

An
Bord
Pleanála

Planning Appeal Form

Your details

1. Appellant's details (person making the appeal)

Your full details:

(a) Name

Jean Desmond, Michael Molloy, Martin Brabazon

(b) Address

Rath Dubh, Haydens Lane, Lucan, Co Dublin, K78
T9X2

Agent's details

2. Agent's details (if applicable)

If an agent is acting for you, please **also** provide their details below. If you are not using an agent, please write "Not applicable" below.

(a) Agent's name

n/a

LDG-

055862 - 27

ABP-

(b) Agent's address

n/a

Fee: €

220

Type:

cash

Time:

12.50

By:

hand

04 AUG 2022 o.k

Postal address for letters

3. During the appeal we will post information and items to you or to your agent. For this appeal, who should we write to? (Please tick ✓ one box only.)

You (the appellant) at the address in Part 1

The agent at the address in Part 2

Details about the proposed development

4. Please provide details about the planning authority decision you wish to appeal. If you want, you can include a copy of the planning authority's decision as the appeal details.

(a) Planning authority

(for example: Ballytown City Council)

South Dublin County Council

(b) Planning authority register reference number

(for example: 18/0123)

SD21A/0359

(c) Location of proposed development

(for example: 1 Main Street, Baile Fearainn, Co Ballytown)

Site at Haydens Lane, Lucan, Co Dublin

Appeal details

5. Please describe the grounds of your appeal (planning reasons and arguments). You can type or write them in the space below or you can attach them separately.

On behalf of the residents of Haydens Lane, Lucan, Co. Dublin, we would like to appeal the decision by SDCC to grant planning permission to Jackie Greene Construction Limited on application SD21A/0359 on the grounds that the decision is not consistent with the proper planning and sustainable development of the area. The nature, scale and layout of the proposed development represents an inappropriate form of development, which would create an unacceptable impact on the existing residents and environment. We object on the following grounds;

Height and Distance: The amendments in the developers revised submission in relation to the design and height does not sufficiently address our concerns regarding privacy, over-shadowing, bulk and height of the scheme. The proposed height and bulk of the development is disproportionate and out of character with the existing dwellings on the lane and the surrounds.

Under the South Dublin County Council Development Plan 2016-2022, section 11.2.7 requires that development proposals of over three storeys in residential areas should be supported by strong urban design rationale and include a statement that addresses the impact of the development. The bulk and design of the development neglected to consider the prevailing building height in the surrounding area or address the impact of the height and scale of the structures on the existing dwellings and residents.

The proposed development will result in a significant loss of privacy to adjacent existing housing. It does not provide the required 35 metre separation distance from the existing single storey residential dwellings on Hayden's Lane (Block 3 is between 14m and 18m distance from these dwellings). Block 1 and 2 also exceed the required 35metre distance from the existing housing closest to the development. This will impact many of the existing residents of Haydens Lane. As such, the proposed development would be contrary to the proper planning and sustainable development of the area.

Traffic congestion: The proposed development of 65 units will bring substantial additional traffic to this small country lane creating congestion as traffic enters / exits at peak times of the day. This is a small country lane / cul de sac and the proposed development is at the end of this cul de sac, resulting in this additional traffic traversing the full length of the lane to access the development. This roadway was never designed to facilitate the volumes of traffic that would be associated with a development of this size.

The traffic survey implies that previous traffic levels from the factory would be consistent with the new traffic flows from this development. Please be advised that this is an inaccurate claim for various reasons. Firstly the Old Forge wasn't built at the time that the factory was in operation and therefore there was not the same issue regarding the flow of traffic to / from the lane. Secondly, the road layout was different in that the lane had priority all the way up to Griffeen Avenue roundabout. Furthermore, residents of the lane have advised that the factory was primarily accessed on foot / bicycle with very few cars coming and going.

5. Please describe the grounds of your appeal (planning reasons and arguments). You can type or write them in the space below or you can attach them separately.

Hazardous junction: The entrance to the lane is on a blind corner as the main road leads into The Avenue, The Old Forge (Pic 1). To enter the lane you must cross this junction which has very poor visibility as the road swings away left into the Old Forge. As it stands, in normal times, this is a dangerous junction when there are only a handful of cars traversing up and down the lane and seeking to exit / enter at this junction. As residents of the lane, we have all had personal experiences of drivers assuming the entrance to the lane is the priority. Due to poor visibility and mistakenly thinking the laneway has the priority, they have to then break suddenly to avoid a car coming out from the Old Forge (which does in fact have the priority). It is considered that the proposed intensification of traffic accessing and egressing Haydens Lane to access the proposed development would result in increased traffic hazard and would result in unsafe traffic movements into and out of the site. It is further our opinion that the proposed development would endanger pedestrian safety by reason of creating a traffic hazard.

Parking: We understand this is considered a Zone 2 for the purposes of the SDCC Development plan and based on the split of 1,2 and 3 bed units, this would require 62 parking spaces. The development only proposes 46 parking spaces to accommodate parking for 65 units which is only circa 75% compliant. This is an inadequate level of compliance and will cause an overflow to parking on the lane. This is a narrow road as it is. If parking overflows onto the lane, there will be no room for cars to pass up and down. This could be particularly concerning for emergency vehicles accessing the site or adjacent properties in the event of a fire or other emergency. As it stands, due to the restrictive nature of the lane, refuse trucks currently reverse up the length of the lane in order to facilitate bin collections as there is no possibility to turn.

Furthermore, cars parking directly opposite the site from the residents of the bungalows already blocks up that section (Pic 2). Given this is the end of the lane it doesn't currently have a negative impact, but as that stretch is always already full, it means residents of the new development will end up parking further along the lane, outside other properties and creating congestion to an already narrow roadway. There is no consideration given to the insufficient level of carparking and the impact that will have on the existing residents of Haydens Lane.

Pedestrian safety: The developers propose that residents will commute by public transport rather than via cars and include a substantial number of bike parking spaces. The lane has previously been deemed too narrow to accommodate any cycle path. They also indicate that people will travel by public transport. To reach the nearest bus stop, 650 meters away, pedestrians must first travel the length of the lane. There is a narrow footpath on one side of the lane only. This is often inaccessible due to brambles / briars / hedgerow growing out across the path forcing people to use the road (Pic 3). As this is a quiet country lane at present, this hasn't been a significant issue. However with the addition of 65 units, both traffic, cycle and pedestrian flows will increase dramatically creating a safety concern for said pedestrians.

Site incursion: Mr Brabazon's site boundary is delineated in the PRA Folio DN 14193 as shown below in Pic 4 and is adjacent to the development site. The development site maps and plans indicate that the boundary between the two properties runs along the middle of the ditch. This is not the case and the boundary is on the right edge of the ditch as you look at the two properties from the road, with said ditch being entirely encompassed on Mr Brabazon's land. The proposed development therefore encroaches on land that does not belong to the developer.

5. Please describe the grounds of your appeal (planning reasons and arguments). You can type or write them in the space below or you can attach them separately.

Pic 1: Junction of Haydens Lane / the Old Forge (aka The Avenue) – priority is Haydens Lane to the Avenue which is 90 degree angle. To enter Haydens Lane, you must traverse this road which is a blind corner when crossing on to the lower part of the lane (which is where the development is proposed).



5. Please describe the grounds of your appeal (planning reasons and arguments). You can type or write them in the space below or you can attach them separately.

Pic 2: Existing parking situation on Haydens Lane opposite proposed development site.

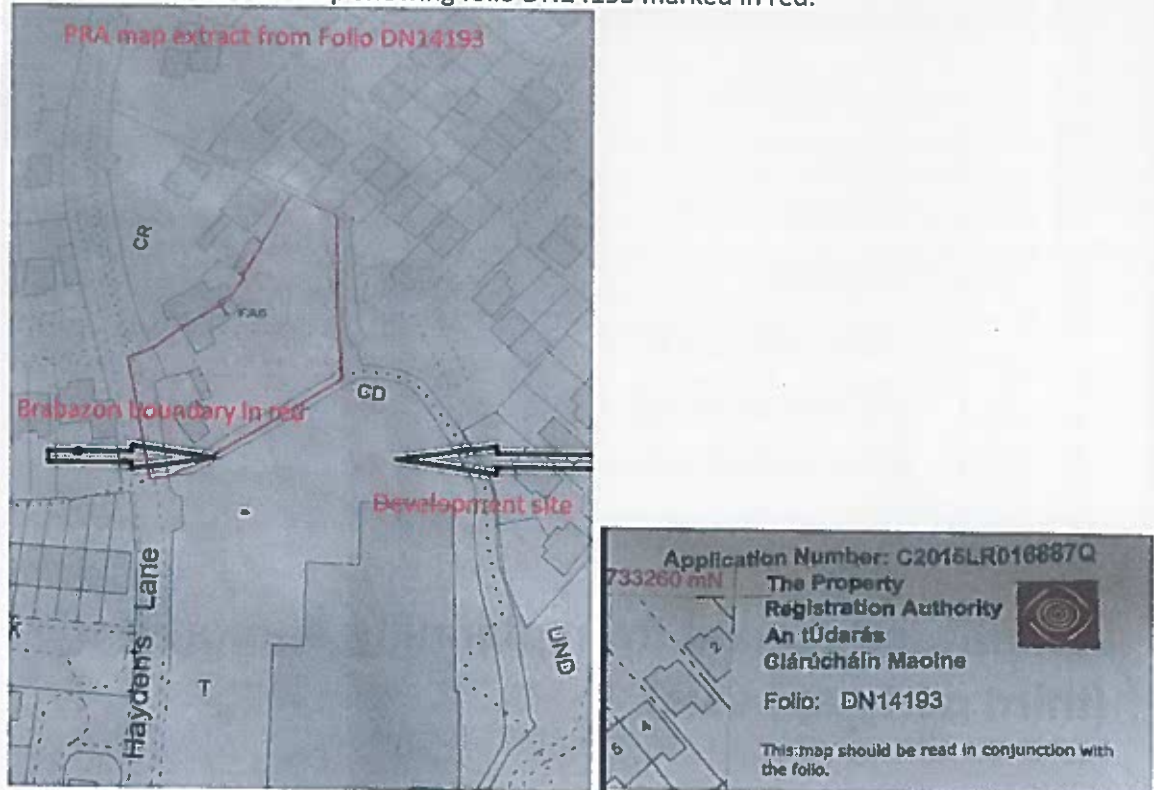


Pic 3. Existing footpath access on the lane. This is overgrown for the bulk of the year (see below) meaning pedestrians have no choice but to walk on the road. As you will be aware, it is forbidden to cut back hedgerow between the months of March and September meaning it is overgrown for at least half a year. Additionally it is only 40 inches wide in parts. Both of these contribute to pedestrian safety. In the current situation, given the low volumes of traffic, this is not an issue. However, anticipated traffic volumes to cater for 65 new residential units will have a significant negative impact.



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Pic 4. Extract from PRA map showing folio DN14193 marked in red.



We believe that all of the above points are contrary to the proper planning and development of the area and would impose a significant degradation to the community and more particularly to the residents of Haydens Lane.

Please also see attached copy letters from SDCC acknowledging receipt of original submissions from Martin Brabazon, Michael Molloy and Jean Desmond, together the appellants.

I also enclose payment of the appeal fee of €220.00.

Kind regards,

Jean Desmond

Supporting material

6. If you wish you can include supporting materials with your appeal.

Supporting materials include:

- photographs,
- plans,
- surveys,
- drawings,
- digital videos or DVDs,
- technical guidance, or
- other supporting materials.

Acknowledgement from planning authority (third party appeals)

7. If you are making a third party appeal, you **must** include the acknowledgment document that the planning authority gave to you to confirm you made a submission to it.

Fee

8. You **must** make sure that the correct fee is included with your appeal. You can find out the correct fee to include in our Fees and Charges Guide on our website.

Oral hearing request

9. If you wish to request the Board to hold an oral hearing on your appeal, please tick the "yes, I wish to request an oral hearing" box below.

Please note you will have to pay an **additional non-refundable fee** of €50. You can find information on how to make this request on our website or by contacting us.

If you do not wish to request an oral hearing, please tick the "No, I do not wish to request an oral hearing" box.

Yes, I wish to request an oral hearing

No, I do not wish to request an oral hearing

NALA has awarded this document its Plain English Mark

Last updated: April 2019.

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

Jean Desmond
Rath Dubh,
Haydens Lane,
Lucan,
Co Dublin

Date: 25-Jan-2022

Dear Sir/Madam,

Register Ref: SD21A/0359
Development: Construction of a residential development comprising 3 three to five storey blocks of 74 apartments (20 one bed, 48 two bed and 6 three bed) all with associated private balconies/terraces to the north/south/east/west elevations; vehicular and pedestrian access from Hayden's Lane to the north west of the site and closure of the second existing vehicular entrance at south west of site; pedestrian access from Griffeen Park to the south east of the site; provision of car and cycle parking, public and communal spaces, bin stores and all associated site development and clearance works, landscaping, boundary treatments and other servicing works.
Location: Hayden's Lane, Adamstown, Lucan, Co. Dublin
Applicant: Jackie Greene Construction Limited
Application Type: Permission
Date Rec'd: 22-Dec-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.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

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

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

Michael Molloy
Hayden's Lane
Lucan
Co. Dublin

Date: 25-Jan-2022

Dear Sir/Madam,

Register Ref: SD21A/0359
Development: Construction of a residential development comprising 3 three to five storey blocks of 74 apartments (20 one bed, 48 two bed and 6 three bed) all with associated private balconies/terraces to the north/south/east/west elevations; vehicular and pedestrian access from Hayden's Lane to the north west of the site and closure of the second existing vehicular entrance at south west of site; pedestrian access from Griffeen Park to the south east of the site; provision of car and cycle parking, public and communal spaces, bin stores and all associated site development and clearance works, landscaping, boundary treatments and other servicing works.
Location: Hayden's Lane, Adamstown, Lucan, Co. Dublin
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Comhairle Contae
Átha Cliath Theas
South Dublin County Council

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Yours faithfully,

M. Furney
for Senior Planner

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

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

Martin Brabazon
Hayden's Lane
Esker South
Lucan
Co. Dublin

Date: 04-Feb-2022

Dear Sir/Madam,

Register Ref: SD21A/0359
Development: Construction of a residential development comprising 3 three to five storey blocks of 74 apartments (20 one bed, 48 two bed and 6 three bed) all with associated private balconies/terraces to the north/south/east/west elevations; vehicular and pedestrian access from Hayden's Lane to the north west of the site and closure of the second existing vehicular entrance at south west of site; pedestrian access from Griffeen Park to the south east of the site; provision of car and cycle parking, public and communal spaces, bin stores and all associated site development and clearance works, landscaping, boundary treatments and other servicing works.

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Applicant: Jackie Greene Construction Limited
Application Type: Permission
Date Rec'd: 22-Dec-2021

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