
Planning Observation

**Mixed-Use Commercial & Residential Development
Reg. Ref. SD21A/0271**

**Land at 'The Silver Granite' Pub,
Kennelsfort Road Upper and Wheatfield Road,
Palmerstown, Dublin 20**

4th November 2021



Prepared on behalf of:
The Moriarty Group
Ladgrove Stores Ltd.
Palmerstown Shopping Centre
Kennelsfort Road
Palmerstown
Dublin 20



1.0 Introduction

Hughes Planning and Development Consultants, 85 Merrion Square, Dublin 2 have been appointed by The Moriarty Group/Ladgrove Stores Ltd, to prepare this observation in respect of the proposed development at the lands at 'The Silver Granite' Pub, Kennelsfort Road Upper and Wheatfield Road, Palmerstown, Dublin 20.

This observation has been prepared in respect of the following planning application:

Reg. Ref.: SD21A/0271

Applicant: Hollyville Investments Ltd.

Address: Lands at The Silver Granite pub, junction of Kennelsfort Road Upper and Wheatfield Road, and at The Silver Granite car park adjoining Palmerstown Shopping Centre car park (accessed from Kennelsfort Road Upper via Palmerstown Park), Palmerstown, Dublin 20

Proposal: Planning permission is sought by Hollyville Investments Ltd. for the demolition of the existing building on site and the construction of a 5-storey over partial basement, mixed-use development comprising a gastro public house/restaurant with off-licence, 2 retail units, associated bin stores, bike stores, 1 ESB sub-station, all at ground floor level; a small plant room at basement level; a total of 50 apartments (25 one beds and 25 two beds) on the upper floors, all provided with private balconies/terraces; communal roof gardens; car parking; motorcycle parking; bicycle parking; landscaping and upgrades to public realm including upgrades to existing pedestrian crossing on Kennelsfort Road Upper; and all associated engineering and site works necessary to facilitate the development on lands at The Silver Granite pub, junction of Kennelsfort Road Upper and Wheatfield Road, and at The Silver Granite car park adjoining Palmerstown Shopping Centre car park (accessed from Kennelsfort Road Upper via Palmerstown Park).

This submission requests that South Dublin County Council consider and maintain the existing visual amenity of the locality and the specific residential amenity of the adjacent properties in determining this planning application. As shall be indicated below, the proposed development will negatively impact on development opportunity for the neighbouring property, considerably increase traffic volume in the surrounding area whilst reducing road and pedestrian safety

It is considered that the proposal fails to meet with essential policies and objectives in the *South Dublin County Development Plan 2016-2022*, the *National Planning Framework*, and *Urban Development, Building Heights Guidelines for Planning Authorities*, and other relevant policy documents. It is, therefore, a primary observation of our clients that the application site is not suitable for such development and should be **refused** planning permission. The required observation fee of €20 00 is enclosed.

2.0 Site Location & Description

The subject sites have an area of approximately 0.48 hectares and is situated at the junction of Kennelsfort Road Upper and Wheatfield Road, and at the Silver Granite car park adjoining Palmerstown Shopping Centre car park (accessed from Kennelsfort Road Upper via Palmerstown Park). The site is bordered by a petrol station to the south, mature residential developments to the immediate east, and commercial businesses to the west. Located within a District Centre in Palmerstown, the site is in the administrative area for South Dublin County Council.

The subject site is comprised of a two-storey building, 'The Silver Granite' public house, with associated off-licence, and the bookmaker fronting Wheatfield Road. The building as it stands is surrounded by car parking which serves the existing businesses on site. The proposal submitted by Hollyville Investments Ltd, proposes to demolish the existing structure on site containing the public house, bookmaker, and off-licence and replace with a mixed-use commercial and residential development.





Figure 1 0 Image showing the extent of the development site (outlined in red) at Kennelsfort Road Lower, Palmerstown, Dublin 20

In all directions the site is surrounded by mature, low density, residential areas, with all developments being primarily two storeys in height. There are scarcely developments above 2 storeys in the area with the only example found being Palmerstown Park Medical near Palmerstown Cemetery. The site is within 200m of various retail provisions like Supervalu, barber shops/salons, an auto part store, a large 24/7 fitness centre, a childcare centre, and a few take away restaurants at Palmerstown Shopping Centre. Further, there are no apartment blocks within an 800-metre radius. Larger scaled developments have been utilised in areas primarily located closest to Chapelizod Bypass (R148) and Coldcut Road-Ballyfermot Road (R833).



Figure 2 0 Aerial view of the subject site (indicated by red star) in the context of the wider area



3.0 Proposed Development

The proposal submitted by Hollyville Investments Ltd. was for the demolition of existing building and redevelopment on lands at 'The Silver Granite' public house. The development proposed is for 5-storey mixed-use commercial and residential building outlined as follows:

- 1 No 5-storey apartment building
- 2 No. Retail Units

The mix of the proposed 50 No. apartments is as follows:

- 25 No 1 bed apartments
- 25 No 2 bed apartments

Additional information relating to the proposed development is as follows:

- 1 No. Gastropub/Restaurant with Off-License
- 1 No. Spar Convenience/Grocery Store (or similar)
- 1 No. Pharmacy/Bookmaker
- 53 no. vehicular parking spaces (32 no. resident spaces & 21 no. commercial spaces)
- 2 no. motorcycle parking spaces
- 128 no. cycle parking spaces (96 no. residential spaces & 32 no. visitor spaces)

Under the premise of this redevelopment proposal, commercial car parking is to remain at the existing car park area located near the Palmerstown Shopping Centre. Public and sheltered car parking is existing along Wheaton Road. A pharmacy/bookmaker and Spar shop to exist along the same road. The bar/off-license will have public pedestrian access from Wheatfield Road and Kennelsfort Road Upper with the gastropub being located along the south facing portion of the existing 'The Silver Granite' public house site.

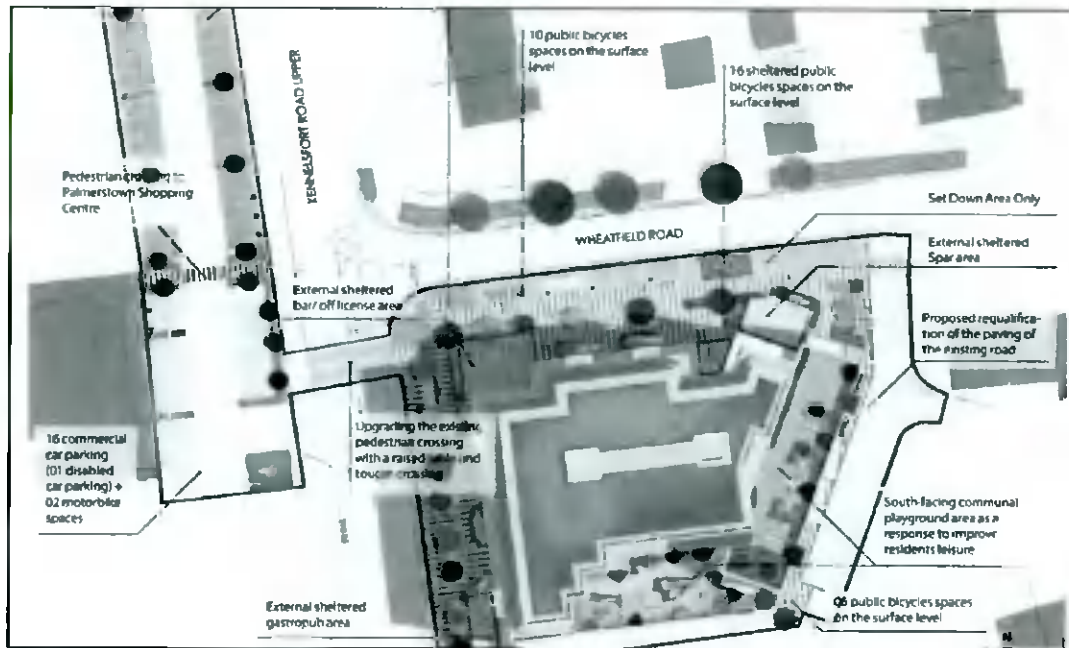


Figure 6.0 Conceptual site plan of proposed mixed-use commercial and residential development under Reg. Ref SD21A/0271



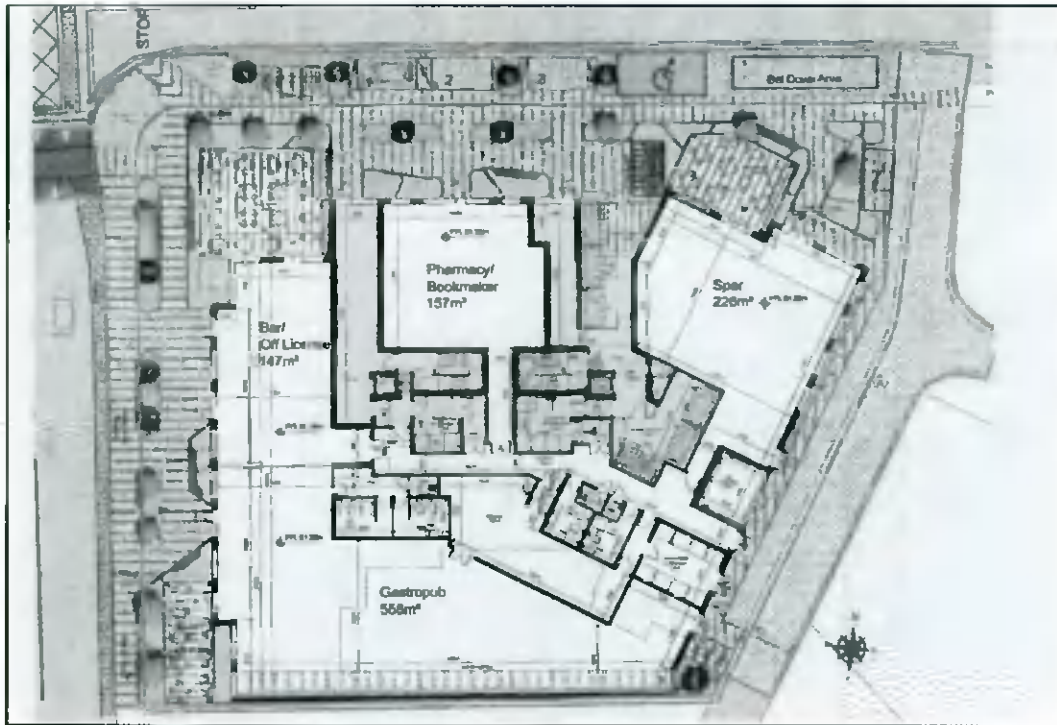


Figure 7 0 Ground floor plan of proposed development

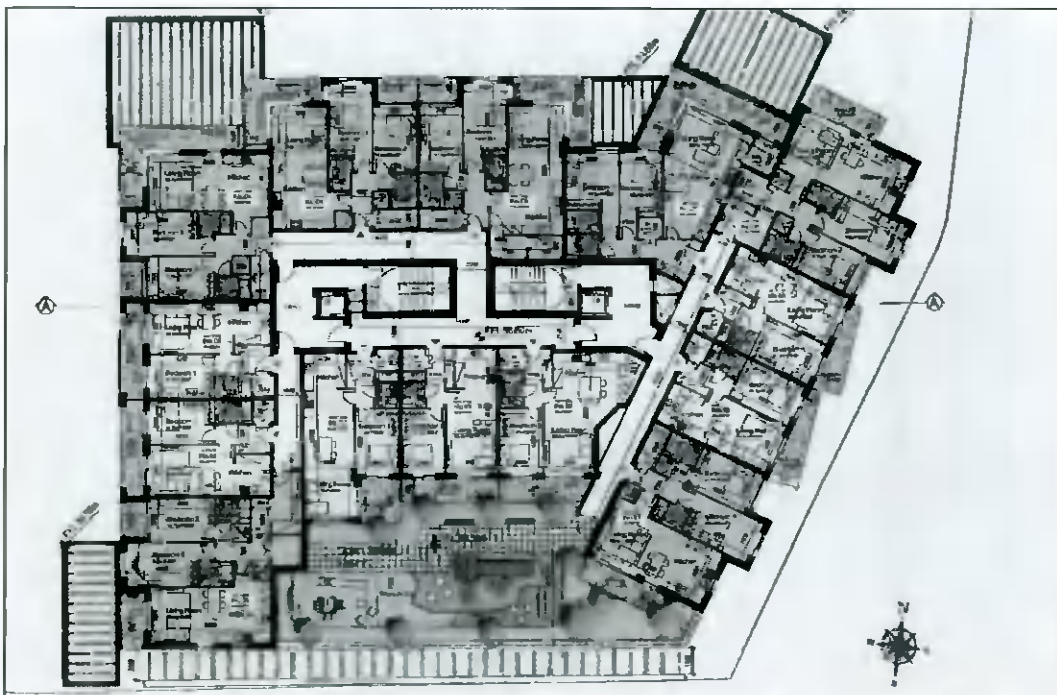


Figure 8 0 First floor plan of proposed development



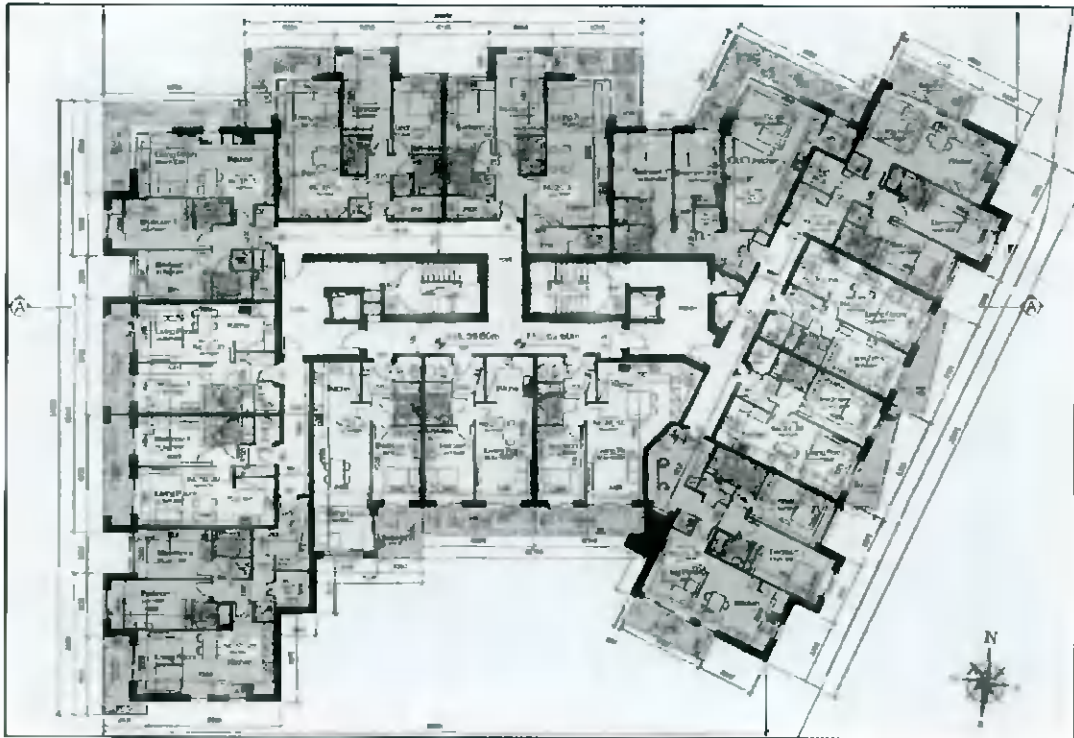


Figure 9 0 Second and third floor plan of proposed development

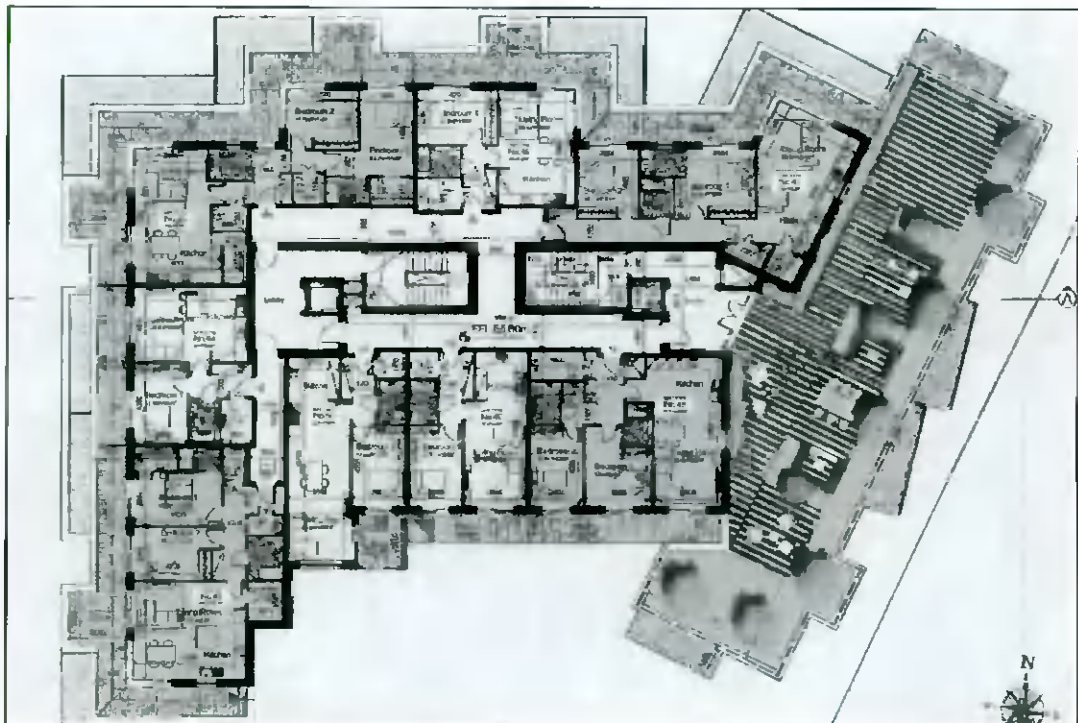


Figure 10 0 Fourth floor plan of proposed development



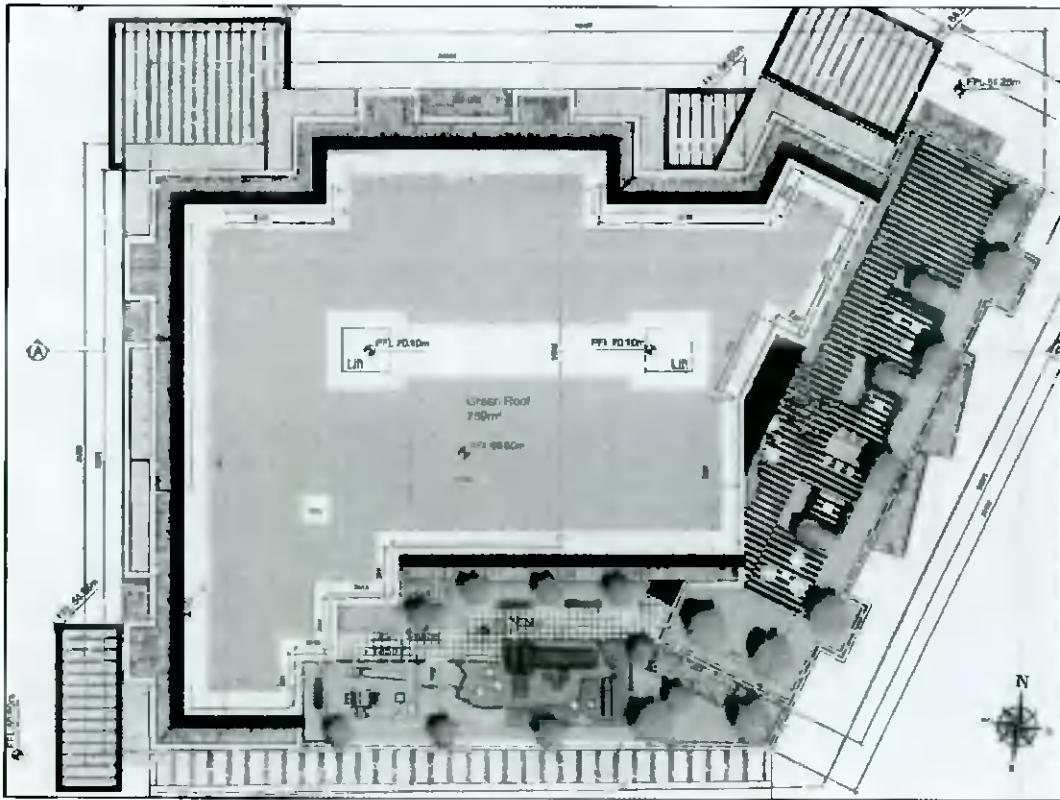


Figure 11.0 Roof plan of proposed development

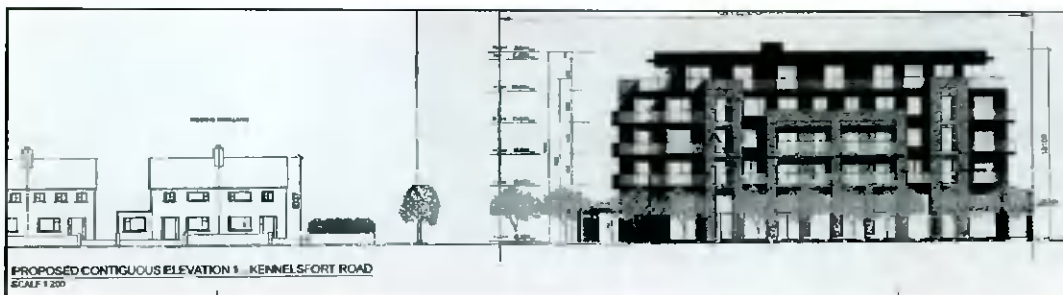


Figure 12.0 Proposed 5-storey building elevation from Kennelsfort Road (east of development)

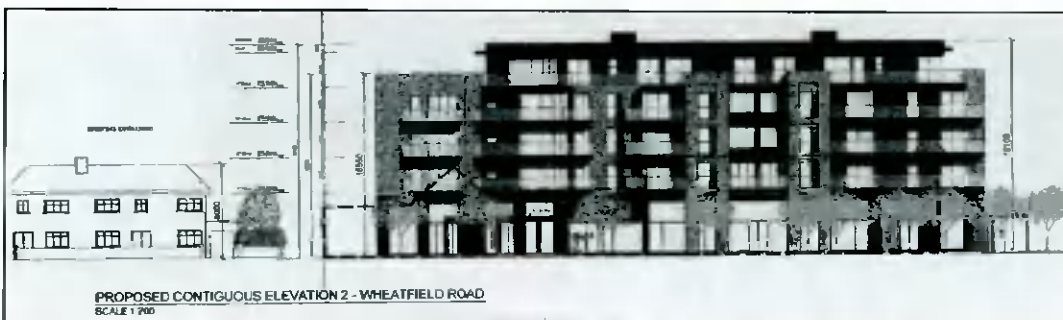
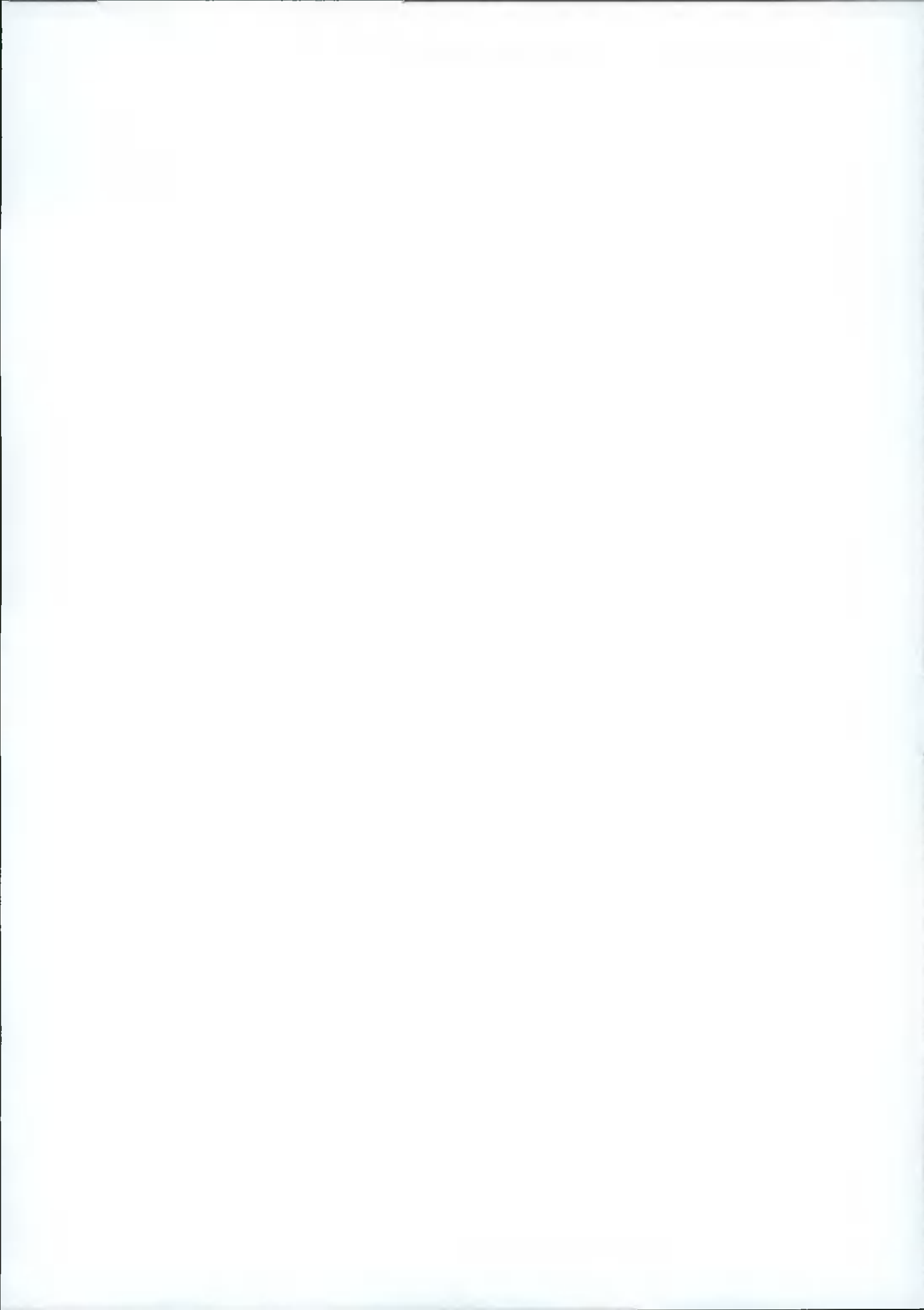


Figure 13.0 Proposed 5-storey building elevation from Wheatfield Road (north of development)



4.0 Planning Policy

The relevant development plan against which the planning application would be assessed is the South Dublin County Council Development Plan 2016-2022.

4.1 South Dublin County Council Development Plan 2016-2022

4.1.1 Zoning

Under the South Dublin County Council Development Plan 2016-2022, the subject site is zoned 'Objective 'DC'', which seeks "To protect, improve and provide for the future development of District Centres".



Figure 14.0 Extract from Zoning Map 2 of the South Dublin County Council Development Plan 2016- 2022 with application site outlined in red

Whilst we note that the variety of uses proposed under the current application are permissible under the 'DC' zoning objective, we would consider the extent of mixed-use commercial and residential development to be insufficient its location relative to the inner city.

Chapter 5 of the Development Plan 2016-2022 aims to guide development based on *hierarchy of urban centres* in South Dublin County and '*principles of good urban design and sustainable development*'. The goal is the following:

...To achieve an efficient use of land in centres, and to achieve development densities that can support vibrant, compact, walkable places that prioritise pedestrian movement.

It is considered that the subject development, in the absence of a comprehensive proposal for the traffic calming measures, failure to justify overdevelopment and increased density, and overabundance of retail provision outside of a 'Gateway Core' community, is representative of piecemeal development and will lead to the uncoordinated development of this site and the continued disruption of local residential amenity.



4.1.2 Relevant Policy

The following policies and objectives of the South Dublin County Council 2016-2022 are relevant to this application.

- H2 Objective 1 *To ensure that sufficient zoned land, which could be serviced by sufficient public transport and road capacity, continues to be available at appropriate locations to satisfy the housing requirements of the County and to support and facilitate the development of housing lands based on the Settlement Strategy outlined in Chapter 1 Introduction and Core Strategy.*
- H7 Objective 4 *That any future development of both residential and/or commercial developments in Palmerstown Village and the greater Palmerstown Area shall not be higher than or in excess of three storeys in height.*
- H8 Objective 4 *To support proposals for more intensive enterprise and/or residential led development within areas designated with Zoning Objective 'REGEN' (To facilitate enterprise and/or residential led regeneration), subject to appropriate design safeguards and based on traditional urban forms that adhere to urban design criteria.*
- H9 Objective 2 *To ensure that higher buildings in established areas respect the surrounding context.*
- H9 Objective 3 *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 (see also Section 11.2.7 Building Height).*
- H15 Objective 4 *To ensure that opposing balconies and windows at above ground floor level have an adequate separation distance, design or positioning to safeguard privacy without compromising internal residential amenity.*
- H17 Objective 4 *To promote and encourage residential uses on the upper floors of appropriate buildings located in Town, District, Local and Village Centres within the County save for public houses and nightclubs and other inappropriate places where similar business is conducted.*
- UC4 Objective 4 *To improve walking and cycling infrastructure within the local catchment of the County's district centres*
- UC6 Objective 2 *To ensure that higher buildings in established areas take account of and respect the surrounding context*
- R1 Objective 9 *To encourage and facilitate the provision of local convenience shops (Shop – Local) in existing residential areas where there is a deficiency of retail provision in the catchment, subject to protecting residential amenity.*
- R6 Objective 2 *To ensure that the scale and type of retail offer in District Centres is sufficient to serve a district catchment, without adversely impacting on or drawing trade from higher order retail centres.*
- TM3 Objective 2 *To ensure that connectivity for pedestrians and cyclists is maximised in new communities and improved within existing areas in order to maximise access to local shops, schools, public transport services and other amenities, while seeking to minimise opportunities for anti-social behaviour and respecting the wishes of local communities.*
- TM3 Objective 3 *To ensure that all streets and street networks are designed to prioritise the movement of pedestrians and cyclists within a safe and comfortable environment for a wide range of ages, abilities and journey types.*



- TM3 Objective 4 *To prioritise the upgrade of footpaths, public lighting & public realm maintenance and supporting signage on public roads/paths where a demonstrated need exists for busy routes used by runners & walkers*
- TM6 Objective 2 *To ensure that all streets and street networks are designed to passively calm traffic through the creation of a self-regulating street environment.*
- TM7 Objective 1 *To carefully consider the number of parking spaces provided to service the needs of new development*
- TM7 Objective 3 *To ensure that car parking does not detract from the comfort and safety of pedestrians and cyclists or the attractiveness of the landscape.*
- IE7 Objective 4 *To ensure that future developments are designed and constructed to minimise noise disturbance and take into account the multi-functional uses of streets including movement and recreation as detailed in the Urban Design Manual (2009) and the Design Manual for Urban Roads and Streets (2013)*

4.1.3 Building Height

The South Dublin County Council Development Plan 2016-2022 recognises that South Dublin is comprised of primarily mature, low density, residential areas. The area surrounding the subject site is mostly made of two storey developments in which Section 2.2.1 of the Development Plan states the following:

'That any future development of both residential and/or commercial developments in Palmerstown Village and the greater Palmerstown Area shall not be higher than or in excess of three stories in height.'

The development plan states that it is policy to reduce development height in areas within the Palmerstown Village and greater Palmerstown area. It is noted that the submitted development proposal is well in excess of height at 5 storeys.

Section 2.2.3 addresses Residential Building Height in which the Development Plan explains that there *'is support for varied building heights across residential and mixed-use area in South Dublin County'*. However, proposed developments must follow the below policy objectives:

- H9 Objective 2 *To ensure that higher buildings in established areas respect the surrounding context*
- H9 Objective 3 *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 (see also Section 11.2.7 Building Height)*

It is considered that the proposed development does not comply with the above criteria for building heights in Palmerstown as proposed mixed used development does not conform to the context of the surrounding area. There are no developments above two storeys in the immediate vicinity and the proposal would have a detrimental impact on their residential amenities. In this regard, the following policy is also relevant

- H17 Objective 4 *To promote and encourage residential uses on the upper floors of appropriate buildings located in Town, District, Local and Village Centres within the County save for public houses and nightclubs and other inappropriate places where similar business is conducted.*
- UC6 Objective 2 *To ensure that higher buildings in established areas take account of and respect the surrounding context.*



4.1.4 Retail Provision

Chapter 5 discussed retail objectives based on County hierarchy in which the Development Plan explains Retail (R) Policy 1 seeks.

'...To ensure adequate retail provision at suitable locations in the County and to protect the vitality and viability of existing centres in accordance with the retail framework provided by the Retail Planning Guidelines for Planning Authorities (2012) and the Retail Strategy for the Greater Dublin Area 2008-2016.'

Retail provisions in District Centres (Level 3 & 4) were created to 'maintain and enhance the retailing function' of the area. The subject site is located in a Level 4 District Centre and would therefore be subject to the following Retail objectives:

- R1 Objective 9 *To encourage and facilitate the provision of local convenience shops (Shop – Local) in existing residential areas where there is a deficiency of retail provision in the catchment, subject to protecting residential amenity.*

- R6 Objective 2 *To ensure that the scale and type of retail offer in District Centres is sufficient to serve a district catchment, without adversely impacting on or drawing trade from higher order retail centres*

It is to be considered the subject site and adjacent areas are not 'retail deficient' due to the concentration of retail provisions nearby and at the Palmerstown Shopping Centre. Additionally the proposed scale and type of retail offered should be further evaluated. The application is for 2 no. retail units in which a Spar (or similar) and Pharmacy/Bookmaker is proposed however, a 'higher order retail centre' exists across Kennelsfort Road Upper.



Figure 15.0 Google image showing existing businesses within the vicinity. Subject site indicated using a red star. Nearby retail includes but not limited to, Foley's Life Pharmacy, Moriarty's Supervalu, Planet Health Palmerstown, and Kid's Inc. Childcare (Creche, Montessori, & Afterschool).



4.1.5 Walking and Cycling

The Walking and Cycling policies in Section 6.3 is the following:

'The policy of the Council to re-balance movement priorities towards more sustainable modes of transportation by prioritising the development of walking and cycling facilities within a safe and traffic calmed street environment.'

In analysing the proposed development, we find there are a couple of concerns in regard to pedestrian and cyclist safety. The following are objectives in the Development Plan to consider for the proposed development.

- TM3 Objective 2 *To ensure that connectivity for pedestrians and cyclists is maximised in new communities and improved within existing areas in order to maximise access to local shops, schools, public transport services and other amenities, while seeking to minimise opportunities for anti-social behaviour and respecting the wishes of local communities.*
- TM3 Objective 3 *To ensure that all streets and street networks are designed to prioritise the movement of pedestrians and cyclists within a safe and comfortable environment for a wide range of ages, abilities and journey types.*
- TM3 Objective 4 *To prioritise the upgrade of footpaths, public lighting & public realm maintenance and supporting signage on public roads/paths where a demonstrated need exists for busy routes used by runners & walkers.*

The main subject site is located directly across from an existing and quite busy shopping centre while the residential car park area is proposed as being shared with that of the shopping centre. The site is in close proximity to many primary schools and experiences foot traffic from school aged children throughout the day. Our clients have concerns about the development and its impact on the pedestrian and cyclist safety and infrastructure of the area especially prior and post school being in session.

4.1.6 Road and Street Network

The Road and Street Network is located in section 6.4 of the South Dublin County Council Development Plan 2016-2022. This section addresses and ensures that there is implementation of a range of design measures that make sure roads and streets are designed and managed to cater for all users, not just cars. The development plan highlights that road networks will need to be carefully managed and expanded to include the following:

- *Facilitate access to areas of economic activity to and from the National Road network, especially on the periphery of urban areas.*
- *Effectively manage access to and from the National Road network to minimise any impacts on the local road and street network*
- *Provide access to new communities and development lands*
- *Make the most efficient use of existing road space*
- *Provide a safer street environment with reduced vehicle speeds, particularly in areas where pedestrians and cyclists are likely to be more active.*
- *Manage car parking in an effective manner.*

Section 6.4.3 of the development plan provides commentary relating to Road and Street design while Section 6.4.4 relates to Car Parking. In this regard, the Development Plan notes that the aim is to design roads and streets with safety in mind and to provide a balanced approach to car parking management. The following is mentioned in Section 6.4 of the development plan:

- TM6 Objective 2 *To ensure that all streets and street networks are designed to passively calm traffic through the creation of a self-regulating street environment.*

According to the aforementioned objective, The Design Manual for Urban Roads and Streets (DMURS), indicates that the speed at which people drive is primarily influenced by the design of the street or road.



with regulatory features (such as speed limits) having a secondary role. Taking into the DMURS guidelines and standards, the proposed development is not in conformance. The proposed design does not 'ensure that streets and roads are designed to balance the needs of place and moved, provide a traffic-calmed street environment, particularly in sensitive areas and where vulnerable users are present'. Furthermore, the proposed development does not take into account the following objectives:

- TM7 Objective 1 *To carefully consider the number of parking spaces provided to service the needs of new development.*
- TM7 Objective 3 *To ensure that car parking does not detract from the comfort and safety of pedestrians and cyclists or the attractiveness of the landscape.*

The lack of significant proposed traffic calming measures, design improvements, and increasing density with shared residential parking has the potential to have detrimental effects on pedestrian and cyclist safety and traffic. As the Palmerstown Shopping Centre experiences high volumes of vehicular and pedestrian traffic in the afternoon and early mornings, the availability of car parking during those times are a huge concern as it is currently being use as a non-separated and shared space. Additionally, the applicant proposes minor changes to existing street infrastructure while proposing all residential parking be located across the street, forcing residents to cross at a narrow crosswalk.

4.2 National Policy and Guidelines

4.2.1 Project Ireland 2040: National Planning Framework

The National Planning Framework is 'the Government's high-level strategic plan for shaping the future growth and development of our country out to the year 2040'. The Project Ireland 2040 - National Planning Framework (2018) seeks more balanced and concentrated growth, particularly within the five major cities in Ireland. The following target is outlined in relation to national growth:

'We have five cities in Ireland today in terms of population size (>50,000 people): Dublin, Cork, Limerick, Galway and Waterford. In our plan we are targeting these five cities for 50% of overall national growth between them, with Ireland's large and smaller towns, villages and rural areas accommodating the other 50% of growth.'

According to the applicant, the NPF states that 'a major new policy emphasis on renewing and developing existing settlements will be required, rather than continual expansion and sprawl of cities and towns out into the countryside, at the expense of town centres and smaller villages' (Section 1.2 A New Strategy for Managing Growth).

As submitted, this proposal will fail to reduce sprawling occurrence. The proposal is for 25 no. 1-bed and 25 no. 2-bed residential apartments (50 no. total). One-bed and two-bed units are specific to certain types of populations and can be quite exclusive. As residents of Dublin continue to live further away, in the suburbs, from their jobs it is important to note that many people tend to leave central Dublin due to the trade-off of rental rates vs. space offered. The proposal site is an area surrounded by a number of pre-schools and primary schools and should offer housing that is considerate of the neighbourhood demographics to prevent the dispersed and fragmented character found in areas of Ireland.

Furthermore, the proposal is in clear contrast with Objectives 33 and 34 in the National Planning Framework. It is acknowledged that the site provides opportunity for residential growth, however, the scale and height of development does not achieve a well-designed high-quality housing growth outcome.

Building height is completely inappropriate in the low-density residential setting.

Car parking and traffic implication, particularly given location of access onto an existing side road of limited use creates considerable congestion and parking concerns.

- NPF Objective 33: Prioritise the provision of new homes at locations that can support sustainable development and **at an appropriate scale of provision relative to location**



Although the site can accommodate residential development, the proposed scale and height represents a considerable overdevelopment of the site and adjacent car park area.

No consideration has been given to the surrounding pattern of development and building heights with the development representing an audacious bid to overdevelop the site and not respecting the need to appropriately locate such apartment development within Dublin.

- NPF Objective 34: Support the provision of lifetime adaptable homes that **can accommodate the changing needs of a household over time.**

The development is solely made up of 1-2 bedroom units and does not provide family-sized units

4.2.2 Sustainable Residential Development in Urban Areas and Best Practice Urban Design Guidelines (2009)

The aim of the Sustainable Residential Development in Urban Areas guidelines is to identify the primary principles and criteria important to the design of housing and to highlight specific design features, requirements and standards. The document makes reference to redevelopment projects and states that, '*infill developments and urban redevelopment projects should respect the character of the existing neighbourhood*'. In relation to the main considerations regarding redevelopment projects, the guidelines also state the following

'It is important to recognise the existing character, street patterns, streetscapes and building lines of an area, particularly in the case of infill sites or where new dwellings will adjoin existing buildings' and that 'the degree to which they will impact on any new development will need to be taken into account in assessing the development potential of any proposed site'

As noted, these particular guidelines provide Local Authorities with guidance on sustainable development in urban areas. Detailed advice on the criteria to be considered in the design and assessment of residential developments include

- Acceptable building heights,
- Avoidance of overlooking and overshadowing,
- Provision of adequate private and public open space, including landscaping; and
- Suitable parking provision close to dwellings

Furthermore, privacy and security are listed as important elements of residential amenity that contribute towards the sense of security felt by people in their homes.

In relation to infill residential development, Section 5.9(i) of these Guidelines state the following

'Potential sites may range from small gap infill, unused or derelict land and backland areas, up to larger residual sites or sites assembled from a multiplicity of ownerships. In residential areas, whose character is established by their density or architectural form, a balance has to be struck between the reasonable protection of the amenities and privacy of adjoining dwellings, the protection of established character and the need to provide residential infill. The local area plan should set out the planning authority's views with regard to the range of densities acceptable within the area. The design approach should be based on a recognition of the need to protect the amenities of directly adjoining neighbours and the general character of the area and its amenities, i.e., views, architectural quality, civic design etc.'

There is a clear failure in meeting this policy in every facet as is highlighted by the overdevelopment of the site with complete disregard for the surrounding character, extent of built form and building heights. In respect to residential densities on outer suburban / greenfield sites, Section 5.11 states the following

'Studies have indicated that whilst the land take of the ancillary facilities remains relatively constant, the greatest efficiency in land usage on such lands will be achieved by providing net residential densities in the general range of 35-50 dwellings per hectare



and such densities (involving a variety of housing types where possible) should be encouraged generally. Development at net densities less than 30 dwellings per hectare should generally be discouraged in the interests of land efficiency, particularly on sites in excess of 0.5 hectares.'

The proposed development provides for a residential density of 106 units per hectare. This far exceeds the recommended residential densities outlined in the guidelines above. It is therefore submitted that the proposed residential densities in this development is completely unacceptable and would result in overdevelopment of the subject site, causing serious dis-amenity to adjoining properties.

4.2.3 Sustaining Urban Housing: Design Standards for New Apartments (March 2018)

With respect to the overall design and layout of the proposed apartments, the development is considered to be inadequate and will result in poor residential amenity. The following points are considered to be of significant importance.

- The poor percentage mix of units provides limited flexibility for changing households or for families and the aforementioned concentration of social housing units would suggest the segregation of this housing provision,
- All of the proposed apartments are studios, 1-bedroom and 2-bedroom apartments. This does not provide for flexibility in changing households or for families.

Given the proposal represents overdevelopment, redesigning the layout of the proposal would benefit residential amenity, flexibility in housing types and reduce the amenity impacts on adjoining properties.

4.2.4 Urban Development and Building Heights Guidelines for Planning Authorities (2018)

The 'Urban Development and Building Heights Guidelines for Planning Authorities' set out national planning policy that 'expands on the requirements of the National Planning Framework (NPF) and applies those requirements in setting out relevant planning criteria for considering increased building height in various locations but principally a) urban and city-centre locations and b) suburban and wider town locations.' The report recognises that

'In relation to the assessment of individual planning applications and appeals, it is Government policy that building heights must be generally increased in appropriate urban locations. There is therefore a presumption in favour of buildings of increased height in our town/city cores and in other urban locations with good public transport accessibility.'

We acknowledge that redevelopment, increased densities and apartment development will occur within Dublin, however, what is critical is that building heights must reflect the urban environment in which it lays. The proposed 5 storey development is completely out of context and is of an inappropriate scale and height. The report comments further on the importance of local environment in accommodating higher residential densities:

'Areas to be included in this assessment are central and/or accessible locations and also intermediate urban locations where medium density residential development in excess of 45 residential units per hectare would be appropriate. Additional matters to be considered in such an assessment include:

- *Proximity to high quality public transport connectivity, particularly key public transport interchanges or nodes;*
- *The potential contribution of locations to the development of new homes, economic growth and regeneration in line with the compact urban growth principles as set out in the National Planning Framework and Project Ireland- 2040;*
- *The resilience of locations from a public access and egress perspective in the event of major weather or emergency or other incidents;*



- *The ecological and environmental sensitivities of the receiving environment; and*
- ***The visual, functional, environmental and cumulative impacts of increased building height.***

It is the last point that strengthens the argument that the proposed development is a serious overdevelopment of the site, with no visual, functional, environmental gain from increasing the building height to such a level and increase safety concerns from lack of safe-‘pedestrian’ infrastructure improvements. The proposed density is well above the recommended 45 units per hectare outlined above.

The proposed development provides 50 no. units on a 0.48 hectare site which would result in a residential density of 106 units per hectare. This density is considered to be inappropriate and representative of the excessive overdevelopment of the site. The cumulative impacts to the surrounding area are immense. Upon this assessment it is evident that the site cannot accommodate such a significant increase in residential density and building height.

4.2.4 Best Practice Urban Design Manual – Department of Housing

Chapter 10 ‘Privacy and Amenity’ of the Best Practice Urban Design Manual informs of how buildings can provide a decent standard of amenity. Privacy and amenity are described in the document as basic human needs.

The Urban Design Manual also considers that as well as providing a good level of privacy from the street, *‘it is important that rooms and private outside sitting areas are not directly overlooked by neighbouring residents’*. Interestingly, the Manual also considers that rather than establishing a minimum window-to-window standard, such as the 22 metres previously mentioned in this report, the aim should be to assess the impact on privacy of each home design based on:

- *The site’s location and residents’ expected levels of privacy;*
- *The size of the windows – both those overlooking and overlooked;*
- *Changes in level between overlooking windows; and*
- *Ability to screen/partially obscure views through design or judicious use of planting.*

Overall, the proposed development will result in a significant loss of residential amenity of the immediately adjacent dwellings that are all situated within lands subject to the ‘RES’ zoning objective, where it is the objective to protect and-or improve residential amenity.

As such, it is considered that the proposed development which includes 5 storey mixed-use commercial and residential development consisting of 106 no. units would seriously detract from the residential amenity of the immediate area and adjacent properties. It is considered to be contrary to Section 5.9 (i) of the Guidelines for Planning Authorities for Sustainable Residential Development in Urban Areas (2009).

5.0 Grounds of Observation

It is strongly considered that the proposal will be seriously injurious to the existing residential amenity of the area in the immediate vicinity of the subject site, will result in increased traffic congestion and create a road safety hazard.

As discussed in the previous section, there is a clear breach of planning policy and complete disregard for the sustainable development of the site, with no consideration to adjoining properties in terms of design and amenity.

The grounds of this objection are as follows:

- The non-compliance and complete disregard to Local and National Planning Policy as discussed in depth in Section 5.0 of this submission,



- The proposed development contravenes zoning Objective RES of the South Dublin County Development Plan 2016-2022 which has a specific objective to protect, provide and improve residential amenities,
- The proposed development would result in a detrimental impact on the residential amenity of adjacent properties by way of visual impact arising from the overbearing and excessive massing/bulk of the apartment blocks,
- The proposed density is inappropriate given the low-density nature of the immediate area adjoining the subject site,
- The proposed development would result in a detrimental impact on the residential amenity of adjacent properties by way of overbearing, excessive massing/bulk and associated visual amenity impacts.
- The proposed development would constitute over-development on a prominent site and could lead to a proliferation of similar ad-hoc redevelopment projects in the vicinity of the site, thereby damaging the consistent pattern and character of the area; and
- The proposed development would result in increased traffic congestion and create a road safety hazard due to the location of the proposed residential car park location, lack of significant safe 'pedestrian'-infrastructure improvements, and the number of cars frequenting the site.

Having full regard to the referenced policies and the overriding obligation on the planning authority to protect residential amenity, the following section sets out the grounds of objection in this case

5.1 Contravention of Land Use Objectives

The proposal, submitted by Hollyville Investments Ltd., is for the redevelopment on lands at 'The Silver Granite' public house, as well as 'The Silver Granite' car park adjoining Palmerstown Shopping Centre car park (accessed from Kennelsfort Road Upper via Palmerstown Park).

It is contended that the design and height of the mixed-use residential and commercial development is not in keeping with the surrounding residential properties and character of the area. Whilst the site is zoned 'RES' with the objective '*To consolidate and facilitate the development of inner city and inner suburban sites for mixed-uses, with residential the predominant use in suburban locations, and office/retail/residential the predominant uses in inner city areas*', we note that directly adjoining and opposing residential units within the immediate area are subject to the 'RES' zoning objective, the objective of which is '*to protect, provide and improve residential amenities*'.

The 5 storeys mixed-use development would be the only development above 2 storeys within 800m. The proposed development would result in a residential density of 106 units per hectare which is completely inappropriate, considering the low-density setting of the immediate area around the site. The proposal provides 53 no. car, 128 no. bicycle and 2 no. motorcycle parking spaces, thus accommodating a total of 183 no. potential daily movements excluding delivery/refuse vehicles. This provision replaces the existing extent of vehicular and pedestrian movements operating from the existing commercial/retail site. This extent and increase of vehicular/cycle movement will have a detrimental impact on the local traffic system. The increase of pedestrian movements along Kennelsfort Road Upper, is considered to have profound impacts on this thoroughfare by way of congestion, traffic queuing and associated safety risks.

5.2 Loss of Residential Amenity

We consider that there will be a significant loss of residential amenity to the surrounding area. The extent of undoubtedly negative visual impact, both within the immediately surrounding residential area and the wider locality are of significant concern due to the profound impacts of the scheme with regards to building height

A significant loss of privacy and a general reduction in the amenity offered within the rear gardens of adjoining properties is also expected as a result of both overlooking impacts and the overbearing



impacts arising both from the dominant nature of the proposed residential area and the ancillary site works which are undertaken to allow for the site's development. The following sections of this report will examine the expected impacts on residential amenity within the immediate and wider area.

5.2.1 Overshadowing, Overlooking, and Loss of Privacy

It is considered that the proposed development will result in significant overlooking of the residential dwellings located immediately to the east and south east of the development. Whilst we note a separation distance of between 30.8m and 36.2m has been achieved between the rear, south and eastern, boundary to the properties at Nos. 12-13 Oakcourt Grove and No. 1-3 Wheatfield Road, this distance is considered inadequate given the extent of private balconies proposed on the elevation of this apartment block, see Figure 16.0.

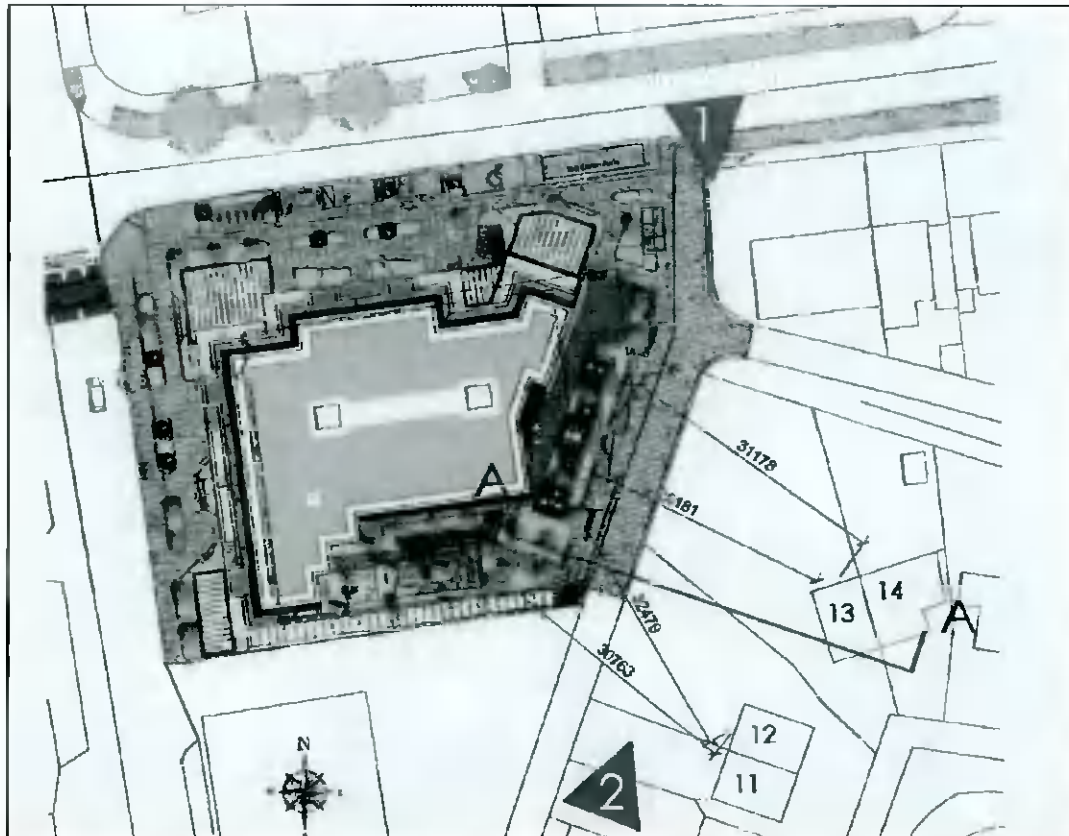


Figure 16.0 Proposed site layout plan showing separation distances between proposed development and existing dwelling southeast of the subject site (~30.8m and 36.2m)

We count 6 no balconies on Proposed Elevation 3 submitted with the project, the vast majority of which will have direct views towards these properties, and in excess of windows above first floor level. It is considered that this elevation will cause unreasonable overlooking of the aforementioned neighbouring residential dwellings, along Wheatfield Road and the laneway accessed from Wheatfield Road, and will also affect residential amenity by way of the perception of overlooking. The proposal is stated to be 'a high-quality development at an underutilised site within an urban setting' and that 'the proposed development will provide appropriate levels of daylight and sunlight and will not give rise to adverse overshadowing'. We refer to the proposed shadow diagram from the Daylight and Sunlight report submitted by applicant, see Figures 17.0-18.0.



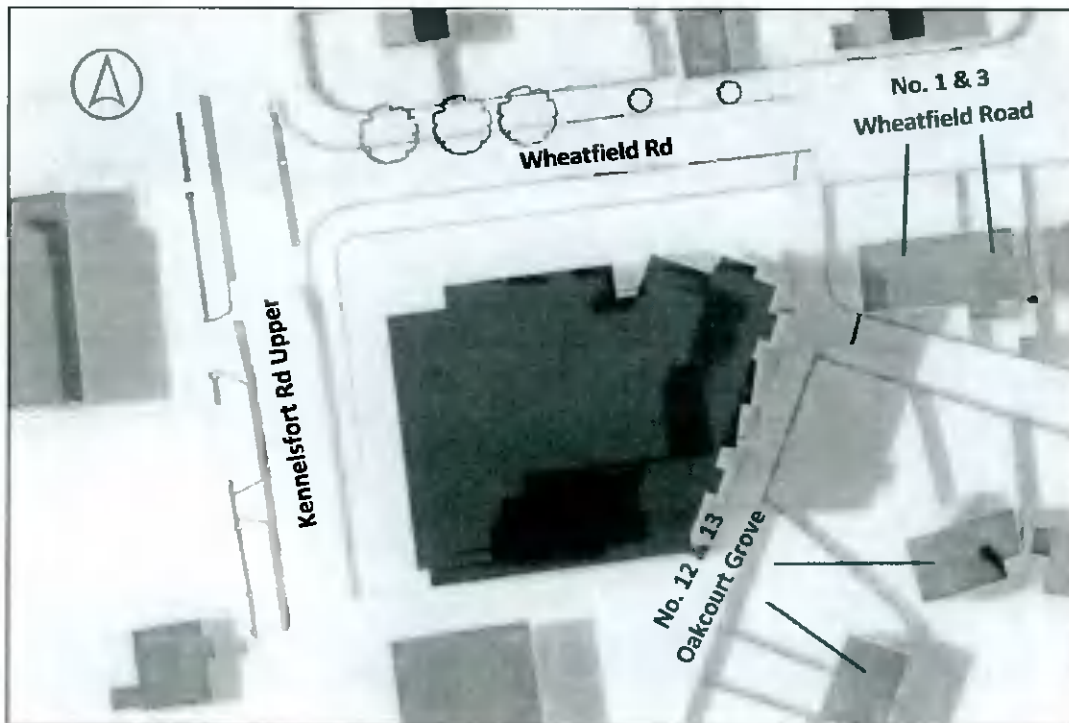


Figure 17.0 Shadow diagram from Daylight and Sunlight report (21 June 18 00 GMT +1)

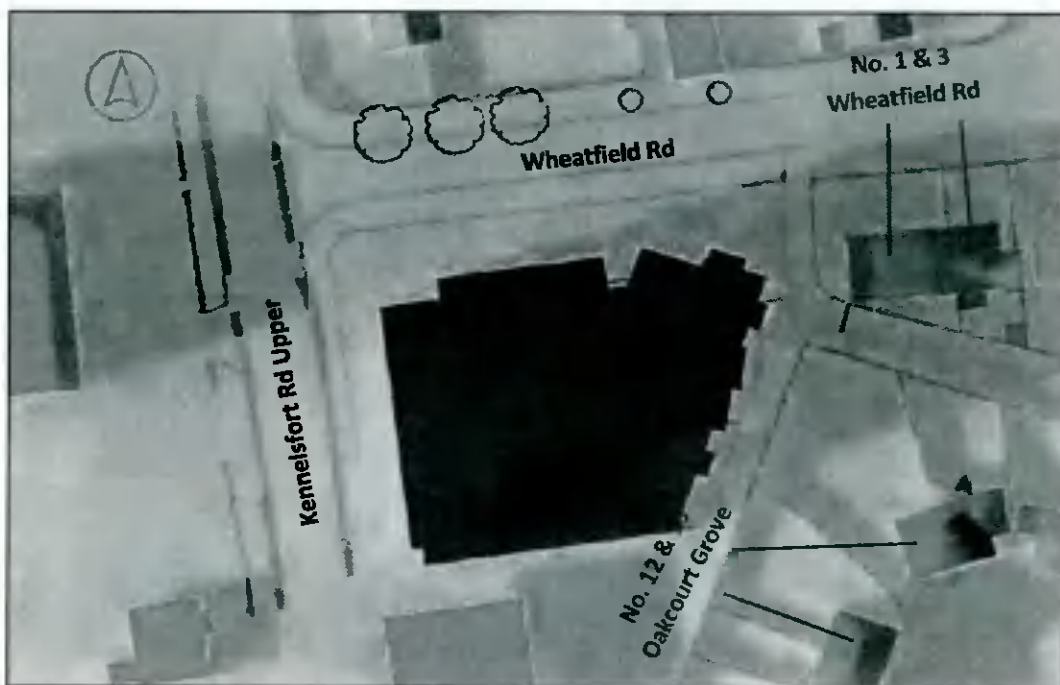


Figure 18.0 Shadow diagram from Daylight and Sunlight report (21 March 17 00 GMT)



As noted above, the first through fifth floors of the proposed development will serve as dual aspect residential units. If the proposed development was permitted, it would result in severe overshadowing due to the height difference between the mixed-used development and the existing residential dwellings. The overbearing structure which is quite significant in mass and scale in the local context would have detrimental effects on the residential amenity currently afforded to these dwellings.

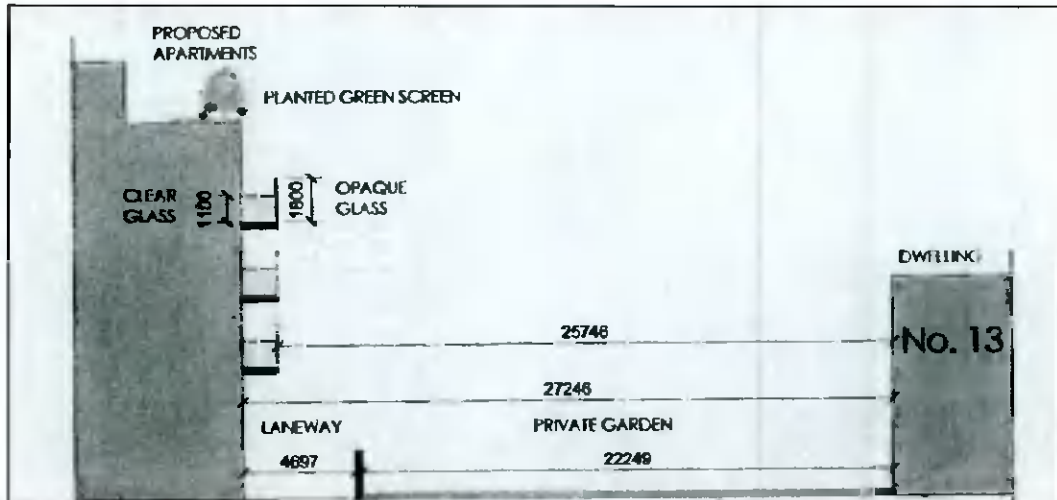


Figure 19.0 Schematic Section AA showing separation distances between proposed development and existing dwelling at 13 Oakcourt Grove.

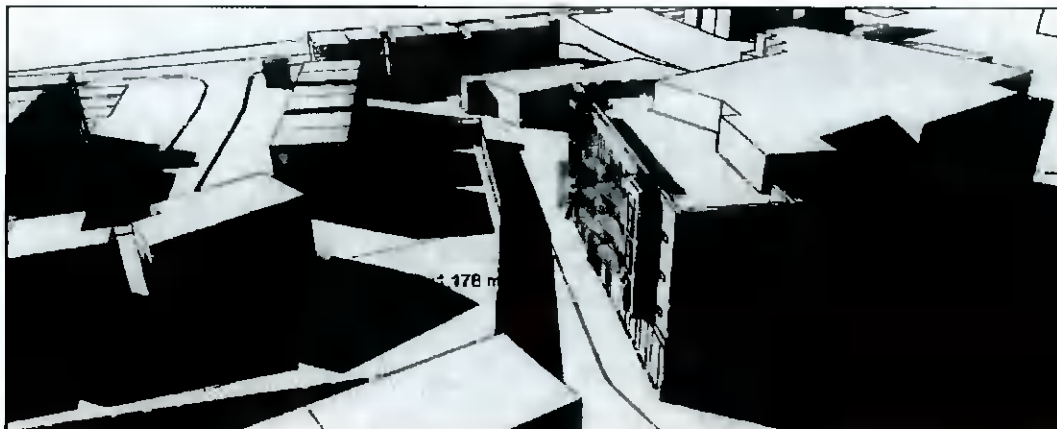
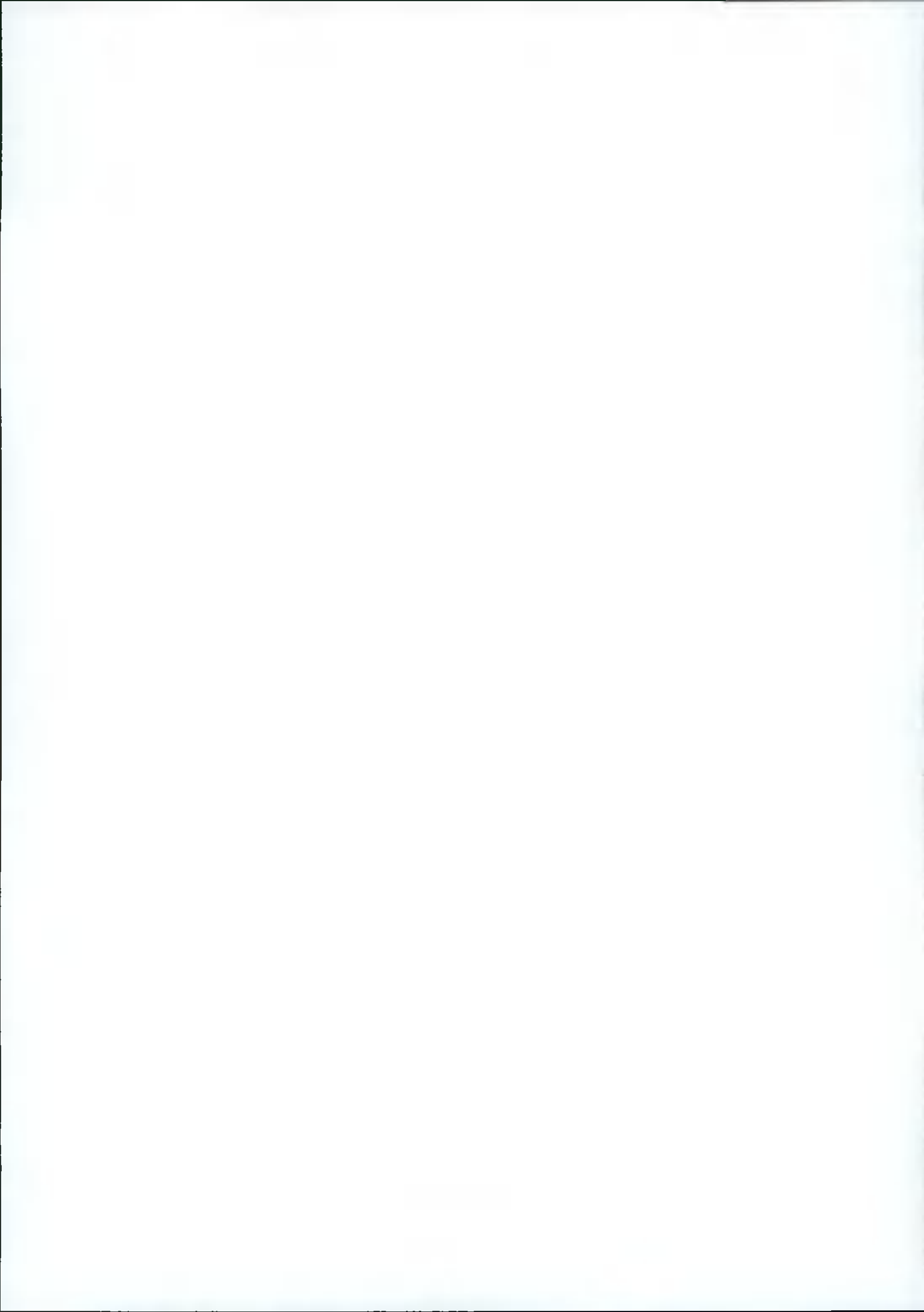


Figure 20.0 3D Study looking southwest and down laneway from Wheatfield Road

The application and proposal for development directly contravenes an objective set out in the South Dublin County Council Development Plan 2016-2022. The objective from the section titled *Housing Policy 7 Urban Design in Residential Developments* are as follows:

H7 Objective 4 *That any future development of both residential and/or commercial developments in Palmerstown Village and the greater Palmerstown Area shall not be higher than or in excess of three storeys in height*

The proposed development at a 5-storey maximum, as submitted, would reduce the amenity afforded to the neighbouring building due to significant in mass and scale in the local context



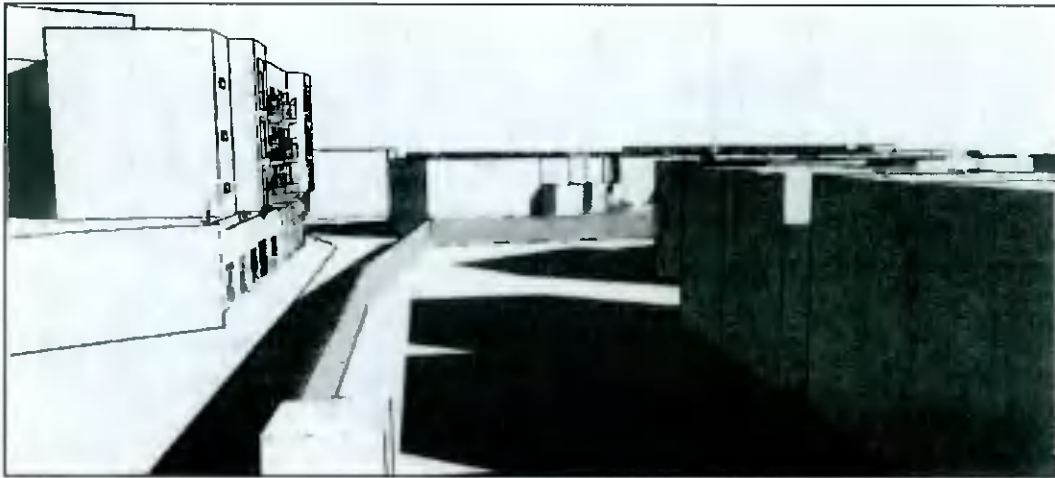


Figure 21.0 3D Study looking northeast and from laneway toward Wheatfield Road.

The development is over-scaled and bulky and is expected to result in overshadowing of these properties, particularly No. 1 & 3 Wheatfield Rd, Johnstown, Dublin 20 as well as the rear yards of Nos 12 & 13 Oakcourt Grove, Johnstown, Dublin 20

5.2.2 Overbearing

This proposal suggests that there will be a significant degree of overbearing that will result from the development. It is considered that the scale of the proposed 5 storey mixed-use and commercial development is excessive and oppressive for such a prominent site which abuts sensitive low-density residential development within proximity. The overall height differential is completely inappropriate with no consideration given to the adjoining residential development and the massing of the apartment blocks is of considerable concern as it will significantly contribute to the development dominating the surrounding landscape. This elevation illustrates the sheer audacity of the transition in scale proposed by the applicant with adjacent properties completely enclosed and their character irreparably altered by the height and form of the proposed development.

The below contextual images illustrate the impact and inappropriate form of development which causes overbearing, does not ensure the protection of the streetscape and skyline within the immediate area and establishes a negative precedent for the redevelopment of opportunity sites within the area.



Figure 22.0 Contextual elevation of the proposed development as it interfaces with Kennelsfort Road Upper.





Figure 23 0 Contextual elevation of the proposed development as it interfaces with Wheatfield Road



Figure 24 0 Extract from submitted *Urban Design Statement of Building Heights* showing proposed as the only development at 5-storeys within the immediate vicinity.

The result of the proposed scheme, if permitted, would be an over-scaled residential scheme which would significantly contrast the existing character of the area and predominant dwelling heights. The proposal is overbearing to both the residential properties which immediately the site and the wider Palmerstown area. The apartment blocks, which reaching a height of between 15.55-18.10 metres, substantially exceed existing built form in this area, in terms of height. This is completely unacceptable and will result in unavoidable negative overbearing impacts and would significantly impact on the amenity offered by private garden space of the surrounding properties, particularly those of homes directly to the east and southeast of the subject site, and the visual amenity of the immediate streetscape.



5.2.3 Overdevelopment

The proposal is a clear example of overdevelopment in considering all the arguments that have been raised thus far. The site coverage is quite large, stretching across Kennelsfort Road Upper to incorporate worrying and inappropriate car parking spaces. As previously mentioned, it is acknowledged that national policy seeks more balanced and concentrated growth within the five major cities of Ireland and to promote infill and redevelopment ahead of urban sprawl. However, this does not give rise to inappropriate development to be considered acceptable purely based on the requirement for redevelopment within Dublin. The proposed 5 storey development, comprising 50 no. apartment units, is vastly in contrast with prescribed building heights on the subject site, along with the residential density. These two critical points have led to an array of inconsistencies and amenity issues as they do not respond to the site nor the local character.

Further, the site is proposing 2 no. retail developments including a Spar (or similar) and a pharmacy/bookmaker. Our client is concerned that the site is located in close proximity to an already established and viable retail area. Nor has the applicant demonstrated why it is necessary for the retail element to be in excess of 383sqm.

The area's existing services, including schools, medical facilities and public transport facilities, are incapable of accommodating the population increase that will occur as a result of this development. To add a development of this density to the mix would exacerbate the existing overstretched services in this area.

5.3 Development Potential

It is submitted that the proposed development would reduce the development opportunities afforded to No. 12 & 13 Oakfield Road due to the excessive scale and bulk of the development and its proximity to the site boundary. The rear backlands of these properties have potential for redevelopment in which this proposal would cause devaluation to their properties. It would be unfeasible for the owners to develop further on their properties as the proposed development would cause overshadowing, rendering potential development uncompliant with national standards.

It is noted that the development will exceed the height and massing of existing mixed-use buildings along Lower Kennelsfort Road and therefore will be out of character with the surrounding area. In an area that is characterised by single and two-storey buildings, it is considered that a development that reaches a height of 3-storeys and is located on the boundary of the neighbouring property is unacceptable.



Figure 25.0 Aerial view showing back lands of Nos. 12 & 13 Oakfield Road residences (outlined using orange).



5.4 Access and Traffic Hazards

Our client is concerned that the proposed development will have serious consequences for traffic and pedestrian safety on Kennelsfort Road Upper. The intersection and crossing at Wheatfield Road and Kennelsfort Road Upper are an active area for pedestrians and cyclist alike. Additionally, with 50 no. residential units proposed and a density of 106 units per hectare, the development is likely to affect congestion.

Car parking is proposed and allocated outside of the site area at existing 'Silver Granite' public house lands. The existing and proposed designated car park area is located opposite of the proposed mixed-use residential development at the Palmerstown Shopping Centre. Over the years the car park has been generally shared with no exclusive delineation markers for the public. The applicant proposes 32 no. car parking spaces are allocated for residents, 15 no. commercial car parking spaces, 2 no. motorcycle spaces, and 1 no. disabled parking, located at the Palmerstown Shopping Centre, making it obligatory for residents to walk across a busy and active street (Kennelsfort Road Upper). We would question the capacity of the existing car park to accommodate both the proposed development and existing long standing uses inclusive of the gym. In addition to the previous concerns, the following historical application for development of the car park are on the subject site is considered to be of direct relevance in the context of the current proposal.

Reg. Ref. 92A/2055 Planning permission granted by South Dublin County Council on 23rd December 1992 for a new carpark layout and associated site works including feature signage

Not only is there a concern with the lack of designated parking spaces within the site, car parking spaces allocated outside of the main site location, and the ability of traffic to circulate at the Palmerstown Shopping Centre with the potential increased activity. The access located off of Kennelsfort Road Upper is to remain '*permanently closed in the interest of traffic safety*' due to a condition set forth in this precedent.

5.4.1 Road and Pedestrian Safety

The junction at Kennelsfort Road Upper and Wheatfield Road is non-traffic controlled junction. According to our client there are often 'bottlenecks' during the mornings and evenings and the subject site is within 300 metres of 5 no. schools and experiences heavy pedestrian activity before and after school hours. In these instances, pedestrian foot traffic is made up of primarily primary school aged children which in turn would need improved traffic calming and safety measurements for the junction.

Section 5.1.3 of South Dublin County Council Development Plan 2016-2022 are policies tailored toward lands categorised as *District Centres* in which the following objective has been created:

UC4 Objective 4 *To improve walking and cycling infrastructure within the local catchment of the County's district centres*



Figure 26.0 Street view image of school aged pedestrians crossing at the busy intersection of Wheatfield Road and Kennelsfort Road Upper





Figure 27 0 Aerial view showing all schools, and playgroups within 300 metres of the subject site

The Transportation Assessment Report created by NRB Consulting Engineers and submitted to South Dublin County Council does not sufficiently discuss the effect of the density increase on the existing transportation infrastructure. The subject site's location next to a petrol station increases the prevalence of vehicular traffic along Kennelsfort Road Upper further increasing safety concerns for pedestrians and cyclists.

Additionally, the site is located near commercial businesses frequented by light commercial vehicles (LCVs). A hardware store, civil engineering company, tyre shop, and builder providers are located west of the proposed development. There are instances in which LCVs associated with those businesses park on the footpath out front which in turn reduces pedestrian/cyclist movement.



Figure 28 0 Street view image of looking west of 'The Silver Granite' from Kennelsfort Road Upper at commercial businesses across the road. Image shows LCVs parking on footpaths meant for pedestrians.



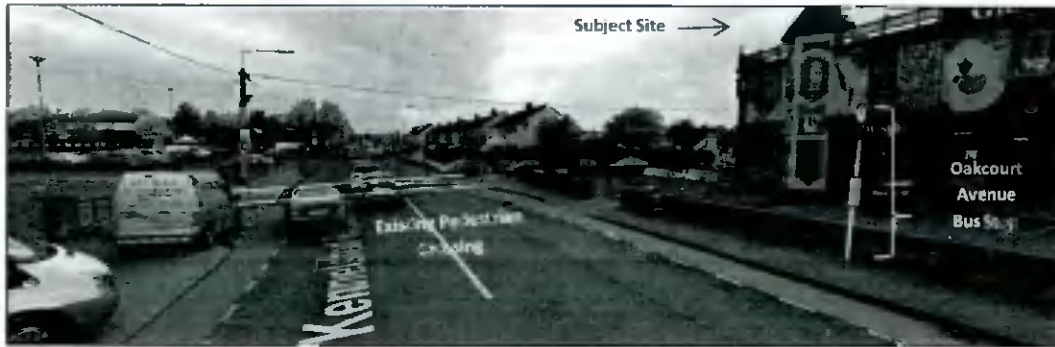


Figure 29.0 Street view image of looking north on Kennelsfort Road Upper, Oakcourt Avenue bus stop (2204) and existing pedestrian crossing shown.

In traffic reports submitted the engineer consultant, the proposal to the existing road layout involves the addition of a 75mm raised pedestrian platform, Toucan Crossing. It was also noted that *'the proposed Development will have an absolutely negligible impact upon the established local traffic conditions.'*

As the new development proposes a density of 106 units per hectare, the raised platform and Toucan Crossing would not be a sufficient infrastructure improvement for pedestrian and cyclist safety. Furthermore, the proposed residence as well as business car park is located away from the proposed development. This has the potential to increase pedestrian traffic crossing a fairly wide road (Kennelsfort Road Upper). Although the raised platform would decrease vehicles from stopping in the existing crossing area, during high vehicular traffic times, the potential increase in traffic congestion, pedestrian, and cyclist foot traffic from the proposal has latency to create a hostile environment for pedestrians, primarily school aged children, who wish to cross the road. The submitted traffic report does not appropriately address the safety of pedestrians and cyclists for the density proposed.

6.0 Conclusion

The proposed development is not in the interests of the proper planning and development of the area. We firmly believe that the proposal is unsuitable for the subject site and will compromise the residential amenity along Kennelsfort Road Upper and Wheatfield Road. The proposal would represent overdevelopment on the subject site which is located within a mature low-density area. The scheme would contribute to the significant loss of residential amenity to numerous adjacent residents by way of overlooking, overbearing and visual amenity impacts in conjunction with compromising the character of the immediate area. There are also implications in respect of potential traffic hazard arising from the under-provision of parking, densification, allocation of car parking spaces, devaluation of property value and the potential for inappropriate precedent to be set which could lead to further 5-storey developments within the surrounding low-density area.

It is considered that the proposal has had little regard to the amenity of surrounding properties and the consequences of developing in such close proximity to third party lands. The proposed development is therefore not in the interests of the proper planning and sustainable development of the area and, if permitted, would set a poor precedent for similar developments. We would ask that the Planning Authority refuse permission for this development.

We look forward to the decision of the Council on this application and reserve our right of appeal to An Bord Pleanála.

Kevin Hughes MIPI MRTPI
for HPDC Ltd.



**An Rannóg Talamhúsáide, Pleanála agus Iompair
Land Use, Planning & Transportation Department**

Telephone: 01 4149000 Fax: 01 4149104 Email: planning.dept@sdblincoco.ie

**The Moriarty Group, Ladgrove Stores Ltd.
Palmerstown Shopping Centre
Kennelsfort Road
Palmerstown
Dublin 20**

Date: 08-Nov-2021

Dear Sir/Madam,

Register Ref: SD21A/0271

Development: Demolition of the existing building on site and the construction of a 5-storey over partial basement, mixed-use development comprising a gastro pub/restaurant with off-licence, 2 retail units, associated bin stores, bike stores, 1 ESB sub-station, all at ground floor level; a small plant room at basement level; a total of 50 apartments (25 one beds and 25 two beds) on the upper floors, all provided with private balconies/terraces; communal roof gardens; car parking; motorcycle parking; bicycle parking; landscaping and upgrades to public realm including upgrades to existing pedestrian crossing on Kennelsfort Road Upper; and all associated engineering and site works necessary to facilitate the development on lands at The Silver Granite pub, junction of Kennelsfort Road Upper and Wheatfield Road, and at The Silver Granite car park adjoining Palmerstown Shopping Centre car park (accessed from Kennelsfort Road Upper via Palmerstown Park).

Location: Lands at the Silver Granite pub, Palmerstown, Dublin 20

Applicant: Hollyville Investments Ltd.

Application Type: Permission

Date Rec'd: 01-Oct-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.sdublincoco.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. Furney
for **Senior Planner**

