

Planning observation on application SDZ 22A/0010

To whom it may concern,

I would like to make the following observations to planning application SDZ 22A/0010. My observations relate to the interface and proposed road access between the proposed Kelland Homes development and Whitton Avenue, a 9-unit cul-de-sac housing development south of the proposed site of the planning application, Eir Code D22 K277

Background

In 2018 our daughter purchased and moved into our home in Whitton Avenue, a small 9 house cul de sac. We have lived with them on and off over the past 4 years. The developer miss-sold the property to them as a gated cul-de-sac. The developer also failed to complete the external works and temporary access road as per the planning permission.

Consequently, we have had to deal with a range of problems including no street lights or internet infrastructure and inadequate temporary access road. They have had to pay for the tarmacking of the temporary access road.

My understanding is that both South Dublin County Council and Irish Water have ongoing enforcement actions against the Green Light.

We (and they) are keen to keep the cul-de-sac nature of the Whitton Avenue development as it currently stands. Considering the very significant difficulties they have had to ensure for the last four years, I am urging the Planning Authority to consider the following four observations.

They were told by the developer and estate agent that no matter what happened as part of the SDZ, Whitton Avenue would remain a quiet cul-de-sac.

We have serious concerns about the proposed spur and future connection point for Whitton Avenue. Our concerns mainly relate to our safety, and that of our children, grandchildren, family and friends who visit us, and our overall quality of life and how it will be affected if the proposed spur is built and implemented.

Cul-de-sac

The proposed road access from the Kelland Homes development into Whitton Avenue adjacent to no's 8 and 9 creates several problems.

It would create an open access road from the new development, through Whitton Avenue and the temporary access Road onto the 9th Lock Road.

This would not be in keeping with the existing design of Whitton Avenue and involve safety and public realm issues.

As the temporary access road is a right of way for the residents of Cappaghmore House and the road access on Whitton Avenue is still technically in the ownership of Green Light it would not be possible to close this through way.

The consequence would be a high volume of traffic through Whitton Avenue from the Kelland Homes development and potentially onto the 9th Lock Road, contrary to the SDZ planning scheme.

A simple solution would be to have no road access from the proposed Kelland Homes development into Whitton Avenue, leaving the small development as a cul-de-sac and for the Planning Authority to regularise the road access for Whitton Avenue in conjunction with the residents and land owner via a separate planning application, consistent with the right of way for the residents of Cappaghmore House.

While this may appear to be outside the SDZ planning scheme it would be a pragmatic and equitable solution, particularly for the residents of Whitton Avenue. It would also prevent the more serious breach of the SDZ planning scheme that would arise by approving SDZ 22A/0010 and inadvertently allowing residents of the new Kelland Homes development have two access roads onto the 9th Local Road.

Alternative road access

If the above proposal is not acceptable to the Planning Authority, then it is proposed to move the access route from the Kelland Homes development into Whitton Avenue to the point adjacent to Cappaghmore House (ie at the current entrance to Whitton Avenue from the temporary access road).

This would be less disruptive to the residents of Whitton Avenue and reduce the potential volume of traffic travelling from the Kelland Homes development onto the Ninth Lock Road via the temporary access road past Cappaghmore House.

Height of adjacent buildings

The Kelland Homes proposal has three story duplex units at the boundary with Whitton Avenue. This is contrary to the understanding of elected members and residents that the SDZ scheme would respect the existing heights at the boundary with existing developments and tier upwards towards the higher density development at the SDZs core.

In light of this, I would ask that the Planning Authority attach as a planning condition to any grant of permission for SDZ 22A/0010 that the row of houses directly along the boundary with Whitton Avenue should be standard two story or two story with an attic conversion type property.

Visual screen

In order to ensure adequate privacy for both the residents of this row of houses along the boundary with Whitton Avenue and the residents in Whitton Avenue I would ask the Planning Authority to attach a planning condition to any grant of permission for SDZ 22A/0010 the provision of a visual screen of semi mature trees along the boundary inside the Kelland Homes land at the rear of the row of Kelland Homes houses in question.

Conclusion

They have been badly let down by both the developer who built the homes and the estate agent would managed the sale. Unfortunately building control regulation does not extend to the external works and therefore provide no redress for the affected home owners.

Therefore, we are requesting the planning authority to consider the practical and pragmatic observations above which would go a considerable way to resolving the issues affecting us for the last four years.

Kind regards,

Ann & Peter Murphy

Mr. & Mrs. Peter and Ann Murphy
9, Cherrywood Avenue
Dublin
D22 RR68

Date: 09-Aug-2022

Dear Sir/Madam,

Register Ref: SDZ22A/0010

Development: Kelland Homes Ltd. intends to apply for permission for development on a site area of 6.3Ha, on lands within the townland of Cappagh, Dublin 22. The proposed development is located west of the Ninth Lock Road, south of the Dublin-Cork railway line, north of Cappaghmore housing estate and Whitton Avenue, and east of an existing carpark / park & ride facility at the Clondalkin Fonthill train station and the R113 (Fonthill Road). The proposed development is located within the Clonburris Strategic Development Zone (SDZ), within the development areas of (i) Clonburris South East (i.e. CSE-S1 & CSE-S2) and (ii) part of Clonburris Urban Centre (i.e. CUC-54), as identified in the Clonburris SDZ Planning Scheme 2019. The proposed development consists of the construction of 294 no. dwellings, creche and retail / commercial unit, which are comprised of: 118 no. 2, 3 & 4 bed, 2 storey semi-detached and terraced houses, 104 no. 2 & 3 bfd duplex units accommodated in 10 no. 3 storey buildings, 72 no. 1 & 2 bedroom apartments in 2 no. 4 & 6 storey buildings, 1 no. 2 storey creche (c.520.2m²), 1 no. 2 storey retail /commercial unit (c.152.1m²). Access to the development will be via the permitted road network (under Ref. SDZ20A/0021) which provides access from the Ninth Lock Road to the east and the R113 (Fonthill Road) to the west. The proposed development will connect into the permitted Infrastructural works as approved under the Clonburris Strategic Development Zone Planning Scheme (2019) and permitted under Ref. SDZ20A/0021, with the proposed development connecting into the permitted surface water drainage attenuation systems i.e. 1 no. pond, 3 no. modular underground storage systems and 1 no. detention basin combined with modular underground systems. The proposed wastewater infrastructure will connect into a permitted foul pumping station and pipe network within proposed road corridors to facilitate drainage connections to future wastewater drainage infrastructure within the adjoining SOZ lands (Including future Irish Water pumping station permitted under SDZ21A/0006). The proposed development also provides for all associated site development works above and below ground, public & communal open spaces, hard & soft landscaping and boundary treatments, surface car parking (401 no. spaces), bicycle parking (797 no. spaces), bin & bicycle storage, public lighting, plant (M&E), utility services & 4 no. ESB sub-stations. This application is being made in accordance with the Clonburris Strategic Development Zone Planning Scheme 2019 and relates to a proposed development within the Clonburris Strategic Development Planning Scheme Area, as defined by Statutory Instrument No. 604 of 2015.

Location: The proposed development is located west of the Ninth Lock Road, south of the Dublin-Cork railway, line, north of Cappaghmore housing estate and whitton Avenue, and east of an existing carpark/park, & ride facility at the Clondalkin, Fonthill train ststio

Applicant: Kelland Homes Ltd

Application Type: Permission

Date Rec'd: 04-Jul-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 Pleanala 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**