



Primrose Lodge,
Athgoe Road,
Newcastle,
Co Dublin.
D22V253.

RE : Third Party Observations Reg. Ref. No. SD22A/0331

Application for Retention Permission for Development at this site, on lands at former McEvoy's Pub.

Dear Sir/Madam,

I live across the road from the proposed development and wish to lodge this Third Party Observation in relation to the above application for Planning retention.

I am assuming before I comment by way of observation that the South Dublin Council Planning Authority checks the appropriate Food Hygiene regulations applicable to this catering van activity and also the Health and Safety regulations applicable to this venture.

Security/ Privacy

My house was broken into twice in the last four years. I am subsequently conscious of suspicious activity immediately in the precincts of my house. Cars stopping outside my house to purchase coffee from the kiosk across the road, cause undue stress to my wife and I, and it is an issue which I feel we should not need to endure.

In addition, because of the location of the kiosk, cars tend to park in a manner which leaves them directly facing into my garden and peering into the front of the house. This is injurious to my residential amenity and is something which I find intrusive and unwanted.

Noise

With the siting of the kiosk in its present location, and in the nature of the venture they are involved in, there is an increased level of traffic almost the entire day and there is a palpable increase in the noise level. In addition, there is a particular and consistent noise coming from the generator used as part of the kiosk business. It is annoying having to listen to the constant droning from this generator from 7.30 am in the morning until after 4.00 pm in the evening.

Because of the droning noise, I tend not to open the windows at the front of the house and this is a course of action which I shouldn't need to bear. Add to this the noise of car horns occasionally of cars exiting the parking area onto the main road.

Traffic

As mentioned earlier, there is an increased level of traffic because of the location of the kiosk. Early morning customers on their way to work at 7.30, school parents having dropped off their kids to school 9.30 am, van drivers on breaks at 10.00 am, lunch time traffic at 1.00 pm, school moms at 3.30 pm and late callers after 4.00 pm. The location of the kiosk is directly opposite a straight white line yet those who cannot mount the pavement to park close to the kiosk invariably park on the footpath. The most extreme example is the Builder's truck, so large that it cannot park under the trees and has to park with its inside wheels on the footpath and its outside wheels on the road, thereby creating a traffic hazard, in addition to a traffic offence I presume.

There has already been a major incident on wed 22nd June when a vehicle mounted the pavement adjoining the kiosk site and caused considerable damage removing a telephone pole and a street light pole out of the ground. It was seven weeks before these were restored and local broadband and telephone services were interrupted for the duration.

I assume that a traffic assessment would have been included in the application or at the very least an assessment would have been carried out by SDCC.

I understand that a termination notice was served on the owners of this venture and that this has now run its course. I don't know what the SDCC view is on the lodging of this retention application as a means to circumvent due process. You need to clarify this.

In addition, I do not understand what is meant by a "temporary mobile coffee retail kiosk". It is unclear whether this means this van is likely to be replaced by another similar venture at some time in the future and we would be returning to the planning observation facility each time a similar application was made albeit under a similar guise. It would appear to me that SDCC should reject this application forthright.

Yours Faithfully



Fergus Kane

16th Sept 2022.

Fergus Kane
Primrose Lodge
Main Street
Newcastle
Co. Dublin

Date: 21-Sep-2022

Dear Sir/Madam,

Register Ref: SD22A/0331
Development: Application for retention permission for development at this site, lands at former Mc Evoys Pub, Main Street, Newcastle, Co. Dublin. the development consists of a temporary mobile coffee/retail kiosk using a modified van, with associated signage, to be used as a facility for serving take away coffee and snacks during the hours of 7.00am and 4.00pm. the mobile kiosk will be removed out-side of these hours.
Location: Lands at former McEvoys Pub, Main Street, Newcastle, Co. Dublin
Applicant: Tea & Bean Ltd, Damien Donnegan & Fiona Mc Donald
Application Type: Retention
Date Rec'd: 15-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**