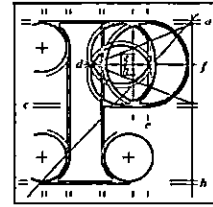


Our Case Number: ABP-317724-23

Planning Authority Reference Number: SD22A/0401



**An
Bord
Pleanála**

South Dublin County Council
Planning Department
County Hall
Tallaght
Dublin 24

**LAND USE, PLANNING
& TRANSPORTATION DEPT.**

- 8 AUG 2023

Date: 04 August 2023

Re: Demolition of 4 sheds within the curtilage of the protected structure. Retention and conversion of Scholarstown House (Protected Structure) into two residential units comprised of 1 two bed and 1 three bed unit. 74 apartment units. All ancillary site development works. 40 car parking spaces and 183 cycle parking spaces. Protected Structure: Scholarstown House (RPS Ref: 322). Scholarstown House, Scholarstown Road, Dublin 16.

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.

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

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| 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.

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, (as amended), (Development / Supplementary Development Contributions) including any special condition which might be appropriate under section 48(2)(c) of the Act.

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| D01 V902 | D01 V902 |

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.

Please quote the above appeal reference number in any further correspondence. I hereby certify that the planning authority has complied with section 128 and section 37(1)(b) of the 2000 Act, (as amended), and that all material relevant to (ABP ~~3172473~~ *SD22A/0401*) the request at 1 on page 1 of this letter has been forwarded.

Signed: _____
Print: (_____)
Date: _____

Yours faithfully,


Catherine Flynn
Administrative Assistant
Direct Line: 01-8737143

BP07

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| D01 V902 | D01 V902 |

41, Woodfield,
Scholarstown Road,
Rathfarnham,
Dublin 16, D16 Y4N2

1 August 2023

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| AN BORD PLEANÁLA | |
| LDG- | 065482-23 |
| ABP- | |
| 02 AUG 2023 | |
| Fee: € | 200 |
| Type: | CHQ |
| Time: | |
| By | POST |

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

Reference Planning Application to South Dublin Country Council (SDCC) by Emmaville Limited for the development at the site of Scholarstown House, Scholarstown Road, Dublin 16, D16 E2H9 – RPS Ref 322

Reg Ref SD22A/0401

Dear Sir/Madam

I wish to lodge a third party appeal against SDCC's decision to grant permission for the development at Scholarstown House, Scholarstown Road, Dublin 16, D16 E2H (planning Reference SD22A/0401) on the grounds set out below.

It is with great concern that I view the development proposals outlined in the above planning application which have been approved subject to conditions by SDCC.

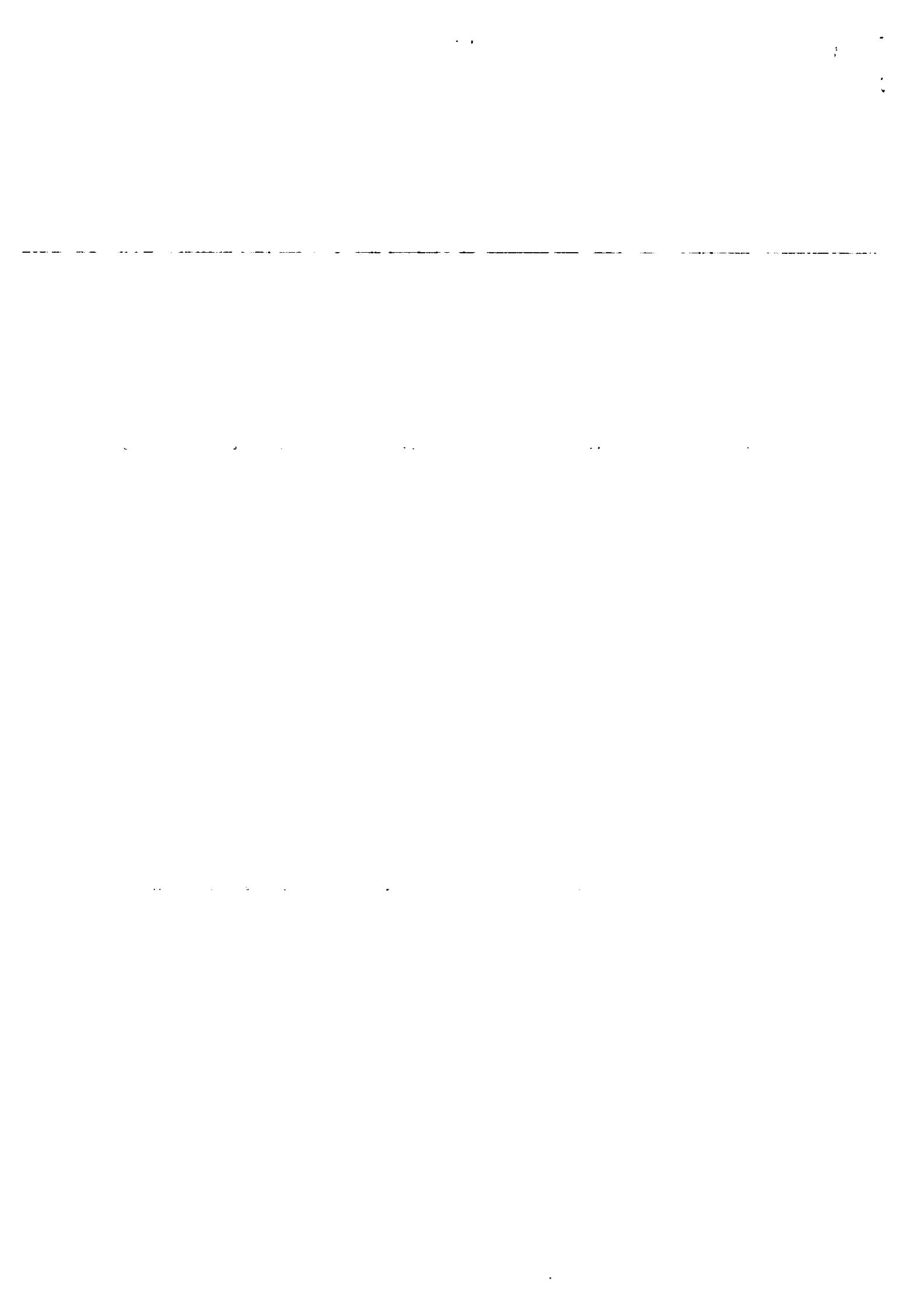
These proposals seek to develop a large scale, bulky and high density development in the Scholarstown House lands and are of a scale that they dwarf surrounding family houses and the protected structure – Scholarstown House.

There were 46 observations made by local residents, and An Taisce concerning the original application for planning permission. It appears that SDCC merely treated them as a "tick box" exercise which needs to be gone through in order to grant permission, rather than taking them seriously and addressing the concerns of local residents.

Scale, Bulk, Density, Height, Proximity to St Colmcilles school and Traffic

The proposal includes the construction of 72 apartments a reduction of 2 from the initial application of 74, in an apartment block ranging from 3 to 5 stories in height.

This density, when taken with the Two Oaks development in the "Cosgrove" lands fronting on Scholarstown Road, is unsupported by the current infrastructure in the locality, in relation to schools, shops or transport. This issue will be further exacerbated should the proposed development at the former Augustinian lands at Ballyboden proceed in its current format.



The proposed building is considerably higher than the adjoining housing developments in Orlagh Estate and Woodfield Estates which both comprise two story single family dwellings. The proposed five story development would dwarf the adjoining current local shops in Orlagh and be totally out of character with the housing estates.

It is also in excess of the Ros Mor View development which is on the opposite side of the Orlagh – Scholarstown junction which is a 4 storey building, with the top floor recessed. I would also note that the density of Ros Mor View of 35 apartments is considerably less than the proposed density of the proposed development.

The height of the proposed development represents an overbearing presence to the houses in the adjoining Woodfield and Orlagh estates and dwarfs the protected structure Scholarstown House and is in close proximity to St Colmcilles school.

This proximity to the school raises concerns for the privacy of the children as well as child protection/safety issues. In addition the current local schools are at capacity, and will be unable to accommodate any increase in demand.

I also note that the plan proposes the removal of almost all the mature trees on the site, this is contrary to stated “green” policy of preserving mature trees and, while planting trees in substitution for trees removed will partially mitigate the impact, the removal will significantly diminish the current local environment.

Car parking/ Traffic.

It is noted the Roads Department of SDCC sought a significant quantity of Further Information due to the inadequacy of the original submission in this regard. It was then dissatisfied by the response received from the applicant and sought Clarification of Further Information particularly in respect of traffic numbers and a Traffic Assessment study on the likely impact of the development on the existing roads infrastructure.

This was ignored in the SDCC decision to grant, as was the Roads Dept’s request to provide a minimum of 49 car parking spaces, which I would contend is also wholly inadequate for this location given its own assessment that *This development would be considered in zone 1 for parking as the nearby public transport is not high frequency nor multidirectional, and the nearest LUAS stop is over 5km away.* The 44 no. car parking spaces proposed to be provided for the 72 units following SDCC’s Further Information request, is an increase from 40 no. for 74 units as originally submitted, but will result in residents parking in the local estates, which are already experiencing parking issues.

Scholarstown Road and the nearby housing estates, especially Orlagh and Woodfield estates already have significant car parking and traffic challenges. The traffic challenges are especially evident along the stretch of Scholarstown Road between Orlagh Roundabout and Templeroan Roundabout. This is likely to deteriorate further as the Two Oaks development in the Cosgrove lands are completed and become occupied.

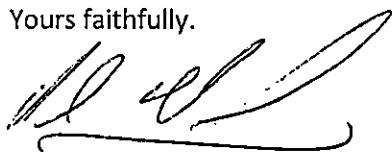
Spill-over of car parking and the negative impact of traffic from this oversized new development should not be permitted as it will make an already bad situation intolerable.

Summary

As a long-time resident of the area and one who wishes to see its proper planning and successful development, I agree that the site has been zoned correctly for residential development, but have very serious concerns regarding the appropriateness of the scale and density of the development proposed on this site, and believe the impact on the already intolerable and dangerous traffic conditions experienced almost daily on Scholarstown Road will be greatly exacerbated by it. I hope that my observations are recognised as being limited to those which are material, which may be resolved in a carefully reconsidered development proposal, and trust that they will be taken into account by ABP when considering this planning application *ab initio*.

I enclose the acknowledgement received from SDCC confirming my submission at planning application stage and a cheque for the statutory fee of €220.00 payable to An Bord Peanala.

Yours faithfully.

A handwritten signature in black ink, appearing to read 'Paul Daniel', with a long horizontal flourish extending to the right.

Paul Daniel

Mr. Paul Daniel
41 Woodfield
Scholarstown Road
Rathfarnham
Dublin 16.

Date: 23-Nov-2022

Dear Sir/Madam,

Register Ref: SD22A/0401
Development: Demolition of the 4 existing shed structures on site within the curtilage of the protected structure; Retention and conversion of Scholarstown House (Protected Structure) into two residential units comprised of 1 two bed and 1 three bed units served by private open space in the form of ground floor terrace; The proposed works to Scholarstown House include but are not limited to internal re-configuration; Re-location of the staircase to its original location within the house; Removal of non-original features including the closing up of non-original openings; Creation of a new door opening within the existing alcove, and the blocking up of a window opening both located on the northern elevation; Construction of an apartment block ranging in height from 3 to 5 storeys containing 74 apartment units comprised of 32 one bed apartments, 33 two bed apartments, and 9 three bed apartments all served by private open space in the form of balconies and/or ground floor terraces; The proposed development also includes 100sq.m of residential amenities and facilities consisting of but not limited to a reception, communal amenity room and parcel room; The development will be served by a total of 40 car parking spaces and 183 cycle parking spaces accessed via a new pedestrian and vehicular access off Orlagh Grove with the existing entrances on Scholarstown Road and Orlagh Grove being re-configured to provide for pedestrian and cycle access; All ancillary development works required to facilitate the development including but not limited to, plant rooms, a substation, bin stores, landscaping, boundary treatments and lighting; The proposed development comprises the carrying out of works to a protected structure: Scholarstown House (RPS Ref: 322).

Location: Scholarstown House, Scholarstown Road, Dublin 16
Applicant: Emmaville Limited
Application Type: Permission
Date Rec'd: 25-Oct-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