

14, Ardeevin Drive,
Lucan,
Co Dublin.
K78C9D5
29/07/2021

Planning Department,
South Dublin County Council,
Tallaght,
Dublin 24

Re SD21A/0179

Ball Alley House, Leixlip Road, Lucan

Construction of a 4-storey apartment block comprising of 14 apartments

in the car park of The Ball Alley with access to Ardeevin Drive

Applicant Gerry Teague

Receipt No. T4/0/681808

Location & Streetscape:

This proposed development has the address of Leixlip Road, as this is where the entrance to the car park currently exists, however we contend that this building will actually be on Ardeevin Drive if permission is granted. The developer proposes to demolish the entire wall separating his property from Ardeevin Drive and incorporate the strip of land on the Ardeevin side of his development into his apartment complex. Has the developer proven ownership of this strip of land? The dormer bungalow on the western side of The Ball Alley House is one of a continuous row of dormer bungalows stretching from the Ball Alley on the Leixlip Road to the rear of the car park on Ardeevin Drive, creating a streetscape of dormer bungalows. The only other building on that side of Ardeevin Drive is a bungalow to the east of the proposed development. The developer proposes to build a 4-storey, bulky, overbearing block of 14 apartments between two bungalows, directly facing and overlooking a row of two storey houses in a residential area zoned 'A' which seeks to 'protect and/or improve Residential Amenity'.

Ardeevin is a stand alone estate now over 60 years old and the developer proposes to build a 4-storey apartment block comprising 29 bedrooms on this streetscape within a mature housing estate and closely overlooking the smoking area at the back of a public house. All the houses on Ardeevin Drive are owner occupied, with multi generation occupancy. This application is completely unacceptable and not in keeping with the planning precedents set within the area and or within South Dublin County Council Development Plan 2016-2022. Adamstown and Clonburris SDZ adequately cater for apartment living in the area. The scale and mass of this proposed development is not in keeping with either the streetscape or roofscape. SDCC Dev Plan Section 2.2.3. H9 Objective 2 is 'to ensure that higher buildings in established areas respect the surrounding context' and Section 2.2.3. H9 Objective 3 is 'to ensure that new residential developments immediately adjoining existing one and two storey housing incorporate a gradual change in building heights with

no significant marked increase in building height in close proximity to existing housing' would be breached should this proposed development be permitted.

Heritage:

A 4-storey apartment complex is not in keeping with The Ball Alley Public House (Protected Structure no.94) which shares this site to the north. The Buildings of Ireland reference The Ball Alley as "A simple public house of restrained appearance, retaining its original form, which adds character to this approach to Lucan village". This proposal for a four storey apartment complex towering over this protected structure, built within its curtilage is not in keeping with many of the tourism/heritage/conservation/building objectives of the SDCC Dev Plan. **HCL4 Objective 2** 'To ensure that new developments, including infill development, extensions and renovation works **within or adjacent** to an ACA preserves or enhances the special character and visual setting of the ACA including vistas, streetscapes and roofscapes.' The north elevation shown in the proposal **3.1.303**, with the transparent apartment block towering over the protected structure, speaks for itself. This elevation clearly shows why permission for a building of this height, scale and massing should not be granted in this location.

Heritage, Conservation and Landscapes (**HCL**) **9.3.3. Policy 14** Liffey Valley Special Amenity Area Order seeks 'to improve and extend the Liffey Valley SAAO and promote its tourism potential'. A modern bulky four storey apartment complex behind and overbearing The Ball Alley, a protected structure, would contradict **2.4.0. H17 Objective 5**: 'To ensure that new development in established areas does not impact negatively on the amenities or character of an area.'

The Architectural and Built Heritage Assessment states that the construction of the proposed development would have a 'neutral' effect on The Ball Alley House, protected structure no.94. We do not share this opinion and the rejection of a recent planning application (**SD19A/0297**) for apartments on the other side of The Ball Alley by both South Dublin County Council and An Bord Pleanála would indicate that neither do they.

The Application:

The application is inconsistent and unclear in places.

Sometimes there are four parking spaces on the Ardeevin side, sometimes six. Sometimes there is planting, sometimes parking.

On the North Elevation the apartment block looming behind the Ball Alley is almost transparent - not shown in the same ink as the other buildings. Why try disguise the height and bulk of the apartments in this way? Surely this proves its overbearing aspect.

Where are the floor plans? The application references balconies – are they clearly marked and measurable on the plans, as per the requirements of 'Sustainable Urban design Standards for New Apartments.

Are the public and private spaces provided adequate? The application does not make this clear.....

There is no Shadow Analysis presented in this application. It is contended both bungalows would be overshadowed, particularly no 23.

It is proposed to fit a low temperature exhaust air Heat Pump. No details are provided on its location, noise levels and possible nuisance factor for nearby residents.

Is the Bin Storage adequate? Have plans been put in place to ensure no odour and noise pollution and nuisance factor?

In the Engineers Report 5.2 'the new nursing home building' is referenced..... what nursing home?

The Design statement states 'to the east lies Df medical centre and The Orchard a residential apartment complex'. This is grossly inaccurate. This completely ignores the existence of Ardfield Court and No 23 Ardeevin Drive located to the east between the subject site and the Orchard. Ref drawing 3.1.002.

Section 11.6.5.(iv) of The Development Plan states that a Construction and Waste Management Plan should be submitted as part of development proposals in excess of 10 units. This plan is not included.

The Sustainability/Energy Statement makes no reference to the provision of charging points for electric cars as required by **TM7 Objective 4**. This statement lists 3 no one-bedroom, 9 no. two bedroom and 2 no 3 bedroom apartments – inconsistent. It also states 'A green and blue roof will be considered for roof areas WHERE feasible'.

Drawing C03, the only floor plan provided, shows windows facing west and east. If this is replicated on the higher floors nos. 21 & 23 will be grossly overlooked and will lose privacy and residential amenity. Drawing 3.1.200 is listed on the Drawing Issue Sheet but it is not provided.

Inconsistencies and lack of clarity abound.

Parking:

The developer proposes to remove 52 parking spaces, build a 29 bedroom complex and provide only 14 parking spaces. **The Design Statement 8.8** states the development is assessable by a range of transport modes 'as well as sufficient good quality short stay car parking close to the core area'. This 'good quality short stay car parking' cannot be on The Ball Alley side of the development and it certainly is not on the Ardeevin Drive side so where is it? These are the only two areas 'close to the core area'. There is no provision for visitors' cars or for service or delivery vehicles in the proposal.

The AUTOTRACKS provided are not convincing particularly **AT02**. No consideration has been given to deliveries to the public house.

The Design Statement also states in 2.1 'This car park has remained unused and is therefore considered to be an underutilised site for a significant period of time and remains empty'. Not true. This Car Park is opened early in the morning for the people who park there daily. It is contended that removing 52 well used parking spaces will have a negative impact on congestion in the whole of Lucan Village. From observation we contend that six parking spaces for the public house is grossly inadequate.

TM7 Objective 3 'To ensue that car parking does not detract from the comfort and safety of pedestrians and cyclists or the attractiveness of the landscape'. On Ardeevin Drive it is proposed to knock a wall, remove trees and greenery on both sides of it and replace it with a four-storey apartment complex and car parking. This will have a negative impact on biodiversity and cause disruption to the natural habitat in the area as well as to the human residents.

The Orchard:

The application refers to the development of apartments nearby in The Orchard. This complex was built within the walled garden of an older property using the existing entrance to the Leixlip Road. The high walls were protected and retained and the stand alone complex has its own parking

(including visitor and service parking), large areas of grass and public spaces and because it is within an existing and enclosed walled area does not impinge on surrounding estates, residences or on the nearby protected structure. This walled complex does not bound the proposed site as stated in the Design Statement.

No. 23 Ardeevin Drive:

This bungalow is omitted in both the Design Statement and the Engineers Report. The development is proposed to be built between No 21 Ardeevin Drive and No 23 Ardeevin Drive and yet in both of the documents above they omit No 23 Ardeevin Drive when describing the eastern boundary of the site. Proposed Elevations 1:1, 2:2 clearly show that the 4-storey high apartment complex is proposed to be built between two bungalows. The two tall trees shown on the top one of these elevations in front of No 23 Ardeevin Drive are replicated throughout the proposal. These trees do not exist and even if they did, they would not alter the fact that the proposal is to build an apartment complex between two bungalows. Drawing 3.1.100 suggests the balconies on the eastern side of the proposal will be less than 1M from a vertical projection of the boundary of No 23, completely overlooking and overshadowing this residence. SDCC Dev Plan Objective 11.2.7 re Building Height states 'The proximity of existing housing – new residential development that adjoins existing one and/or two storey housing (backs or sides onto or faces) shall be no more than two storeys in height, unless a separation distance of 35 metres or greater is achieved'. We strongly contend that this separation is not achieved.

Health & Safety:

Currently the bin lorry can not get down Ardeevin Drive if two cars are parked opposite each other. Please refer to Parking above and consider how an ambulance, fire engine or other service vehicle would get down Ardeevin Drive if this proposed development were permitted by the council.

Personal impact:

Ardeevin is zoned as residential and this commercial project is completely out of character and scale with the existing dwelling houses. We have resided at 14, Ardeevin Drive for over 33 years. Only two houses in this cul de sac have changed hands since 2000. T

he visual impact this proposed development would have on our property is injurious to our residential and visual amenities and would, if granted, deprive us 'of enjoyment of our own property'. The proposed development would be overlooking our front door, living room, two front bedrooms, garage and our front garden and would be visually overbearing. We feel our security in our own home would be threatened should this development be permitted. Ardeevin Drive is 6.1M wide at our house, less than the width of three standard parking spaces. We are concerned that the additional parking from the Ball Alley public house and the proposed development will cause severe movement difficulties for vehicles in this cul de sac. We already have problems with commuters parking and taking public transport locally. The main entrance to St Catherine's Park is nearby on the Leixlip Road and as there is limited parking provided there, Ardeevin is used for parking when Tandy's Lane fills up.

Relevant Planning History in the area:

SD21B/0064 – Additional Information was sought. 'It is considered that the close proximity to the neighbouring dwelling to the west may cause undue overlooking and have a negative impact on the privacy of No. 7 Ardeevin Drive. The dormer extension would be viewed directly from the ground floor windows of No.7 and from the private amenity space to the side of the property. Thus, the proposal would contravene the zoning objective which seeks 'To protect and/or improve Residential Amenity' under the South Dublin County Council Development Plan 2016-2022.' Having regard to the height and depth of the extension along the eastern boundary with No.11 Ardeevin Drive, it is

considered that the proposed extension may be significantly injurious to the amenities of No.11, from loss of light and privacy. The extension would reduce the amount of light and privacy to the habitable room windows of the ground floor despite the fact that the habitable room windows are set in from the boundary.' The adequacy of the size of the rear amenity space was questioned.

SD19A/0297 – This planning application to demolish the dormer bungalow adjacent to the Ball Alley and replace it with a three storey apartment block was refused by both South Dublin County Council and by An Bord Pleanala. The overall height, scale and massing of the proposal was deemed to be overbearing and not 'in compliance with Housing (H) Policy **17 Objective 7** of the County Development Plan and would materially contravene the zoning objective for the area which seeks 'to protect/and or improve residential amenity' and would therefore contravene the South Dublin County Development plan 2016 -2022 and the proper planning and sustainable development of the area'. The overall scale, height and mass of the development was stated to impact on the integrity of the Protected Structure The Ball Alley and would contravene Policies **HCL3 Objective 2** and **HCL5 Objective 4** of the South Dublin County Development Plan 2016 – 2022. Water drainage was an issue. Also 'The proposed development would set an undesirable precedent for other similar developments, which would in themselves and cumulatively be harmful to the residential and visual amenities of the area and be contrary to the proper planning and sustainable development of the area'.

SD18B/0515 – Permission granted for construction of a two storey rear extension to No.15 Ardeevin Court with restrictions to size on first floor to protect residential and visual amenity of the neighbouring properties.

SD15B/0231 – Permission granted for domestic extension to **No 10 Lucan Lodge** with condition that 'The house and the proposed extension shall be jointly **used as single dwelling unit for residential purposes** and shall not be sub-divided or used for commercial purposes, and the extension shall not be sold, let or otherwise transferred or conveyed, save as part of the dwelling'.

SD10B/0423 – Permission granted for retention of domestic extensions to **4, Lucan Lodge** with condition that 'The existing dwelling and all extension elements shall be jointly occupied as a **single residential unit** and shall not be sold, let or otherwise transferred or conveyed save as part of the dwelling. Reason: To restrict the use of the house in the interest of residential amenity.'

SD08B/0515 – Permission granted for construction of a two storey rear extension to **7, Ardeevin Court** – 'The proposed development would not significantly detract visually from the existing streetscape, and is acceptable with regard to the existing residential amenity of adjacent properties. The proposed development would be in accordance with the proper planning and sustainable development of the area.'

SD06B/0889 – Permission granted for ground floor extension but **REFUSED** for 1st floor rear extension to **12, Ardeevin Avenue**. The first floor extension 'would be visually obtrusive when viewed from the adjacent properties. It would be out-of-character and appearance with the existing dwelling house and surrounding dwellings. Furthermore the proposed first floor extension by way of its location to the south of an existing dwelling would give rise to overshadowing of the property located at no 10 Ardeevin Avenue. It is considered that the proposed first floor extension should be omitted by way of condition **as it would set an undesirable precedent for similar type development.**' Condition 5 states 'The house and the proposed extension shall be used as a **single dwelling unit**'. Reason: In the interests of residential and visual amenity and in the interests of proper planning and sustainable development.

SD04B/0465 – Permission granted for construction of two storey extension to **No. 17 Ardeevin Drive**. 'The proposed design of the extension is considered to be in keeping with the design of the existing dwelling and other dwellings with the estate'. A condition was imposed that a **dormer**

window be omitted and replaced by a velux rooflight. ‘Reason: In the interest of residential and visual amenity’.

Proper planning, sustainable development, with consideration of streetscape, respect for adjoining properties , ‘do not overlook, overshadow or have an overbearing impact on neighbouring properties’ and continued use of properties as single unit dwellings are the common themes in these – the only planning applications for changes to properties within Ardeevin, available on the South Dublin County Council website. It is contended that it is in the common interest to continue this responsible planning and refuse this application to build a four storey modern bulky, overbearing apartment complex comprising 14 apartments, with 29 bedrooms in the car park of a protected structure and breaking out into the traditional streetscape of Ardeevin Drive. **HCL5 Objective 4;** ‘To ensure that infill development is sympathetic to the architectural interest, character and visual amenity of the area’.

Scale and Mass of the proposed development;

The proposal would have irreversible consequences for the quality of the residential environment. It is proposed to build a bulky 4-storey apartment complex between two bungalows and facing a row of semidetached houses. The houses opposite the development nos 24, 22, 20, 18, 16, 14..... would lose privacy, security and be overlooked. It would result in significant overbearing of all surrounding properties and significantly reduce the owners residential amenity. Parking would affect everyone in Ardeevin and Tandy’s Lane and the increased traffic would adversely affect residents.

Conclusion:

The proposed apartment complex is visually overbearing and dominant, it would overlook and overshadow neighbouring property and cause loss of privacy. It breaks into an established mature housing estate onto a streetscape of bungalows. It fails to respect the established pattern of development in the vicinity and would set an undesirable precedent for similar type development in the area. **It would permanently change the existing streetscape of Ardeevin Drive and overbear The Ball Alley for generations to come.**

We conclude that refusing this planning application will serve the community of Ardeevin and indeed the broader community of Lucan better. It will also reinforce our faith in responsible planning by ensuring the character and integrity of the area is maintained.

We request that permission for this proposal should be refused.

David & Mary Whittle

David & Mary Whittle
14, Ardeevin Drive
Lucan
Co. Dublin

Date: 30-Jul-2021

Dear Sir/Madam,

Register Ref: SD21A/0179
Development: Removal of selected hedging, the removal of the existing 52 car parking spaces and the construction of a 4-storey apartment building with setbacks at third floor level, total 14 apartments comprising of 1 one-bedroom, 11 two bedroom; 2 three bedroom apartments, all with associated private open spaces areas in the form of balconies; access to the development from existing vehicular and pedestrian entrance from Leixlip Road (R835) and from proposed new vehicular and pedestrian access from Ardeevin Drive; all with associated landscaped courtyard at ground floor level, sedum roof (main roof), bicycle storage, bin storage, signage, associated drainage and site development works (Protected Structure RPS No. 094).
Location: Ball Alley House, Leixlip Road, Lucan, Co. Dublin
Applicant: Gerry Teague
Application Type: Permission
Date Rec'd: 01-Jul-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.

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.sdblincoco.ie.

You may wish to avail of the Planning Departments email notification system on our website. When in the **Planning Applications** part of the Council website, www.sdblincoco.ie, and when viewing an application on which a decision has not been made, you can input your email address into the box named "**Notify me of changes**" and click on "**Subscribe**". You should automatically receive an email notification when the decision is made. Please ensure that you submit a valid email address.

Please note: If you make a submission in respect of a planning application, the Council is obliged to make that document publicly available for inspection as soon as possible after receipt. Submissions are made available on the planning file at the Planning Department's public counter and with the exception of those of a personal nature, are also published on the Council's website along with the full contents of a planning application.

Yours faithfully,
M. Crowley

Senior Planner
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