

Planning Section

10 Hermitage Way

South Dublin County Council

Lucan

County Hall

Co. Dublin

Tallaght

K78 HD88

Dublin 24

D24 A3XC

8 November 2022

RE: Planning application SD22A/0389

Dear sir / madam,

We, John and Caroline O'Brien, live in 10 Hermitage Way, Lucan. We would like to submit an objection to the planning application, SD22A/0382 made by Jogor Point Ltd with regard to lands adjacent to Foxhunter, Ballydowd, Lucan, Co Dublin, as submitted on October 6th, 2022. We include a copy of the receipt for the €20 fee paid in this document.

We would like the following reasons to be considered in the review of this application.

1. Zoning:

The land for this proposed development is currently zoned Retail Warehousing (RW). The subject site is zoned Objective 'RW' under the South Dublin County Development Plan 2022-2028, the objective of which is *'to provide for and consolidate retail warehousing'*. The proposal seeks to provide a warehouse with no retail element. Furthermore, the Planning Report submitted with the application refers to a warehouse building for logistics and distribution which we believe is an unsuitable development for lands beside a residential area.

2. Scale of the development:

The proposal in its current scale is excessive and unsuitable for the application site. The proposed development reaches a height of 13.575m which is much taller than surrounding properties. Whilst the proposal may be considered a reasonable height in a more industrial setting, the application site is adjoined primarily by low-density residential properties. As such, the proposed development is considered to be out of context in terms of height.

The South Dublin County Council Development Plan 2022-2028 includes a building height and density guide which advises that the height of a development should be examined based on the heights of the prevailing heights in the area.

In refusal of previous planning applications for the site, both SDCC and An Bord Pleanála outlined that an excessive development on this site would potentially impact on the amenity of the local residents. We believe this application would do the same.

In the refusal to the last application in 2021, An Bord Pleanála stated:

Having regard to the design, the excessive height, bulk, scale and massing of buildings and the proximity of the proposed development to adjoining two-storey residential properties, the Board considered that the proposed development would be visually obtrusive and would adversely impact on the visual amenity of the application site, would seriously injure the residential and visual amenities of property in the vicinity of the site and the character of the wider area, and would set an undesirable precedent for similar type developments in the area. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

We believe the same could be said for this new application and proposed new development.

3. Protection of residential amenities

The proposed development would directly affect the residential amenities of the surrounding properties including ours, which will be severely affected if this development was to go ahead.

- a. **Safety:** The proposed pedestrian access route is onto a quiet cul-de-sac with a green area where children play. It also opens beside a play school where children as young as three years old attend daily. Opening the wall, even for pedestrian access increases the safety risk of children going into the warehouse area and increases their access directly to the N4. There is no plan to monitor or police the area so we believe it would therefore lead to an increase in anti-social behaviour.
- b. **Increase noise and late-night disturbances:** A pedestrian entrance from a public house into a mature residential neighbourhood will increase noise and late-night disturbances from people leaving the public house as late as 12.30am. There is also potential for an increase to noise levels from the work in the warehouse which isn't detailed in the application.
- c. **Traffic:** Hermitage Park has one vehicular exit, onto the R136. The R136 links all housing estates south of Hermitage Park with the N4 and it is a busy road. Additional trucks entering and leaving a warehouse of this size will significantly increase the traffic on the N4 and the surrounding area. Previous applications for an entry or exit onto the N4 for these lands were declined by South Dublin County Council based on the endangerment of public safety by way of traffic hazard or obstruction of road users; the intensification of the slip road to the N4 conflicts with NRA Policy as set out in their letter of 25/07/1994. Although a long time ago, this road is even busier now, so we believe it to be still relevant.
- d. **Parking:** The application seeks to open pedestrian and cycle access through Hermitage Gardens to the Foxhunter Pub and restaurants. Therefore, it is conceivable that this development would lead to patrons parking on the verges and roads of Hermitage Park to walk into the pub and restaurant. Hermitage Park already has cars parked on the roadsides belonging to the existing residents and additional cars would impact the space and safety on the roads of the estate.
- e. **Public Transport:** The Bus Connects proposal includes a cycle lane through the other end of Hermitage Park so permeable access through Hermitage Gardens is not needed. The Bus Connects proposal also includes a compulsory purchase order for a section of the lands associated with this application however this isn't accounted for or considered in the application.

4. Visual Impact:

The proposed development will have a profound impact causing the view of the area to be entirely altered, obscured and affected. There are no other developments of this size in the area, especially in such close proximity to two storey residential developments. The proposed development would

block current views, impede sunlight and increase artificial light in the surrounding dwellings, which are one or two-storey in height.

This proposed development is located at the side of a busy dual carriageway, of which safety concerns have been highlighted in previous planning decisions and is surrounded by residential two-storey housing and low-level commercial premises. It is not in keeping with the current architectural design of the area and therefore creates a profound visual impact as it doesn't fit with the overall look of the area. It is more in keeping with an industrial centre or business park rather than an established, suburban residential area.

5. Inadequate Information

The applicant has not furnished details on the occupant of the warehouse, nor any details on the intension of the use. It is suggested that the scheme is similar to recently approved logistics and distribution hubs both within South Dublin County Council and the wider Dublin County. The Planning Report which accompanies this application describes the unit as a 'logistical warehouse' and the Transportation Assessment noting that the proposed use would be a distribution warehouse. A logistics unit would also generate more large vehicle traffic than a retail warehouse facility which would involve cars and vans, similar to the traffic currently associated with the Foxhunter Public House. Inadequate information on the proposed use also means that it is impossible to tell what the hours of operation for the unit would be. Late night or early morning operations would impact the local residents through increased noise and increased artificial light.

In conclusion, we feel that this application must be refused for the reasons outlined in this submission and ask you to seriously consider this in your deliberations.

Regards,
Caroline and John O'Brien

Caroline & John O'Brien
10 Hermitage Way,
Lucan,
Co. Dublin.

Date: 09-Nov-2022

Dear Sir/Madam,

Register Ref: SD22A/0382
Development: Construction of a) a metal clad single-storey warehouse, of 3072 sq.m, 13.58m high to parapet at front and part of the sides, and 10.4m high to eaves and 12.9m high to the ridge at part of sides and rear; b) a single storey 2.9m high ESB substation of 14sqm ; c) the widening of the existing vehicular/cycle entrance to The Fox hunter Public House , and the forming of a new vehicular/cycle exit to the north west corner of the site; d) the formation of pedestrian/cycle gate to Hermitage Gardens and pedestrian gate to Lucan Road, e) internal roads and pathways and all associated hard and soft landscaping, f) foul and surface drainage, including attenuation tanks; g) 18 carparking spaces and 16 bicycle spaces.
Location: Lands South Side of Lucan Road, Ballydowd & abutting Hermitage Gardens, Ballydowd, Lucan, Co. Dublin
Applicant: Jogor Point Ltd
Application Type: Permission
Date Rec'd: 06-Oct-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,