

Director Of Services,
Planning Department
South Dublin County Council
County Hall
Tallaght
Dublin 24.



September 10, 2022.

APPLICATION RE: 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. (REG. REF: SD22A/0324)

A Chara,

We have been instructed by our clients, **Lucan Heights Residents¹, c/o Stephen McCabe, 37 Lucan Heights, Lucan, Co. Dublin**, to submit the following Observation on the planning application mentioned above, and which was submitted to the Planning Authority on August 8, 2022. Our clients represent most residents in the Lucan Heights area, and it is important to state that they have worked tirelessly to improve the quality of Lucan's public realm, and by inference, the residential amenities of residents who reside there. While our clients are not opposed to development in the area, particularly housing, they are rightly concerned that the subject development - while having serious design flaws - would represent a significant safety risk to road users and pedestrians, because of the proposed access arrangements. The safety issues identified in the previous planning application on the site, for a development broadly similar to that now proposed, i.e.*the intensification of traffic at the access to the site in close proximity to a controlled junction and onto a heavily trafficked regional road would result in increased traffic hazard. It is considered that the proposed development would endanger public safety by reason of traffic hazard or obstruction of road users or otherwise*, have, in our view, not been resolved, and the road safety audit submitted with the planning application is totally remiss in terms of solving the major flaw in the previous planning applications with regard to right turning traffic into and out of the development site. As such any decision on the proposed development must be regarded as premature pending, as a minimum, a detailed traffic assessment and safety audit setting out a rationale for the proposed development and the solutions proposed to eradicate the serious traffic hazard that the proposed development would create.

It is well documented that the Planning Authority can only consider the proposed development in terms of the statutory development plan for the area and the proper planning and sustainable development of the area, which includes the proposed development's compliance with the planning framework for the development of the site. Of import here is the fact that while there have been a number of Ministerial Guidelines issued in relation to housing over the last three years, these guidelines can only be countenanced in the context of the overall vision and objectives of the Planning Authority's strategy, as set out in the South Dublin County Development Plan 2022 -2028. While the applicants have ignored the current statutory development plan for the area in favour of the now defunct one, i.e. South Dublin County Development Plan 2016 – 2022, we would direct the Planning Authority to the content of the plan generally, but to pay particular regard to Appendix 10 of the plan be addressed when evaluating the appropriateness of the density and height when held up against the present character and pattern of development in the area already. Furthermore it is clear that the designation of Character Areas to the village and surrounding suburban areas, which included the subject site, is a clear pointer to the fact that the subject site is part of a

¹ A list of the residents who support this observation is included in the Annex to this submission.



defined character area of two storey family residences on medium sized plots with on site car parking spaces for one and two cars. In this regard we would direct the Planning Authority to SPPR3 of the ministerial Guidelines and the residential guidelines.

1.1 SUMMARY OF OUR CLIENTS' CONCERNS

Our clients' main concern is with the impact the proposed development would have on their residential amenity and on the safety of road users and pedestrians at the proposed access points to the proposed development. They are most concerned that no assessment of the existing traffic situation was undertaken, particularly in relation to peak traffic movements at the entrance to the site. Furthermore, given the paucity of car parking spaces provided on site, it is a serious omission that no car parking survey was undertaken. No mobility management plan or safety audit was carried out or submitted as part of the planning application. No construction management plan was submitted. This is of particular concern given the possibility that construction traffic might have to reverse onto Lucan Road.

It should also be noted that there are four primary schools and two second-level schools nearby. Therefore, there is substantial pedestrian traffic past the site on a daily basis during week days; a high proportion of them children.

Our clients believe that the proposed development is detrimental to the character of the area, something which the Planning Authority are supposed to be trying to achieve. The size and scale of building proposed materially contravenes the policies and objectives of the Planning Authority as expressed in the statutory development plan for the area.

The proposed development would lead to overshadowing, overbearing and overlooking of neighbouring properties with a consequent loss of residential amenity. The proposed development would therefore be injurious to the residential amenity of neighbouring properties.

At present the density in the immediate area is approximately twenty two houses to the hectare. The proposed development would represent one hundred and three units to the hectare. Given that the site is under the 0.5ha suggested for higher densities in the Residential guidelines, and that the site must be considered an outer suburban site, a proposed density of one hundred and three units to the hectare is totally out of keeping with the prevailing densities in the area, but more importantly is three times the density proposed in the guidelines for sites of 0.5 hectare, and is at variance with the guidance included in Appendix 10 of the statutory development plan for the area, where it states that *the document is to guide applicants through a process of contextual analysis by which the suitability or otherwise of different density and height levels can be assessed with reference to the receiving environment of the proposed development. Proposals are required to demonstrate to the satisfaction of South Dublin County Council that the overall positive benefits of the development justify the scale of increased height being proposed. There are two steps to this process:*

- 1. An analysis of existing context; and*
- 2. A demonstration that the proposed height increase is contextually appropriate.*

While we would strongly argue that the proposed development is not contextually appropriate, it is noteworthy that the applicants have ignored this document and have made no case as to why their development might be deemed to comply with the Planning Authority's policies with regard to its height and its appropriateness in terms of its context.

In the next sections we will review the history of developments on the site, and look at the parameters governing all developments in the State, which will include the statutory development plan for the area, i.e. South Dublin Development Plan 2022-2028.

1.2 PLANNING HISTORY

Reg. Ref. SD20A/0142, ABP-309525-21

Demolition of an existing house, Hillhouse, Lucan Road and ancillary outbuildings and the construction of one 4 storey building accommodating 20 apartments comprised of 5 one bedroom apartments and 15 two bedroom apartments. Vehicular access to the proposed development will be via Lucan Road and Lucan Heights with 13 car parking spaces and 12 bicycle parking spaces and ancillary services including a detached water storage tank and bin store housing all on a site of 0.1925ha. at Hillhouse, Lucan Road, Lucan, Co. Dublin

Planning permission refused by the Planning Authority and An Bord Pleanála for the following reason:-

Having regard to the proximity of the primary site access to the controlled junction on the R835 regional road, to the proposed limited access by means of a "left in, left out" arrangement only, and to the proposed use of the secondary access point onto Lucan Heights across the existing pedestrian walkway which is considered inappropriate, it is considered that the proposed intensification of traffic accessing and egressing the site would result in increased traffic hazard on a busy road and would result in unsafe traffic movements into and out of the site. It is 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 sustainable development of the area.

In making this observation we don't believe that the applicants have dealt with this reason for refusal, and we would question the validity and viability of the Road Safety Audit which was submitted in support of the current planning application.

Reg. Ref. SD19A/0198

A planning application on the same site for what was described in the public notices as, " *Demolition of existing house and ancillary out buildings and the construction of a four storey building accommodating 21 apartments comprised of 6 one bedroom apartments and 15 two bedroom apartments; vehicular access to the proposed development will be via Lucan Road with 13 car parking spaces and 12 bicycle parking spaces and ancillary services all on a site of 0.1925 hectares*", was refused planning permission for the following reasons:-

- 1. The proposed intensification of traffic at the access to the site in close proximity to a controlled junction and onto a heavily trafficked regional road would result in increased traffic hazard. It is considered that the proposed development would endanger public safety by reason of traffic hazard or obstruction of road users or otherwise.*
- 2. Having regard to the overall bulk, scale and massing of the building, the proposed development would be visually obtrusive and would adversely impact on the visual and residential amenity of adjacent residential properties and the wider area, and would set an undesirable precedent for similar type development in the area and would be contrary to the proper planning and sustainable development of the area.*
- 3. The proposed development would have a significant overbearing impact on the dwellings to the south and would therefore not be in accordance with the zoning objective of the site 'to protect and/or improve Residential Amenity'. The proposed development would, therefore, seriously injure the residential amenities of the area, would conflict with the objectives of the County Development Plan and would be contrary to the proper planning and sustainable development of the area.*
- 4. Having regard to the provisions of the Urban Development and Building Heights Guidelines for Planning Authorities (December 2018), the Planning Authority is not satisfied on the basis of the*

information submitted that the proposed development complies with criteria set out in Section 3.0 of said guidelines. The proposed development therefore would be contrary to SPPR 3 of the Ministerial Guidelines and contrary to the proper planning and sustainable development of the area

In support of that decision the Planning Officer, in his/her report of August 2019, made the following comments which are relevant to the current planning application:-

'The Planning Authority, does however have concerns regarding the bulk, scale and massing of the proposed structure. At 11.8m in height and approximately 30m in length along the front boundary and approximately 27.4m in depth along the eastern boundarythe structure appears overly dominant and overbearing at this location and does not promote legibility through the site. there are concerns regarding the large areas of uninterrupted blank brick wall on the southern elevation and poor solid to void ratio on the western elevation, which would be highly visible from the public realm and would not be visually acceptable..... the proposed development does not sufficiently comply with the criteria in the Building Height guidelines to grant permission where the provision of the County Development Plan 2016-2022 with regard to building height indicates otherwise and therefore planning permission should be refused.'

Again the Roads Department stated that, *'The vehicular access is very close to a controlled junction on a very busy road. The access is located in a right turning pocket of this junction. An intensification of traffic at this existing access would lead to an increased traffic hazard.'*

The Planning Officer therefore concluded that the access onto the Lucan Road and its proximity to a complex controlled junction presented a major barrier to development at this location. As such the Planning Officer recommended refusal, having regard to the potential traffic hazard the proposed development would create. We have been unable to establish how the current development could be considered an improvement on the original planning application, and for that reason we believe that the revised scheme does not overcome the previous reason for refusal.

Again while the southernmost element of the proposed apartment block has been reduced in height from three-storeys to two-storeys, the proposed scheme remains an overbearing development particularly given its proximity to adjoining properties on Lucan Heights.

1.3 PLANNING FRAMEWORK

A number of national and local documents are relevant when one is considering the appropriateness of the proposed development. The key provisions of national, section 28 guidelines, and regional planning policy as it relates to the proposed development are set out in the following sections. Thereafter we will examine the South Dublin County Development Plan 2017 -2023 which is the main development management tool in vogue for the period.

✚ NATIONAL PLANNING FRAMEWORK (NPF) 2040

The National Planning Framework 2040 sets out the importance of development within existing urban areas by

"making better use of under-utilised land including 'infill' and 'brownfield' and publicly owned sites together with higher housing and job densities, better services by existing facilities and public transport".

In terms of specific objectives contained within the NPF we highlight the following:

-Objective 3A states that it is a national policy objective to "deliver at least 40% of all new homes nationally within the built-up envelope of existing urban settlements".

-Objective 4 states to “ensure the creation of attractive, liveable, well designed, high quality urban places that are home to diverse and integrated communities that enjoy a high quality of life and well being”.

Objective 11 states that “there will be a presumption in favour of development that encourages more people, jobs and activity within existing urban areas, subject to development meeting appropriate planning standards and achieving targeted growth”.

-Objective 13 states “In urban areas, planning and related standards, including in particular building height and car parking will be based on performance criteria that seek to achieve well-designed high-quality outcomes in order to achieve targeted growth”.

-Objective 35 states “Increase residential density in settlements through a range of measures including reductions in vacancy, re-use of existing buildings, infill development schemes, area or site-based regeneration and increased building heights”.

On the basis of the above extracts, it is evident that there is a strong emphasis in the NPF towards increased densities in appropriate locations within existing urban centres and along public transport corridors.

While the proposed development could rely on the aforementioned objectives of the NPF and the overarching national planning policy to increase residential development at appropriate locations, in the present instance the density proposed for the subject site is not appropriate as the site is too small, is an outer suburban site, and does not have safe access to the public road network, and is distant from a poor QBC network which only serves the city centre. The proposed development is also inconsistent with the character and pattern of development in the area. Furthermore the size of the site, at 0.2 hectare - which is significantly less than the 0.5 hectare allowable for developing a stand alone density - is further proof that the type of development proposed on the lands should be in keeping with the density of surrounding lands.

↓ REBUILDING IRELAND – ACTION PLAN FOR HOUSING AND HOMELESSNESS

Rebuilding Ireland was launched in 2016 with the objective to double the annual level of residential construction to 25,000 homes and deliver 47,000 units of social housing in the period to 2021.

Rebuilding Ireland is set around five pillars of proposed actions summarised as follows:

Pillar 1 – Address Homelessness: Provide early solutions to address the unacceptable level of families in emergency accommodation; deliver inter-agency supports for people who are currently homeless, with a particular emphasis on minimising the incidence of rough sleeping, and enhance state supports to keep people in their own homes.

Pillar 2 – Accelerate Social Housing: Increase the level and speed of delivery of social housing and other State – supported housing

Pillar 3 – Build More Homes: Increase the output of private housing to meet demand at affordable prices.

Pillar 4 – Improve the Rental Sector: Address the obstacles to greater private rented sector delivery, to improve the supply of units at affordable rents.

Pillar 5 – Utilise Existing Housing: Ensure that existing housing stock is used to the maximum degree possible – focusing on measures to use vacant stock to renew urban and rural areas.

We have no objection to the development of the site for housing, providing that any proposed development is consistent with the character and pattern of development in the area, and that the site can be developed without creating safety issues for existing road users, including pedestrians and young school going children who attend the nearby school.

↓ GUIDELINES FOR PLANNING AUTHORITIES ON SUSTAINABLE RESIDENTIAL DEVELOPMENT IN URBAN AREAS (2009)

This document reviews and updates the original 1999 Residential Density Guidelines, with an aim to assist planning authorities in the design of residential areas. These Guidelines support higher densities in transport corridors noting that higher residential densities close to public transport facilities can help to sustain the economic viability of such transport. The guidelines state that it is recommended that increased densities should be promoted within 500 metres walking distance of a bus stop, or within a kilometre of a light rail stop or a rail station. The capacity of public transport (e.g. the number of train services during peak hours) should also be taken into consideration in considering appropriate densities.

The Guidelines are accompanied by a Design Manual which demonstrates how design principles can be applied in the design and layout of new residential developments, at a variety of scales of development and in various settings.

These Guidelines also reinforce the need to adopt a sequential approach to the development of land. Specifically section 2.3 therein states *'the sequential approach as set out in the Departments Development Plan Guidelines (DoEHLG, 2007) specifies that zoning shall extend outwards from the centre of an urban area, with undeveloped lands closest to the core and public transport routes being given preference, encouraging infill opportunities...'*

Given that the subject site must be considered to be an Outer Suburban / 'Greenfield' sites, section 5.11 of the Guidelines is relevant

.....Studies have indicated that whilst the land take of the ancillary facilities remains relatively constant, the greatest efficiency in land usage on such lands will be achieved by providing net residential densities in the general range of 35-50 dwellings per hectare and such densities (involving a variety of housing types where possible) should be encouraged generally. Development at net densities less than 30 dwellings per hectare should generally be discouraged in the interests of land efficiency, particularly on sites in excess of 0.5 hectares.

Of the basis of the above it is clear that the proposed development is neither an adequately sized site for the increase in density proposed, nor is the density proposed, which is three times that recommended, in keeping with the guidelines. It is also important to state that density, and in particular increases in density, are very often predicated by more important considerations, which include public infrastructure, the statutory development plan for the area, and any externalities that a development might create. In the present instance it is clear that the proposed development cannot be safely serviced by the public road network in the area. It is astounding that the applicants failed to include any roads or traffic report, which should have included a safety audit, prepared by a qualified consultant, to support the type and scale of development proposed.

↓ URBAN DESIGN MANUAL – A BEST PRACTICE GUIDE (2009)

The manual sets out a series of criteria which it recommends should be used in the examination of a development proposal. Of import here are a number of them:-

Context: How does the development respond to its surroundings?

We would submit that the subject site is an infill site located outside the town centre and distant from a mass public transport node. The proposed development is out of keeping with the existing character of the area and the specific site constraints have not been adequately dealt with.

Distinctiveness: How do the proposals create a sense of place?

Given the size of the proposed development and its location at the entrance to Lucan, the building will create a visually discordant feature at the entrance to Lucan village.

Parking: How will the parking be secure and attractive?

The number of car parking spaces provided on site are significantly less than that set out in the statutory development plan for the area. Given the location of the site in the outer suburbs, allied to the poor public transport network, there is no excuse for not ensuring that the standards set out in the Development Plan are not adhered to. As such there is a shortfall of six car parking spaces which will, along with visitor car parking spill over onto the narrow roads in Lucan Heights.

✚ **SUSTAINABLE URBAN HOUSING: DESIGN STANDARDS FOR NEW APARTMENTS(2015).²**

The new Guidelines review and update the previous 2007 Guidelines. A significant change in the Guidelines was the provision for studio apartments for specific cases, such as 'build to let' developments above certain thresholds (e.g. 50 apartments or more). The Guidelines state that a minimum of 50% of units must be dual aspect and that north facing single aspect units should be avoided unless they enjoy a significant amenity, such as a park or large water feature body. The proposed development has taken guidance from this document and the apartments have been designed to adhere to its requirements.

✚ **URBAN DEVELOPMENT AND BUILDING HEIGHTS GUIDELINES FOR PLANNING AUTHORITIES (DECEMBER 2018)**

The Urban Development and Building Heights Guidelines for Planning Authorities were published in their final form in December 2018 under section 28 of the Planning and Development Act 2000, as amended.

In relation to Development Planning, Specific Planning Policy Requirement 1 requires Planning Authorities to avoid provision of blanket 'numerical limitations on building height' and advises the identification of areas 'where building height will be actively pursued' within Development Plans. The Guidelines advocate increased building heights 'in locations with good public transport accessibility, particularly town/city cores'.

The Guidelines introduce Development Management criteria which proposals for higher buildings will be required to satisfy. The relevant criteria in respect of the proposed residential development are as follows:

At the scale of the relevant city/town

Development proposals incorporating increased building height... should successfully 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. Such development proposals shall undertake a landscape and visual assessment by a suitably qualified practitioner such as a chartered landscape architect.

The scale of the proposed development does not integrate appropriately with its surroundings. The proposed building height has not taken cognisance of the scale, height and proximity of neighbouring properties and is not in keeping with the existing heights in Lucan Heights.

At the scale of district / neighbourhood / street

The proposal fails to respond to the surrounding built environment and makes a negative contribution to the urban neighbourhood and streetscape. Furthermore the proposed developments does not make a positive contribution to place-making, with a lack of variety which fails to respond to the scale of adjoining developments and create visual interest in the streetscape. The design features and fenestration of the block add nothing to the general ambience of the area.

² The more recent Ministerial guidelines are dealt with in detail below.

At the scale of the site/building

The form, massing and height of proposed developments should be carefully modulated so that there is maximum access to natural daylight, ventilation and views and overshadowing and loss of light is minimized. Appropriate and reasonable regard should be taken of quantitative performance approaches to daylight provision outlined in guides like the Building Research Establishment's 'Site Layout Planning for Daylight and Sunlight' (2nd Edition) or BS 8206-2: 2008 – 'Lighting for Buildings – Part 2: Code of Practice for Daylighting'.

The proposed scale, massing and height of the development has not been properly evaluated nor has it been informed by any Landscape or Visual Assessment. The site is poorly placed to absorb a higher density development, in terms of access and location, and is inappropriately scaled and designed in the context of its urban surroundings.

Under Section 3 of the Guidelines (Development Management Principles), it is stated:

"In relation to the assessment of individual planning applications and appeals, it is Government policy that building heights must be generally increased in appropriate urban locations. There is therefore a presumption in favour of buildings of increased height in our town/city cores and in other urban locations with good public transport accessibility. The Guidelines expand on the benefits taller buildings will bring to an area. In addition to extra housing and economic development in well-located urban areas, "they can also assist in reinforcing and contributing to a sense of place within a city or town centre, such as indicating the main centres of activity, important street junctions, public spaces and transport interchanges. In this manner, increased building height is a key factor in assisting modern placemaking and improving the overall quality of our urban environments".

The site is not one that can rely on the above, as it will not assist modern placemaking nor improve the overall quality of this suburban environments.

✚ DESIGN STANDARDS FOR NEW APARTMENTS - GUIDELINES FOR PLANNING AUTHORITIES (MARCH 2018)

The Guidelines contain a number of 'Specific Planning Policy Requirements' (SPPR). These specific planning policy requirements contained in these new Guidelines take precedence over policies and objectives of development plans, local area plans and strategic development zone planning schemes.

The guidelines provide for updated guidance on apartment developments in response to the National Planning Framework and Rebuilding Ireland. These guidelines supersede the 2015 Sustainable Urban Housing: Design Standards for New apartments; Guidelines for Planning Authorities.

A key inclusion in the guidelines is the acknowledgement of the importance of strategic sites in existing urban areas that are near to existing public transport facilities. The guidelines identify locations in cities and towns that may be suitable for apartment development as follows:

- Sites within reasonable walking distance (i.e. up to 10 minutes or 800-1,000m) to / from high capacity urban public transport stops (such as DART or Luas) and;
- Sites within easy walking distance (i.e. up to 5 minutes or 400-500m) to / from high frequency (i.e. 10 minute peak hour frequency) urban bus services.

In such circumstances, the default position is to minimise car parking provision, substantially reduce or wholly eliminate in certain circumstance.

We would submit that the subject site is one which is in a defined "Character Area" as set out in the Lucan Village Plan of 2007, and as such is not a type of development that could rely on SPPR3, as suggested by the Planning Authority.

1.4 SOUTH DUBLIN COUNTY DEVELOPMENT PLAN 2022-2028



The new statutory development plan for the area was adopted on June 22, 2022, and came into force on August 3, 2022.³ The aim of the Planning Authority is set out in the introduction, and is as follows, "In 2028 South Dublin will be a place that our communities are proud of, that our businesses can thrive in and that will help us to live greener and healthier lives."

The subject site has a Zoning Objective 'RES' in the plan, the objective of which is 'To protect and/or improve residential amenity'. The zoning on the site can be seen in the extract from Zoning Map 1 below where the subject site is outlined in red.

While a residential development is a permitted use on the site, proposals for residential development must be compliant with the relevant objectives, policies, and Development Control Standards set out in the Development Plan. In the next sections we will deal with the policies and the Development Control Standards of the Planning Authority as expressed in the statutory development plan for the area, but which are tempered by the overarching National and Regional Guidelines but also the Ministerial Guidelines which we have mentioned above.

³ A draft Ministerial Direction, published with the Plan documents, has issued on identified objectives within the plan relating to data centres and an area of employment zoning at Greenogue. Those areas subject to the draft Ministerial Direction do not come into effect with the rest of the Plan



Source: South Dublin County Development Plan 2022-2028. Extract from Zoning Map 1 showing the subject site (outlined in red) zoned objective 'RES'

INFILL DEVELOPMENT

Section 12.6.8 of the plan deals with '*Residential Consolidation – Infill, Backland, Subdivision & Corner Sites*'. This section notes that sensitive intensification can be important in revitalising areas. It is the policy of the Council to support residential consolidation and sustainable intensification at appropriate locations, to support ongoing viability of social and physical infrastructure and services and meet the future housing needs of the County'.

The following objectives are relevant in this regard:

H13 Objective 1: To support residential consolidation and sustainable intensification at appropriate locations and to encourage consultation with existing communities and other stakeholders

H13 Objective 2: To maintain and consolidate the County's existing housing stock through the consideration of applications for housing subdivision, backland development and infill development on large sites in established areas, subject to appropriate safeguards and standards

H13 Objective 5: To ensure that new development in established areas does not impact negatively on the amenities or character of an area.

H13 Objective 7: To support and facilitate the replacement of existing dwellings with one or more replacement dwellings, subject to the protection of existing residential amenities and the preservation of the established character (including historic character and visual setting) of the area.....

On the basis of the above it is clear that the proposed development is not an appropriate infill development as it neither protects existing residential amenities nor does it preserve the established character of the area. The dwellings to the south of the subject site at Lucan Cloisters, particularly the adjoining property, would be seriously affected by the scale and design of the proposed development so close to their boundaries.

Section 2.7 of the plan deals with residential densities and notes that densities should take account of the location of a site, the proposed mix of dwelling types and the availability of public transport services.

CS6 Objective 4: To promote higher densities (50+ units per hectare) subject to meeting qualitative standards at appropriate locations, in urban built-up areas, especially near urban centres and / or high-capacity public transport nodes in line with prevailing Section 28 Ministerial Guidelines and where it can be demonstrated that the necessary infrastructure is in place or can be provided to facilitate the development.

CS6 Objective 6: *To apply the provisions contained in the Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas, DEHLG (2009) relating to Outer Suburban locations, including a density range of 35-50 units per hectare, to greenfield sites that are zoned residential (RES or RES-N) and are not subject to a SDZ designation, a Local Area Plan and/or an approved plan, excluding lands within the M50 and lands on the edge or within the Small Towns/ Villages in the County.*

CS6 Objective 7: *To facilitate, in limited locations, four and five bed detached homes on lands that are appropriate to low density residential development.*

The application site has an area of 0.1925 hectares and proposes to provide nineteen residential units. This results in a residential density of approximately 100 units. This is excessive considering that the surrounding area has a density of twenty two units per hectare. As such the proposed development would be completely out of character with the surrounding area.

⚡ BUILDING HEIGHT

"In accordance with Government policy to support increased building height and density in locations with good public transport accessibility, particularly town / city cores, planning authorities shall explicitly identify, through their statutory plans, areas where increased building height will be actively pursued for both redevelopment, regeneration and infill development to secure the objectives of the National Planning Framework and Regional Spatial and Economic Strategies and shall not provide for blanket numerical limitations on building height."

In response to such policy provisions and guidelines, in particular SPPR1, the Planning Authority have provided a separate guide to building height and density in Appendix 10 of the statutory development plan for the area. The following is a summary of the main recommendations from this report which was prepared by O'Mahoney Pike.

Four distinct categories of development management criteria are identified as being required to avoid ongoing uncertainty about the appropriate height for buildings on a particular site. These categories are:

1. At the scale of the relevant City / Town:

- The site must be well served by public transport with high capacity, frequent service and good links to other modes of public transport;

- Where development proposals incorporate increased building height, these should successfully integrate into or enhance the character and public realm of the area, having regard to topography, its cultural context, setting of key landmarks, and the protection of key views;
- On larger urban redevelopment sites, proposed developments should make a positive contribution to place-making, incorporating new streets and public spaces and using massing and height to achieve the required densities but with sufficient variety in scale and form to respond to the scale of adjoining developments and create visual interest in the streetscape.

2. At the scale of the District / Neighbourhood / Street:

- The proposal must respond to its overall natural and built environment and make a positive contribution to the urban neighbourhood and streetscape;
- The proposal must not be monolithic and must avoid long, uninterrupted walls of building in the form of slab blocks with materials / building fabric well considered;
- The proposal must enhance the urban design context for public spaces and key thoroughfares thereby enabling additional height and development form to be favourably considered in terms of enhancing a sense of scale and enclosure while being in line with the requirements of 'The Flood Risk Management Guidelines';
- The proposal must make a positive contribution to the improvement of legibility through the site or wider urban area;
- The proposal must positively contribute to the mix of uses and / or building / dwelling typologies available in the neighbourhood

3. At the scale of the Site / Building:

- The form, massing and height of proposed developments should be carefully modulated so as to 'maximise access to natural daylight, ventilation and views and minimise overshadowing and loss of light';
- Where a proposal may not be able to fully meet all the requirements of the daylight provisions set out above, this must be clearly identified and a rationale for any alternative, compensatory design solutions must be set out.

4. Any identified specific criteria.

- including micro-climate; biodiversity; telecommunications infrastructure; heritage; and so on.

SPPR 3 (A) (1) requires applicants to demonstrate compliance with Section 3.2 Development Management Criteria which, in terms of location, indicates that the site is well served by public transport with high capacity, frequent service and good links to other modes of public transport. As described previously, this Guide incorporates the findings of High Court Judicial Review [2020] IEHC 356 that this must be existing transport and does not include any planned future upgrade in public transport services in an area and therefore identifies suitable sites as being focused within c. 1200m of existing Multiple Transport Nodes within the County.

The High Court Judicial Review [2020] IEHC 356 further established that applicants are required not only to demonstrate that the criteria of SPPR 3 have been addressed, but also that an appropriate response to them has been incorporated into the design of the development proposal. Effectively, the requirement is for the reasoned justification of the proposed increased height by means of demonstration that the proposal has been designed not only to mitigate any negative impact on the existing urban environment but in fact makes a positive contribution.

Proposals are required to demonstrate to the satisfaction of South Dublin County Council that the overall positive benefits of any development which seeks a particular height justify the scale of increased height being proposed. The Planning Authority look for two steps to this process:

1. An analysis of existing context; and

2. A demonstration that the proposed height increase is contextually appropriate.

We would also like to bring to the Planning Authority's attention with specific reference to the following objective:

The architectural language of the development (including boundary treatments) should generally respond to the character of adjacent dwellings and create a sense of harmony. Contemporary and innovative proposals that respond to the local context are encouraged, particularly on larger sites which can accommodate multiple dwellings;

Section 11.2.7 in the Plan deals with the implementation of building heights, and of note is the fact that a variety of building heights will be supported in residential areas, urban centres and regeneration zones.

'Development proposals that include 'higher buildings' that are greater than the prevailing building height in the area should be supported by a strong urban design rationale (as part of a Design Statement) and provide an appropriate series of measures that promote the transition to a higher building.....Proposals for higher buildings of over three storeys in residential areas should be accompanied by a site analysis (including character appraisal) and statement that addresses the impact of the development.....'

The Plan states that the appropriate maximum or minimum height of any building will be determined by:

- *The prevailing building height in the surrounding area.*
- *The proximity of existing housing - new residential development that adjoins existing one and/or two storey housing (backs or sides onto or faces) shall be no more than two storeys in height, unless a separation distance of 35 metres or greater is achieved.*
- *The formation of a cohesive streetscape pattern – including height and scale of the proposed development in relation to width of the street, or area of open space.*
- *The proximity of any Protected Structures, Architectural Conservation Areas and/or other sensitive development.*

From the above it is clear that the proposed development is a clear violation of the above requirements. Whilst an attempt has been made to reduce the impact of the proposed building on the adjacent properties to the south by reducing the southernmost element of the development to two-storeys in height, we note that the three and four storey elements are still situated within close proximity to the shared boundary with No. 4 Lucan Cloisters and is significantly closer than the thirty five metres set back required.

✚ CONSTRUCTION AND DEMOLITION WASTE

Section 12.11.3 (iv) of the Plan has regard to construction and demolition waste, and states that a construction and demolition waste management plan should be submitted as part of development proposals, particularly when the number of units is greater than ten.

No Construction and Demolition Waste Management Plan was submitted with the planning application, as required, and we would submit that it is totally unacceptable to include same as a condition in a notification of decision to grant planning permission, particularly as it excludes our clients from having any input into the compliance of same, which remains an arrangement between the Planning Authority and the applicants. Given the huge damage, both environmental and physical, that construction traffic could have on the

neighbourhood to allow this matter be dealt by way of condition is, to say the least, imprudent, and as a minimum an Additional Information request should be sought from the applicants.

📌 CAR PARKING

Section 7.10.2 of the Plan deals with car parking standards in the area, and states that a balanced approach needs to be adopted by limiting the number of spaces to be provided for any given development according to need, and ensuring the efficient turnover of space. *Policy SM7: Car Parking and EV Charging. Implement a balanced approach to the provision of car parking with the aim of using parking as a demand management measure to promote a transition towards more sustainable forms of transportation, while meeting the needs of businesses and communities.*

The following car parking objectives are relevant to the subject development:

SM7 Objective 1: To implement maximum car parking standards for a range of land-use types, where provision is based on the level of public transport accessibility.

SM7 Objective 2: To limit the availability of workplace parking in urban centres to discourage car commuting, where alternative transport options are available.

SM7 Objective 4: To make provisions for the use of electric vehicles through a significant increase in the provision of clearly and exclusively designated electric car charging points on public and private land in partnership with ESB and other relevant stakeholders and land owners.

Section 12.7.4 of the Plan sets out the car parking standards for the County, which for the purposes of car parking is divided into three zones -

- *Zone 1: General rate applicable throughout the County.*
- *Zone 2 (Non Residential): More restrictive rates for application within town and village centres, within 800 metres of a Train or Luas station and within 400 metres of a high quality bus service (including proposed services that have proceeded to construction).*
- *Zone 2 (Residential): More restrictive rates for application within town and village centres, within 400 metres of a high-quality public transport service 5 (includes a train station, LUAS station or bus stop with a high quality service)⁴*

The subject site is now part of the C-Spine of the bus connects and is served by Dublin bus numbers C3,C4,C5,C6,L54 leaving it situated within Zone 2 (residential). It should be noted, however, that the QBC only commences approximately two hundred metres to the east of the site, is eastbound only, and only operates in the AM Peak (07:00 – 09:30); i.e. that there is no eastbound QBC passing the site, and the services mentioned, all coming from the west, are subject to the same high levels of congestion as private vehicular traffic, and (b) there is no westbound QBC in the vicinity of the site at all for the services mentioned.

As such the site would be classified as within a Zone 2 (Residential) area. On the basis of that the standards, which are set out in table 12.24 of the Plan, require 0.75 no. spaces per one-bedroom apartment and 1 no. space for two- bedroom apartments.⁴ The proposed development on the subject site provides for 5 no. one-bedroom apartments and 14 no. two-bedroom apartments. Therefore eighteen car parking spaces are required to service the proposed development, as opposed to the eleven car parking spaces proposed. The

⁴ It should be noted that the Plan makes no allowance for visitor car parking spaces, unlike other Planning Authorities. As such the number of car parking spaces required should be taken as being the minimum given the lack of on street car parking spaces and the width of the surrounding estate roads.

lack of car parking provisions will have an inevitable impact on the surrounding areas particularly Lucan Heights. The development is not located within an area of strong transport links and will therefore attract a high volume of car dependent users, not to mention visitors to the development. This will have a detrimental impact on road safety for all users. While it is National policy to reduce our reliance on the motor car, this has to be dependent on proximity to strong transport links. This is not the case here, so any relaxation of the Planning Authority car parking standards is unwarranted in the present instance.

in the applicant's Planning Design Report, submitted to SDCC, the author states (page 3): "*As already stated, the site is clearly well served by public transport, there being a bus route directly along the Lucan Road, which also provides a dedicated cycle route connecting Lucan to the city centre.*" It should also be noted here is no dedicated cycle route connecting Lucan to the city centre; at least in the commonly-held understanding of what a dedicated cycle route is. There is an east-bound only bus lane along the Lucan Road, which is not a dedicated cycle route: cyclists are required to share the lane with buses, which many cyclists feel safe doing, but others do not. This bus lane joins with a dedicated cycle route on the N4. However, there is no complete dedicated cycle route returning from the city centre back to the proposed development: once one reaches the northern end of the Outer Ring Road, a cyclist has to take their life in their hands as they travel along the busy Lucan Road, for a considerable distance, mixing with traffic of all types—cars, buses, LGVs, HGVs—since there is neither a dedicated cycle route nor bus a lane from that point westwards towards the proposed development.

1.5 OBSERVATION ON PLANNING APPLICATION LODGED

We have reviewed the subject development in terms of the overarching parameters governing all development in the area and are of the opinion that the proposed development has neither overcome the reasons for refusal given by the Planning Authority and An Bord Pleanála on the previous planning applications, nor has the design, scale, and height of the proposed development being able to comply with the more recent Ministerial guidelines, particularly where they relate to compliance with the character and pattern of development in the area. This crucial consideration is embodied in the guidelines but also in Appendix 10 of the recently adopted county plan, and the Lucan village plan where character areas were defined after a detailed consultation process which involved many residents from the area.

What is clear is that the proposed development will be injurious to the residential amenity of the area, particularly residents living in the immediate vicinity of the subject site. As such there is a clear breach of planning policy and a complete disregard for the sustainable development of the site. It is the policy of the Council to ensure that all new residential development within the County is of high quality design, and complies with Government guidance on the design of sustainable residential development as prepared by the Minister under Section 28 of the Planning & Development Act 2000 (as amended).

As noted above, the site is zoned for residential development in the South Dublin Development Plan 2022-2028. As such new residential development, and the protection of existing residential amenity, is the principal consideration when assessing new developments. We would submit that the proposed development, in its current form, significantly affects the residential amenity of most of the residents in the Lucan Heights cul de sac, and as such is a material contravention of the zoning objective in the statutory development plan for the area. The proposal does not protect or complement existing amenities and character. The scale, design, and layout will impact on the amenity of the established residences around the site. Furthermore, by virtue of the height and design, which overlooks and overbears on adjoining residential properties, the proposed development is inconsistent with the overall streetscape of the area.

The vehicular access is very close to a controlled junction on a very busy road. The access is located in a right turning pocket of this junction. An intensification of traffic at this existing access would lead to an increased traffic hazard. When adjudicating on the previous planning application the roads department recommended refusal due to an intensification of traffic leading to an increased traffic hazard. The residents undertook a

survey on the 29th of September 2020 which showed that 665 people used the pedestrian walkway in the twelve hour period 8.00am to 8.00pm on that day.

While the subject site is capable of residential development, this can only be determined within the planning parameters offered by County plans. Clearly these plans will be subject to plans and policies as set out in both National and Regional Plans. That said the higher level strategic national and regional plans must be properly applied to a local context. For example a request for higher densities in towns and cities cannot be crudely applied to every site in the State. What developers and some Local Authorities appear to be missing are the strict requirements for increased density and height. This was well documented by Justice Denis McDonald in the recent case involving Rita O'Neill v An Bord Pleanala. Of import to this planning application and appeal are the comments made by Justice McDonald regarding increased density, and in the mentioned case height.

Section 9(3)(c) explains what is meant by the words "specific planning policy requirements". Those words mean: "such policy requirements identified in guidelines issued by the Minister to support the consistent application of Government or national policy and principles by planning authorities, including the Board, in securing overall proper planning and sustainable development."

S.28(1) of the 2000 Act. States that, "planning authorities shall have regard to those guidelines in the performance of their functions." This means that planning authorities (which would include the Board) must take the guidelines into account but they are not necessarily obliged to follow them.

We would submit that the proposed development is a material and significant breach of all of the planning documents prepared for the area, and one must include among these the guidelines issued by the Minister regarding density and the height of buildings. This is a planning application for a development that effectively ignores all of the specific guidelines for the area, including the specific extant objectives and policies of the Planning Authority which pay due regard to the character and pattern of development in the area, particularly as the development is partially taking place on a small infill site which is surrounded by low rise residential properties. As a precedent the proposed development will create significant problems for the Planning Authority and residents alike, and will be the death knoll for proper planning and sustainable development in an area.

1.6 TRAFFIC

In terms of dealing with the problems that traffic to and from the proposed development would have on the surrounding road network, the previous planning application. i.e. Reg. Ref. SD19A/0198, proposed a similar development at the site with a direct vehicular access to the heavily trafficked R835 Lucan Road. The proposed site access is located within forty metres east of the Lucan Road westbound stop line of the signal-controlled junction with Chapel Hill. The Roads Department Report, dated 12-08-2019, recommended a refusal stating that:

"The vehicular access is very close to a controlled junction on a very busy road. The access is located in a right turning pocket of this junction. An intensification of traffic at this existing access would lead to an increased traffic hazard."

Furthermore the Planning Officers Report, dated 19-08-2019, stated that

"..... the access onto Lucan Road and proximity to controlled junctions is a major barrier to development at this location and having regard to the potential traffic hazard as a result of the proposed development, permission should be refused."

Ultimately planning permission was refused and the first reason for refusal states:

"The proposed intensification of traffic at the access to the site in close proximity to a controlled junction and onto a heavily trafficked regional road would result in increased traffic hazard. It is considered that the proposed development would endanger public safety by reason of traffic hazard or obstruction of road users or otherwise."

A subsequent application under Planning Reg. Ref. SD20A/0142 proposed a similar access to the R835 Lucan Road together with a secondary gated access to Lucan Heights. The access to R835 Lucan Road was in the same location close to the Chapel Hill signal junction and proposed the same layout. The access was the same save for the proposed restriction to left-in left-out vehicular movements only. While that was stated there was no meaningful provision made to prohibit right turning movements. Ultimately this application was refused by An Bord Pleanála stating the following Reasons and Considerations:

"Having regard to the proximity of the primary site access to the controlled junction on the R835 regional road, to the proposed limited access by means of a "left in, left out" arrangement only, and to the proposed use of the secondary access point onto Lucan Heights across the existing pedestrian walkway which is considered inappropriate, it is considered that the proposed intensification of traffic accessing and egressing the site would result in increased traffic hazard on a busy road and would result in unsafe traffic movements into and out of the site. It is 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 sustainable development of the area."

*In deciding not to accept the Inspector's recommendation to grant permission, the Board considered that the proposed secondary access over the pedestrian laneway to the east of the site and through the cul-de-sac of Lucan Heights would present an unacceptable risk to pedestrians using this access point to the established estate and would introduce an unacceptable level of additional traffic onto this narrow roadway. Accordingly, in the context of not accepting the viability of the secondary access point to the site, **and taking account of the constrained nature of the primary access point onto the R835, where right-turning vehicles into and out of the site would cause a significant traffic risk under the current road arrangements**, the Board considered that the increased traffic accessing the site cannot be accommodated in the absence of the provision of safer and more sustainable road design solutions such as box junctions, traffic lights and/or pedestrian crossings to facilitate the development." (emphasis added)*

It is important to note that the proposal under Planning Reg. Ref. SD20A/0142 was for a left-in left-out access to R835 Lucan Road **however no physical measures prohibiting right turning traffic were proposed and no meaningful details were provided as to how the left-in left-out would be controlled or enforced and no details were sought by the Planning Authority.**

Ordinarily the elimination of right turn manoeuvres between the main road and an access or side road is achieved by not only providing a left-in left-out priority junction but also providing a closure of the central reserve or provision of a central barrier in the main road to physically prohibit right turning manoeuvres. Given the absence of appropriate control of right turning vehicles it is clear from their decision that the Board considered that 'right turning' vehicles into and out of the site would be generated by the development and would cause significant traffic hazard.

Under Reg. Ref. SD22A/0324 the same location is proposed for an access to R835 Lucan Road close to the Chapel Hill signal-controlled junction. The proposed geometry and layout of the access junction is the same as for the previous two applications. **The Applicant again proposes a left-in left-out junction and just as the previous application under Planning Reg. Ref. SD20A/0142 the current proposed access junction arrangement similarly fails to incorporate any meaningful details on how right turning will be prohibited.** There is no central barrier proposed on the R835 Lucan Road and drivers are not physically prevented from turning right. As per the previous determination of the Board, right turning traffic will be generated and will give rise to significant traffic hazard and endangerment of public safety.

In theory, if the left-in left-out regime were adhered to, then drivers leaving the development wishing to travel eastbound from the site to the major centres of employment would be required to either turn around on R835 Lucan Road or to undertake significant and circuitous diversions. Having turned left out of the development there is no suitable provision for drivers to safely turn around on R835 Lucan Road. Given level of inconvenience to drivers leaving the site combined with the absence of any meaningful physical prohibition it is considered highly likely that in practice right turning traffic will not be prevented at the application site.

The only material difference between the current and previous proposal is the addition of a yellow painted box on the R835 Lucan Road at the proposed access junction. This addition will not serve to deter right turning traffic and will indeed most likely better facilitate the practice.

ROAD SAFETY AUDIT REPORT

The potential for right turning movements is in fact acknowledged in the Road Safety Audit Report that accompanies the application. At Paragraph 3.2 the Auditor identifies that the yellow box extends into the eastbound carriageway of R835 Lucan Road and the Auditor confirms that the yellow box may exacerbate problems in that 'right turning' drivers might turn without looking. The Road Safety Audit clearly acknowledges that there will be right turning traffic, which was a significant factor in the Boards previous decision grounded by the development giving rise to significant traffic hazard.

The geometry and configuration of the proposed access does not differ meaningfully from that considered under either of the previous applications. Given the planning history of the site and the serious traffic hazards identified initially by the Planning Authority under Reg. Ref. SD19A/0198 and then by An Bord Pleanála under Reg. Ref. SD20A/0142, it is remarkable that the Road Safety Audit is silent on the matter save to acknowledge that the hazard arising from right turning traffic may be exacerbated by the addition of the yellow box markings now proposed.

We can find no evidence in the submitted documents that the Applicant proposes to preclude right turning traffic during the construction phase. It follows from the above assessment that there is potential for serious traffic hazard to arise from right turning construction HGV.

We can find no details in the application to confirm whether construction traffic turning can be accommodated on site so that HGV can enter and exit the busy R835 Lucan Road in forward gear. There is potential for endangerment of public safety arising from construction traffic requiring to reverse into the R835 Lucan Road across a footway which is active with school children attending the nearby schools.

We can find no evidence that construction staff vehicle parking is accommodated on site. Construction vehicles parked on R835 Lucan Road or on the footways have the potential to give rise to serious traffic hazard and obstruction of road users.

The Road Safety Audit is silent on the turning and manoeuvring of service vehicles within the site during the operational phase. The Applicant submits GK Consulting Engineers Drawing GK-19106-C100 dated 02-08-2022 which provides various swept path analyses. A refuse vehicle is shown reversing into a turning area adjacent to the site access. Manoeuvring of a commercial vehicle in this area gives rise for the potential to impeded the inbound movement of vehicles from R835 Lucan Road and thus has the potential for development traffic waiting in R835 Lucan Road to interfere with and obstruct the free flow of traffic and pedestrians on R835 Lucan Road thus giving rise to serious traffic hazard and endangerment of public safety. At Paragraph 3.5 the Road Safety Audit acknowledges that the drawings show the swept path of a refuse truck however no safety issue is identified as arising from the refuse vehicle blocking the access and the audit is concerned only with the location of bins.

The refuse vehicle used in the assessment of the small internal turning area is 7.7m in length and might not be representative of the type of refuse vehicle likely to require access to the site. Modern refuse collection

vehicles are up to 11.2m in overall length. Failure to accommodate the safe turning of a refuse vehicles and their exit from the site in forward gear has the potential to give rise to refuse vehicles reversing to and/or from the R835 Lucan Road which would give rise to serious traffic hazard by obstruction of traffic and conflict with both pedestrians and vehicles on the public road. Creation of traffic hazard is contrary to proper planning and sustainable development. In practice, given the substandard internal turning provision, refuse vehicles are likely to service the site from the R835 Lucan Road kerbside close to a busy signal-controlled junction giving rise to multiple sources of hazard and obstruction both on the roadway and the footway.

The geometry of the proposed access and the internal geometry of the car parking and circulation area do not comply with the requirements of DMURS which is contrary to South Dublin Development Plan 2022-2028 Section 7.8 'Road and Street Design' that requires that new roads and streets within urban areas shall be designed in accordance with the principles, approaches and standards contained in DMURS. DMURS introduces a set of principles, approaches and standards necessary to achieve best practice in urban areas and local authorities are required to facilitate implementation of the principles set out in the manual in carrying out their development and planning functions under the Planning Code. The width of the internal road and the turning radii to and from R835 Lucan Road fundamentally do not comply with the requirements of DMURS and fail to make satisfactory provision for reduced crossing distances for vulnerable road user. Transport Infrastructure Ireland DN-GEO-03060 (June 2017) paragraph 5.6.3.7 provides guidance on the appropriate visibility criteria at a direct access crossing a footway. The application is not accompanied by a Quality Audit addressing street design as outlined in DMURS as required under South Dublin Development Plan 2022-2028 Section 12.5.2 'Design Statement' for residential developments of 10 dwellings or more. In line with the provisions of Policy QDP7 Objective 1, all medium to-large scale and complex planning applications (30 + residential units, commercial development over 1,000 sq m or as otherwise required by the Planning Authority) shall be accompanied by a Design Statement. The Design Statement should address contextual and urban design issues and clearly explain the design process, the design options considered and the rationale behind the adopted design development strategy.

Section 12.7 deals with Sustainable Transport, and includes parking and access to public transport. In considering parking rates lower than the maximum set out in the development plan the quality of the public transport service should be clearly outlined in a design statement. The Applicant has provided no meaningful public transport information either to the frequency or capacity of the existing public transport network.

Permeable Connections. The site appears to me not to be permeable in any sense. There is a single entrance for vehicles and an associated pedestrian access. Access is only to the Lucan Road. There is no permeability to any neighbouring developments or amenity.

Bicycle Storage. There is no provision for long term bicycle storage. None of the drawings submitted show any e-car parking spaces.

BICYCLE PARKING PROVISION

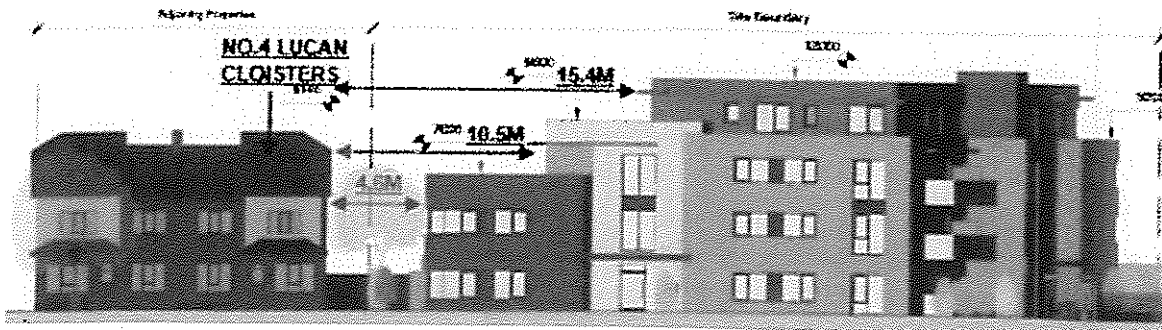
Section 4.15 - 4.17 of the Department of Housing, planning and Local Government (DHPLG) '*Sustainable Urban Housing: Design Standards for New Apartments*' refers to cycle parking provision at apartment developments. The document outlines that an important context for the guidelines is a forecast likely significant population increase in cities and urban areas over the next two decades and highlights that the guidelines aim to secure wider Government policy to achieve more sustainable urban development that will enable more households to live closer to their places of work without the need for long commuter journeys and disruption of personal and family time. Enabling citizens to more easily get around our cities and urban areas is a fundamental planning concern and maximising accessibility of apartment residents to public transport and other sustainable transport modes is a central theme of the guidelines. The guidelines recommend generally a minimum standard of 1 no. cycle storage space per bedroom (apartments) together

with visitor parking at a rate of one space for every two residential units. Based upon 6 no. 1-bed and 13 no. 2-bed units the resulting cycle parking requirement of the application of the DHPLG standard results in 32 no. resident parking spaces (secure storage spaces not accessible to the general public) and 10 no. visitor bicycle parking spaces giving a total of 42 no. cycle parking spaces. Given the proposed low number of car parking spaces it is reasonable to expect a meaningful provision for non-car modes and a meaningful assessment of the quality and capacity of public transport, neither of which accompanies the application.

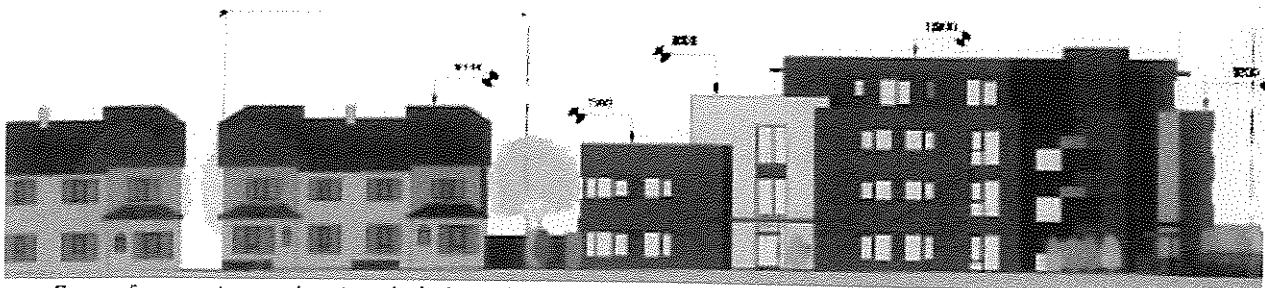
1.7 CONCLUSIONS

All planning in Ireland is now subject to National and Regional Strategies and thereafter statutory development plans for a county area. That said it comes with many riders, the most important one being that the protection of character areas is central to the primary target of upping densities in cities and towns where good transport links are available, along with jobs and close links to retail and community services. In the present instance we would submit that the proposed development is not one that can rely on the density objectives of the national or regional plans, as it is taking place in a small outer suburban area distant from a frequent public transport service.

The South Dublin Development Plan 2022-2028 has taken special care to provide a template to assist the Planning Authority in achieving increased density, but in the context of Ministerial guidelines. What is clear from the planning application submitted is that the applicants paid no heed to the current statutory development plan for the area, i.e. South Dublin Development Plan 2022-2028, and as such ignored the many objectives and polices of the plan which deals with density, height, and traffic. The excellent document prepared by O'Mahoney Pike has been ignored by the applicants. We would submit that strict compliance to that document would have resulted - notwithstanding the serious traffic issues arising from the proposed development - in a reduction in the massing and overbearing nature of the development on the receiving environment.



Extract from contiguous elevation of previous planning application



Extract from contiguous elevation which shows the relationship between the proposed development and adjoining residential properties

We are enclosing the requisite fee of €20.00 to cover the cost of this Observation, and we respectfully request the Planning Authority to refuse planning permission for the subject development on the grounds

that the traffic safety issues, in particular, have not been adequately dealt with in the current proposal for the development of the site.

Please forward all correspondence relating to this Observation to this address.

Yours Sincerely,


Michael A. O'Neill MIPI

ANNEX

(List of residents in the area)

LUCAN HEIGHTS RESIDENTS

OBJECTIONS TO PLANNING APPLICATION SD22A/0324

PROPOSED DEVELOPMENT AT HILLHOUSE, LUCAN ROAD, LUCAN, CO DUBLIN

Virginia O'Hair	98	Lucan Heights
William Richardson	99	Lucan Heights
Carmel Flynn	102	Lucan Heights
Olive Flynn	102	Lucan Heights
STEPHEN LYONS	103	LUCAN HEIGHTS
CAITRIONA LYONS	103	LUCAN HEIGHTS
Sarah Nagelin	107	Lucan Heights
Aune Gallie	108	Lucan Heights
Patrick Gallie	108	Lucan Heights
Angela Carr	110	Lucan Hgts
Dave Fox	111	Lucan Heights
Phyllis Fox	"	"

Jim O'Dwyer	113	Lucan Heights
Seán O'Dwyer	113	Lucan Heights
Aronell	117	Lucan Heights
Paul Burrell	117	Lucan Heights
James Doyle	101	Lucan Heights
Amanda Rade	3	Lucan Cloisters, Lucan Heights
Donal Kennedy	3	Lucan Cloisters, Lucan Heights
Ava Kennedy	3	Lucan Cloisters, Lucan Heights
John O'Connor	2	Cloisters Lucan Heights.
Emma O'Connor	2	The Cloisters, Lucan Heights
Shanna O'Connor	2	The Cloisters, Lucan Heights
Ann Meehan	1	Lucan Cloisters.
Peter O'Connor	2	The Cloisters, Lucan Heights.
Joe Coyne	4	" " " "
Deane Coyne	4	" " " "
Danny Burke-Kennedy	3	The Cloisters, Lucan Hts.
Samuel Burke		

Leam & Miss	25	Lucan Heights	Lucan
Shila Collins	"	"	"
John Lorking	24	LUCAN HEIGHTS	
Rosmary Cooksey	"	"	"
John O'Flynn	22	"	"
John N. O'Mahony	21	L.H.	
John Keenan	20	L.H.	
Margaret Murney	19	L. Heights	
(PAUL FANNEY)	18	WATER HEIGHTS	
Mary Murphy	16	Lucan Heights	
Barry & Colleen O'Flynn	11	Lucan Heights	
Olive Stoddard	10	Lucan Heights	

Joy Campbell	7	Lucan Heights
Joe Geraty	4	Lucan Heights
Steve Whelan	3	Lucan Heights
Danfome	15	Lucan Heights
Tracy	9	Lucan Heights
W. [unclear]	5	" "
D. [unclear]		1 Lucan Heights
Jo Kara		23 Lucan Hgts
Nora Burke	42	Lucan Heights
James [unclear]		do

Mael Molloy	44	Lucan Heights
Adrienne Mallay	44	Lucan Heights
Mary Dowling ✓	35	Lucan Heights
John Dowling	35	Lucan Heights
Séamus Ó'Siochán	45	Lucan Heights
Rose Malone	45	Lucan Heights
Imogen Kinsella	43	Lucan Heights
Liz WHELAN	39	LUCAN HEIGHTS
Jack Tracy	31	" "
Maura Moore	31	" "
Madge Sullivan	32	Lucan Heights
Michael Sullivan	32	Lucan Heights

JOE GOSI	30	LUCAN HEIGHTS
STEPHEN M'CARRE	37	LUCAN HEIGHTS
TERENCE SMITH	38	LUCAN HEIGHTS
RODRIK HADEN	38	LUCAN HEIGHTS
KEVIN SIKK	38	LUCAN HEIGHTS
SHARON MURPHY	41	LUCAN HEIGHTS
CAOIMHE FARRELL	41	LUCAN HEIGHTS
THOMAS FARRELL	41	LUCAN HEIGHTS
AIDEN FARRELLY	33	LUCAN HEIGHTS
NEIL MULLARKEY	26	LUCAN HEIGHTS
SARAH MURPHY	26	LUCAN HEIGHTS
KEVIN FARRELL	62	LUCAN HEIGHTS

Blenda Hayes	76	Lucan Heights
Sinead Brennan	78	Lucan Heights
Michael McQuirk	80	Lucan Heights
David McQuirk	"	"
Jonathan Creaven	77	Lucan Heights
John Brennan	84	Lucan Heights
Walter Brennan	84	Lucan Heights
Michael Butler	86	Lucan Heights
William Kish	92	Lucan Heights
John O'Leary	94	Lucan Heights
Kathleen O'Leary	94	" "
Anne Marie Doyle	72	Lucan Heights

Marie Maher 79 Lucan Heights

Christofher Maher 79 Lucan

Doyle Hecker 82 Lucan Heights

Marty Corry 89 Lucan Heights

Rudy Fleming 96 Lucan Heights

Aunes Fleming 96 Lucan Heights

Josephine Murphy, 51 Lucan Heights, Lucan

Margaret & Tom Goggin, 53 Lucan Heights, Lucan

Eoin & Fiona Conolly, 56 Lucan Heights, Lucan

Teresa & John Mullen 55 Lucan Hgts Lucan

May Mullaney 56, LUCAN HEIGHTS

John Mullaney 56 Lucan Heights, Lucan

Niall Deering 58 Lucan Heights

DECLAN O'SULLIVAN 60 LUCAN HEIGHTS.

SEAMUS & LORRAINE SHEAHAN, 61 LUCAN HTS

Edward Farrell 62 LUCAN HEIGHTS LUCAN

Peter & Rose O'Connor 63 Lucan HTS.

Andy Whelan 64 LUCAN HTS

Margaret Butler 65 Lucan Heights

Paul Kyne 66 LUCAN HEIGHTS

Triona Walsh 68 LUCAN HEIGHTS

Barney Walsh 68 LUCAN HEIGHTS

68 LUCAN HEIGHTS

EONOR WALSH 68 LUCAN HEIGHTS

RICHARD FORSTER 70 L'H

Deana Collins 69 Lucan Heights

Nease O'Rourke 3 Beech Park

Jonas Dwyer, 3 Beech Park

DERDRE D'HARA 1 Beech Park

Mark Miller 1 Beech Park

Alex Miller 1 Beech Park

D. Behrman 2 Beech Park

B. Behrman 2 Beech Park

G. Behrman 2 Beech Park

MARY MORRISON 4 Beech PK

Yvonne MORRISON 4 Beech PK.

Tom O'Carroll 5 Beech Park

Celine O'Carroll 5 Beech Park

Yuliya Miatseyeva	9 Beech Park
Fabian Cagle	27 Beech Park
Beth Graham	28. BEECH PARK.
James Connolly	70 Beech park.
Beretta Connolly	70 Beech park
Martha Bunn	70 Beech park
Marie Tembra Miller	69 Beech Park
Diana Murray	69 Beech Park
Bill Brophy	68 Beech Park
Rita Brophy	68 Beech Park.
William Poole	67 Beech Park
Lien Kade	33 Beech Park.

Shane Deegan	33	Beech Park
Naazee Roberts	33	Beech park
Stefa Kilroy	33	Beech park.
Tom Henry	32	Beech park
Catherine Henry	32	Beech park
Lorraine Field	31	" "
Adam O'Carroll	31	Beech Park
Monica Donohoe	29	Beech PK.
Christy Donohoe	29	Beech PK.
Cian Duffy	3	Beech Park
Aoise Duffy	3	Beech Park

Kelley Dunleavy - 274 Beech Park

NIALL DUNLEAVY - 274 BEECH PARK

SHANE DUNN - 274 BEECH PARK

MARY DENNIS 276 BEECH PARK

John Dennis 276 Beech Park

Margaret Henzgen 278 Beech Park

Joe O'Rourke 279 Beech Park

Janice Duder 280 Beech Park

Anni Dunbar 284 Beechpark

Mary Faly 285 Beech PK

Paddy Jooey 286 Beechpark

Ceanel Jooey 286 Beechpark

Helen Byrne - 161 Beechpark

S 79 - 162 Beech Park

W 297 170 Beech Park

Hilda Hedson 173 Beechpark

Cathal Rufferty 175 BEECH Pk

Dominic Rufferty 175 Beechpark

Peter Jones 174 Beech Park

Raymond Blainspate 174 Beech Park

Anne Doyle 176 Beech Park

James Gibbs 262 Beech Park

J Stokes - 266 Beech Park

Rose Noone.

Lea Byrne - 161 Beech Park

Ken Byrne - 161 Beech Park.

Cathy Fields - 162 Beech Park

ALAN Mc CARTHY - 162 Beech Park

CAROLINA Murray - 163 Beech Park

Kuan Wang - 163 Beech Park

Catherine Sheeny 164 Beech PK

Kate Sheeny 164 Beech Park.

Neil M. Kelly 166 Beech PK.

Brenda Kefferan 167 Beech Park Lucia

Suead Duane 168 Beech PK Lucia.

C. D. 169 Beech Park Lucia

Billy Mathys	296	Beech Park Lane
Bgt M ^c Mahon	300	Beech PK.
Jimmy M ^c Mahon	300	Beech PK
Pat Scanlon	301	Beech PK
Phyllis BURKO	224	Beech Park
Dora Curran	303	Beech pk
Pats Curran	303	Beech Park
Sheila Mathys	304	Beech Park
Chris O'Rourke	304	Beech Park
Denise Mathys	305	Beech PK
Jim Connolly	305	Beech Park

MARTHA KEARNS 283 BEECH PK DUBLIN
CO. DUBLIN 1575 PD39

John Handcock Kinelane Ballytown

Adrian Hurst 26 G.holt gardens.

Anthony Dwyer - 158 Beech pk.

Patricia Dwyer 158 Beech Park

Margaret McHugh 159 Beech pk

Brenda O'Neill 157 Beech Park

Declan O'Neill 157 Beech Park

Land Use, Planning & Transportation Department
Telephone: 01 414 9000
O'Neill Town Planning
c/o Michael O'Neill
Oakdene,
Howth Road
Howth
Co. Dublin
D13 DK31
Fax: 01 414 9104

An Rannóg Talamhúsáide, Pleanála agus Iompair
Email: planning.dept@sdublincoco.ie

Date: 20-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.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,