

Declan and Adrienne O'Rourke,
30 Prospect View,
Prospect Manor,
Dublin 16.
18/07/2022.

South Dublin County Council,
Planning department,
County Hall,
Town Centre,
Tallaght,
Dublin 24.

Re planning application SD22A/0271.

Receipt number: T4/0/711230(receipt attached). Date of Payment:13/07/2022.

Dear Sir/Madam,

We are writing to you to make an observation on the proposed development at Prospect House, Stocking Lane. While not opposed to the development of the site, we have considerable concern with the proposal as it currently stands.

According to the South Dublin County Council Development Plan, this site is zoned as Residential, with an objective to protect and/or improve the residential amenity. In our view the proposed development neither protects nor improves the residential amenity and is in fact injurious to it.

We are specifically objecting to the following due to their invasion on our amenity and our quality of living for the following reasons -

- **Negative impact on our residential amenity**
- **Loss of our residential amenity**
- **Not enough dimension of boundary to boundary to housing in Prospect Manor**
- **Light and noise pollution**
- **Potential overlooking on our property**
- **Shadowing impact. Solar gain at a cost of our privacy.**
- **Overbearing nature of the development /Scale of proposal.**
- **Structural concerns.**
- **Health and wellbeing concerns.**
- **Noise (acoustic considerations).**
- **Property value.**
- **Security.**
- **Visual impact.**

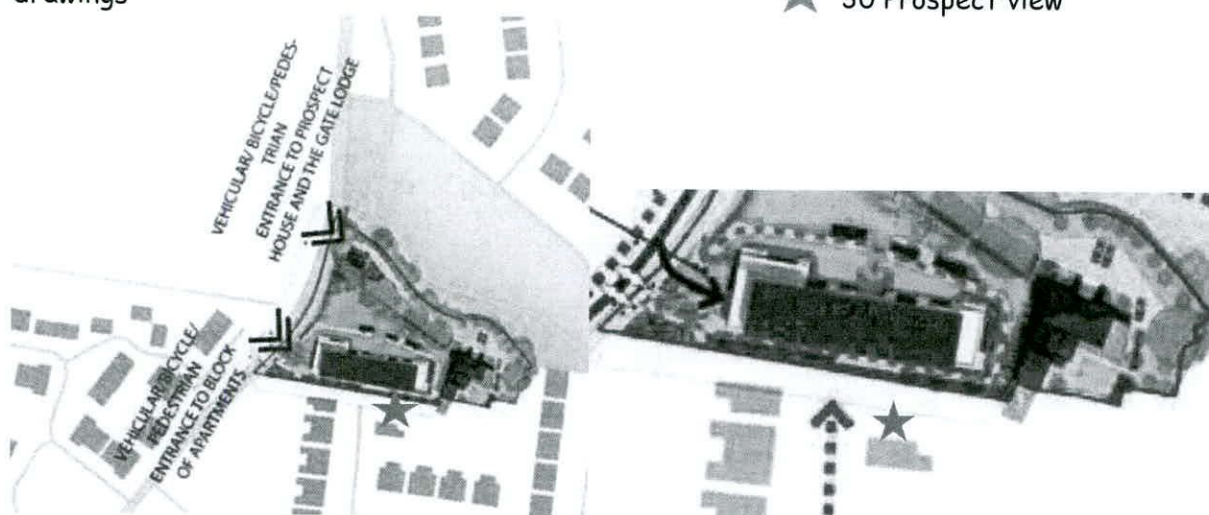
Negative impact on our residential amenity -

According to document 6592108 this proposal will not have a negative impact on us, I strongly disagree with this statement for many reasons,

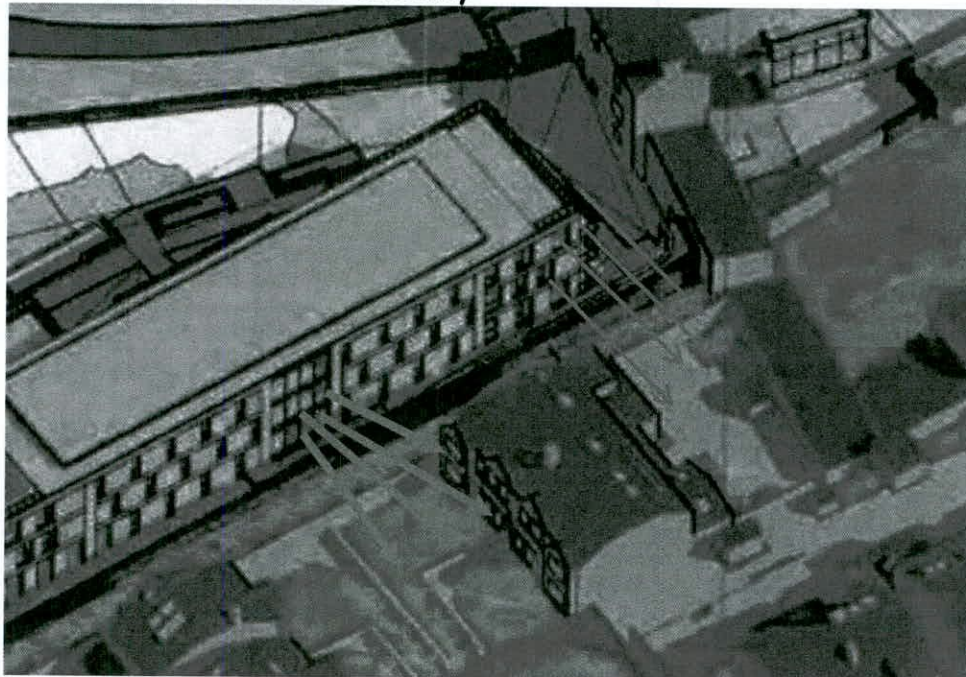
of its residents as well as setting a high-quality urban design for this site. It will not give rise to any significant or material negative impact on the residential amenity of adjoining properties.

It would seem, that we are so insignificant that our house has been deleted from many of the drawings -

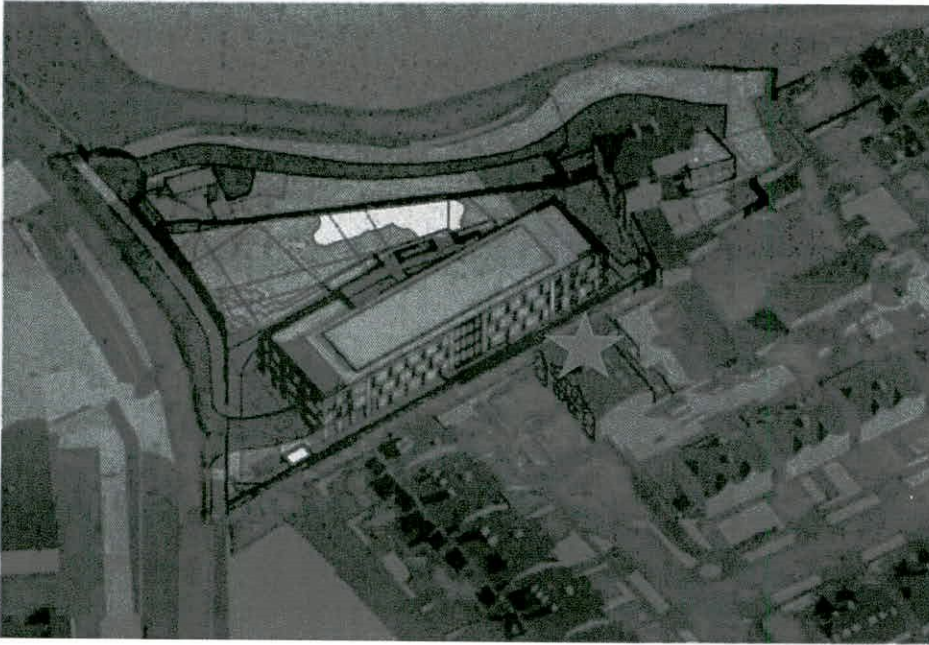
★ 30 Prospect view



Loss of our residential amenity -

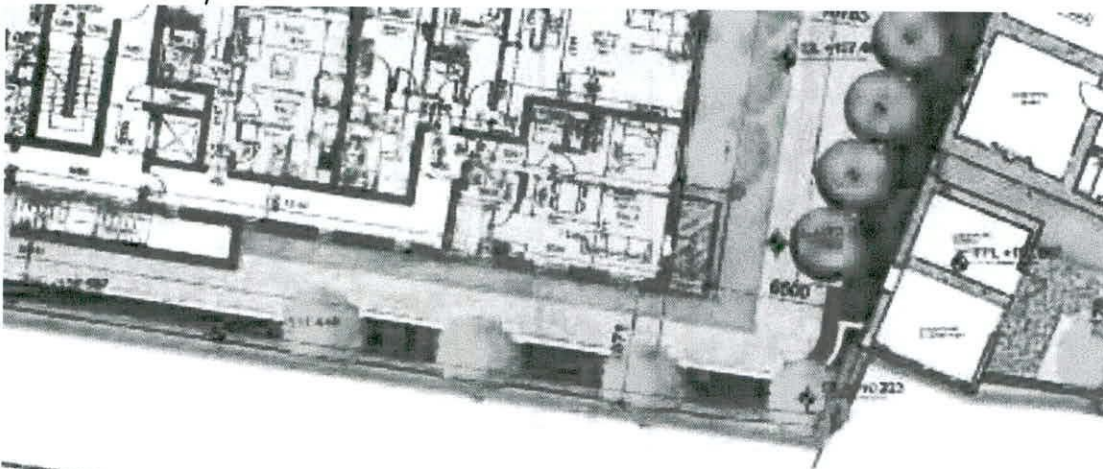


This overlooking on 30 Prospect View given the short distance completely contravene good design and consideration of loss of amenity to 30 Prospect View. The fact that this image is the best one available displays the complete lack of detail being provided and the lack of consideration for the impact on us.



The scale of this in proportion to us is massive and complete overwhelms our property. ★

The site plan is misleading as it does not show wrap around balcony - and distances to boundary - see accurately noted 3d



Not enough dimension of boundary to boundary to housing in Prospect Manor - what is the actual distance of side windows overlooking? This site plan of the site is misleading in its lack of detail and dimensions - the outline of the building is closer than 4.6m in that it has a wraparound balcony 3.5m from the boundary. The Lane to north of our property, 30 Prospect view is 4.5m approx. So, the overlooking results in loss to amenity of 8m directly overlooking the entire garden of 30 Prospect Manor from a wrap-around balcony and large windows - this contravenes good planning guidelines of SDCC. A total number of 3 apartments will now have full view of the rear of 30 Prospect View unrestricted. The loss of amenity is well in excess of any guidelines - no consideration has been given to screening or keeping windows at high level. This is completely unacceptable to us.

Wraparound balconies -

4. RESULTS

The resulting VVM having gone through this extensive procedure is an accurate and verifiable representation of the proposed development as viewed from the selected camera positions. This shows as closely as possible any future impact the proposed development may have on the surrounding environment and existing buildings, presenting a truly valuable tool for planning purposes.



Approx. Window and Balcony corner shown as denoted - note loss of amenity - direct viewpoints

Map View shows the overlooking is below distances required by SDCC Good planning guidelines - we want this distance and loss of amenity fully evaluated - ie note from the wrap around balcony and the large window distances to the living areas

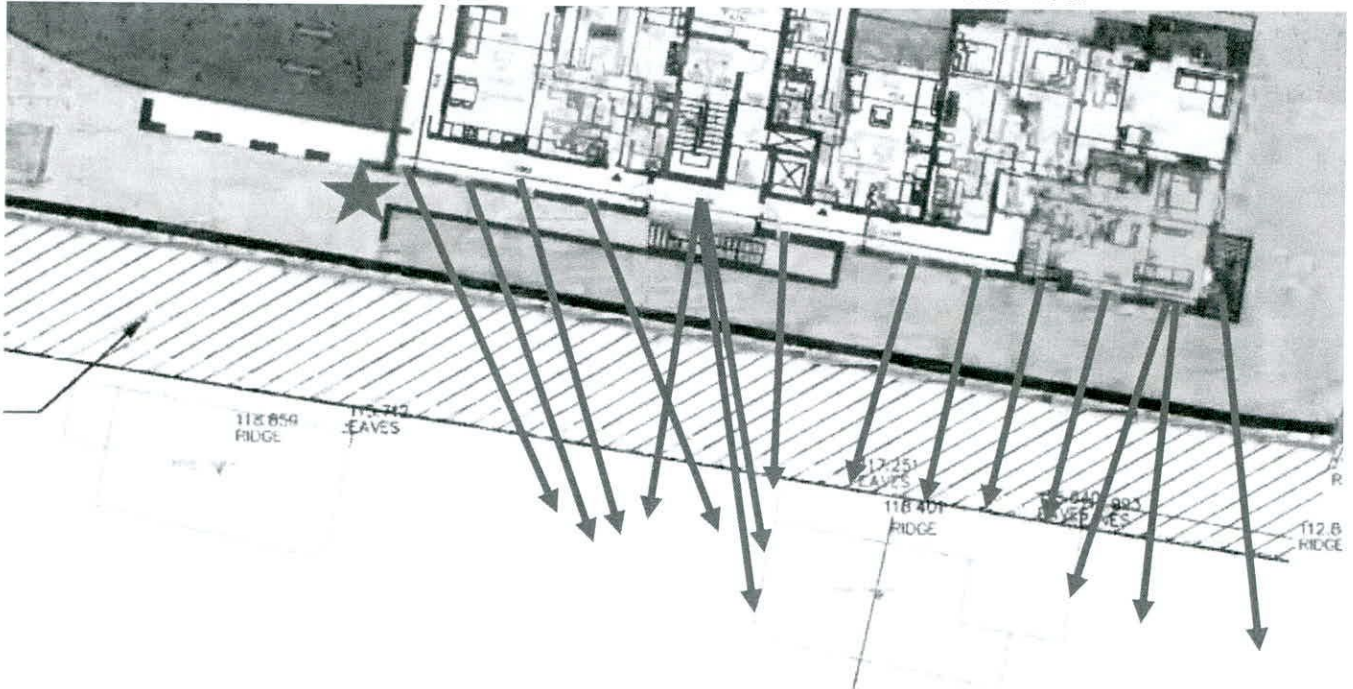
3d images show wrap around balcony - as states in document this is an accurate image but plans do not show wrap around balcony. What is correct?

The distance from Prospect View boundary clearly indicated in image - would result in light pollution, overbearing and overlooking loss of amenity to the View - only 4.6m to boundary, which is not enough.

Our house can be viewed from a very large proportion of the apartment block. Our private amenity space front and back are also overlooked. This is an invasion of our privacy, and a threat to our security.

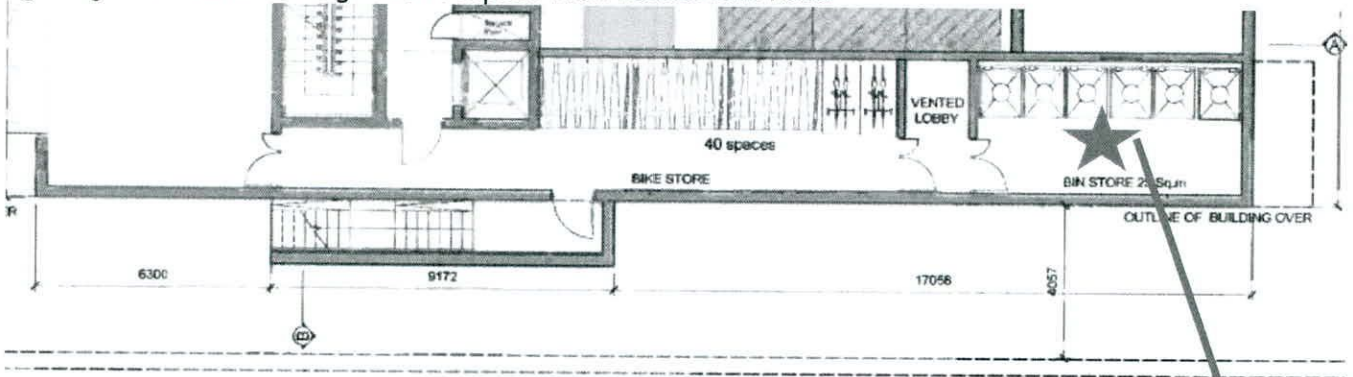
Light and noise pollution.

6591896.



★ The stairwell is of particular concern as it will obviously be well lit, affecting us at night time, and potentially could be a source of noise and potential nuisance.

The stairwell to apartments will throw Light pollution from the large, glazed curtainwall - constant lighting on elevation at night to Prospect View houses and road



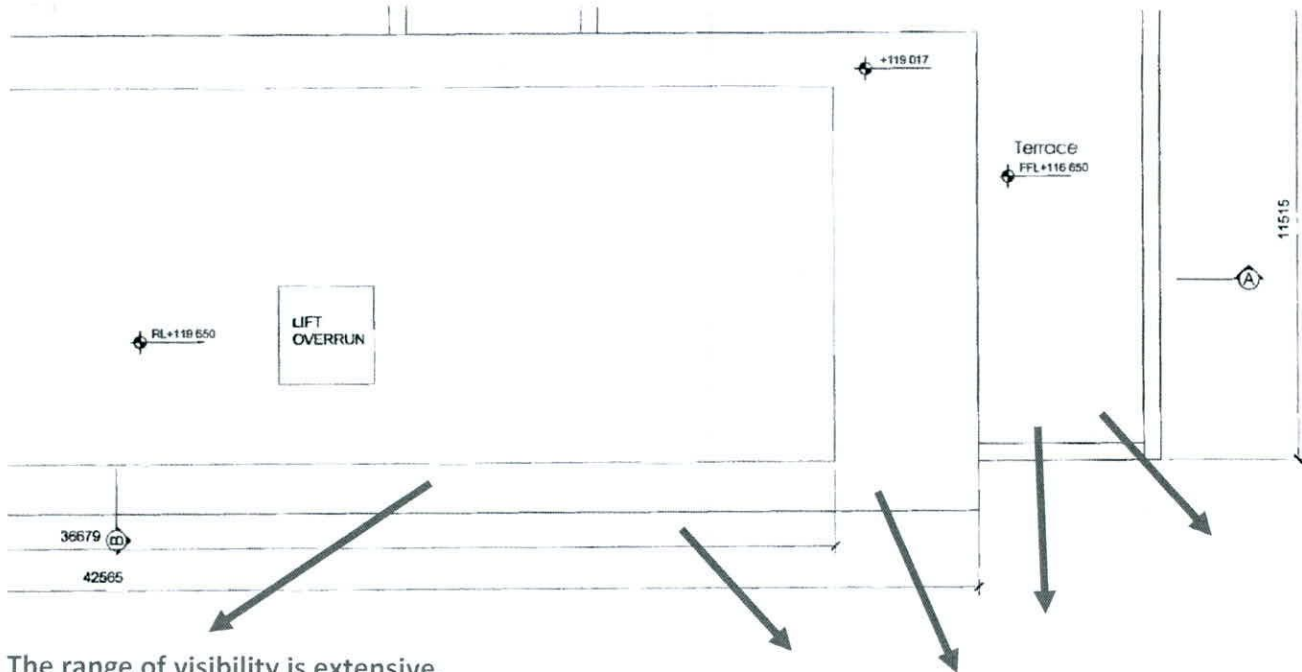
★ Due to the proximity of the bin store to us, we would be fearful of potential odours.

I haven't seen any outdoor lighting plans in the documents. It is essential for us to know their location and their impact on us.

Some examples of potential overlooking on our property.

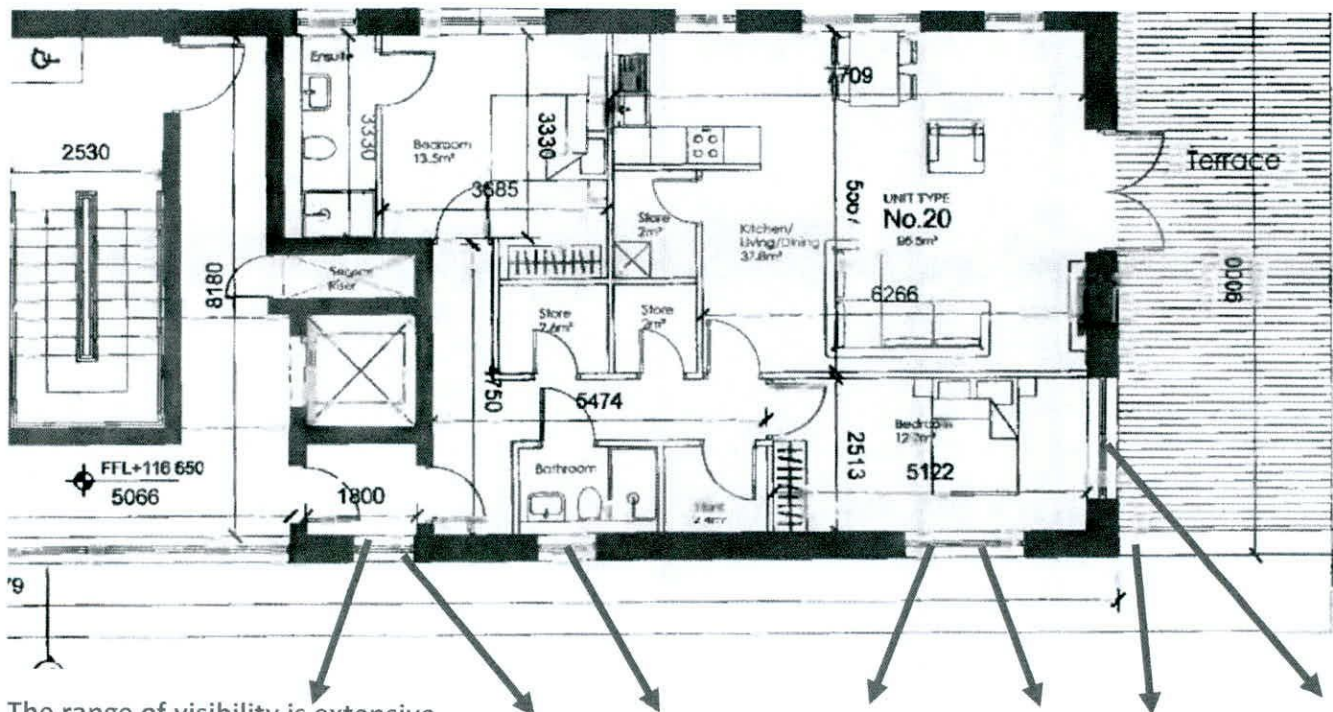
As we haven't been provided with drawings showing our relationship with the apartment block the following is the best I can provide - The arrows point to where our property is located.

ROOF PLAN 6591857



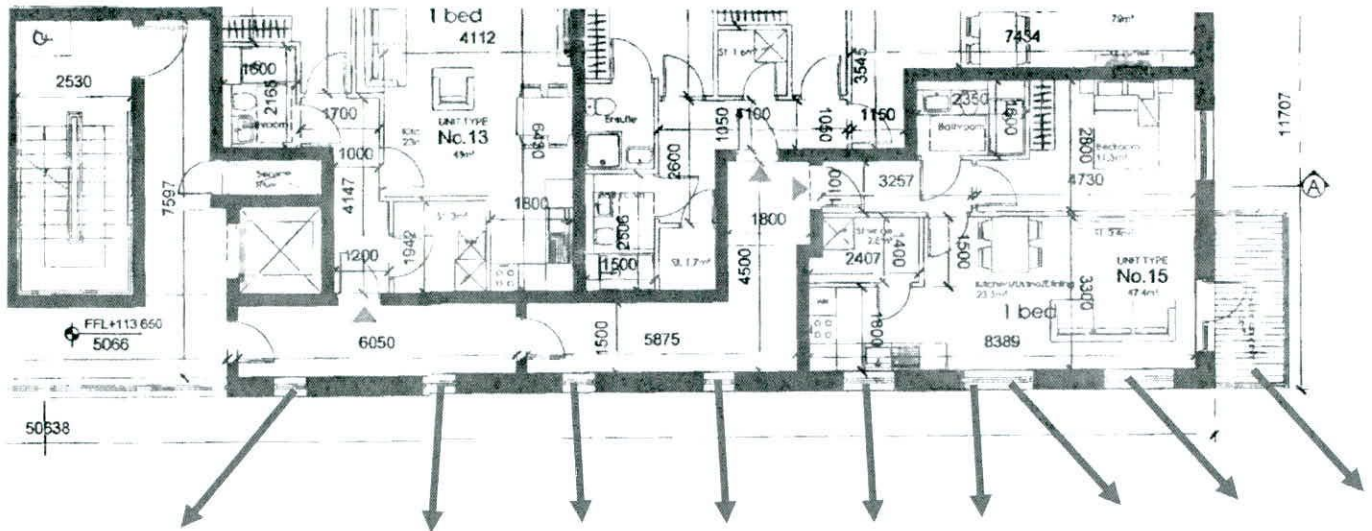
The range of visibility is extensive.

Proposed third floor -6591857



The range of visibility is extensive.

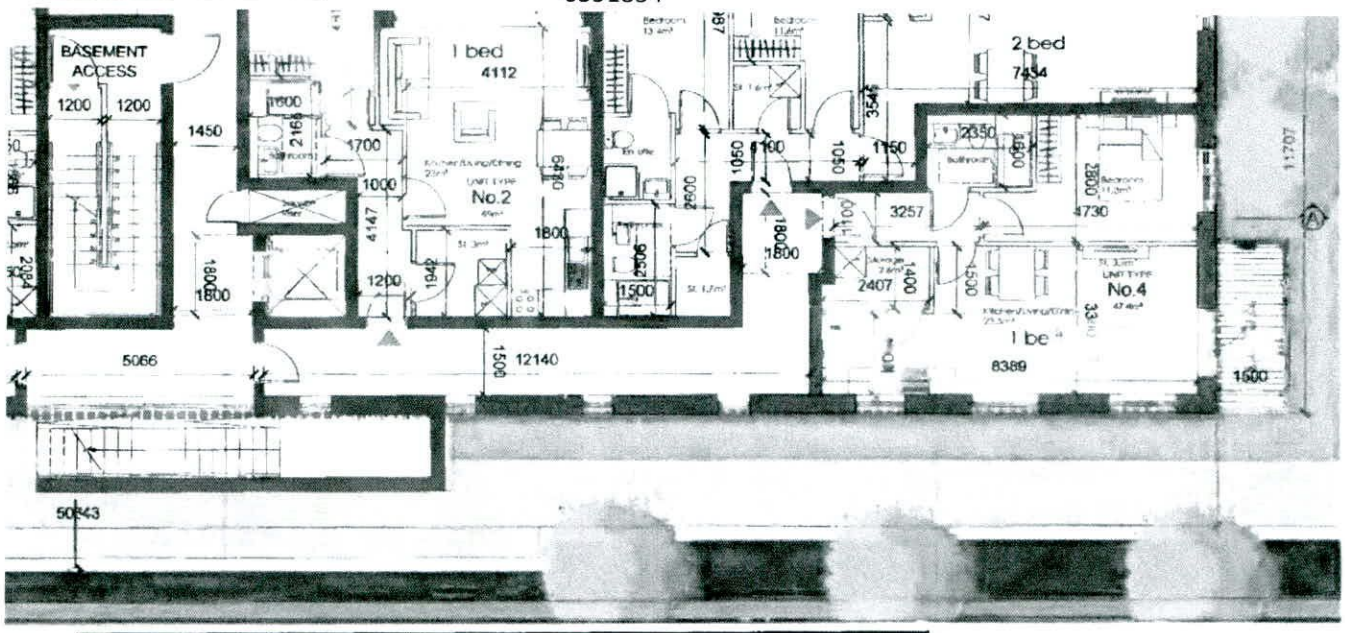
Proposed second floor -6591857



The range of visibility is extensive.

PROPOSED GROUND FLOOR

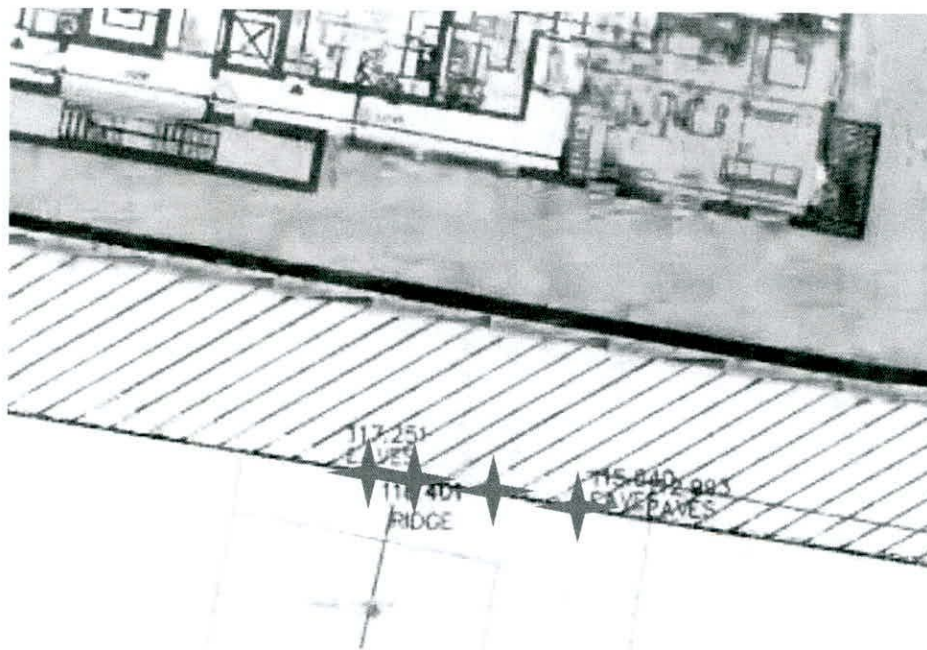
6591854



Our solar gain is also greatly affected as we have 4 windows on our gable end, two on ground floor level, one on second and one in the attic space. As 3D Visualisations from our perspective were not provided, we had to use the proposed site plan and the floor plans to figure out the potential impact on us.

Shadowing impact. Solar gain at a cost of our privacy.

Our amenity is very vulnerable to overshadowing, which is amplified as the living spaces of the proposed development are at a considerably higher level than ours. There will be a considerable loss of light due to the height of the development. This will have a detrimental effect on the amount of light entering the living space to the front and sides of our house especially. We have 4 gable end windows which are of considerable importance for the lighting in our home, these will be shadowed by the proposed development. ✦ This proposal has protected the privacy of the potential residents by providing a private south facing communal area, yet all our private open spaces will no longer be private. This development has exploited solar gain which results in overlooking for us!



Overbearing nature of the development /Scale of proposal.

The proposed structure would result in a significant overbearing impact when viewed from our private open spaces from the front and rear of our property. This would seriously impact on our visual and residential amenity. Our house is 2 storeys, sloping down the hill, yet this development will tower above us. The proximity of the proposed development overwhelms the scale of our home and seriously damages our residential amenity. This proposal would injure our amenity by its overbearing nature. Its bulk and height dominate in comparison to the present dominance of the protected house. It is visually obtrusive and will result in an overbearing impact on our amenity.

3.4 policy 9 Residential Building Heights.

H9 Objective 2- refers to ensuring that higher building in established areas respect the surrounding context.

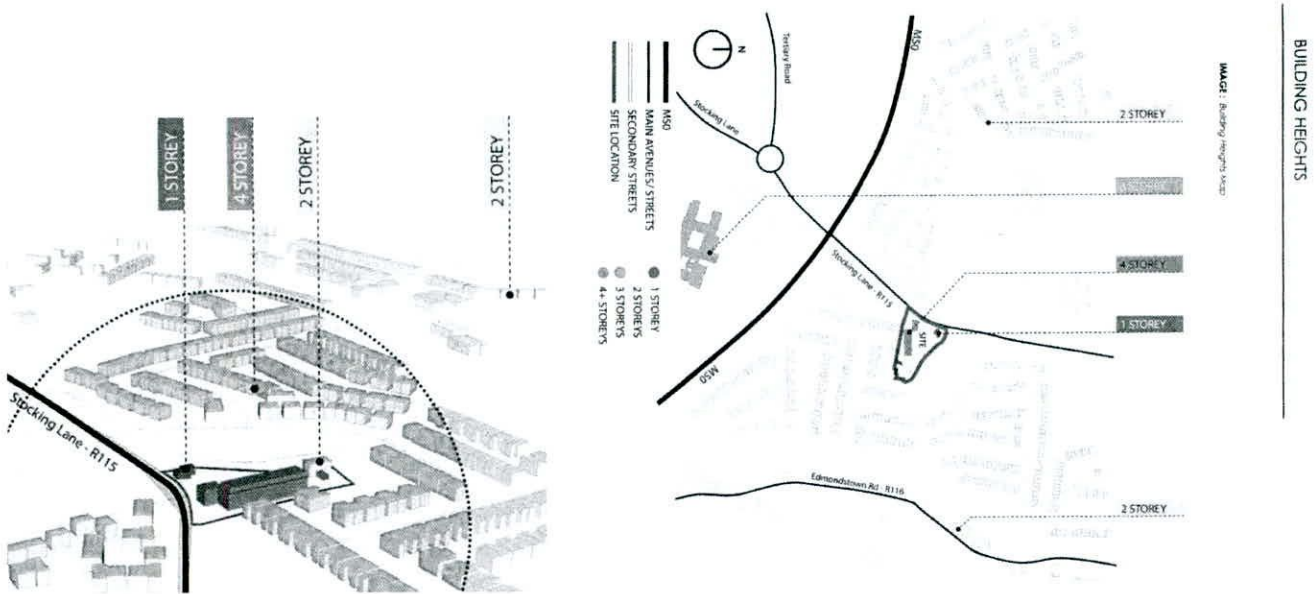
- The proposed heights of these buildings are not in keeping with the surrounding area, all other developments in the vicinity and does not account for the gradient of the hill. We are concerned with the site elevation, storey height and failure to graduate in keeping with the natural slope.

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.

- Common sense indicates that such a high elevation as proposed at such close proximity to us will result in dramatic overlooking and intrusion of our privacy.

- H9 Objective 4 -To direct tall buildings that exceed five storeys in height to strategic locations in Town Centres... This location is a country lane in the suburbs.

The proposed development would therefore be contrary to the proper planning and sustainable development of the area, as issued by the Department of Heritage & Local Government in December 2015.



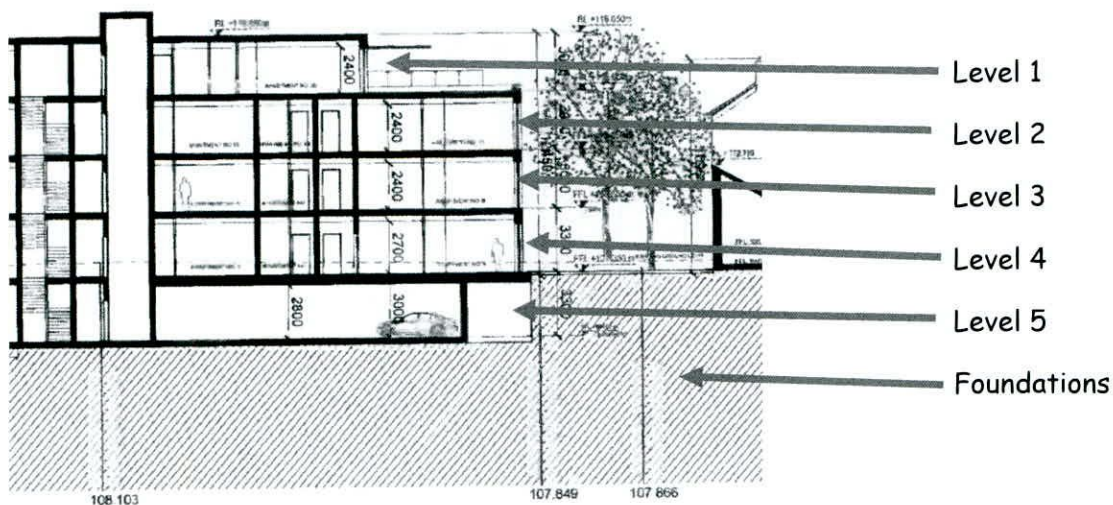
This proposed development is inconsistent, incompatible with the existing residences and character of the area and therefore in conflict with the zoning principles to protect and enhance the residential amenity.

Prospect Manor is built on a hill, with the natural slope of the hill dropping approx. 1m every 16m from the top of Prospect View, through the development site and to the front of the Prospect Manor estate. All developments on the Stocking Lane / Prospect Manor Hill respect the gradient and step the buildings down in height accordingly.

Section 2.3.6 of the SDCC Development plan states – For sites of STEEP OR VARYING TOPOGRAPHY the design and siting of new residential development should respond appropriately to the natural topography of its site and improve upon and enhance natural characteristics.To minimise ecological and visual impacts, residential development on sites with a steep or varying topography should utilise the natural slope of the landscape and avoid intrusive engineering features.

This proposal does not follow the natural topography of the hill and rather than improving natural characteristics, the proposal will create a distortive effect of the building flow and appear intrusive on the landscape.

This is a very large, and impactful structure in relation to a 2 storeys house.



Structural concerns.

Based on local knowledge, it is likely that to excavate for car park the developer will encounter rock. Excavation would have major impact on our house, as the location of the underground car park is only a few meters from our house. Rock breaking/construction work may cause structural damage to our property. The proposals include considerable earthworks in the vicinity of our property. We have serious concerns about the potential for structural damage and undermining of our property. The floor level and car park will be 3 meters below our floor level and may affect water table levels below the house.

Health and wellbeing concerns. (6593457 - 3.2.1/3.2.3/3.4.1.2)

During the proposed construction phase there would be a detrimental effect our quality of life due to the constant noise, dust etc. We have many health issues in our family unit including serious allergies to dust and asthma. My husband has a serious heart condition, which can be exacerbated by stress, and looking to a future of living on a construction site for up to 2 years would have a detrimental effect on his wellbeing. The stress of us only having a week to examine these documents has not helped.

Noise (acoustic considerations).

The fact that the proposed balconies and terraces will be so elevated will mean that the noise levels will be amplified. This will have a major impact on our quality of life as we chose this location for its tranquillity. The proximity of the car park to us would lead to noise (the stop/start noises of vehicles) and vibrations, day and night. We presently can feel the vibrations when there is a truck in the laneway.

Property value.

This development would result in a reduction in value of our property from the quality of life and financial point of view. If this application were to succeed, we would have a considerable loss of amenity to our current standard of living, and our enjoyment of our house and garden would be so damaged that we could be forced to move. When we chose our home, we did so as it was not overlooked, and we have enjoyed privacy for 26 years.

Our property would certainly be considerably devalued due to this proposed development. Given the choice of the private setting we currently enjoy, a person choosing to live here if the proposed development went ahead would certainly expect it to be sold at a very low price, to compensate for the lack of privacy, overlooking etc. This application and the site plans are seeking maximum profit with little regard for the existing residents.

Security.

The burglar alarms in our home may be repeatedly activated during construction, by vibration, piling etc due to the very close proximity of the work to our residence. This would undermine the security of our home due to false alarms.

Visual impact.

Prospect View, without the view it was once afforded is not something we would desire. Presently we can see as far as Clontarf from our windows, if this goes ahead all we will see is this development.

The residents of this proposed development will have a bird's eye view of our property from the front, side and back. In the proposed new view, all the woodland will be removed.

This proposed development will be visible from all aspects of our house, yet care has been taken by the developers to use the trees on Prospect Manor's open area to shield the dominance from the houses on Prospect Drive. Aspect from Prospect View - the proposal does not follow the natural slope of the land and creates an overbearing and distortive structure at the bottom of Prospect View.

Our view from our front gate, as presented in our SD18A/0181 objection.



Our view if this goes ahead has not been presented with this application.

Other areas of concern to us as residents of Prospect Manor include -

- Ambiguity.
- Traffic implications - Additional access point onto Stocking Lane.
- Traffic congestion/safety.
- Amenities.
- Resubmitting application without sufficient public notice.
- Newspaper notice
- Errors in application
- Prospect House and Gate Lodge.
- Boundary wall.
- Ecological and Environmental impact.
- Prospect Manor's main green.

Ambiguity.

Detail would be helpful to clarify the exact position and separation distances and their impact on us. The drawings/visualisations presented do not present a view of the development from our perspective/ angle/property. The 3D photomontages provided do not give a sufficient range of pictures, specifically for the residents of Prospect View, who will be the most impacted by the proposed apartment block.

Traffic implications - Additional access point onto Stocking Lane.

Another exit onto Stocking Lane will have a major effect on traffic flow. The proximity of these exits is going to have a major impact on traffic flow and safety. There are already too many exits onto this rural lane, and proposals for more from Barnes field, Garretstown House. The traffic has been seriously increased already due to the many developments on Stocking Avenue. Journey times from this area to local amenities have increased greatly, and depend greatly on what time of day the journey is taken. The decision to reduce 2 lanes to 1 lane at the Orlagh roundabout has had repercussions for the traffic increase in the area. This has had a significant impact on the traffic queue in Stocking Lane, especially at peak times.

Traffic congestion/safety.

Access will be more hazardous and challenging for residents of our estate. There would be increased traffic during construction on a road that already carries very heavy traffic.

There would be an increase of hazards to pedestrians, cyclists and vehicle users as an additional vehicular access would be created, especially as it would be on a sharp bend, which currently has a solid central solid white line in place.

The cycle lane is currently not being used by the majority of cyclists, instead groups of cyclists, 2-3 abreast are a regular feature on Stocking Lane due to our location at the foot of the mountains. The danger this creates is currently exasperated by the construction traffic from the various sites on Stocking Avenue, Garretstown house and Scholarstown road/Stocking Lane.

Amenities.

Although there are many schools in the area, they have long waiting lists, with a child needing to be registered from birth to secure a place in secondary school in many instances. GP, Dentist, sports facilities, parks etc are quite a distance away. The transport infrastructure, though regular, is inadequate. Stocking Lane is served by a single route which typically takes between 75 mins and 90 mins to reach the city centre. The 15B bus route is possibly going to be extended, if this happens the bus would be full before reaching Stocking Lane and therefore of no benefit to us.

Resubmitting application without sufficient public notice.

The original application was posted under the number SD22A/O265 and was deemed invalid on June 15th, yet seems to have reappeared under the radar with a new application number. This has resulted in us having very little time to analyse the documents in preparation for our observation. Would it not have been more appropriate to give us the required 5 weeks to make our observation?

Update on Planning Application SD22A/O265:Decision received

accounter@sublimoco.ie

Wed Jun 15 4:21 PM

A planning application you are tracking has new information. The application details are below:

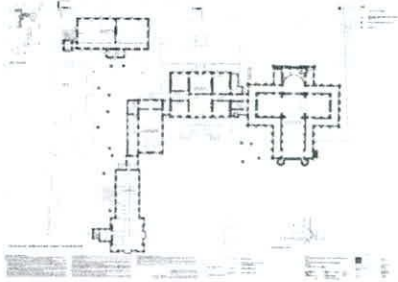
Application Date:	02/06/2022
Last Changed:	02/06/2022
Submission Type:	New Application
Applicant:	MS34 Ltd., Dublin Road
Location:	Stocking Lane, Rathfarnham, Dublin 16
Proposed Development:	(a) demolition of some existing structures on site; (b) the internal modification /reconfiguration and refurbishment of and extension to Prospect House (a protected structure RPS 340) and the renovation and modification of its associated coach house to provide for a 4-bed dwelling with associated private open space and car-parking provision; (c) the re-opening of a gap between Prospect House and its detached coach house to the rear to provide a gated access into the new communal gardens proposed to the west of Prospect House; (d) Reconstruction of the Gate Lodge (in ruins) to provide for a 2 bed, single storey, dwelling 53-sqm with associated private open space and car-parking; (e) the provision of 1 apartment block (2-storey plus setback penthouse level) to the western side of Prospect House to provide for 22 residential units (11 one bedroom units and 11 two bedroom units) over a single storey basement comprising a total of 25 car parking spaces, 2 motor bike spaces and 40 bicycle parking spaces; The basement will also include associated bin stores, plant and storage rooms; (f) Removal of a portion of the western boundary wall to provide a new vehicular & pedestrian access from Stocking Lane to the new apartment block; (g) All associated hard & soft landscaping, including the provision of a play area and an ESB sub-station & all associated engineering & site development works necessary to facilitate the development, all on a site of 0.5ha at Prospect House (a protected structure RPS 340).
Submission Type:	New Application
Decision Date:	13/06/2022
Decision:	INVALID APPLICATION

Newspaper notice - Two newspaper notices are included in the documents, one is completely blurred and therefore illegible, and the second one refers to another application completely (yet unblurred and legible).

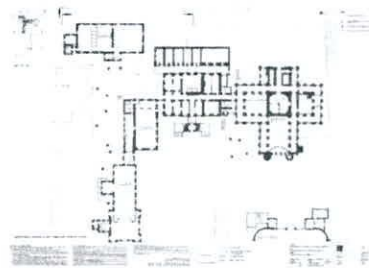


Errors in application-

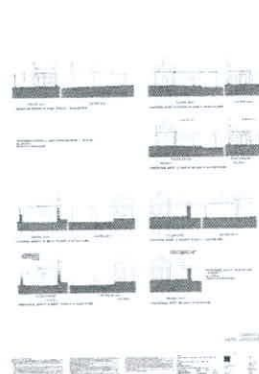
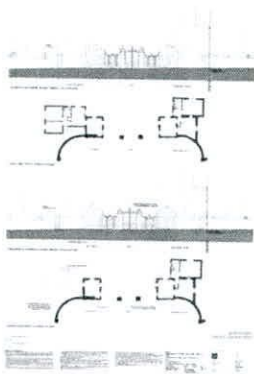
The following documents have been included, yet have no connection with this location -
 6592081 6592084



6592093



6592090



Prospect House and Gate Lodge.

This is a protected structure, and the proposed planning development would materially and adversely affect its setting and character. Prospect House is the tallest building in the area and the proposed development significantly exceeds the height of Prospect House. An integral feature of Prospect House is the fact that it stands alone dominating the Prospect Manor green space. It is this very vista and setting that helps make Prospect House an important part of our cultural and architectural heritage and an integral part of the residential amenity to the residents of Prospect Manor. It is without doubt a defining feature of the Prospect Manor estate. This proposal plans internal modification/reconfiguration of and refurbishments to Prospect House, which would change its character completely.

Boundary wall.

The partial removal of existing roadside boundary wall, which is a protected structure, would directly impact upon the character of the area and on the safety of the road.

The wall on Stocking Lane is a feature of the road and intrinsic to the streetscape and nature of Stocking Lane. The proposal to demolish part of the wall for a new entrance (which is of part of local heritage), will ruin the character of Stocking Lane and distort the view both coming up the hill and descending.

This wall was also deemed to be of importance by An Taisce in the 2005 submission.

Ecological and Environmental impact.

This proposal essentially will result in the removal of trees in the walled garden/orchard which will have an effect on the wildlife. As noted that in the 2005 planning application the trees are referred to as an asset and part of the curtilage.

It should be noted that every autumn the fallen fruit from these trees, are vital as a food source for birds and wildlife. Their removal seems to be a priority to make way for the apartment block.

Prospect Manor's main green.

The plan to dig up Prospect Manor's main green to lay a foul sewer pipe and a surface water sewer pipe which will cross an already existing water pipe under the main green, will have an adverse effect on our residential amenity. The foul sewer pipe will also be laid across the entrance roadway to the top of Prospect Grove. As Prospect Manor Residents Association maintains the green without help from SDCC, this seems to be something that should have been taken into consideration.

The proposed development should look for an alternative solution for the sewer pipe or the main green must be fully reinstated at no cost to Prospect Manor residents and in a very timely manor

While we acknowledge the need for housing provision, we consider this proposal to be overdevelopment on a small site in a country lane setting.

This development isn't of such strategic importance that would warrant destroying the amenity of existing residents and a cultural heritage that once removed can never be recovered.

We submit that the application be rejected on the above grounds.

Declan and Adrienne O'Rourke.

30 Prospect View, Prospect Manor, Rathfarnham, Dublin 16.

Receipt No. : T4/O/711230 Σ Inbox x



Tracy O'Reilly <tracyoreilly@sdublincoco.ie>
to me, LUPT ▼

Payments Office
South Dublin County Council
County Hall, Tallaght, Dublin 24.
Phone 4149121
Monday to Thursday 9:00am to 4:00pm
Friday 9:00am to 3:30pm
13/07/2022 14:02:11

Receipt No. : T4/O/711230

SD22A/0271
Adrienne O'Rourke

PLANNING OBJECTION FEE	20.00
GOODS	20.00
VAT Exempt/Non-vatable	

Total : 20.00 EUR
 15.75 IEP

Tendered :
Credit Card/Laser 20.00

Appendix.

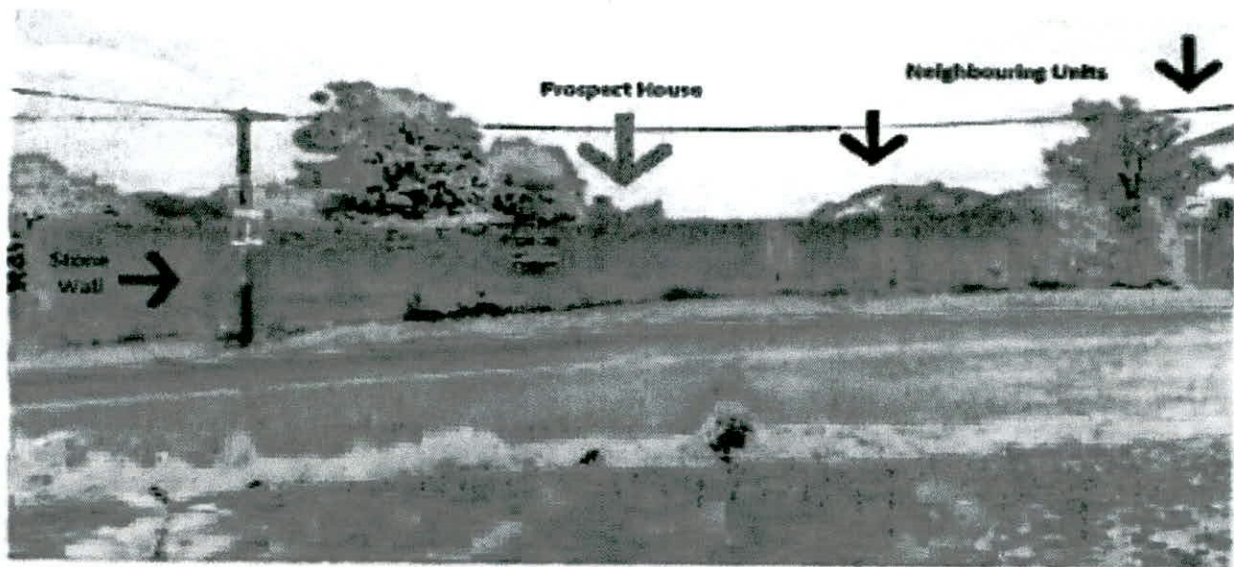


Fig. 14. Dominance of the boundary Stone Wall and Neighbouring Houses on Visibility of the Prospect House

The ridge height of Prospect House is 117.865 whereas the ridge heights of the neighbouring units are 118.401 and 118.859 yet this is not how they are presented in Fig 14, which is rather deceptive. It should also be noted that the ground level of Prospect house is 107 whereas the neighbouring houses are 109.

How are the neighbourhood house elevated above garden level? What does this mean?

According to figure 5 neighbouring houses have dominance on the visibility of Prospect house. How can the neighbouring houses have dominance on the visibility of the house?



from SD18A/O181 application.

pg 17 urban design statement.

Our house was pointed out as an example of a modern house in the details used for the sale of Prospect House! How can such different depictions be given?

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

Declan & Adrienne O'Rourke
30, Prospect View
Rathfarnham
Dublin 16.

Date: 20-Jul-2022

Dear Sir/Madam,

Register Ref: SD22A/0271

Development: (a) demolition of some existing structures on site; (b) the internal modification /reconfiguration and refurbishment of and extension to Prospect House (a protected structure RPS 340) and the renovation and modification of its associated coach house to provide for a 4-bed dwelling with associated private open space and car-parking provision; (c) the re-opening of a gap between Prospect House and its detached coach house to the rear to provide a gated access into the new communal gardens proposed to the west of Prospect House; (d) Reconstruction of the Gate Lodge (in ruins) to provide for a 2-bed, single storey dwelling 63.4sqm with associated private open space and car-parking; (e) the provision of 1 apartment block (3-storey plus setback penthouse level) to the western side of Prospect House to provide for 22 residential units (11 one bedroom units and 11 two bedroom units) over a single storey basement comprising a total of 25 car parking spaces, 2 motor bike spaces and 40 bicycle parking spaces; The basement will also include associated bin stores, plant and storage rooms; (f) Removal of a portion of the western boundary wall to provide a new vehicular & pedestrian access from Stocking Lane to the new apartment block; (g) All associated hard & soft landscaping, including the provision of a play area and an ESB sub-station & all associated engineering & site development works necessary to facilitate the development, all on a site of 0.51ha at Prospect House (a protected structure RPS 340).

Location: Lands at Prospect House, Stocking Lane, Rathfarnham, Dublin 16, D16 E5D0

Applicant: MSJA Ltd

Application Type: Permission

Date Rec'd: 14-Jun-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.sdublincoco.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**

