

3 Stonepark Orchard  
Rathfarnham  
Dublin  
D14 P296

Chief Planning Officer  
South Dublin County Council  
County Hall  
Town Centre  
Tallaght  
Dublin 24

20<sup>th</sup> May 2021

Ref: OBJECTION TO PLANNING APPLICATION FOR DEVELOPMENT AT LANDS AT NUTGROVE AVENUE ("Application") FOR THE CONSTRUCTION A 4 STOREY BLOCK APARTMENT COMPLEX ("Development")

APPLICANT: SIRIO INVESTMENT MANAGEMENT LIMITED REF: SD 21A/0101

Dear Sir/Madam

We are the owners of property referred to in the top right hand corner of this letter. You will note that this is adjoining the lands the subject matter of the Application. We wish to object to this Application in the following manner and on the following grounds, in accordance with the Planning and Development Act 2000 (PDA).

We note that the planning authority must place prime importance with regard to the "proper planning and sustainable development of the area" in considering an application. The current Application does not do so for the following reasons.

#### General Comment

We wish to put it on record that we accept that there is a particular need at this moment in time for housing to be provided for an ever-growing population in the Dublin area. Our objection therefore is not to the proposals with regard to the provision of housing generally on this site, it is for the purpose of addressing certain issues to ensure that "the proper planning and sustainable development" of the site takes place.

The issues that arise from a perusal of the Application are the following:

1. The number and nature of entrances and exits
2. Decontamination and impact upon the environment

1. The number and nature of entrance and exits

The Applicant and SDCC are aware that this has been an issue in the past and while we note that the application letter dated 27<sup>th</sup> April 2021 makes reference to “access and egress are proposed from a singular location located on the site’s north-eastern corner boundary on Nutgrove Avenue”, there is a lack of clarity as follows:

- (a) The letter noted above makes reference to “singular” location.
- (b) Section 5.1 of the Planning Statement (page 17) makes references to “pedestrian access to the building.....are provided at numerous points along Nutgrove Avenue”;
- (c) Section 5.3 of the Planning Statement (Access and Permeability page 19) references 3 pedestrian points along Nutgrove avenue and additional pedestrian points along the Western boundary;
- (d) Figure 5 as set out on page 19 of the Planning Statement and the accompanying language of Section 5.3 does not fully include the Southern edge of the site which abuts Stonepark Orchard/Abbey.

In the event that the only entrances are along Nutgrove Avenue then we have no objection to this aspect of the Development. The only comment that we would make is that I note that the developer will be undertaking significant work along the boundary wall with Stonepark Orchard/Abbey. This wall is of a considerable age and care must be taken to ensure its integrity. In that regard we would ask that SDCC ensure this integrity by the inclusion of some form of a condition of planning permission that addresses this point. The most prudent and practical way to address this point may be the inclusion of some form of insurance/financial contribution is in place to allow SDCC replace/repair any breach/demolition of this wall in a speedy manner should such event occur during the construction of any approved development.

In the event that there is indeed an access point onto Stonepark Orchard/Abbey, we would strongly object to this, on the following grounds:

- 1. There has been no engagement with any of the residents or residents’ group within the Stonepark estate and it is clear that this pedestrian/cyclelink would significantly change the character of the estate, given the significant increase in footfall that would result. Parking within Stonepark is relatively limited in any event and in effect the turning of Stonepark into a parking bay for Nutgrove Avenue would be significantly damaging to the amenity value for Stonepark residents.

2. If a throughway was created on the southern boundary wall, it is not clear as to which party would be responsible for the maintenance, upkeep and repair of any such throughway. As such, it is not possible for the impact of same to be fully evaluated.

As stated above, there does appear to be a significant number of assurances that no such throughway is planned. However, as this is not certain (for the reasons as set out above) we believe it is necessary to reference this.

As a final point in relation to the matter of entrances and exits we would note that An Bord Pleanála have referred to the open space of Stonepark in the recent decision in relation to Ely Place-Inspectors Report for decision ABP 307 682 -20. This states that this open space is "modest" and any entrance/exit "in the vicinity would significantly reduce its amenity value."

## 2. Decontamination and impact upon the environment

We note that this proposed development is taking place on a former petrol station. It is not clear what steps have been taken to deal with the residual issues relating to the old petrol tanks and other potential hazards. As such, a detailed decontamination plan and environmental impact statement should be prepared.

### Overall Comment

In summary therefore the following steps should be undertaken:

- (a) It should be absolutely clear that there is no exit through the southern boundary onto Stonepark Orchard/Abbey
- (b) There should be a financial condition/bond put in place so that, in the event of any damage to or removal of the southern boundary wall, SDCC is in a financial position to replace /repair it swiftly.
- (c) A plan should be prepared in relation to decontamination and environmental impact.

We enclose cheque in the sum of twenty euros to support this objection.

Yours sincerely,

Stephen Roy & Anne King

The image shows two handwritten signatures in black ink. The signature on the left is a stylized, cursive signature that appears to be 'Stephen Roy'. The signature on the right is a more legible cursive signature that appears to be 'Anne King'.

Stephen Roy & Anne King  
3 Stonepark Orchard  
Rathfarnham  
Dublin 14  
D14 P296

Date: 24-May-2021

Dear Sir/Madam,

**Register Ref:** SD21A/0101

**Development:** Residential development comprising a total of 28 apartments, in a building up to 4-storeys in height; the cumulative gross floor area is proposed to be 2,640sq.m on the 0.3157 hectare site including the site of the former filling station (0.2821 ha - under applicant's ownership) and a portion of land (0.0326ha) located to the north of the filling station site, where the existing traffic lights and pedestrian crossing are located along Nutgrove Avenue; to accommodate access to the site, it is proposed to relocate the existing traffic lights and pedestrian crossing which traverses both South Dublin County Council and Dun Laoghaire-Rathdown County Council boundaries; a development with a maximum height of c.11.7m and a total gross floor area of 2,640 sq.m comprising of 28 residential units comprising 8 1-bedroom apartments, 17 2-bedroom apartments and 3 3-bedroom apartments; communal amenity space (433sq.m) and public open space (286sq.m) located to the rear and western side of the site; at grade car parking is proposed to the rear of the site which will provide 16 residents' car parking spaces (including 2 electric vehicles spaces and 1 accessible spaces) and 2 motorcycle parking spaces; 2 resident waste bin storage areas are proposed along the north-western and north-eastern corner of the site, fronting Nutgrove Avenue (total 25sq.m); a new vehicular entrance from Nutgrove Avenue; a total of 62 surface level bicycle parking spaces comprising 48 spaces located at the rear of the site and 14 spaces within the residents' communal area, located along the north-western portion of the site; relocation of the existing traffic lights and pedestrian crossing located on Nutgrove Avenue to the west of its existing position to accommodate access to the site; all ancillary site development works including installation of drainage and water supply infrastructure, lighting and provision of an ESB substation and switch room.

**Location:** Nutgrove Avenue, Rathfarnham, Dublin 14

**Applicant:** Sirio Investment Management Ltd t/a Sirio Homes

**Application Type:** Permission

**Date Rec'd:** 27-Apr-2021

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.