

**Planning Department,
South Dublin County Council,
County Hall,
Tallaght,
Dublin 24**

12th September, 2022.

Re: Planning Application SD22A/0324

Dear Sir/Madam,

We wish to make an objection to the planning application submitted by Frances Dowling on 8th August, 2022 for the demolition of an existing house, and ancillary outbuildings and the construction of 19 apartments. In strongly objecting to the revised development proposals we make the following observations.

We note that this is the third planning application submitted for development on this site. The first [SD19A/0198] was refused by the Planning Authority - SDCC- and the second SD20A/142] was refused by the Planning Board in response to appeals by local residents. It is not happenchance that the last two planning applications were submitted to coincide with holiday time - Christmas and then Summer holidays - when the attention of people likely to be concerned about such an oppressive development were likely to be distracted as they engaged in holiday activities. Unfortunately the SDCC sticks rigidly to its time-limits for submission of observations thus increasing the effectiveness of this developer ploy to limit the number of objections.

The negative reaction of local residents to the proposed development clearly underlines the failure of the developer to consult in any way with the local residents and confirms that the motivation for the project is in no way altruistic or driven by any benevolent concern for community development or enhancement of the local environment. Instead the project seems clearly to be designed to maximise the potential earning capacity from development of the site. By submitting a succession of planning applications with minimum changes the developer is seeking to take advantage of a perceptible growing ambition on the part of the SDCC to increasingly facilitate the development of multi-storey buildings on brownfield sites even to the extent of bending or ignoring rules designed to limit the negative impact of such developments on existing local communities. In this regard one is left with the distinct impression that the intense national political pressure being applied to local planning authorities to increase housing provision in their areas is clouding the judgement of electorally unaccountable planning officials in reaching planning decisions that are to the detriment of existing communities.

A review of the SDCC Planning Authority's approval of the last planning application SD20A/142 for this site would suggest that it departed markedly from the impartial and objective approach it adopted in reviewing the earlier planning application for

the site [SD19A/0198] . It would appear that in dealing with the second application where the Authority considered there was latitude for subjectivity in the interpretation of terms of its own Planning Policy and National Guidelines it consistently favoured the developer in making such interpretations and reversed the conclusions it had reached on application SD/A0198. Unfortunately the Planning Inspector of the Planning Board in his report on the planning appeal rowed along with the more recent SDCC approach.

For instance H9 Objective 3 [SD County Development Plan] states: "To ensure all 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." To place next door to a two storey housing estate an apartment block with four storeys in pure maths terms alone constitutes a **significant marked increase** in height and it is a subjective stretch to imagine that the gradual change required can or should be achieved within the one building. Indeed the Bord Pleanála Inspector in his report in discussing Design Layout/Impact on Visual Amenities does not mention " **significant marked increase in height** but chooses instead to state as follows " There is no **drastic increase in height** between the existing and proposed residential properties." For an increase to be **significantly marked** it does not have to be **drastic**. The Inspector further admits that the issue of whether a fourth floor should be included or removed "is a **subjective matter**."

Another clear example of partial subjectivity is the flimsiest of bases on which the grossly inadequate car parking provision made in the site development plan and its potential impact on adjacent residents, which falls far short of the minimum standard parking requirements, are blithely overlooked.

Luckily An Bord Pleanála was awake to some of the deficiencies in the planning application and the Planning Authority approval and refused permission for the development. The resubmission of what is essentially the same planning application offers the Planning Authority the opportunity to revisit and rebalance the developer-favoured subjectivity with which it considered the plans for this inappropriate development which under any impartial objective assessment patently fails in the planning requirement for "protection of existing residential amenities and the preservation of the established character" [H17 Objective 5]

The Reasons and Considerations set out by the Planning Board for its refusal of permission concern hazards for traffic and pedestrians which should have been obvious to the Roads Department of SDCC when consulted about the planning application. Indeed when the the SDCC refused planning permission for the ealier planning application for the site [SD19A/0198] one of the four reasons given for refusal was the intensification of traffic at the entrance in close proximity onto a heavily trafficked road.

The current revised site egress proposals provide the opportunity for that department to make good its oversights on the last planning application SD20A/142 about precarious traffic implication of this development by addressing comprehensively

and thoroughly the current egress proposal deficiencies, by identifying the inherent dangerous and potentially fatal hazards to pedestrians and drivers alike and by reaffirming the earlier conclusions it reached on planning application SD19/A0198.

In reviewing the current application SDCC the Planning Authority has been given the opportunity revisit other reasons it advanced for refusing the earlier application SD/ 0198 viz

- The proposed building would be visually obtrusive and would adversely impact on the visual and residential amenity of adjacent residential properties
- Overbearing impact on the dwellings to the south

The changes made by the developer in the current application are considered by the local community to be minimal and do nothing to detract from the veracity and reality of these two reasons for refusal.

As regards the fourth reason given for refusal failure of the proposed development to comply with Section 3.0 of the Urban Development and Building Guidelines for Planning Authorities [Dec 2018] the current revised proposed building would fail dramatically to “integrate into/ enhance the character and public realm of the area, having regard to topography, its cultural context, setting of key landmarks, protection of key views.

The adjustments made by the developer to previous plans for entering and exiting the site from the Lucan Road, while they are mainly cosmetic, actually multiply the potential traffic hazards by adding a “right in”, “right out” arrangement. Already the Planning Board has judged “ that the intensification of traffic accessing and egressing the site would result in unsafe traffic movements in and out of the site.’ The Board considered that the proposed development would endanger pedestrian safety by reason of creating a traffic hazard and would, therefore, be contrary to the proper planning and sustainability of the area”

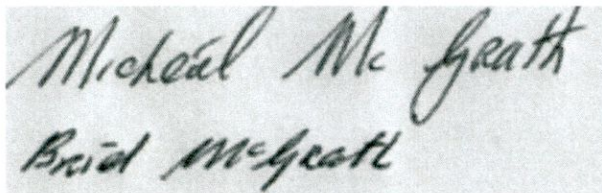
The Board considered that “the increased traffic accessing the site [left in, left out only] cannot be accommodated in the absence of safer and more sustainable road design solutions such as box junctions, traffic lights and or pedestrian crossings to facilitate the development” This in our view is a mere statement of obvious facts as they are, and are not in any way intended or to be construed as an invitation to the developer to require the SDCC to act irresponsibly to facilitate the private development by completely disrupting traffic flow and undermining safety at what is already an extremely busy and hazardous junction.

We are strongly of the view that none of the road design suggestions mentioned above would be sustainable at this perilous junction which is subject to long tailbacks of traffic in both directions and rather than providing solutions would be more likely to add substantially to the already horrendous traffic congestion, road user safety and pedestrian safety problems at the junction.

The notion that the road traffic and pedestrian traffic could or should be disrupted to facilitate what is an essentially a private income generating development would be prioritising the interests of an individual over the genuine, legitimate interests and concerns and the safety of the many whom the Council is required to serve. If the SDCC were to approve the traffic arrangement proposed by the developer and traffic accidents subsequently occurred, to which the revised traffic arrangement may be deemed to have been a contributory factor, those having made such a decision would surely be confronted with the prospect of a shared responsibility or culpability for such accidents.

The proposal's arrangements for refuse collection are not grounded in reality. Firstly the proposal underestimates the size of the waste disposal trucks that service the locality and the space required for manoeuvring them. Secondly, the proposal fails to take account of the practice followed by truck drivers when entering confined areas such as cul-de-sacs in the surrounding areas. Because of the size of the trucks and for safety reasons the trucks are reversed into the cul-de-sacs and driven out. This is necessary because it is impossible to turn the truck once in the cul-de-sac even though the cul-de-sacs would be wider than the space allotted for such a manoeuvre in the revised proposal. It would be an act of outrageous folly to require a waste disposal truck to access the site from, or egress the site onto, the extremely busy Lucan Road and pedestrian pathway by way of a reverse manoeuvre or to require a truck to park on the mainroad while from 19 to 38 bins were being emptied depending on the type of waste bin collection day.

Yours sincerely

A photograph of a handwritten signature on a light-colored background. The signature is written in cursive and consists of two lines: "Micheál Mc Grath" on the top line and "Brid Mc Grath" on the bottom line.

Micheál and Brid Mc Grath
80 Lucan Heights,
Lucan,
Co. Dublin

Micheál & Bríd McGrath
80, Lucan Heights
Lucan
Dublin

Date: 13-Sep-2022

Dear Sir/Madam,

Register Ref: SD22A/0324
Development: Demolition of an existing house; Ancillary outbuildings and the construction of 1 two to four storey building accommodating 19 apartments comprised of 6 one bedroom apartments and 13 two bedroom apartments; Vehicular access to the proposed development will be via Lucan Road with traffic calming measures onto Lucan Road; 11 car parking spaces and 20 bicycle parking spaces and ancillary services including a detached water storage tank and bin store housing all on a site of 0.1925 hectares.
Location: Hillhouse, Lucan Road, Lucan, Co. Dublin
Applicant: Frances Dowling
Application Type: Permission
Date Rec'd: 08-Aug-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**