



HUGHES
PLANNING
& DEVELOPMENT CONSULTANTS

Planning Observation

Warehouse Development

Reg. Ref. SD22A/0382

Lands South Side of Lucan Road, Ballydowd &
abutting Hermitage Gardens, Ballydowd, Lucan,
Co. Dublin

South Dublin County Council

November 2022

SUBMITTED ON BEHALF OF:
Hermitage Park Residents Association

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1.0 Introduction

Hughes Planning and Development Consultants, 85 Merrion Square, Dublin 2, have been appointed by Hermitage Park Residents Association, C/O Caroline O'Brien (Secretary), No. 10 Hermitage Way, Lucan, Co. Dublin to prepare this planning observation in respect of the proposed development at Lands South Side of Lucan Road, Ballydowd & abutting Hermitage Gardens, Ballydowd, Lucan, Co. Dublin for the following planning application:

Reg. Ref.: SD22A/0382
Applicant: Jogor Point Ltd
Address: Lands South Side of Lucan Road, Ballydowd & abutting Hermitage Gardens, Ballydowd, Lucan, Co. Dublin
Proposal: The construction of a) a metal clad single-storey warehouse, of 3072 sqm, 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 145qm ;c) the widening of the existing vehicular/cycle entrance to The Foxhunter 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 no. carparking spaces and 16 no. bicycle spaces.

From the outset, it is submitted that our clients are in favour of an appropriately scaled development at the site, however, the proposed warehouse unit is considered to be overscaled and out of character with the area. It is also of our clients' concern that the documentation submitted with the planning application does not specify the intensity of the use including operational hours, occupants, etc. The design would draw comparisons to logistic hubs or distribution centres and this use would not be appropriate. This submission requests that South Dublin County Council consider and maintain the existing residential amenity of the locality, specifically the residential amenity of the adjacent properties in determining this planning application. As shall be indicated below, the proposed development will disrupt the nearby dwellings by way of significant impact on residential amenity and increase in traffic, noise and light disturbance. In addition, the streetscape of the Ballydowd will be negatively impacted, and the existing pattern will be disrupted.

It is a primary observation of our clients that the application site is not suitable for any such development, and it is requested that planning permission be refused accordingly. The required observation fee of €20.00 is enclosed. Please forward all correspondence relating to this matter to this office. The grounds of objection are set out in the following sections of this submission.

2.0 Site Location and Description

The application site has a stated area of 0.6753 hectares and is located on the southern side of the Lucan Road and currently comprises a large hard surface car park associated with the Foxhunter Pub, is currently occupied by an area of green space to the rear of the site with the lands also being used as a temporary overflow car park when required. The site is accessed from the N4/Lucan Road to the north.

The wider area is generally characterised by established low density, two-storey dwellings, including the Hermitage Park residential estate which comprises dwellings along Hermitage Road to the south and Hermitage Garden to the west. In addition to the residential estates to the south and west, the site is also bound by the N4 to the north, opposite a large open green space area, and Foxhunter Pub to the east.

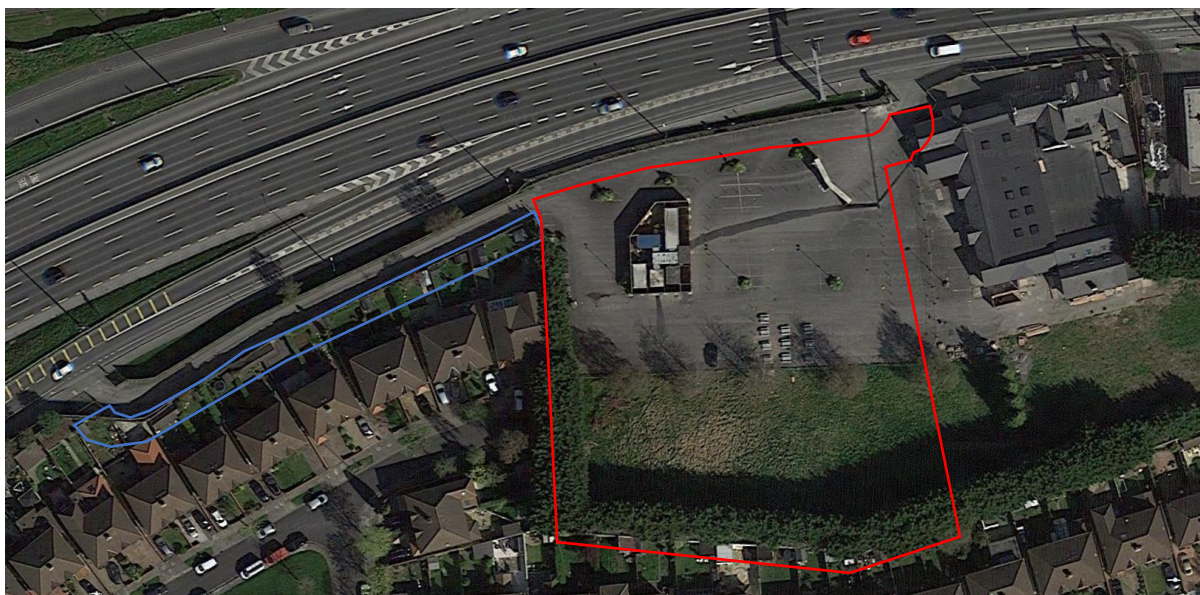


Figure 1.0 Aerial view showing the location of the subject site outlined in red

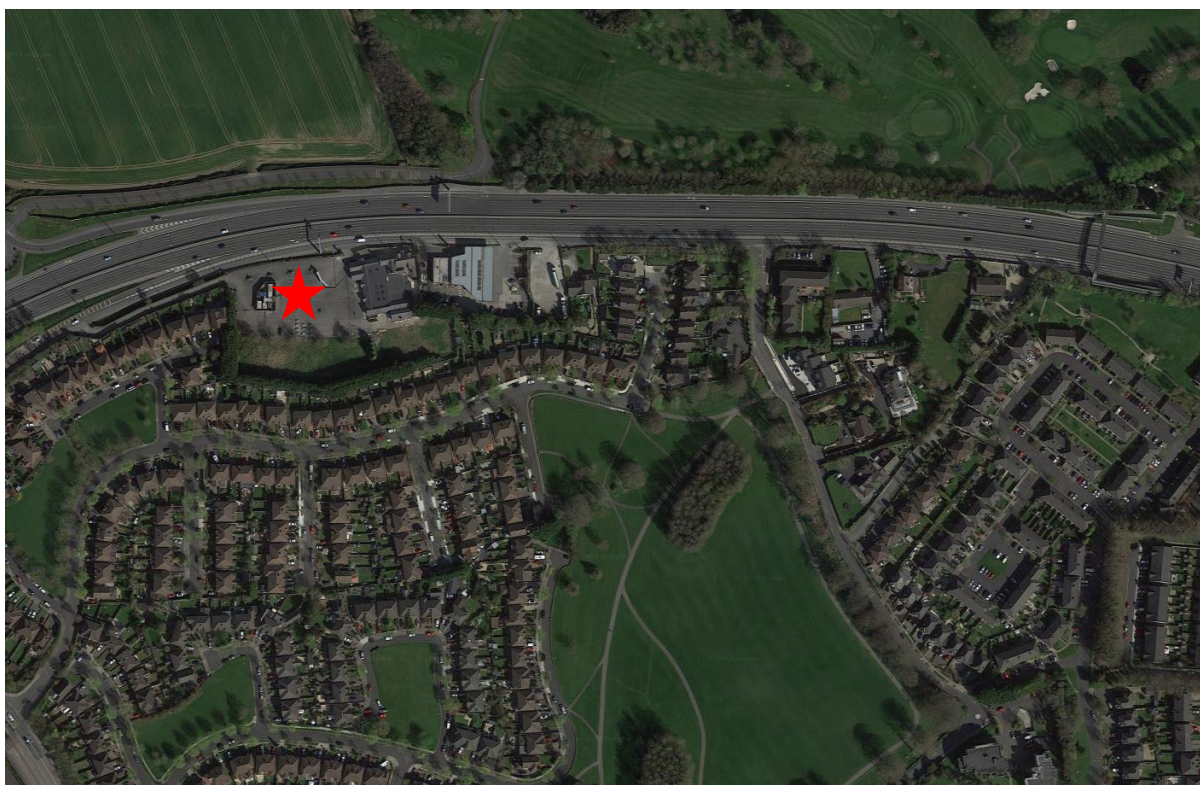


Figure 2.0 Aerial view showing the location of the subject site (red star), in relation to the wider context. It is evident that the area is characterised by established low-density residential areas and open green space. The scale of the proposed warehouse development is significantly out of character.



Figure 3.0 Aerial view from the north, showing the subject site outlined in red, within close proximity to a large number of dwellings.

2.0 Planning History

A review of the South Dublin County Council planning register revealed the following planning applications at the subject site.

Reg. Ref. SD03A/0171

Permission refused by An Bord Pleanála on 7th April 2004 for a development comprising: Construction of 16 no. apartments in two separate two/three storey blocks consisting of 15 no. two bedroom apartments and 1 no. three bedroom apartments and 5 no. duplex apartments in a separate two storey block consisting of 4 no. two bedroom duplex apartments and 1 no. 3 bedroom duplex apartment. The relocation of Blocks A, B and C to facilitate a separation distance of 22m. The omission of Block D and the redesign of Block C into an L shaped block. Revised road layout and enlarged turning circle. The provision of 35 no. car parking spaces instead of original 37 no.

The Board refused permission for the following reason:

'Having regard to the vehicular access to the proposed development by means of the termination of a cul-de-sac within the Hermitage Park housing estate and the location of the access road and parking area on site adjacent to the site boundary directly behind existing houses, it is considered that the proposed development would seriously injure the amenities of property in the vicinity and, in particular, those of the houses on the adjoining sites, through noise, traffic generation and general disturbance. The proposed development would, therefore, seriously injure the amenities of the area and of property in the vicinity and be contrary to the proper planning and sustainable development of the area.'

It is considered that the above reason is relevant in respect of the new proposed development as it will also seriously injure the existing amenities in an existing housing estate.

Reg. Ref. SD04A/0701

Permission refused by South Dublin County Council on 11th November 2004 for a development comprising: Construction of 16 no. apartments in two separate two-three storey blocks consisting of 15 no. two bedroom apartments and 1 no. 3 bedroom apartment, and 5 no. duplex apartments in a separate two-storey block consisting of 4 no. two bedroom duplex apartments and 1 no. 3 bedroom duplex

apartment. Construction of new perimeter fencing and boundary wall, construction of new access road and turning circle and the provision of 35 no. car-parking spaces, a bicycle store, construction of a refuse store and ancillary works. Construction of new entrance piers and new wall on northern boundary. Access to the development is via the N4 carriageway and through the Foxhunter Pub carpark.

South Dublin County Council's basis for refusal was based on 4 no. reasons which, in summary, referred to: the endangerment of public safety by way of traffic hazard or obstruction of road users; the intensification of the slip road to the N4 is in conflict with NRA Policy; the development conflicted with several policies of the South Dublin County Development Plan 1998; and the development would seriously impact the residential amenity of the surrounding dwellings.

Reg. Ref. SD05A/0409

Permission granted by An Bord Pleanála, following a third party appeal, on 19th May 2006 for a development comprising: Construction of a residential development of 14 no. dwelling units arranged in 2 no. blocks comprising of 2 no. 2 bed town houses (2 storey) and 3 no. 3 bed town houses (2 storey - all with balconies) to the east of the site; and 1 no. 4 bed terrace house, as well as 6 no. 4 bed semi-detached houses and 2 no. 5 bed semi-detached houses (all 2 storey plus living space in attic - all units have velux windows and balconies) to the west of the overall site. The scheme will be served by a proposed 26 no. surface car parking spaces. Access to the scheme will be via Hermitage Garden and Hermitage Park, and a proposed internal access road and turning circle. Permission is also sought for all site development and landscape works including provision of boundary treatments and all other ancillary works; all on a site parcel of land comprising a total of some 0.49 hectares.

Although this application was permitted, development of the proposal never commenced, and the life of the permission expired. It is noted that at the time of approval, residential use was a permitted in principle use. However, as will be set out in Section 5.0 of this objection, the current county development plan does not permit residential development at the site. This rezoning may be due to the Council's growing awareness of the requirement to protect existing residential amenity and recognising the potential for residential developments at the subject site to injure the current residential amenities.

Reg. Ref. SD20A/0259

Permission refused by South Dublin County Council on 9th December 2020 and subsequently was appealed but refused by An Bord Pleanála on 22nd February 2022 under ABP-309196-21 for a development comprising: (a) Formation of a new vehicular, cycle and pedestrian entrance off Hermitage Gardens to the west of the site and two pedestrian/cycle entrances to the north of the site off the N4; (b) construction of a semi-basement/full basement car park for 97 cars, bin and bicycle storage and plantrooms, with two-way access ramp; (c) construction of a 1.2m high (approximately) raised podium over the car park area; (d) a four-storey above podium apartment block containing 15 apartments; (e) a three-storey apartment block (A) containing 21 apartments and a 15.12sq.m substation at ground floor; (f) a three-storey apartment block (B) containing 21 apartments; (g) a twenty storey above podium apartment building containing 104 apartments, entrance lobby, communal facilities including work stations, meeting rooms, laundry and office and external podium level terrace; (h) 328 bicycle parking places dispersed throughout, underground rainwater retention tanks; hard and soft landscaping, including planted communal gardens and play areas; pedestrian and cycle access/egress only will be retained off the N4; the mix of the apartments will be as follows: 37 studio apartments, 42 1-bed apartments, 8 2-bedroom (3 person) apartments, 70 2-bedroom (4 person) apartments, 4 3-bed apartments; total number of apartments proposed is 161; 67% of the apartments will be dual aspect and all will

have balconies or private open space; all buildings will have roof plantrooms, green roofs and photovoltaic panels.

The Board refused permission for the following 7 reasons:

1. *'On the basis of the information provided with the application and the appeal, and in the absence of an Appropriate Assessment Screening Report and/or a Natura Impact Statement, the Board cannot be satisfied that the proposed development individually, or in combination with other plans or projects, would not result in adverse affects on the integrity of European site/s, in view of the site/s' Conservation Objectives. In such circumstances the Board is precluded from granting permission.*
2. *The application site is subject to zoning objective "RW - To provide for and consolidate retail warehousing" in the South Dublin County Development Plan 2016-2022. Residential use is a "Not Permitted" land use on lands subject to zoning objective "RW". In this regard the proposed development of 161 apartments and associated communal facilities is a material contravention of the development plan. In addition, the proposed development is contrary to the strategic approach set out in the Core Strategy of the development plan to achieve the National Planning Framework (NPF), the Regional Spatial and Economic Strategy (RES) and the proper planning and sustainable development of the area.*
3. *The proposed development would fail to comply with Policy H7 - Urban Design in Residential Development and Policy H9 – Residential Building Heights as well as sections 11.2.0, 11.2.1 and 11.2.7 of the South Dublin County Development Plan 2016-2022, and would not comply with the criteria set out in Section 3.2 and SPPR 3 of the Urban Development and Building Heights Guidelines for Planning Authorities issued by the Department of Housing, Planning and Local Government in December 2018. The proposed development would, therefore, materially contravene objectives of the development plan and would be contrary to the proper planning and sustainable development of the area.*
4. *Having regard to the absence of information, and/or inadequacy of submitted information, in relation to daylight and sunlight performance, microclimate conditions, noise protection measures and childcare facilities, the Board is not satisfied that future residents of the proposed development would be provided with acceptable standards of residential amenity, within apartment units, private amenity space and public open spaces. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.*
5. *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.*
6. *Having regard to the scale of the proposed development and the consequent intensification of vehicular traffic on the Hermitage Gardens cul-de-sac and the uncertainty in relation to the impact of increased traffic movements on the capacity and efficacy of the junction between this cul-de-sac and the regional road, the Board was not satisfied that the proposed development would not seriously injure the residential amenities of adjoining residents and endanger public safety by reason of traffic hazard or obstruction of road users. Accordingly, it is considered that the proposed development would be contrary to the proper planning and sustainable development of the area.*
7. *The proposed density equates to 253 dwelling houses per hectare, which represents a substantial increase relative to the existing density on residential sites in the vicinity of*

the site. Policy H8 - Residential Densities of the South Dublin County Development Plan 2016-2022 states it is the policy of the Council "to ensure that the density of new residential development is appropriate to its location and surrounding context". The proposed density, is considered to be inappropriate for the subject site, having regard to the overall accessibility of the site, the context and its surrounding area, and the strategic approach for consolidated development set out in the Core Strategy of the development plan. As such, the proposed development would be contrary to the development plan and therefore, would not be in accordance with the proper planning and sustainable development of the area.'

The proposal currently being sought is an entirely different development, however, the proposal is considered to be equally out of character with the surrounds and is being proposed at a scale which is too bulky and excessive.

3.0 Proposed Development

The proposed development seeks to construct a metal clad single-storey warehouse, of 3972sq.m, reaching a height of 13.58m high to parapet. Permission is also sought for an ESB substation; the widening of existing vehicular/cycle entrance to the Foxhunter Public House; a new vehicular entrance; and the provision of a pedestrian / cycle gate to Hermitage Gardens and pedestrian gate to Lucan Road.

The proposal seeks to provide a warehouse for storage only with no retail element. The warehouse will be of steel frame with steel cladding.

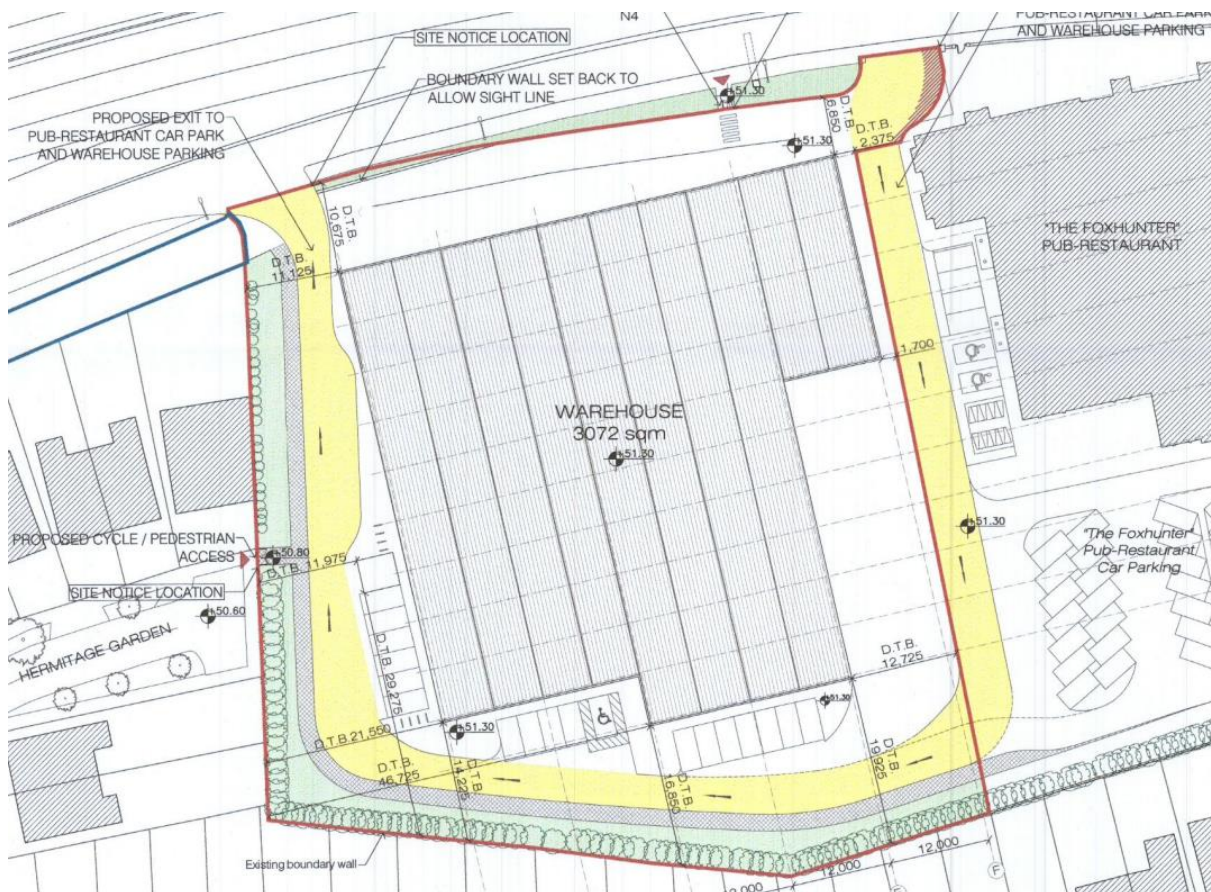


Figure 4.0 Extract of proposed site plan showing a significantly proportioned warehousing unit within close proximity to a number of dwellings.

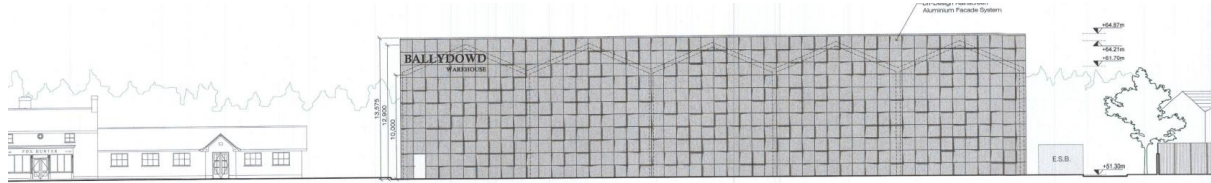


Figure 5.0 Extract of proposed north elevation of warehouse which is significantly taller than surrounding dwellings.

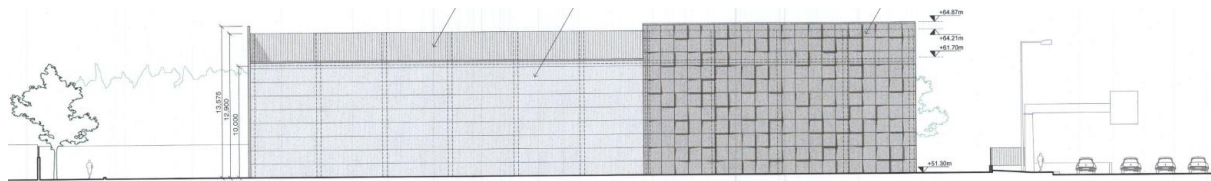


Figure 6.0 Extract of proposed east elevation of warehouse at a significant height above the adjoining road level.

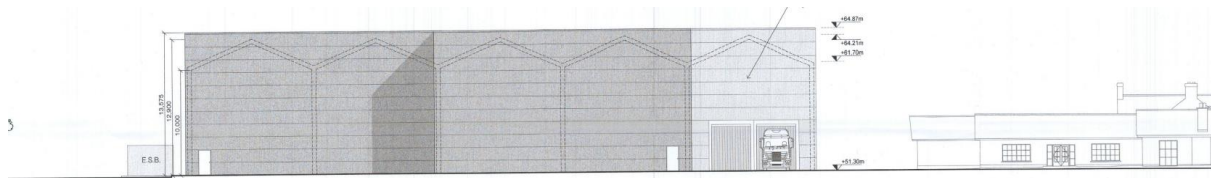


Figure 7.0 Extract of proposed south elevation of warehouse which is significantly taller than surrounding dwellings.

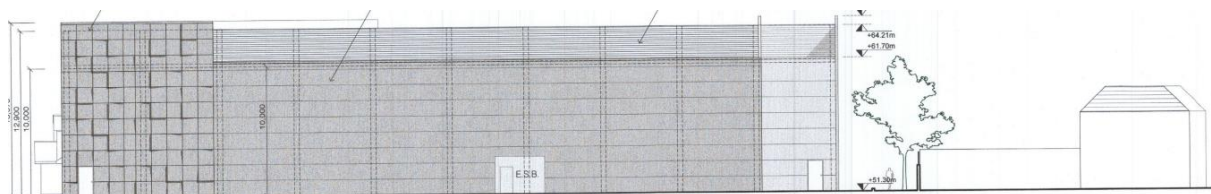


Figure 8.0 Extract of proposed west elevation of warehouse which is significantly taller than surrounding dwellings.

The proposal in its current scale is considered excessive and unsuitable for the application site. A reduced warehouse would be suited for the site.

4.0 Planning Policy

This section of the observation provides an overview of the planning policy framework which guides the use and development of the application site.

4.1 South Dublin County Development Plan 2022-2028

The South Dublin County Development Plan 2022-2028 is the statutory document that is relevant for the proposed development.

4.1.1 Zoning Objective

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'. An extract from the South Dublin County Council zoning map is shown below.

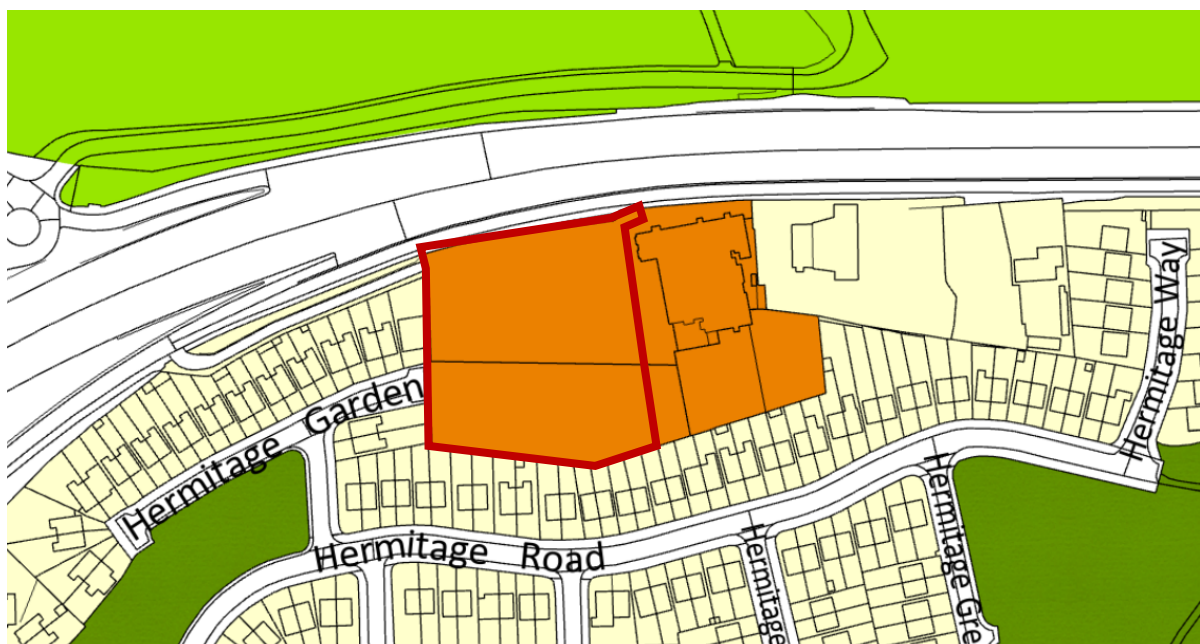


Figure 9.0 Extract from Zoning Map 2 showing the subject site (outlined in red) zoned objective 'RW' in the South Dublin County Development Plan 2022-2028.

The zoning matrix included in the Development Plan indicates 'permitted in principle', 'open for consideration' and 'not permitted' uses in 'RW' zoned lands. Permitted in principle uses are generally acceptable subject to the normal planning process and compliance with the relevant policies and objectives, standards and requirements set out in the Plan. Similarly, the Development Plan provides a list of uses which are deemed not permitted. These 'permitted in principle' uses include the following:

'Advertisements and Advertising Structures, Car Park, Industry-Light, Motor Sales Outlet, Office less than 100 sq m, Open Space, Petrol Station, Public Services, Recycling Facility, Refuse Transfer Station, Retail Warehouse, Service Garage, Transport Depot, Warehousing, Wholesale Outlet.'

The 'Open for Consideration' land uses include the following:

'Childcare Facilities, Enterprise Centre, Fuel Depot, Funeral Home, Garden Centre, Heavy Vehicle Park, Industry-General, Nightclub, Primary Health Care Centre, Restaurant / Café, Shop-Local, Veterinary Surgery.'

Finally, the 'not permitted' land uses include the following:

'Abattoir, Aerodrome / Airfield, Agriculture, Allotments, Bed & Breakfast, Betting Office, Boarding Kennels, Camp Site, Caravan Park-Residential, Cemetery, Community Centre, Concrete / Asphalt Plant in or adjacent to a Quarry, Conference Centre, Crematorium, Cultural Use, Data Centre, Doctor / Dentist, Education, Embassy, Guest House, Health Centre, Home Based Economic Activities, Hospital, Hotel / Hostel, Housing for Older People, Industry-Extractive, Industry-Special, Live-Work Units, Nursing Home, Office- Based Industry, Offices 100 sq m-1,000 sq m, Offices over 1,000 sq m, Off-Licence, Outdoor Entertainment Park, Place of Worship, Public House, Recreational-Facility, Refuse Landfill / Tip, Residential, Residential Institution, Retirement Home, Rural Industry-Food, Science and Technology Based Enterprises, Scrap Yard, Shop-Major Sales Outlet, Shop-Neighbourhood, Social Club, Sports Club / Facility, Stadium, Traveller Accommodation, Wind Farm, Work-Live Units.'

4.1.2 Transitional Zone Areas

Section 12.2.1 of the South Dublin County Development Plan 2022-2028 refers to 'Transitional Areas' and states that *'abrupt transitions in scale and use should be avoided adjacent to the boundary of land*

use zones. Development proposals in transition areas should seek to avoid development that would be detrimental to the amenities of the contiguous zone. For example, regard should be had to the use, scale and density of development proposals in zones abutting residential or rural areas in order to protect residential or rural amenity, as appropriate’.

The proposed development is located on ‘RW’ zoned lands, however, it is important to mention that the site adjoins residentially zoned lands to the south and west which is a more sensitive zoning objective and that it is best practice that development within transitional zone areas reflects the more environmentally sensitive zones. It is submitted that the proposed development will reduce the overall quality of the existing residential amenity of the adjoining residential lands.

4.1.3 Building Heights

The approach to building heights as contained with the South Dublin County Development Plan 2022-2028, as is stated within the plan, is to be driven by its context. The development plan includes a Building Heights and Density Guide which sets out a framework for the analysis of building heights relative to their context. As such, heights are examined relative to the prevailing heights in their vicinity and can be expressed in terms of their amplification of prevailing heights by means of a Contextual Height Ratio. Such a measure provides a clear indication of the scale of change proposed in the built environment without utilising the more subjective terminology of tall / taller or high / higher buildings.

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.

4.1.4 Travel Plans

Section 12.7.3 of the South Dublin County Development Plan 2022-2028 refers to Travel Plans and states that A Workplace Travel Plan or Mobility Management Plan outlines a series of measures to encourage sustainable travel modes and reduce car borne traffic within a development. Initiatives might include proposals to encourage cycling and walking, car sharing (including car clubs), car-pooling, flexible working hours, cycling and public transport use. The National Transport Authority (NTA) guidelines on Achieving Effective Workplace Travel Plans - Guidance for Local Authorities note that: ‘International experience has shown that a methodical and planned approach to targeting commuting and visitor patterns at an organisational level, can pay major dividends in terms of promoting sustainable travel’.

Workplace Travel Plans are required for larger sized developments as defined in Table 12.26 of the Development Plan. All Workplace Travel Plans are required to be prepared in accordance with the NTAs Achieving Effective Workplace Travel Plans. The Applicant has not provided this information in the application and permission should not be granted.

Land Use	Workplace Travel Plan Statement	Indicative Number of Jobs	Standardised Workplace Travel Plan	Indicative Number of Jobs
Offices / Financial	>500 sq m	25-100	>2,000 sq m	>100
Retail / Shops	>600 sq m	25-100	>2,500 sq m	>100
Industrial	>2,500 sq m	25-100	>6,000 sq m	>100
Leisure		25-100		>100 or>100,000 visitors per annum
Hospitals / Medical Centres		25-100		>100 or>100,000 visitors per annum
Warehousing	>2,500 sq m	25-100	>10,000 sq m	>100

Figure 10.0 Table 12.24 of the South Dublin County Development Plan 2022-2028 showing thresholds for Travel Plans and statements.

4.1.5 Electric Vehicle Parking

Section 12.7.5 of the South Dublin County Development Plan 2022-2028 relates to Car Parking / Charging for Electric Vehicles (EVs) and notes that EV charging shall be provided in all residential, mixed use and commercial development and shall comprise a minimum of 20% of the total parking spaces provided, with higher provision within this range required in urban areas. The remainder of the parking spaces should be constructed to be capable of accommodating future charging points. It should be designed and located in such a way as to ensure passive surveillance and avoid anti-social behaviour. The plan also states that the Applicant should indicate the mechanism for EV charging and payment (for example, fob / credit card or other means) and should ensure that it is available to residents and visitors. Insufficient information has been provided on EV car parking and how they would function at the application site.

5.0 Grounds of Observation

Having full regard to the zoning objective of the area and the overriding obligation on the planning authority to protect residential amenity, the following section will set out the grounds of observation.

5.1 Impact on Residential Amenity of Surrounding Dwellings

On the basis of each of the points made below, it is considered that there will be a significant loss of residential amenity to all surrounding properties in the vicinity of the development. This will result from the negative visual impact associated with the development, the loss of privacy resulting from, loss of light, overshadowing and an overbearing impact arising from the proposed structure.

As noted above, the subject site is zoned 'RW', however, the site adjoins lands which are zoned residential and which established residential developments are located. It is considered that the proposed development infringes on the residential amenity in the area surrounding the subject site.

5.1.1 Visual Impact

The scale of the development proposed in the current application is considered to be overwhelming due to its locational context and overbearing to the residential dwellings to the south, and west. The proposed development would see the construction of large warehouse block which extends to a height above 13m. The design of the warehouse is extremely out of context due to the metal cladding with textured element at certain elevations. The proposed design and height of the proposal is more appropriate within an industrial setting such as an existing industrial park or estate. The insertion of the proposed warehouse at the application site does not integrate successfully and results in an adverse visual impact. This would be seriously injurious to the visual amenity of the area and to the amenities of the properties in the vicinity.

5.1.2 Loss of Privacy

The proposed warehouse building will be located to the north and west of existing dwellings at Hermitage Road and Hermitage Gardens. The 13 metre tall structure is considered to be overbearing, particularly the north-facing gardens located directly south of the site. Another major concern is the loss of privacy to occupants of these existing dwellings, particularly due to the creation of a new pedestrian and cycle gate through the site from Hermitage Garden. This will remove any existing amenity afforded to the residents on living at a private, quiet cul-de-sac. The addition of a gate will unfavourably change the character of the estate.

5.1.3 Overbearing Impact

Another concern for our clients is the significant degree of overbearing that will result from the proposed development. This is due to the extent of the development in terms of scale and mass in addition to the blank facades which dominate views from adjoining houses. It is submitted that this will significantly reduce the amenities of surrounding dwellings. In addition, it is clear that the proposed warehouse will dominate the streetscape when viewed from the Lucan Road to the north and Hermitage Road to the south. It is contended that the proposal does not protect and complement existing amenities and character. The scale, design and layout of the site substantially impacts on the amenity of all the surrounding established residential dwellings on the eastern and southern site boundaries.

The granting of permission for an overbearing warehouse development is contrary to the principles and policies of the South Dublin County Development Plan and the granting of permission would set an undesirable precedent for permitting warehousing units adjoining residential dwellings.

5.2 Insufficient Occupant Details

One of our clients' additional concerns relates to the actual use of the proposed warehouse following completion, if approved. The applicant has not furnished details on the occupant, nor any details on the intensity of the use. The scheme is considered to be similar to recently approved logistics and distributions hubs both within South Dublin County Council and the wider Dublin County. Our clients

would have reservations that the unit would be utilised for a logistics hub with the supporting Planning Report noting that the proposed use would be a ‘logistical warehouse’ and the Transportation Assessment noting that the proposed use would be a distribution warehouse. This use is not listed as permissible or open for consideration within the RW zoning designation and we would request that the Planning Authority requests further details prior to any decision being made. A logistics unit would also generate more traffic than a warehouse / storage facility so the lack of detail would have subsequent traffic impacts.

5.2 Safety and Security

It is considered that the proposal will reduce the level of safety and security of the immediate area, specifically by the provision of a new pedestrian gate from the site to Hermitage Garden along the site’s western boundary. This gate has not been subject to discussions or agreement between the Applicant and our clients and it is a concern that this will result in safety and security concerns which have not been considered. The proposal seeks to provide a gate to allow permeability from the private cul-de-sac housing estates which adjoin the site, through the warehousing premises, and to the Foxhunter pub. This passageway would not be adequately surveilled and it would be a concern that this would give rise to anti-social behaviour in the evenings and nights. No details on lighting have been provided so the safety and usability of the route have not been satisfactorily demonstrated. The Foxhunter pub is currently open as last as 12.30am so patrons of the pub could potentially leave the premises at this time and cause noise disturbance to the existing, quiet housing estates via the new gate. The provision of this gate may create precedence. It is also a concern that should this be provided, the Applicant will later seek to amend this from a pedestrian access into a vehicular access, as was proposed under the previous planning application.

It is also considered that there would be a security concern as no details have been furnished with the planning application to demonstrate whether CCTV or policing would occur at the site. A lack of information has resulted in the proposed access being insecure and unsafe.

It would also be a concern that the patrons of the Foxhunter, including Wowburger and Elephant and Castle would litter the application site which may cause for unpleasant odours and attract rodents. This may impact on the surrounding housing estates.

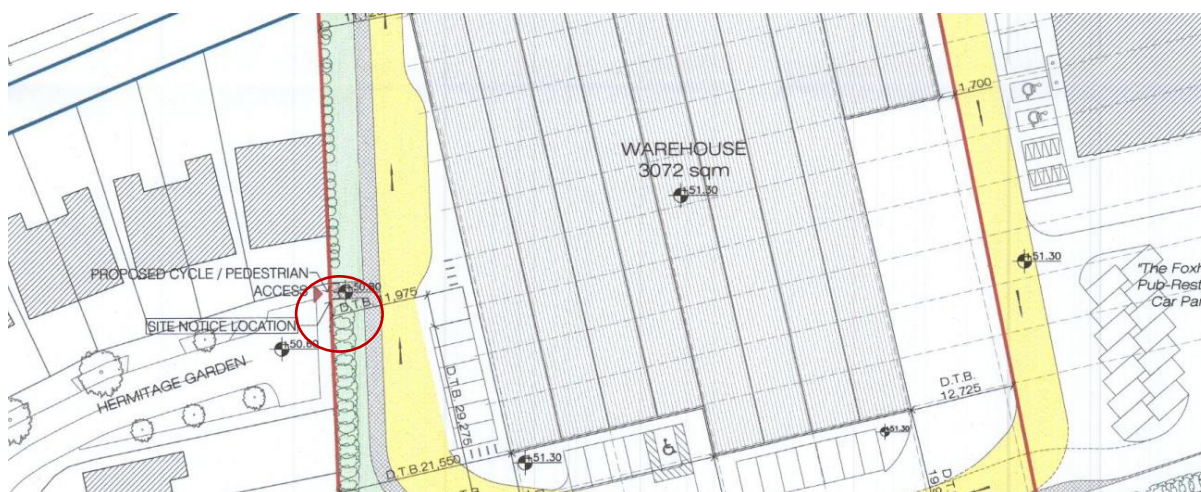


Figure 11.0 Extract of site plan showing the location of the proposed pedestrian access.

5.3 Impact on Lucan Road Bus Connects

The application site adjoins the Lucan Road which has been selected by Bus Connects to be designated a high frequency bus route connecting Lucan to Dublin City Centre. In June 2018 the National Transport Authority (NTA) published the Core Bus Corridors Project Report. The report was a discussion document outlining proposals for the delivery of a core bus corridor network across Dublin. It set out the vision for the provision of 230kms of dedicated bus lanes and 200km of cycle lanes/tracks on sixteen key bus corridors. BusConnects Dublin is a major investment programme to improve public transport in

Dublin. It aims to overhaul the current bus system in the Dublin through a 10 year programme of integrated actions to deliver a more efficient, reliable and better bus system for more people.

The Lucan to City Centre Core Bus Corridor (CBC) commences at Junction 3 on the N4 and it is routed via the N4 as far as Junction 7 (M50), and via the R148 along the Chapelizod Bypass, Con Colbert Road, St John's Road West and Frank Sherwin Bridge, where it will join the existing traffic management regime on the North Quays.

Priority for buses is provided along the entire route, consisting primarily of dedicated bus lanes in each direction, with alternative measures proposed at particularly constrained locations. Cycle facilities are provided along the length of the corridor between Junction 3 and Chapelizod village, at which point they will connect with other future cycle route schemes. Cycle facilities are also provided between Con Colbert Road and the end of the corridor at Heuston Station.

The application site adjoins the proposed route 52 and is proposed to be subject to a compulsory purchase order for the acquisition of lands to facilitate provision of the bus route. The proposed development has not included sufficient documentation to demonstrate that the Bus Connects route has been considered. Additionally, the provision of the proposed entrance and exit points onto the road may impact the bus route. Accordingly, it would be considered that the proposal is premature as the Applicant has not demonstrated to an appropriate degree that the proosalinsufficient has been had to the Bus Connects plans.

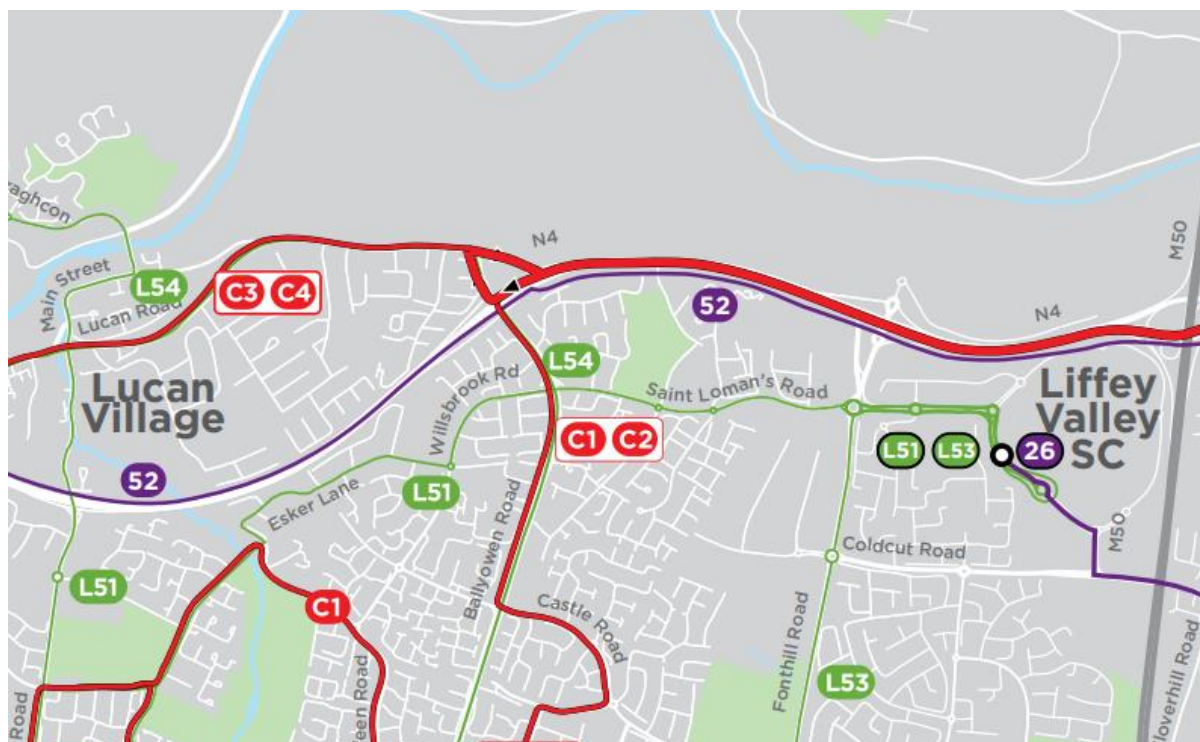


Figure 12.0 Extract of the preferred route for the Bus Connects City Centre – Lucan Route which adjoins the application site.

5.4 Access and Traffic Hazard

It is proposed to provide access to the site from the existing vehicular access to the northeast of the site, an access which currently serves the Foxhunter pub. It is proposed to improve the existing standard of the entrance to allow the access to serve both sites. Exiting from the site will be via a new entrance at the northwest of the site. Whilst our clients prefer the proposed access and exiting strategy in comparison to the previous application which aimed to have access via the cul-de-sac, there are still some reservations on the proposed route.

One immediate concern is the fact that the proposal amends the existing access from the Foxhunter pub to prevent its use as an exit. As a result, all traffic leaving the Foxhunter pub and the application site will traverse through the application site, along the southern and western boundaries to exit at the new access point. The east – west road will be located to the rear of private gardens of existing dwellings along Hermitage Gardens. The regular use of this would reduce amenity of these spaces by way of noise and air pollution and there is also potential to light overspill depending on tree and hedgerow conditions. A preferred option would have been for the Applicant to consider an option where all traffic would stay to the north of the application site.

The below method of exiting would have protected residential amenity. To facilitate such a proposal, the scheme would also be reduced in massing and scale so it fits with the site to a more appropriate degree. The scheme would also be redesigned so as to have loaded bays at northern elevation, potentially via ‘flipping’ the scheme. The residential amenity of our clients has not been considered by the applicant.

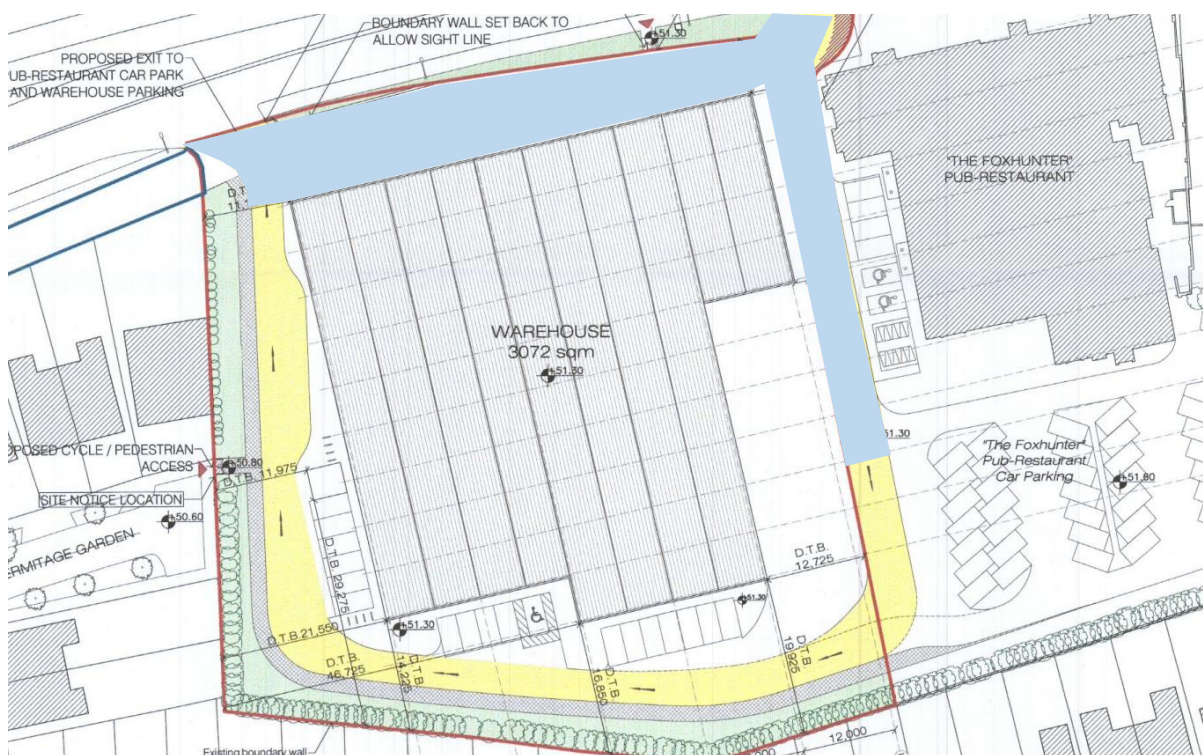


Figure 13.0 Extract of proposed site plan with a preferred option (blue shading) for access and entry which would impact on surrounding dwellings to a lesser degree.

It is also requested that South Dublin County Council assesses the requirement for a new exit when there is an existing laneway serving the premises. The addition of a new exit point results in wasted land which is against national policy.



Figure 14.0 Aerial image showing existing lane currently serving the application site.

5.5 Non-Compliance with Development Plan Requirements

Following a detailed review of the planning application, it is considered that the scheme is not fully in accordance with the South Dublin County Development Plan 2022-2028. Whilst the proposal is considered to disregard residential amenity, the following sections of the plan have also not been complied with:

EV Car Parking

As noted in the Planning Policy section of this submission, Section 12.7.5 of the South Dublin County Development 2022-2028 notes specific requirements in relation to Car Parking / Charging for Electric Vehicles (EVs). The development plan notes that EV charging shall be provided in all residential, mixed use and commercial development and shall comprise a minimum of 20% of the total parking spaces provided, with higher provision within this range required in urban areas and that the remainder of the parking spaces should be constructed to be capable of accommodating future charging points.

The proposal has not clarified which car parking spaces would be for Electric Vehicles, nor has there been any indication that required ducting etc will be provided to the remaining spaces for future requirements.

The plan also states the EV parking should be designed and located in such a way as to ensure passive surveillance and avoid anti-social behaviour. The location of the car parking spaces in general is not considered to meet this requirement as they are located to the rear and side of the building with no surveillance occurring.

Travel Plan

The South Dublin County Development Plan 2022-2028 specifies that a Workplace Travel Plan or Mobility Management Plan should be submitted with a planning application when a scheme meets or exceeds the thresholds set out in Table 12.24 of the development plan, the relevant extract of which is shown below:

<u>Land Use</u>	<u>Workplace Travel Plan Statement</u>	<u>Indicative Number of Jobs</u>	<u>Standardised Workplace Travel Plan</u>	<u>Indicative Number of Jobs</u>
<u>Warehousing</u>	<u>>2,500 sq m</u>	<u>25-100</u>	<u>>10,000 sq m</u>	<u>>100</u>

Figure 15.0 Extract of Table 12.24 of the South Dublin County development plan 2022-2028 showing the requirement of a Workplace Travel Plan for warehousing applications.

The proposed development comprises a warehouse unit of over 3,000sq.m which exceeds the threshold for a Workplace Travel Plan Statement. While a Transportation Assessment Report has been prepared and submitted, no such Travel Plan has been submitted with the application.

As per the South Dublin County Development Plan 2022-2028, a Workplace Travel Plan outlines a series of measures to encourage sustainable travel modes and reduce car borne traffic within a development. This may include the discussion of initiatives including proposals to encourage cycling and walking, car sharing (including car clubs), car-pooling, flexible working hours, cycling and public transport use. It is considered that without the Workplace Travel Plan, the application does not comply with the requirements of the South Dublin County Development Plan 2022-2028.

Energy Statement

Section 12.10.1 of the South Dublin County Development Plan 2022-2028 refers to Energy Performance in New Buildings. The proposal is not considered to be fully compliant with this section. The plan notes that developments for commercial developments in excess of or 1,000sq,m of commercial floor space should be accompanied by an Energy Efficiency and Climate Change Adaptation Design Statement. The proposed warehouse comprises an area of 3,072sq.m and, as such, should provide the required Energy Statement to demonstrate how energy and climate change adaptation considerations have been inherently addressed in the design and planning of the scheme. This information is not included within the application pack and, as such, the proposal should not be granted permission.

Climate Resilience

Section 4.2.3 of the South Dublin County Development Plan 2022-2028 refers to ‘Climate Resilience’ and notes that ‘Resilience’ is the ability to react and recover from external shocks and disruptions, as well as the foresight to anticipate and proactively prepare for future challenges. Climate change is recognised as a global source of disruption, one that will influence Ireland’s spatial and economic growth and development over the next several decades. The Plan rises to this challenge and promotes a Green Infrastructure approach which frontloads South Dublin County’s response to ensure a county which is resilient to current and future climate change impacts. In this regard, the following policy is of note:

Policy GI5: Climate Resilience

Strengthen the County’s GI in both urban and rural areas to improve resilience against future shocks and disruptions arising from a changing climate.

Additionally, the following objective expanding on Policy GI5 is of note:

GI5 Objective 4

To implement the Green Space Factor (GSF) for all qualifying development comprising 2 or more residential units and any development with a floor area in excess of 500 sq m. Developers will be required to demonstrate how they can achieve a minimum Green Space Factor (GSF) scoring requirement based on best international standards and the unique features of the County's GI network. Compliance will be demonstrated through the submission of a Green Space Factor (GSF) Worksheet (see Chapter 12: Implementation and Monitoring, Section 12.4.2).

This has not been included with the planning application and the proposal has a very limited amount of open space in general which adds to climate resilience in accordance with the above. Accordingly, the proposal is not considered to be in compliance with the South Dublin County Development Plan 2022-2028.

6.0 Conclusion

The proposed development is not in the interests of the proper planning and sustainable development of the area. We trust that on the assessment of this application and along with an analysis of the visual impact of the development and the level of severe dis-amenity it will cause to the adjacent properties that South Dublin County Council will see fit to refuse permission for the development outright. As stated from the outset, our clients would welcome and appropriately scaled and designed development which integrates into the area while protecting amenity of the surrounding residential area. A warehouse of reduced height would be more appropriate.

We contend that the proposal is unsuitable for the subject site and will irreparably compromise the amenity of adjacent residents. We ask the council to acknowledge that the proposed development would be out of character with the Lucan Road area and is not site responsive to its surrounds. It is considered that the proposal has had little regard to the amenity of the surrounding properties.

The proposed development is therefore not in the interests of the proper planning and sustainable development of the area and, if permitted would set a poor precedent for similar developments.

We trust that on the assessment of this application and along with an analysis of the visual impact of the development and the level of severe dis-amenity it will cause to the adjacent properties that South Dublin County Council will see fit to **refuse** permission for the development outright.

We look forward to the decision of the Council on this application and reserve our right to appeal to An Bord Pleanála.

Yours sincerely,



Kevin Hughes MIPI MRTPI
for HPDC Ltd.