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Hendrik W van der Kamp  
1, Woodstown Court  
Knocklyon  
Dublin 16

Date: 22-Mar-2022

Dear Sir/Madam,

**Register Ref:** SD22A/0054  
**Development:** Construction of a single storey, 2 bedroom dwelling, new entrance gate, and all associated site works and drainage connections.  
**Location:** Rear garden of, 19, Ballyboden Crescent, Ballyboden, Dublin 16  
**Applicant:** Laura Harrington  
**Application Type:** Permission  
**Date Rec'd:** 16-Feb-2022

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](http://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](http://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  
for **Senior Planner**

*Hendrik W van der Kamp, MScEng, FIPI, MIEI*  
*Town Planner*  
*1, Woodstown Court*  
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*Dublin 16*

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### **Observation on a Planning Application**

Statement of observation in relation to the planning application by Laura Harrington to South Dublin County Council for the construction of a single storey two-bedroom dwelling, new entrance gate and associated works in the rear garden of 19, Ballyboden Crescent, with vehicular access from Moyville Lawn, Ballyboden, Co. Dublin.

The observation is made on behalf of local residents living in the Moyville Lawn development. Please see Appendix A for a full list of these residents. Planning register reference: **SD22A/0054**.

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Appendix A – List of Residents

## **1 Introduction**

This observation is on a planning application by Laura Harrington to South Dublin County Council for the construction of a single storey two-bedroom dwelling, new entrance gate and associated works in the rear garden of 19, Ballyboden Crescent, with vehicular access from Moyville Lawn, Ballyboden, Co. Dublin.

The planning application has ref. no. **SD22A/0054** and was received on **16<sup>th</sup> February 2022**. The observation is made on behalf of local residents in the Moyville Lawn development.

The central arguments in this submission are:

- That the planning application is invalid because of incorrect statement of address
- that the proposed development would result in traffic hazard arising from inadequate road frontage to facilitate safe vehicular access at a cul de sac road turning area
- that the site is inadequate in size to accommodate the proposed house.
- that the proposed development fails to meet development plan requirements in relation to the provision of off street car parking and private open space.

The detailed grounds of our objection are set out in the remainder of this submission.

## **2 Proposed Development**

The proposed development is for a single dwelling house in a rear garden of a terraced house. The existing house forms part of a terrace of two storey houses in Ballyboden Crescent, a residential development with junctions with Ballyboden Road and Taylors Lane. The rear boundary of the rear garden of the existing house (no. 19) adjoins the circular turning area of a cul de sac housing development of 15 two storey dwellings with access from Taylors Lane. It is proposed to open up a vehicular entrance gate in this location as vehicular access from Ballyboden Crescent is not possible due to the terraced nature of the houses.

## **3 Planning History**

A previous application was made for a similar development in the rear garden of the adjoining house, no. 17, Ballyboden Crescent: pl. ref. S19A/0868. There are no documents available in relation to this planning application on the web based planning register of the planning authority. The permission has been taken up and the house has been built.

#### **4 Development Plan**

The site is zoned objective RES in the South Dublin County Council Development Plan 2016 – 2022. The development plan zoning objective for these lands is to “*protect and/or improve residential amenity*”.<sup>1</sup>

The site is also zoned objective RES in the Draft South Dublin County Council Development Plan 2022 – 2028. The development plan zoning objective for these lands is to “*protect and/or improve residential amenity*”.<sup>2</sup>

#### **5 Incorrect Address**

While the address of the proposed development is stated in section 2 of the planning application form as ‘19, Ballyboden Crescent’, section 9 of the same form which states the proposed development, refers to the location of the site as: ‘19, Bodenstown Crescent’.<sup>3</sup> This is clearly incorrect.

**The description of the site location on the application form is inconsistent and therefore incorrect.**

#### **6 Traffic Hazard**

The proposed vehicular entrance to the rear garden site is from the adjoining development Moyville Lawn. Clearly, this cul de sac development is not designed to accommodate additional vehicular entrances particularly where they would arise in the turning area of the cul de sac road as is proposed in this case.

While cul de sac road design is no longer favoured as a general road layout design<sup>4</sup>, such roads were a common feature at the time when developments such as Moyville Lawn were built. At the time, detailed design requirements applied to the necessary turning area at the end of a cul de sac road to ensure that vehicles can always travel in forward motion and that reversing movements are minimised in the interest of traffic safety. Turning areas are therefore a critical and necessary element in any cul de sac road design. Vehicular entrances fronting onto the turning head are generally discouraged in order to ensure that the turning head is available at all times for turning vehicles.

In the case of the subject site, there are already four houses that have their vehicular entrance gates opening into the turning head of the cul de sac road. These are: Nos. 11, 12, 13 and 13A, Moyville Lawn. The proposed development would add a fifth such entrance onto the turning area. As off street car parking provision cannot be made available for the proposed house, there is a high likelihood that car parking will occur on the turning head area as a result of the proposed development. This, combined with the additional traffic movements in an area that is reserved for turning vehicles, would result in traffic hazard.

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<sup>1</sup> *South Dublin County Council Development Plan 2016-2022, Map 10.*

<sup>2</sup> *South Dublin County Council Draft Development Plan 2022-2028, Map 10.*

<sup>3</sup> Planning Application Form, SD22A/0054, dated 16/2/22.

<sup>4</sup> See for example: Design Manual for Urban Roads and Streets.

**The proposed development would result in traffic hazard as a result of interference with the safe and effective use of a cul-de-sac road turning area.**

## **7 Excessive Density**

The stated area of the application site is: 170 sq m. The proposed development therefore reflects a density of 59 dwellings per hectare. This is significantly in excess of the prevailing density in the area, both in Ballyboden Crescent and Moyville Lawns.

The Sustainable Residential Development in Urban Areas Guidelines state with regard to infill development: ...*"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."*<sup>5</sup>

**The proposed development results in a density that is excessive having regard to the established density in the area.**

## **8 Inadequate Size of Site**

The stated area of the application site is: 170 sq m. The proposed house has an external width of 6.627 metres. The width of the site is approx. 8 metres. This would leave a max. separation distance to both side boundaries of less than 0.7 metres. Furthermore, the site layout drawing shows a four metre distance from the boundary with the footpath of Moyville Lawn to the front of the proposed building. Such a set back would be insufficient to facilitate an on site car parking space. The rear garden depth according to the site layout plan is 5 metres deep. This would result in a rear garden area of no more than 40 sq m. This fails to meet the minimum required private open space under the development plan which is 55 sq m for a two bedroom house.<sup>6</sup>

**The area of the site is inadequate in size to provide adequate separation distances to the side boundaries, adequate private open space and off-street car parking for minimum one car.**

## **9 Lack of Car Parking Provision**

The area in front of the proposed house is inadequate in terms of depth or width to accommodate an off-street car parking space. It should be noted that such a space is provided for the adjoining house no. 13A which has been built in a similar fashion to the rear of no. 17, Ballyboden Crescent. However, that site is wider: 12 metres instead of 8 metres. The house is also set back at a greater distance from the roadside boundary than the proposed house on the subject site: 8 metres instead of 4 metres.

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<sup>5</sup> *Sustainable Residential Development in Urban Areas – Guidelines for Planning Authorities*, May 2009, p. 44.

<sup>6</sup> *South Dublin County Council Development Plan 2016-2022*, Table 11.20, p. 205.

It is noted that car parking space standards for dwellinghouses are 1.5 space per two bedroom house under the development plan standards. While this is stated to be a maximum standard<sup>7</sup>, it is relevant in the subject case that off street car parking provision will be essential to remove the risk of on street car parking which would conflict with the use of the turning area. Also, the development plan states that ...*“car free housing may be considered in limited circumstances at the discretion of the Planning Authority. This may occur on small sites that have convenient access to high frequency public transport services and/or are located within a town or village centre.”*<sup>8</sup> Clearly these circumstances don't arise here.

**The proposed development fails to meet development plan requirements for off-street car parking provision.**

## **10 Other Issues**

The site layout drawing shows the foul drainage to connect into an existing manhole in the Moyville Lawn development. The residents have concerns that there may not be adequate capacity in the existing foul network at this location to accommodate an additional dwellinghouse. These concerns are based on experience with frequent blocking up of the manhole in question.

**There may not be adequate capacity in the foul drainage network to accommodate the proposed development.**

## **11 Conclusions**

- **The proposed infill development of a two bedroomed house on a confined site with access from a turning area of a cul-de-sac road, would be contrary to the proper planning and sustainable development of the area because it fails to meet development plan standards for private open space and off-street car parking provision.**
- **The proposed development is out of character with the established density of the area and would as a result conflict with residential amenity of existing houses in the Moyville Lawn development.**
- **The proposed development would create traffic hazard by reason of a proposed vehicular entrance from the turning area of a cul-de-sac road where the lack of off-street car parking provision would aggravate this situation of traffic hazard.**

The Planning Authority is requested to refuse the application for planning permission. Please direct all correspondence to the undersigned,

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<sup>7</sup> *South Dublin County Council Development Plan 2016-2022*, Table 11.24, p. 217.

<sup>8</sup> *South Dublin County Council Development Plan 2016-2022*, p. 218.

Yours sincerely,

A handwritten signature in blue ink, consisting of several loops and a trailing flourish.

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Hendrik W van der Kamp.

## **Appendix A – List of Residents**

1. Tommy and Michelle Murphy, 1, Moyville Lawn, Ballyboden, Co. Dublin
2. John and Eileen O'Shea, 2, Moyville Lawn, Ballyboden, Co. Dublin
3. Ross and Megan Fitzgerald, 3, Moyville Lawn, Ballyboden, Co. Dublin
4. Elaine and Dermot Kelly, 4, Moyville Lawn, Ballyboden, Co. Dublin
5. Richard Geoghan, 7, Moyville Lawn, Ballyboden, Co. Dublin
6. Ann Keddy, 8, Moyville Lawn, Ballyboden, Co. Dublin
7. Philip Griffin, 9, Moyville Lawn, Ballyboden, Co. Dublin
8. Ursula Clarke, 11, Moyville Lawn, Ballyboden, Co. Dublin
9. Richie and Helen Hughes, 12 Moyville Lawn, Ballyboden, Co. Dublin
10. Margaret Hartigan, 13, Moyville Lawn, Ballyboden, Co. Dublin
11. Philip and Marie Farrell, 14, Moyville Lawn, Ballyboden, Co. Dublin