

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

1 Mayor Street Upper,
North Wall,
Dublin,
D01 DR94.

11/10/21

Re: Appeal the decision of a planning authority.

To whom it may concern,

We wish to appeal the decision of Dublin City Council on an application we lodged with it.

Prior to 2009 the then *cul de sac* that we lived in was very private, however with the opening of the LUAS extension to the Point we lost that privacy.

Our terrace of homes lead directly to the street, i.e. there is no defensible space as the front doors open onto the footpath. Because of this we are suffering unsocial behaviour with youths kicking the hall doors and banging on windows. We have had the front door kicked in at times. Prior to Covid-19 this behaviour was very prevalent before and after certain concerts in the 3Arena from where drunken and drug taking youths emerged kicking doors and banging on windows etc.

With the country reopening after the 22nd October, we envisage the 3Arena will be reopening again. My wife and I are in our mid sixties and concerts finish at 11pm with crowds in their hundreds walking by our home when we are in bed. In order to feel safe, we want to move the hall door to the side and replace the door with a window that will cover 2/3rds of the 'old' door area, see attached images.

Apart from the 3Arena, we also have unsocial behaviour arising from the foot fall on the road generally and because we have no defensible space it means that the hall door is being kicked, doorbell rang at all hours etc. I attach video footage to prove what I say.

When the North Lotts and Grand Canal Dock Planning Scheme 2014 was before the oral hearing of ABP, as residents, we made the case of all of the above unsocial behaviour. To that end, we achieved an objective in the scheme which states,

AN BORD PLEANÁLA	
LDG-	<u>044434-21</u>
ABP-	_____
11 OCT 2021	
Fee: €	<u>220</u> Type: <u>cheque</u>
Time:	<u>2:53</u> By: <u>hand</u>

LU 5 -To encourage 'own front doors' in the SDZ, together with defensible open space for both existing and future development, as part of the active neighbourhood objective. (page 160).

Despite the above objective of defensible space for our homes, Dublin City Council have not delivered on any aspect of the objective. We are forced to make amendments in order to feel safe in our own homes, as such we believe that our own side entrance/lane will offer that defensible space.

Finally, because of the hall door opening directly on to the footpath, at times we are taking our life in our hands with cyclists speeding by on the footpath as they will not cycle on the roadway because of the LUAS tracks, we have had several close encounters and it is only a matter of time before someone is badly hurt if not killed.

Dublin City Council state in their refusal,

'...it is not possible to state that the proposed works would not materially affect the external appearance of the existing house, so as to render it inconsistent with the character of the structure or of neighbouring structures...

Our homes are, as you will see from the attached photo, surrounded by high rise buildings with the associated loss of sunshine, privacy etc. The LUAS runs outside our hall door as such the character of our homes has changed drastically over the last 10 years and not to our benefit.

What we are seeking is peace and security in old age, to that end we are seeking the minimum change in appearance in that the door opening will remain but with a window taking up about 2/3rd's of the opening. Entry to the house will be via the current side gate which is used on a daily basis to get to my rear garden and back door. This will give us the defensible space we need.

We ask that ABP look favourable on our appeal.

Yours

 Hilch Keir Donald

Cheque attached
USB Key attached



Dublin City Council,
Planning Registry
Section, Block 4,
Floor 0, Civic Offices,
Wood Quay,
Dublin 8.

1 Mayor Street Upper
North Wall
Dublin 1
D01 DR94

13/8/21

For the attention of Claire Sheehan

Claire,

My correspondence (email) dated 21/7/21 refers.

As referred to in our phone conversation and my subsequent email, I wish to make application for exempted development.

The big issue is that after certain concerts/events in the 3Arena we experience severe unsocial behaviour. This results from hundreds/thousands of people making their way home and there is no defensible space. Depending on the concerts, it can be quite frightening with doors being kicked in, literally, while windows are thumped/banged.

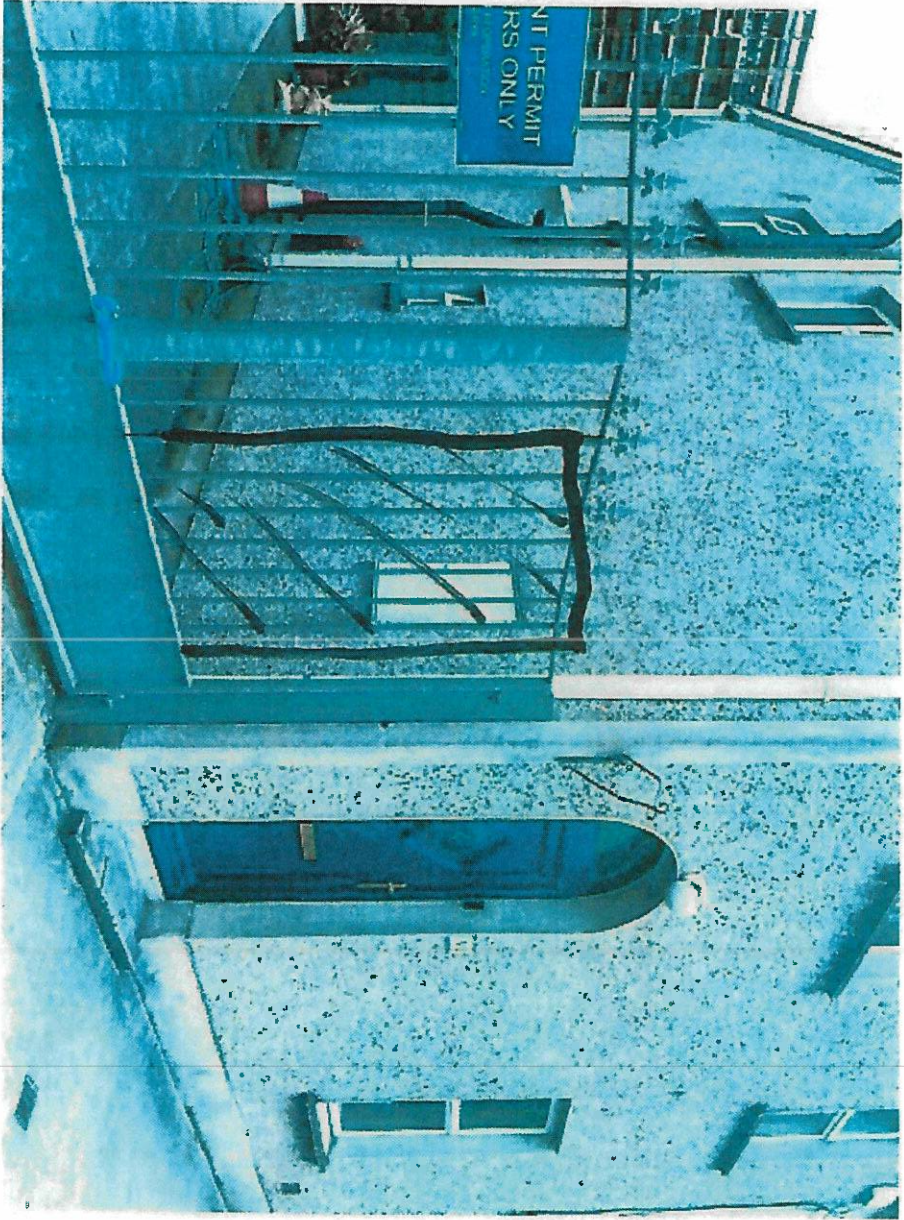
As the home opens directly on to the footpath, there has been a few scary moments with cyclists whizzing by along with skateboarders etc on the footpath.

We want to put our hall door into the gable wall just inside the side entrance. We would be keeping the shape of the current hall door, the bottom half would be block wall and the top half would be a new window. See attached rough images.

We believe that this will give us protection of sorts and will be in keeping with LU5 objective within the SDZ (page 160) regarding defensible space.

Tony & Hilda McDonnell





↑ NEW DOOR



EXAMPLE OF WAAT IS ENVISAGED



Comhairle Cathrach
Bhaile Átha Cliath
Dublin City Council

An Roinn Pleanála & Forbairt Maoin, Bloc 4, Uirlár 3, Oifigi na
Cathrach, An Ché Adhmaid, Baile Átha Cliath 8.

Planning & Property Development Department, Block 4, Floor 3,
Dublin City Council, Civic Offices, Wood Quay, Dublin 8.

T: (01) 222 2288

E. planning@dublincity.ie

15-Sep-2021

1 MAYOR STREET UPPER
NORTH WALL
DUBLIN 1

Application Number	0286/21
Application Type	Section 5
Registration Date	17-Aug-2021
Decision Date	13-Sep-2021
Decision Order Number	P4888
Location	1 Mayor Street Upper, North Wall, Dublin 1
Proposal	EXPP: Remove halldoor & install in side/gable wall of house, insert window in place of current hall door with sill at same level as current window - dash lower part under window (new).
Applicant Details	Tony & Hilda McDonnell

- **If you have any queries regarding this Decision, please contact the email shown above**

Note:

Any person issued with a declaration on development and exempted development, may, on payment of the prescribed fee, refer a declaration for review by A Bord Pleanála within four weeks of the date of the issuing of the declaration.

NOTIFICATION OF DECLARATION ON DEVELOPMENT AND EXEMPTED DEVELOPMENT

In pursuance of its functions under the Planning & Development Act 2000 (as amended), Dublin City Council has by order dated 13-Sep-2021 decided to issue a Declaration that the proposed development is NOT EXEMPT from the requirement to obtain planning permission under Section 32 of the Planning & Development Act 2000 (as amended) for the following reason:

Comhairle, Oifigi na Cathrach, An Ché Adhmaid, Baile Átha Cliath 8, Éire
Head Office, Civic Offices, Wood Quay, Dublin 8, Ireland

T. 01 222 2222 W. www.dublincity.ie

NOT1section5(Refuse Exemption)



Comhairle Cathrach
Bhaile Átha Cliath
Dublin City Council

An Roinn Pleanála & Forbairt Maoine, Bloc 4, Urlár 3, Oifigi na
Cathrach, An Ché Adhmaid, Baile Átha Cliath 8.

Planning & Property Development Department, Block 4, Floor 3,
Dublin City Council, Civic Offices, Wood Quay, Dublin 8.

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15-Sep-2021

Having regard to the provisions of Section 4(1)(h) of the Planning and Development Act (2000, as amended), it is not possible to state that the proposed works would not materially affect the external appearance of the existing house, so as to render it inconsistent with the character of the structure or of neighbouring structures. It is therefore considered that the proposed development would not be exempted development under Section 4(1)(h) of the Act.

Signed on behalf of Dublin City Council


For Administrative Officer

