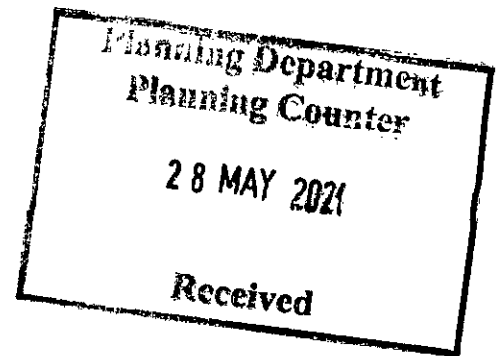


5 Stonepark Orchard
Rathfarnham
Dublin 14

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



27th 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 the property referred to in the top right hand corner of this letter. You will note that this is directly adjoining the lands the subject matter of the Application. I 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 a number of reasons.

General Comment

We wish to put it on record that we note that, as set out in the McCutcheon Halley Planning Statement that this is the third application by this applicant (or its predecessor in title) to develop this site. In this context we would like to acknowledge that the applicant does appear to have responded in good faith to a number of objections/observations that have been made in respect of the proposed development of this site. 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. My 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 issues to ensure that “the proper planning and sustainable development” of this site takes place.

The issues that arise regarding the Application are the following:

- 1. The height of the development**
- 2. Decontamination and impact upon the environmen**

1.The Height of the Development

The Applicant and SDCC are aware that this issue has been a significant one in the past. In Section 3.2 of the Planning Statement the Applicant refers at some length to the objections that SDCC had in relation to this matter with regard to Planning Application SD18A/0421.

SDCC was particularly concerned with what it termed the “overbearing visual impact on the streetscape of Nutgrove Avenue and the dwellings to the south of the site, in particular 17 and 18 Stonepark Orchard”

This appears to have been addressed in the current application by

- (a) Tiering the height of the proposed development so that it is 4 storeys on the Northern boundary at Nutgrove Avenue which goes down to three storeys at the Southern boundary with Stonepark Orchard.
- (b) In respect of 17 Stonepark Orchard (SPO) it is noted that “the southern setbacks for the upper level have been further recessed to provide a separation distance of 15.8 metres from the gable end of 17 Stonepark Orchard”

We would make the following comments in relation to this matter:

- While the tiering approach does attempt to address the matter, given the width of the site the reality is that Nutgrove Avenue is now significantly overlooked and the residents on Nutgrove Avenue are affected with regards to light and general amenity.
- Having reviewed the plans it would appear that given that there is a balcony on the fourth floor apartment, 17 SPO can still be overlooked and that the distance is actually 11.5 metres (because of the length of the balcony/terrace).

In the context of the applicant having generally made a good faith effort to engage with the issues that arose in previous planning permissions, I believe the only way to address the overlooking issue is to reconfigure the development into three stories.

In addition there are references to the provision of opaque glass and also a very significant tree planting programme (all to address the issues of visual intrusion/overlooking of the Southern boundary. There should be a specific financial requirement, by way of planning condition or otherwise by a financial contribution, so that the relevant opaque glass and the trees as specified are definitely provided for.

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 petrol tanks and other potential hazards.

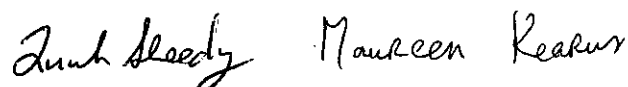
Overall Comment

In summary therefore the following steps should be undertaken:

- (a) The Fourth storey should be removed and the development reconfigured.
- (b) The very specific steps that are being taken generally to reduce overlooking and visual intrusion on the Southern boundary are backed up by a specific financial condition that will allow SDCC ensure that all relevant opaque glass and the very specific tree requirements are definitively met by the Developer

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

Yours sincerely



Frank Sheedy and Maureen Kearns



Frank Sheedy & Maureen Kearns
5 Stonepark Orchard
Grange Road
Rathfarnham
Dublin 14

Date: 31-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