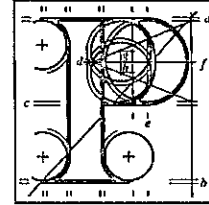


Our Case Number: ABP-316076-23

Planning Authority Reference Number: SD22A/0346



An
Bord
Pleanála

PLANNING COUNTER

21 MAR 2023

RECEIVED

South Dublin County Council
Planning Department
County Hall
Tallaght
Dublin 24

Date: 20 March 2023

Re: Mixed development consisting of 1 public house and 26 apartments.
The Finches Public House, Finches Shopping Centre, Neilstown Road, Clondalkin, Dublin 22, D22 H7X9

Dear Sir / Madam,

Enclosed is a copy of appeals 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 (01) 858 8100
Glao Áitiúil LoCall 1800 275 175
Facs (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 under section 48(2)(c) of the Act. Any such contingency submission, in circumstances which your authority decided to refuse permission, would be without prejudice to your authority's main submission in support of its decision.

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

Andalusian Properties Ltd

Andalusian Properties Limited
25 Herbert Place,
Dublin 2
D02 A098
Ireland

Date 14th March 2023

The Secretary,
An Bord Pleanála,
64 Marlborough Street,
Dublin 1, D01 V902

Planning reference SD22A/0346

Dear Sir/Madam,

AN BORD PLEANÁLA	
LDG- <u>061859-23</u>	
ABP- _____	
16 MAR 2023	
Fee: € <u>220</u>	Type: <u>Card</u>
Time: <u>2:31</u>	By: <u>Hand</u>

Please be advised that we are objecting to the above numbered Planning Approval which is a mixed development consisting of one public house and twenty-six apartments.

This is the second recent application in connection with this site and as a business owner of 12 apartments with many years involvement in this community I am very concerned that the developer has chosen to totally ignore the business and residents that will be hugely effected by this proposed development, in terms of our legal rights and trespassing and in terms of the health and safety aspects of the proposed buildout.

We completely object to the right of way of a new development which is illegal.

We are very concerned on the health and safety of residents accessing their homes.

We object to the overuse of the existing parking facilities and how the proposed build out will impact the community and the functioning of the existing businesses in the management company. The supermarket Supervalu daily uses the carpark for 40 foot truck deliveries and any further intrusions would cause serious issues for safety and business functioning.

The proposed building of the new development will be a serious health and safety hazard for young children and residents in the area accessing the crèche, medical center, homes and shopping facilities in the immediate area.

The car park has 28 parking spaces that belong to Rowlagh village management company. These spaces are constantly full with the existing businesses and 7 existing apartments in chaplains place and 9 existing apartments in chaplains court, all which are part of the management company.

The business that will be directly affected are listed below:

Larger SuperValue supermarket

Rowlagh kids dental clinic and local health nurse centre.

Angelos take away

Golden bamboo Chinese

Fresh today mini market

Hairlough barbers

Total tanning

Nail candy

Smyths pharmacy

Rowlagh newsagents

Bed and flooring shop

Tjs butchers

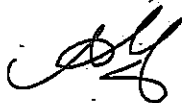
Llyods pharmacy

Rowlagh medical centre

We previously objected to the planning application as

1. The developer will block access to our private car park while building his access through the lane over land that he is not entitled to access. He will be trespassing
2. The developer is proposing using private land to build an access for his development, for which he has no permission, access to and from this entrance will be over private land and he is not entitled to use it so this must undermine the whole proposal.
3. How will this work be carried out without substantial interference to the local residents surrounding the new development

Signed:



Andalusian Properties Ltd

Land Use, Planning & Transportation Department
Telephone: 01 414 9000

Fax: 01 414 9104

Comhairle Contae Átha Cliath Theas
An Rannóg Talamhúsáide, Pleanála agus Iompair
Email: planning.dept@sdblincoco.ie



Andalusian Properties Ltd.
25 Herbert Place
Dublin 2
D02 A098

Date: 06-Oct-2022

Dear Sir/Madam,

Register Ref: SD22A/0346
Development: Mixed development consisting of 1 public house and 26 apartments. The overall development will comprise the following; demolition of the existing single storey public house (area 910sqm), construction of a 4 storey apartment block within the footprint of the site (1267sqm) comprising of 26 apartments (4 one bedroom units, 22 two bedroom units) and smaller public house at ground level (area 156sqm and total area 2717sqm), all apartments have balconies/terraces. Car park for 12 cars (including 1 disabled space), bin stores and bicycle stands at ground level. Communal areas include 1st floor courtyard above carpark and 3rd floor roof terraces for apartments. Streetscape proposals within site boundaries to facilitate and enhance the public realm.

Location: The Finches Public House, Finches Shopping Centre, Neilstown Road, Clondalkin, Dublin 22, D22 H7X9

Applicant: Old Nangor Road Ltd.
Application Type: Permission
Date Rec'd: 31-Aug-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.

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, 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. Crowley

for Senior Planner
Follow us on
Facebook, Twitter, YouTube
deisighdoshraid.ie fixyourstreet.ie

To whom it may concern,

Regarding planning reference SD22A/0346 mixed development consisting of one public house and twenty-six apartments. I wish to draw to your attention the concerns I have which will have a detrimental effect on both the value of my property and the ability to run my business which is my livelihood. The location of which is approximately only fifteen metres from both the development site and proposed vehicular entrance and exit of the development, which in our opinion having been a local for in excess of thirty years is totally unsuitable for a neighborhood shopping centre which currently has serious access, delivery and parking issues.

Furthermore, I would like to point out the following:

1. The developer at no time has had the curtesy to speak to the management company or individual business owners within the existing development.
2. The developer has also claimed the right to a new right of way as an access point for both pedestrians and vehicles to which we would like to see evidence of. We do understand that there is an existing right of way for an existing business but we would like clarification as to how this can be transferred to a new development with totally different entry and exit points.
3. I would also have major health and safety concerns regarding the construction phase of the proposed new development as there is only one entrance/exit to the carpark which services the entire shopping centre, health centre and creche. Furthermore, said carpark is already at maximum capacity servicing existing businesses and apartments in existing development.

I would appreciate if above could be taken into consideration when any decisions are made regarding this proposed new development.

Régards,

Dean Graham.

Fresh Today,

Unit 6B Rowlagh shopping centre,

Clondalkin,

Dublin 22.

AN BORD PLEANÁLA	
LDG-	<u>061860-23</u>
ABP-	_____
16 MAR 2023	
Fee: €	<u>220</u> Type: <u>Card</u>
Time: <u>2:30pm</u>	By: <u>HAND</u>

Fresh Today
c/o Dean Gaham
Unit 6B - Rowlagh Shopping Centre
Clondalkin
Dublin 22

Date: 06-Oct-2022

Dear Sir/Madam,

Register Ref: SD22A/0346
Development: Mixed development consisting of 1 public house and 26 apartments. The overall development will comprise the following; demolition of the existing single storey public house (area 910sqm), construction of a 4 storey apartment block within the footprint of the site (1267sqm) comprising of 26 apartments (4 one bedroom units, 22 two bedroom units) and smaller public house at ground level (area 156sqm and total area 2717sqm), all apartments have balconies/terraces. Car park for 12 cars (including 1 disabled space), bin stores and bicycle stands at ground level. Communal areas include 1st floor courtyard above carpark and 3rd floor roof terraces for apartments. Streetscape proposals within site boundaries to facilitate and enhance the public realm.
Location: The Finches Public House, Finches Shopping Centre, Neilstown Road, Clondalkin, Dublin 22, D22 H7X9
Applicant: Old Nangor Road Ltd.
Application Type: Permission
Date Rec'd: 31-Aug-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.

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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.

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Yours faithfully,

M. Crowley
for Senior Planner

Dear Sir/Madam,

I would like to bring to your attention serious concerns I have in connection with planning reference SD22A/0346 mixed development consisting of one public house and 26 apartments at the Finches public house, Rowlagh shopping centre, Neilstown road, Clondalkin, Dublin 22.

I live in 4 Chaplins Row with my Family which is directly facing the proposed development. As an owner occupier we already have serious issues with anti-social behavior on a daily basis. There has been no public consultation with the local community and this has come as a total surprise to all of the local residents. From a personal point of view having a proposed new structure of that height with a number of balconies overlooking my home as well as a proposed new entrance to a busy local pub, which in the past has been a source of serious anti-social behavior could seriously effect mine and my neighbors quality of life.

In recent years a neighboring development which also has external balconies facing onto the road have been a major source of nuisance and disturbance and we do not wish to have a repeat of this. I would also be seriously concerned about parking facilities for the new development as there is very limited parking within the area at present.

Thank you for your consideration,

Regards,

Aisling Grendon.

AN BORD PLEANÁLA	
LDG-	<u>06186123</u>
ABP-	_____
16 MAR 2023	
Fee: €	<u>220</u> Type: <u>Cash</u>
Time:	<u>2.33</u> By: <u>Hand</u>



Ms. Aisling Grendon
4 Chaplain Row
Clondalkin
Dublin 22

Date: 06-Oct-2022

Dear Sir/Madam,

Register Ref: SD22A/0346
Development: Mixed development consisting of 1 public house and 26 apartments. The overall development will comprise the following; demolition of the existing single storey public house (area 910sqm), construction of a 4 storey apartment block within the footprint of the site (1267sqm) comprising of 26 apartments (4 one bedroom units, 22 two bedroom units) and smaller public house at ground level (area 156sqm and total area 2717sqm), all apartments have balconies/terraces. Car park for 12 cars (including 1 disabled space), bin stores and bicycle stands at ground level. Communal areas include 1st floor courtyard above carpark and 3rd floor roof terraces for apartments. Streetscape proposals within site boundaries to facilitate and enhance the public realm.

Location: The Finches Public House, Finches Shopping Centre, Neilstown Road, Clondalkin, Dublin 22, D22 H7X9

Applicant: Old Nangor Road Ltd.

Application Type: Permission

Date Rec'd: 31-Aug-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.

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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. Crowley
for Senior Planner

Dear Sir/Madam,

I wish to note my concerns regarding planning reference SD22A/0346 mixed development consisting of one public house and twenty-six apartments. This is the second recent application in connection with this site and as a business owner with many years involvement in this community I am amazed that the developer has had no interaction with either the management company, residents or businesses immediately effected by this proposed development. Having spoken to other concerned parties in the development, issues that have arisen seem to be surrounding overuse of existing parking facilities and confusion over access to a right of way on a new development. Furthermore, we have not had any interaction with the developer to alleviate our concerns. This is a small local centre and as such access from a health and safety point of view where you have a creche, a medical centre and a constant flow of children from local schools coming through the centre needs to be addressed as a matter of urgency before the area is turned into a building site, which in my opinion is totally unsuitable.

Thank you for your consideration,

Regards,

Brendan Farrelly.

Unit 3,

Rowlagh shopping centre,

Clondalkin, Dublin 22.

AN BORD PLEANÁLA	
LDG-	<u>061858-23</u>
ABP-	
16 MAR 2023	
Fee: €	<u>200</u> Type: <u>Card</u>
Time: <u>2:32</u>	By: <u>Hand</u>

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Land Use, Planning & Transportation Department
Telephone: 01 414 9000

Fax: 01 414 9104

Comhairle Contae Átha Cliath Theas
An Rannóg Talamhúsáide, Pleanála agus Iompair
Email: planningdept@sdublincoco.ie



Mr. Brendan Farrelly
Unit 3
Rowlagh Shopping Centre
Clondalkin
Dublin 22

Date: 06-Oct-2022

Dear Sir/Madam,

Register Ref: SD22A/0346
Development: Mixed development consisting of 1 public house and 26 apartments. The overall development will comprise the following; demolition of the existing single storey public house (area 910sqm), construction of a 4 storey apartment block within the footprint of the site (1267sqm) comprising of 26 apartments (4 one bedroom units, 22 two bedroom units) and smaller public house at ground level (area 156sqm and total area 2717sqm), all apartments have balconies/terraces. Car park for 12 cars (including 1 disabled space), bin stores and bicycle stands at ground level. Communal areas include 1st floor courtyard above carpark and 3rd floor roof terraces for apartments. Streetscape proposals within site boundaries to facilitate and enhance the public realm.
Location: The Finches Public House, Finches Shopping Centre, Neilstown Road, Clondalkin, Dublin 22, D22 H7X9
Applicant: Old Nangor Road Ltd.
Application Type: Permission
Date Rec'd: 31-Aug-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.

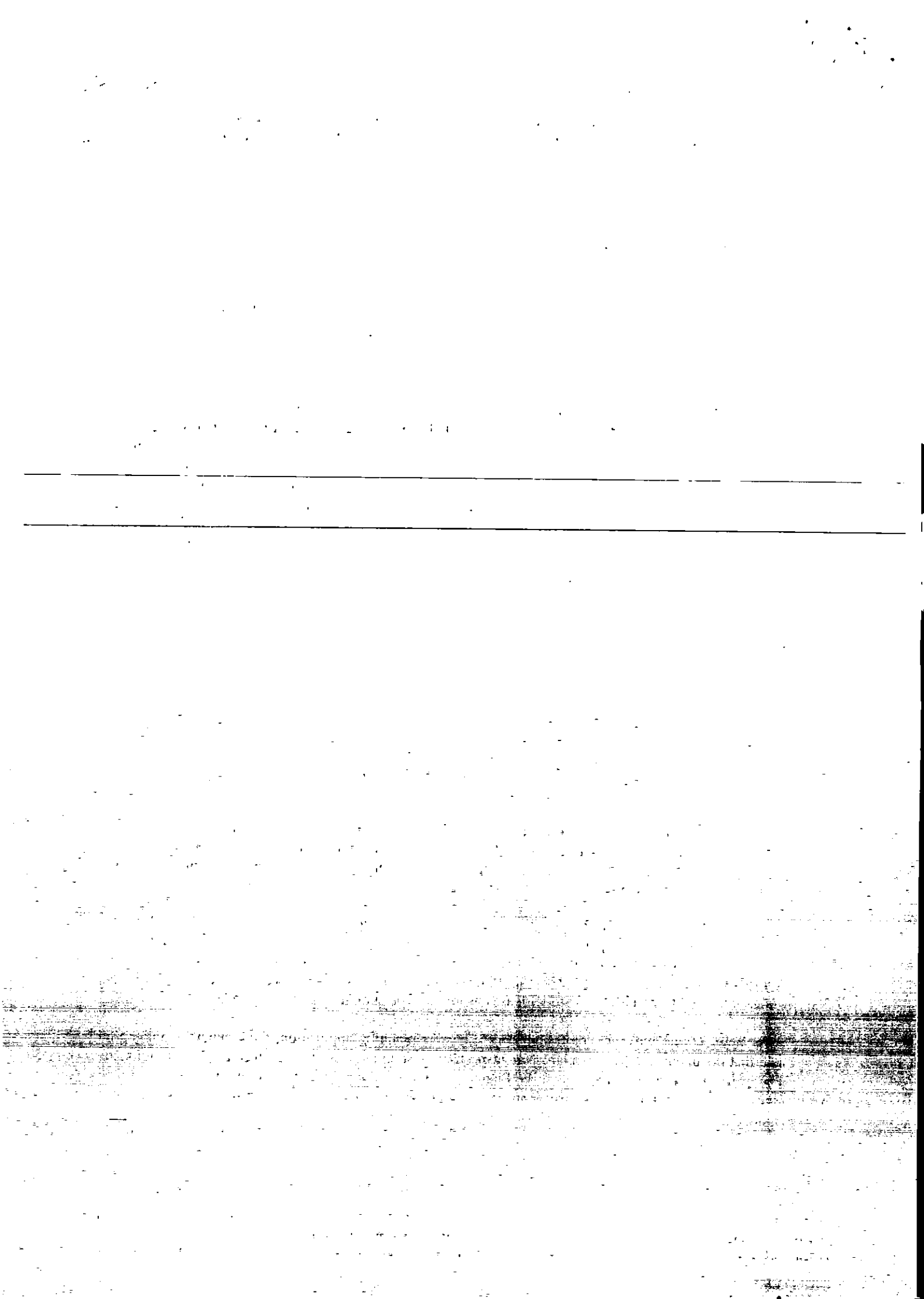
This is an important document: You will be required to produce this document to An Bord Pleanála if you wish to appeal the decision of the Council when it is made. You will be informed of the decision in due course. Please be advised that all current applications are available for inspection at the public counter and on the Council's Website, www.sdublincoco.ie.

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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. Crowley
for Senior Planner



Mr. Brendan Farrelly
Unit 3
Rowlagh Shopping Centre
Clondalkin
Dublin 22

Date: 22-Feb-2023

Dear Sir/Madam,

Register Ref. No: SD22A/0346
Development: Mixed development consisting of 1 public house and 26 apartments. The overall development will comprise the following; demolition of the existing single storey public house (area 910sqm), construction of a 4 storey apartment block within the footprint of the site (1267sqm) comprising of 26 apartments (4 one bedroom units, 22 two bedroom units) and smaller public house at ground level (area 156sqm and total area 2717sqm), all apartments have balconies/terraces. Car park for 12 cars (including 1 disabled space), bin stores and bicycle stands at ground level. Communal areas include 1st floor courtyard above carpark and 3rd floor roof terraces for apartments. Streetscape proposals within site boundaries to facilitate and enhance the public realm.
Location: The Finches Public House, Finches Shopping Centre, Neilstown Road, Clondalkin, Dublin 22, D22 H7X9
Applicant: Old Nangor Road Ltd.
App. Type: Permission
Date Rec'd: 24-Jan-2023

I wish to inform you that by Order dated 20-Feb-2023 it was decided to **GRANT PERMISSION** for the above proposal.

This decision together with the conditions/reasons attached to the decision is recorded in the Planning Register kept at this office in accordance with Article 7 of the Planning & Development Act 2000.

This Register may be inspected during office hours 9.00 a.m. – 4.00 p.m. and interested parties may obtain a certified copy of an entry therein on payment of a fee of €9.00 in respect of each entry. Alternatively, the information can be accessed on-line at www.sdblincoco.ie by selecting "**Planning Applications**" and conducting a search using available information such as the Planning Application number, Applicant Name or Location. Scanned planning files can be downloaded at this site.

It should be noted that any person who made a submission within 5 weeks of the date of receipt of the application by the Planning Authority and which was accompanied by the appropriate fee of €20.00 may appeal to An Bord Pleanála against the decision or any conditions attached to the Council's decision **within 4 weeks** beginning on (and including) the date of the Council's decision. Interested parties are advised to consult An Bord Pleanála to ascertain if an appeal has been lodged by the applicant.

In cases where the Planning Authority is notified of an appeal having been lodged, this information is published on a weekly basis on the Council's website www.sdublincoco.ie, under the heading "*Weekly Lists*".

All appeals against decisions of the Planning Authority and all correspondence in relation to new and existing appeals should be addressed to The Secretary, An Bord Pleanala, 64 Marlborough Street, Dublin 1 (Tel. 8588100 – LoCall: 1890 275 175).

Any appeal made to An Bord Pleanala will be invalid unless it is fully complete and the correct fee is received by An Bord Pleanala within the statutory appeal period. The fee in respect of an appeal by an applicant for permission relating to commercial development is €1,500; unauthorised commercial development is €4,500; other unauthorised development €660; any other appeal is €220.

Submissions or observations made to An Bord Pleanala by or on behalf of a person (other than the applicant) as regards an appeal made by another person must be accompanied by a fee of €50 and must be received within four weeks from and including the date of the receipt of the appeal by An Bord Pleanala.

Yours faithfully,

M. Crowley
for Senior Planner