



The Manager

SDCC,

County Hall

Tallaght

Dublin 24

30th March 2022

Reg.Ref: SD22a/0069

Applicant: Gerard O'Connor

Location: Capri, Whitechurch Road, Rathfarnham, Dublin 14.

Proposed Development: Demolition of derelict house and construction of 4 two storey, semi-detached 3 bedroom dwellings; replacement of existing bridge; 1.2m flood defence walls; 8 car parking spaces; landscaping and associated site works.

Dear Sir or Madam,

We wish to object to the application for the following reasons:

- It is contrary to the SDCC Development Plan its policies and objectives.
- It is contrary to sustainable development and principles of proper planning
- The River Glin flows through this site and we believe that the Site Lay-out and Landscaping Plan fails to connect and integrate this river into a proposal in line with SDCC policies, objectives and sustainable development.
- In addition to this SDCC has consistently failed to recognise that a tributary of the Owendoher River flows into the River Glin at Gatien Court which is upstream of this site. In addition and downstream from this site, the Glin splits in two watercourses and one section of the Glin flows through the curtilage of The Millhouse (protected structure), through Loreto Beaufort, traversing Nutgrove Avenue and onto the lake ponds in Rathfarnham Castle and flows onto the Dodder at Ely Gate. The second section of the Glin flows under Ballyboden Road and enters the Owendoher River. The failure by this Applicant and SDCC

heretofore, to understand the actual flow of this watercourse renders it impossible to assess with scientific certainty this development compliant with EU Law and EU Directives.

- The proposed flood alleviation scheme submitted by this applicant does not take into account the actual flow path of this watercourse. The removal of a natural river bank, including its riparian vegetation will only make this glacial river flow faster and more likely to flood. It would appear that the applicant has not examined any natural based solutions in terms of flood alleviation.
- We submit that the EIA and the AA documentation is seriously flawed.
- We are concerned about the impact this development will have on the otter population at this location – there is no survey included by the Applicant. The Owendoher and Glin as per the DCC Otter Survey 2019 have known otter populations (high activity) and recent surveys by SDCC pertaining to the Whitechurch FAS have also confirmed increased otter activity on the Glin River in situ and ex situ of this site and river. In previous applications for Capri SDCC have failed to assess the impact on the otter population. The Owendoher and Glin are also important rivers for spawning. Replacing the riparian vegetation with flood defences removes habitats for insects for fish and impacts on the spawning potential of the fish (especially brown trout).
- The proximity of the development to the river is not sustainable development – there is an opportunity to restore and enhance the riverbank if the number of units were reduced.
- We also know that this area, has a large bat population and we are concerned about the impact this development will have on bat flying paths and nesting – the survey is inadequate etc
- We understand that the adjoining site is non-compliant in planning terms and this has an impact on its neighbouring site of Capri. It is a bad precedent for the planning authority not to address this non-compliance as it sets a precedent of standards. Capri has been repeatedly reported to SDCC as a site for dumping and an insecure perimeter. The failure by the Applicant to address the invasive species onsite including mink and invasive plants needs to be addressed.
- A proposed monitoring period of 2 years of invasive species is completely inadequate when the standard is 5 years.
- The bird survey is inadequate.
- Kingfishers have been identified within this site on the Glin and no reference or survey to such presence has been made by the Applicant.
- This development is contrary to the Water Framework Directive
- We believe that this development is contrary to the EU Habitats Directive. This watercourse is hydrologically connected to a Natura 2000 site.
- This watercourse connects the Glin to the ponds in Rathfarnham Castle and onto the Dodder and serves a number of millraces in the area. This is unique in its built and natural heritage function and the contribution it makes to the character of the area.
- The ‘cumulative effects’ of the other development that about this watercourse further upstream including SHDs and including the Whitechurch FAS with its fragmentation of sites have not been taken into account in respect of this development.
- This development we believe is contrary to the EIA Directive.
- The construction plan for this development has not been submitted.
- We believe that these residential units will be at risk of flooding and will pose a threat of flooding to nearby houses and further downstream according to the Whitechurch FAS scheme documentation. Every effort should be made to create natural solutions to prevent

such flooding downstream at the corner of Nutgrove Avenue and Grange Road. This site is a natural floodplain for this watercourse.

- The poor design, height, density and massing of these units is out of character with the pattern of development in the area. A more sympathetic design and a reduction in density would address this.
- Of particular concern is the proximity to the perimeter of the new build houses to the perimeter with Whitechurch Road and the setting and character of the Millhouse and the nearby ACA of St Patrick's Cottages.
- The intensification of development at this site, along Whitechurch Road should be avoided as it disrupts the existing character of the road and the significance of the ACA and nearby the Millhouse. This historical road requires a treeline (with emphasis on natural heritage and old stone walls streetscape) remediation as a result of the inappropriate commercial intensification at neighbouring sites and a history of non-compliance with EU Habitats Directive, EIA Directives and Water Framework Directives.
- The repositioning of the entrance is unnecessary and will cause unnecessary demolition of existing village signifiers. The proposed bridge design is not in keeping with the character of Whitechurch Road.
- We believe that nearby houses of Willbrook Lawn will be overshadowed and overlooked and we have serious concerns regarding the inadequate separation distances.
- The Traffic report is inadequate
- The provision of private amenity space is poor and out of character for the area.
- The provision and quality of the open space for recreational purposes is inadequate
- The boundary treatment is exceptionally poor and unsympathetic

Please see attached receipt of payment for 20 euros which we note is contrary to EU Law.

Kind regards

Angela O'Donoghue

Chairperson

ballybodenttgroup@gmail.com

Address for correspondence:

17 Glendoher Close, Rathfarnham, Dublin 16

An Rannóg Talamhúsáide, Pleanála agus Iompair
Land Use, Planning & Transportation Department
Telephone: 01 4149000 Fax: 01 4149104 Email: planning.dept@sdblincoco.ie

Ballyboden Tidy Towns
C/o Angela O'Donoghue
17, Glendoher Close
Rathfarnham
Dublin 16

Date: 01-Apr-2022

Dear Sir/Madam,

Register Ref: SD22A/0069
Development: Demolition of derelict house and construction of 4 two storey, semi-detached 3 bedroom dwellings; replacement of existing bridge; 1.2m flood defence walls; 8 car parking spaces; landscaping and associated site works.
Location: 'Capri', Whitechurch Road, Rathfarnham, Dublin 14.
Applicant: Gerard O'Connor
Application Type: Permission
Date Rec'd: 25-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.

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. Furney
for Senior Planner