letters

3. During the appeal we will post information and items to you or to your agent. For this appeal, who should we write to? (Please tick ✓ one box only.)

You (the appellant) at the address in Part 1

The agent at the address in Part 2

Details about the proposed development

4. Please provide details about the planning authority decision you wish to appeal. If you want, you can include a copy of the planning authority's decision as the appeal details.

(a) Planning authority

(for example: Ballytown City Council)

South Dublin County Council

(b) Planning authority register reference number

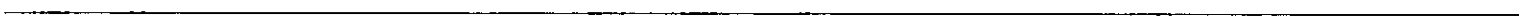
(for example: 18/0123)

SD22A/0455

(c) Location of proposed development

(for example: 1 Main Street, Baile Fearainn, Co Ballytown)

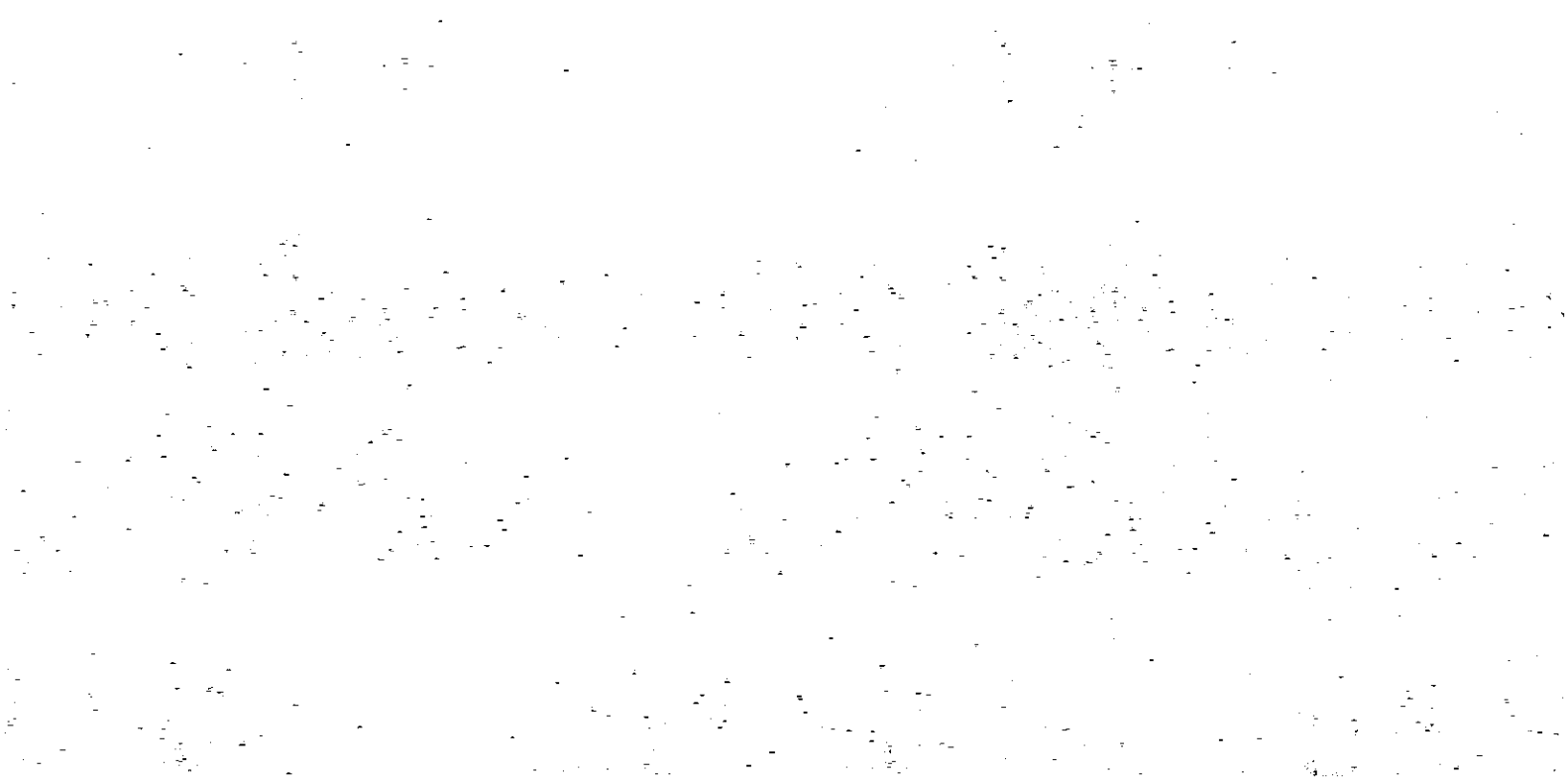
a site in the Townland of Perrystown, (laneway of, Muckross Avenue),
Perrystown, Dublin 12.



Appeal details

5. Please describe the grounds of your appeal (planning reasons and arguments). You can type or write them in the space below or you can attach them separately.

Please find attached grounds of appeal under separate cover.



Supporting material

6. If you wish you can include supporting materials with your appeal.

Supporting materials include:

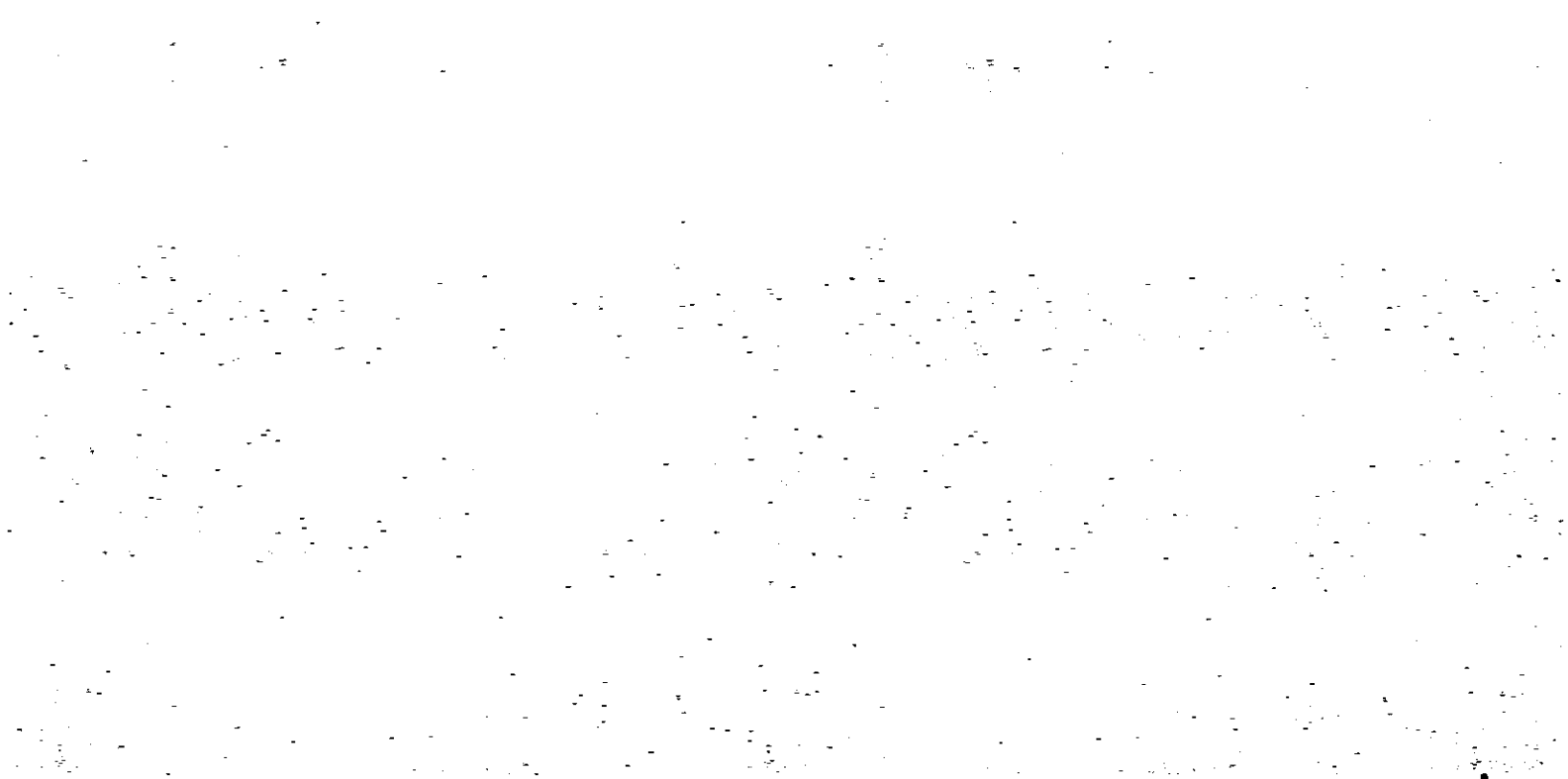
- photographs,
- plans,
- surveys,
- drawings,
- digital videos or DVDs,
- technical guidance, or
- other supporting materials.

Acknowledgement from planning authority (third party appeals)

7. If you are making a third party appeal, you **must** include the acknowledgment document that the planning authority gave to you to confirm you made a submission to it.

Fee

8. You **must** make sure that the correct fee is included with your appeal. You can find out the correct fee to include in our Fees and Charges Guide on our website.



Oral hearing request

9. If you wish to request the Board to hold an oral hearing on your appeal, please tick the “yes, I wish to request an oral hearing” box below.

Please note you will have to pay an **additional non-refundable fee** of €50. You can find information on how to make this request on our website or by contacting us.

If you do not wish to request an oral hearing, please tick the “No, I do not wish to request an oral hearing” box.

Yes, I wish to request an oral hearing

No, I do not wish to request an oral hearing

NALA has awarded this document its Plain English Mark

Last updated: April 2019.







BK Engineering Design
Abbey Street
Ballyhaunis
Co. Mayo.

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

Decision Order No.	0146	Date of Decision	09-Feb-2023
Register Reference	SD22A/0455	Date	07-Dec-2022

Applicant: Kristian Hogan, Ciara, Jarlath & Kevin Dolan

Development: Demolish existing structures (total 98sq.m) and construct three detached, storey and a half dwelling houses and connect to public sewer, widening of the existing vehicular entrance and new gate together with all ancillary site works and services.

Location: Townland of Perrystown, (laneway of, Muckross Avenue), Perrystown, Dublin 12

Time extension(s) up to and including:

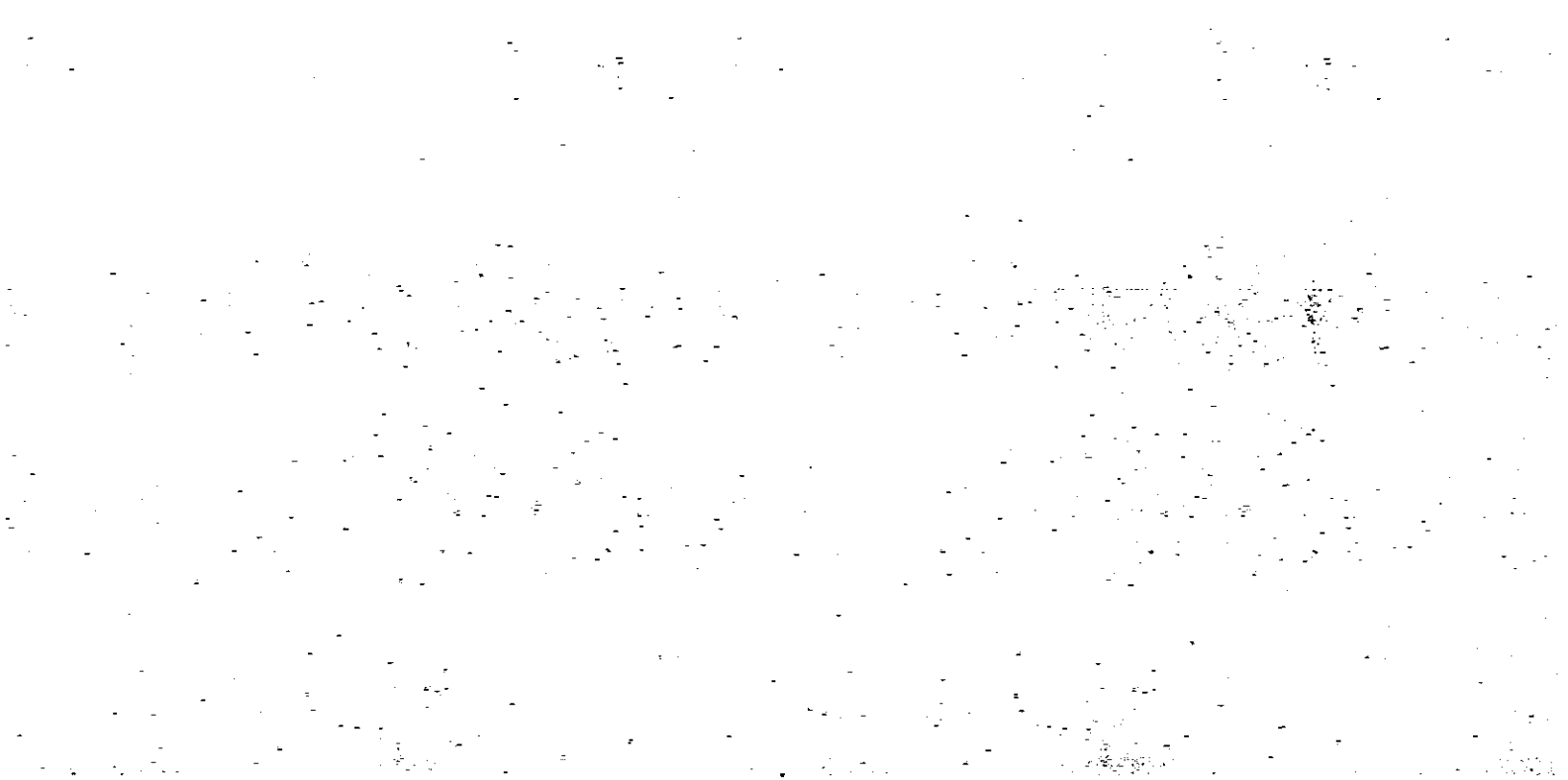
Additional Information Requested/Received: /

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. The generation of additional traffic both vehicular and pedestrian by the proposed development on the narrow unlit laneway, the lack of facilities or capacity to provide facilities for the cyclist/pedestrian traffic generated by the development and the lack of visibility due to high walls and the narrowness of the laneway combine to endanger public safety by reason of a traffic hazard.
2. Insufficient information has been submitted in relation to impact of the proposed development on existing residential amenity. The proposed two storey houses would be approx. 5.3m to 9.1m from the rear boundary of residential properties on Rockfield Avenue. Further information



including contiguous and sectional drawings and a revised site layout plan is required to fully assess the potential impact of the proposed houses on the properties to the rear of the site. The proposed development is therefore considered to be contrary to the proper planning and sustainable development of 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/0455

Signed on behalf of the South Dublin County Council.

Yours faithfully,

Pamela Hughes 09-Feb-2023
for Senior Planner

