



2 The Crescent
Cooldrinagh
Lucan
Co.Dublin
K78X8N3

16.09.2022

To : Planning Submissions
South Dublin County Council
Town Hall
Tallagh

To Whom It May Concern

SDCC Planning Ref. SD22A/0341

Address : 1 The Crescent
Cooldrinagh
Lucan
Co. Dublin

Proposal: New south facing 3 story,3
bedroom, flat roofed and a
new vehicular entry with a sliding gate off
the R835

We , Roger and Loreto Kennedy are the owner/occupiers for over 35 years of No. 2 The Crescent, which Protected house and curtilage is contiguous with the eastern side of No.1 The Crescent's property - the location of the above Application. During those 35 years we have been actively committed to and involved in the conservation, protection and enhancement of the unique Georgian Crescent Protected houses and their curtilages.

We wish to lodge objection to the granting of Application SD22A/0341 on the grounds that having examined the submitted Application we believe it to be misleading and confusing and that it excludes and does not adequately address issues necessary for the Grant of the Application.

The documentation as submitted would lead to a mis-interpretation of the true current status of the curtilage of No.2 and Boundary between No. 2 and contiguous No. 1 properties .It will consequently fail to properly inform the Planning Authority of the necessity to address these issues. The Boundary is defined for the majority of its length by a concrete cavity brick wall and thereafter by a post and rail fence . It is legally defined as a Shared Boundary. This boundary is not accurately represented on maps, charts or conceptual

diagrams. In fact no mention is made within the Application or description given of the Shared Boundary, which will be negatively impacted by the proposed development. Applicant states that the proposed development will have a total depth of 17.8m from the R835 kerb. The Shared Boundary between the properties, No.2 and No.1 actually is demarcated by a rail and post fence for 12.8 m. from the kerbside and thence by a concrete cavity brick wall for the additional 5.2 m i.e. the end of the proposed development. This concrete wall continues to the rear walls of the contiguous houses i.e. No.2 and No1. The Crescent.

This Shared Boundary must not be damaged, removed, undermined and most importantly no part of the proposed development may be attached to it or replace it.

The Applicant does not address how the Shared Boundary wall and fence will be protected nor does it address how the area between the Shared Boundary and the proposed development will be treated i.e. will a retention wall be built, will the space be backfilled, planted etc.? We contend that a retention wall in No.1's property between the Shared Boundary and the proposed development will be necessary to prevent damage, undermining or slippage of this Shared Boundary.

We are both shocked and concerned to read in the submitted Tree Survey Report that the Applicant cannot rule out damage by the proposed development to a hedge in our garden. This hedge is not as described by the Applicant a young hawthorne hedge but is over 20 years old and consists of not only hawthorne but also laurels and a variety of decorative shrubs of the same age. Our garden shed backs onto our hedge. This shed and hedge are located entirely within our property and do not form any part of the Shared Boundary fence. To protect our property from damage, undermining or slippage there is no provision for a retaining wall on the eastern side of the proposed car park. There is also an established oak tree and plum tree within our property adjacent to this hedge. Again the Applicant makes no mention of these. The concrete portion of the Shared Boundary is on No. 2's side covered by espalier apple and pear trees, wall hydrangeas and roses- all of these are at least 20 years old. These provide not only a decorative amenity but also help to screen our property from No.1,s property. Again no provision is made to protect this portion of the Shared Boundary.

There is no mention within the submitted Application as to how the post and rail portion of the Shared Boundary and our property will be protected from undermining and consequent slippage in the area of the proposed car park which adjoins our property. Again a retaining wall will be required here.

Actions necessary to protect the Shared Boundary and to ensure no damage to its wall and fence, our garden which is planted on boulder clay, and its associated planting are not addressed in the submitted Application.

Given the steep slope of the gardens of No 1 and 2 significant excavation works will be necessary to create the necessary site levels for the proposed development. In order to protect and most importantly to prevent

destabilization, damage to and destruction of our property the significant undercutting of the steeply sloping development site will necessitate the construction of high retaining walls to accommodate the proposal.

Treatment of the wall finish on the eastern elevation of the proposed development, which overlooks our property, has not been described or discussed in any part of the proposal. A high and long concrete eastern elevation wall of the proposed development will have a negative impact on and be totally out of keeping with the Protected curtilage of No.2

The impact of the height and length of the eastern elevation of the proposed development will result in a very significant loss of light in the portion of our garden, which is overshadowed by the development. This will have a detrimental effect upon our enjoyment of the amenity of our garden as our barbeque and sitting out terrace, our vegetable raised beds and vegetable patch are in this part of our garden. This loss of amenity will have a substantial negative impact on the value of our property. Again loss of light and overshadowing of our property is not addressed in the submitted documentation.

While the Applicants have addressed the direct line of sight from the proposed roof terrace of the proposed development to No.1 and they have stated that the peripheral view into the adjoining gardens will be somewhat ameliorated by planters on the roof they have given no information on of what this planting will consist of nor of how effective it will be. The development from its roof garden will have a clear view into our bathroom, bedroom and sitting room and down into our garden .

If the Application is granted this will be the first time that No.2 and its curtilage will be overlooked and over shadowed since the construction of the Crescent in 1759. The loss of light, overshadowing and overlooking of our property will result in a dramatic devaluation of our property.

The proposed development will have a negative impact upon the environment of No.2 and the Protected Crescent houses and their curtilages.

The Applicant proposes to fell 8 mature and semi mature trees within the development site and that 3 such trees will be felled in the adjoining western site of No.1A The Crescent which is now the subject of Planning Application SD 22A / 0358 and which mimics the current Application SD22A/0341 from No.1 The Crescent. The gardens of the Protected Terrace houses are over 200 years old and have been subject to little disturbance during this time. The trees and shrubbery within these gardens are mature, give shelter to and screen the Protected Crescent houses and provide a habitat and flight corridor for birds visiting from the adjacent Liffey valley .Not only common garden birds but also more unusual and some protected species of birds visit the gardens. There are rare visits to our garden from Sparrow Hawks, although these have increased in recent years. Jays and bullfinches are also regular visitors to our garden .The proposed felling of at least 9 trees and associated shrubs necessary for the construction of the proposed development in No.1 and now the proposal for the

development in No.1A will result in the destruction of those birds' habitat. No roof gardens can compensate for the loss of their habitat. It is notable that given the importance of and the variety of wild birds in the gardens of the Protected Crescent Houses, in the large area of the now 2 adjoining proposed Developments and the wider Liffey area that at the very least a wild life survey has not been undertaken.

To the south of the proposed development and across the narrow R 835 road there is a significant watercourse. There is a stonewall between the watercourse and the road. The proposed development site is sited immediately across the road from this watercourse. 2 Egrets and a heron are often seen on this part of the river immediately across the road from the development site. Their habitats will be negatively affected by both dust and additional sediment load in the watercourse and noise from construction works.

During construction of the proposed development there will be run off from the site, which will have a significant load of particulate material due to dust, soil and run off water from the construction works themselves . The Applicant has not given any dust control management details. The only proposed treatment for run off is to use the storm drain on the R 835. As no details are given of the expected volumes of dust, soil and site runoff it is not possible to evaluate whether the storm drain can handle these volumes especially during and after rain. This storm drain runs directly into the Liffey. It is imperative that dust, heavier particulate matter and site runoff does not enter the watercourse in order to prevent pollution given this watercourse's importance to wild life and to the fact that this watercourse feeds into the Liffey a short distance down stream from the proposed site.

There is in the documentation no provision made for or on-site soakage.

There are no measures addressing the impacts of dust from the construction works on No.2 Protected house and curtilage.

The Applicant has given no details on construction working hours on the site of the proposed development especially during Saturdays and Sundays. It is important for the residents of No.2 that this issue is addressed as the curtilage and house of the Protected property No.2 is contiguous to that of No1, the site of the proposed development and the development works will have significant noise impacts on the very quite and peaceful house and garden of No.2.

The proposed development fronts onto the R835. This is a narrow one-way road on which vehicular traffic moves from west to east. This road is used extensively by vehicular traffic especially in recent years due to residential developments in Tober and Celbridge. Also, substantial numbers of pedestrians and cyclists use this road and footpath. There is no cycle lane on this road.

No consideration has been given by the Applicant to the blind bend to the west of the proposed development i.e. immediately west of the contiguous site at No1A which is now the subject of a Planning Application SD22A/0358. Neither

access/exit vehicular gate will if permitted be visible to vehicular traffic or cyclists using the R835. The Applicant has not proposed any mitigating measures, which would enable continued safe usage by the road and pathway users either during construction or after development. Road Signage indicating the presence of exiting traffic from the proposed development would surely be required at the very least.

The Applicant proposes vehicular access and exit to the development site will be through a sliding gate opening on to the footpath of the R835 –no details are given of any changes to the footpath which will be necessary to ensure continued safe usage of the footpath by pedestrians during construction or completion of the proposed development if such an access/entry is permitted. Our rear pedestrian exit which has been in existence since the house was built in the 1750s is accessed through a door opening on to the footpath as are the rear pedestrian exits of other Protected properties of the Crescent. There is not now and never has been a pedestrian exit on to the R835 from the proposed development site.

The proposed development if permitted would set an undesirable precedent for other similar developments on this narrow one-way road. Indeed a Planning Application for a similar development to that of this Planning Application has been lodged already with the Planning Authority c.f. SD22A/0358.

We hope that the above information will be of assistance to you in your assessment of submitted Application – SD22A/0341.

From



Roger and Loreto Kennedy

Date 16.09.2022



Roger & Loreto Kennedy
2, The Crescent
Cooldrinagh
Lucan
Co. Dublin
K78X8N3

Date: 21-Sep-2022

Dear Sir/Madam,

Register Ref: SD22A/0341
Development: New south facing, 3 storeys, 3 bedroom, flat roofed dwelling with self-coloured render and Vertical timber cladding finish, on a site at the rear (Protected structure - SDCC RPS No.095 / Map 095). The development involves the splitting of the existing site in two while retaining the existing 3 storeys over basement dwelling as-is; The proposed site to the rear will have an area of 125.8 sq.m and the dwelling will have a total floor area of 150.3 sq.m; The application includes an accessible screened roof garden, front facing screened balcony, an internal courtyard, proposed services, all associated site works and a new vehicular entry with a sliding gate off the R835.

Location: 1, The Crescent, Cooldrinagh, Lucan, Co. Dublin
Applicant: Jean Notaro & Jim Doyle
Application Type: Permission
Date Rec'd: 23-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. Crowley
for **Senior Planner**