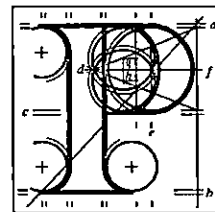


Our Case Number: ABP-317424-23

Planning Authority Reference Number: SD22A/0373



An
Bord
Pleanála

South Dublin County Council
Planning Department
County Hall
Tallaght
Dublin 24



Date: 17 JUL 2023

Re: Demolition of former two storey steelworks factory, construction of 3 three-storey houses and all associated site development works.
Former steelworks factory, Manor Avenue, Terenure, Dublin 6W

Dear Sir / Madam,

An order has been made by An Bord Pleanála under section 37(6) of the Planning and Development Acts 2000 to 2022 determining the application for leave to appeal relating to the above-mentioned proposed development.

In accordance with section 146(5) of the Planning and Development Act 2000, as amended, the Board will make available for inspection and purchase at its offices the documents relating to any matter falling to be determined by it, within 3 days following the making of its decision. The documents referred to shall be made available for a period of 5 years, beginning on the day that they are required to be made available. In addition, the Board will also make available the Board Direction and Board Order in respect of the matter on the Board's website (www.pleanala.ie). This information is normally made available on the list of decided cases on the website on the Wednesday following the week in which the decision is made.

The Public Access Service for the purpose of inspection/purchase of file documentation is available on weekdays from 9.15am to 5.30pm (including lunchtime) except on public holidays and other days on which the office of the Board is closed.

A copy of the order granting leave to appeal and a copy of the letter issued to the applicant is enclosed.

Yours faithfully,

Miriam Baxter
Executive Officer

BP67PN

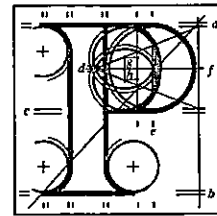
Teil	Tel	(01) 858 8100
Glaao Áitiúil	LoCall	1800 275 175
Facs	Fax	(01) 872 2684
Láithreán Gréasáin	Website	www.pleanala.ie
Ríomhphost	Email	bord@pleanala.ie

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

Our Case Number: ABP-317424-23

Planning Authority Reference Number: SD22A/0373

Your Reference: Collette Cregg



**An
Bord
Pleanála**

Liam Madden
Vitruvius Hibernicus,
9 Convent Road
Longford

Date: 17 JUL 2023

Re: Demolition of former two storey steelworks factory, construction of 3 three-storey houses and all associated site development works.
Former steelworks factory, Manor Avenue, Terenure, Dublin 6W

Dear Sir / Madam,

An order has been made by An Bord Pleanála under section 37(6) of the Planning and Development Acts 2000 to 2022 determining the application for leave to appeal relating to the above-mentioned proposed development.

In a case where the Board grants leave to appeal under section 37(6) of the 2000 Act, the person to whom the leave is granted may appeal to the Board against the planning decision of the planning authority within two weeks from receipt of the notification that leave to appeal has been granted. In addition to the two week period for making an appeal, any such appeal must also comply with the other statutory requirements of the 2000 Act for making appeals. In this regard, the Board wishes to draw your attention to section 127 of the Act which sets out the principal provisions as to making appeals. You should note, however, that section 127(1)(e)(relating to the appeal being accompanied by the acknowledgement by the planning authority of receipt of submissions or observations) does not apply to a planning appeal where the Board has granted leave to appeal.

Failure to comply with all the relevant statutory requirements will render a planning appeal invalid.

You should also note that documents or other information lodged with the application for leave to appeal will not be taken into account in any planning appeal unless such documents are lodged with, and are relevant to, the appeal.

I enclose for your information a copy of the Board's leaflet "Making A Planning Appeal".

Tell	Tel	(01) 858 8100
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A copy of the order is enclosed.

A further enclosure contains information in relation to challenges by way of judicial review to the validity of a decision of An Bord Pleanála under the provisions of the Planning and Development Act, 2000, as amended.

Registered Post

Yours faithfully,

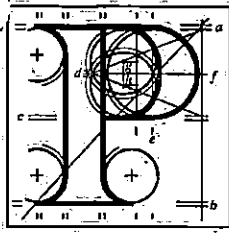


Miriam Baxter
Executive Officer

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An
Bord
Pleanála

Board Direction
BD-012905-23
ABP-317424-23

The submissions on this file were considered at a Board meeting held on 14/07/2023.

The Board decided to grant leave to appeal based on the reasons and considerations set out below.

Reasons and Considerations

The Board noted Condition 1 of the decision of the planning authority that the development shall be carried out in its entirety in accordance with the plans, particulars and specifications lodged with the application, and as amended by further information received on the 4th of May, save as may be required by the other conditions attached.

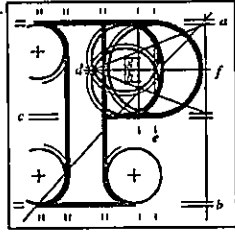
The Board considered the inclusion of Condition 16 "Amendments" and specifically 16(b) whereby the developer shall submit details concerning the height, design and treatment of the screening to the proposed roof terraces for the written agreement of the planning authority.

The Board is satisfied that the height, design and treatment of the screening of the roof terraces is a material matter in relation to the private open space of adjoining properties and residents' enjoyment thereof.

It is considered that it has been shown that -

- (i) the development, in respect of which a decision to grant permission has been made, will differ materially from the development as set out in the application for permission by reason of *condition/condition(s) numbered 16(b)* imposed by the planning authority to which the grant is subject, and
- (ii) the imposition of *condition/conditions numbered 16(b)* will materially affect the applicant's enjoyment of the land adjoining the land in respect of which it has been decided to grant permission or reduce the value of the land.

Board Member: Eamonn James Kelly Date: 14/07/2023
Eamonn James Kelly



An
Bord
Pleanála

Board Order
ABP-317424-23

Planning and Development Acts 2000 to 2021

Planning Authority: South Dublin County Council

Planning Register Reference Number: SD22A/0373

Application for Leave to Appeal against the decision of the planning authority by Colette Cregg care of Liam, Madden of Vitruvius Hibernicus, Convent Road, Longford, having an interest in land adjoining the land in respect of which South Dublin County Council decided on the 31st day of May, 2023 to grant subject to conditions a permission to Patricia Carmody care of Sam Le Bas of 149 Foxrock Park, Dublin.

Proposed Development: Demolition of the existing former two-storey steelworks factory (465 square metres) and build on resultant cleared site of circa 0.133 hectares, and construction of three flat roof, terraced, three-storey, three bedroom houses (160 square metres each, 480 square metres total) with external terraces at first and second floor levels and all associated site development works above and below ground, at former steelworks factory, Manor Avenue, Terenure, Dublin.


Decision

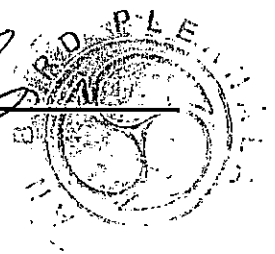
GRANT leave to appeal under section 37 (6) of the Planning and Development Act, 2000, as amended, based on the reasons and considerations set out below.

Reasons and Considerations

Having regard to the submissions and documents received in connection with the application for leave to appeal and the conditions set out in the planning authority's decision, it is considered that it has been shown that -

- (i) the development, in respect of which a decision to grant permission has been made, will differ materially from the development as set out in the application for permission by reason of condition numbered 16(b) imposed by the planning authority to which the grant is subject, and
- (ii) the imposition of condition numbered 16(b) will materially affect the applicant's enjoyment of the land adjoining the land in respect of which it has been decided to grant permission or reduce the value of the land.


Eamonn James Kelly
Member of An Bord Pleanála
duly authorised to authenticate
the seal of the Board.



Dated this 17th day of July, 2023.