

Paul Gogarty



Public Representative - Member of South Dublin County Council

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"Not just at election time"

Ref: SD22A/0390 - Clonbrone, Lucan-Newlands Road, Lucan, Co Dublin

"Demolition of an existing two storey detached dwelling (162sq.m) and associated out-buildings on site and the construction of 7 two storey (plus dormer level); 5 bedroom houses comprised of 3 detached houses and 4 semi-detached houses on a site area of c. 0.3ha; all associated site development works, car parking, open spaces and landscaping etc; proposed access to the development will be via the existing vehicular entrance on the Lucan-Newlands Road / Esker Hill."

39 Esker Lawns

Lucan

Co Dublin

13th November, 2022

To whom it concerns,

I wish to strongly object to the above application on the grounds that it is not in the interests of the proper planning and development of the area and does not protect or improve residential amenity.

For an application to be recognised as in the interests of the proper planning and development of an area, consideration is required to be given to the potential impact on the surrounding area including the existing residential properties and the quality and quantity of the environment that would be created for prospective residents. This application would have a serious negative impact on the above if granted.

Congested site leading to overbearing impact

The South Dublin County Development plans aims to ensure that new development in established areas does not impact negatively on the amenities or character of an area. This development as proposed will overshadow numerous adjoining homes in Esker Lawns, with those facing west towards the proposed development being particularly affected in terms of loss of direct sunlight.

The overbearing nature of the development will also affect neighbouring dwellings through a loss of natural daylight and the minimal garden space and distance to boundary creates an oppressive feel when compared with the existing dwelling and the previously wooded area, an amenity that has not changed significantly since Esker Lawns was first built in the late 1960s.

Loss of daylight and sunlight

The location of these proposed units, with minimal setback means that the amenity and quality of life of existing residents of Esker Lawns will be substantially impacted.

The developer's Sunlight, Daylight and Shadow Assessment report needs to be scrutinised. It is not based on up to date or accurate drawings of neighbouring gardens and extensions. For example, the drawings appear to totally omit the large, bright extension already in situ to the rear of no. 31 Esker Lawns. This brings into question window calculations not only for this property, but also for other houses adjoining.

Windows are not the only issue, of course. While the BRE updated 2022 report is referenced, it does not take into consideration that this is a guideline only and that the overall picture needs to be looked at.

Section 2.2.1 states: "In designing a new development or extension to a building, it is important to safeguard the daylight to nearby buildings. A badly planned development may make adjoining properties gloomy and unattractive."

Section 3.2.1 refers: "In designing a new development or extension to a building, care should be taken to safeguard the access to sunlight both for existing dwellings, and for any nearby non-domestic buildings where there is a particular requirement for sunlight. People are particularly likely to notice a loss of sunlight to their homes and if it is extensive then it will usually be resented." Various submissions from residents reference the overshadowing impact this development will have, noting that it is not hugely different to a previous submission that was turned down without additional information requests largely on loss of visual amenity and overshadowing.

Section 3.2.12 of the BRE guidelines further states that "it is good practice to check the sunlighting of gardens of existing buildings". This is also described in Section 3.3, but does not appear to have been checked in any great detail, because if it had, massive shadowing of gardens would have shown up when compared with the existing situation.

Furthermore, there appears to be an over-reliance in the developer report on annual probable sunlight hours (APSH). The BRE 2022 updated best practice document does of course recommend that "APSH is a better way of quantifying loss of sunlight because it takes into account sunlight received over the whole year, not just on one particular date", however this has its limitations and the guidelines warn as much in terms of sticking to pure numbers.

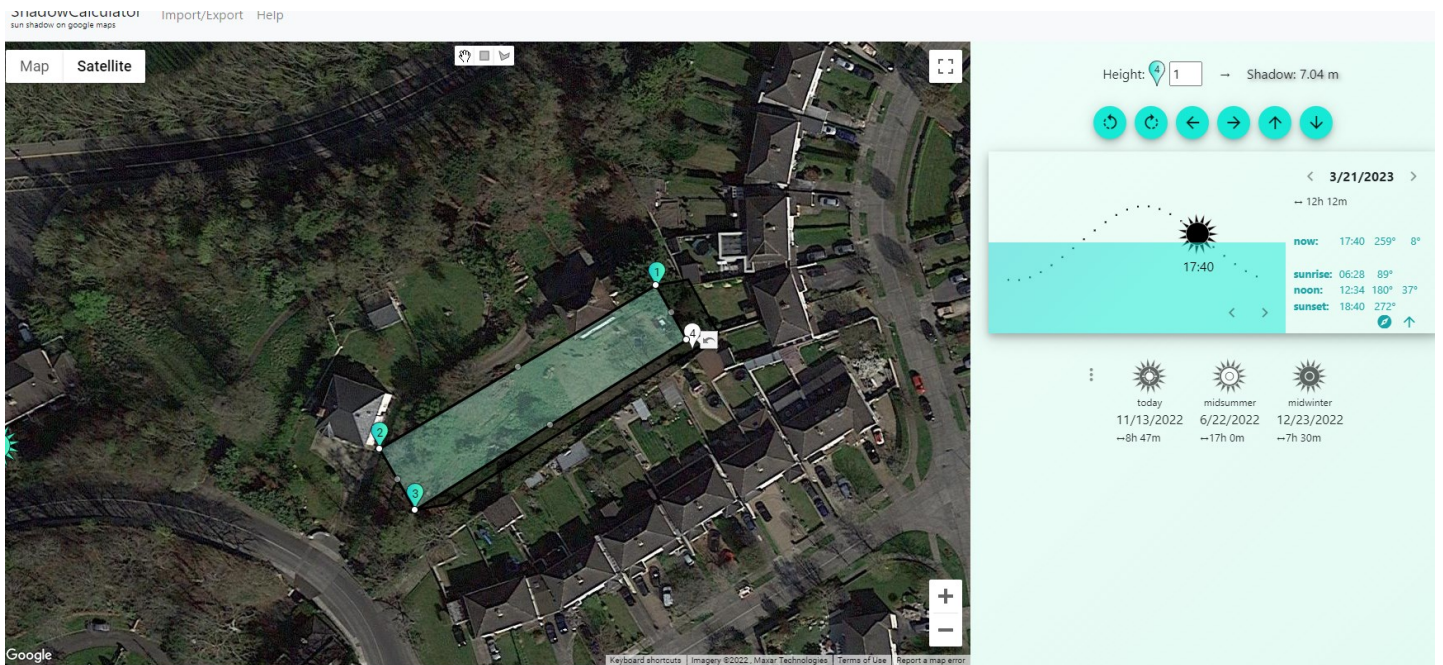
Section 2.2.3 clarifies that "numerical values given here are purely advisory. Different criteria may be used based on the requirements for daylighting in an area viewed against other site layout constraints. Another important issue is whether the existing building is itself a good neighbour, standing a reasonable distance from the boundary and taking no more than its fair share of light". For much of the year this development takes way more than its fair share of light for different neighbouring dwellings. And for significant parts of the year, the light loss is totally oppressive.

Notwithstanding that the APSH calculations need serious revisiting because the window calculations given for 31 Esker Lawns and elsewhere are not accurate, the assessment totally ignores the fact that the Esker Lawns Houses facing the site are largely North-West facing or West facing. This means that the impact on the houses during the last part of the day becomes a hugely significant issue at specific times of the year. Therefore it is not sufficient just to look at the APSH or the March 21st figures but also to look at periods where direct available sunlight or bright daylight is massively curtailed because of the impact of some or all of the proposed development.

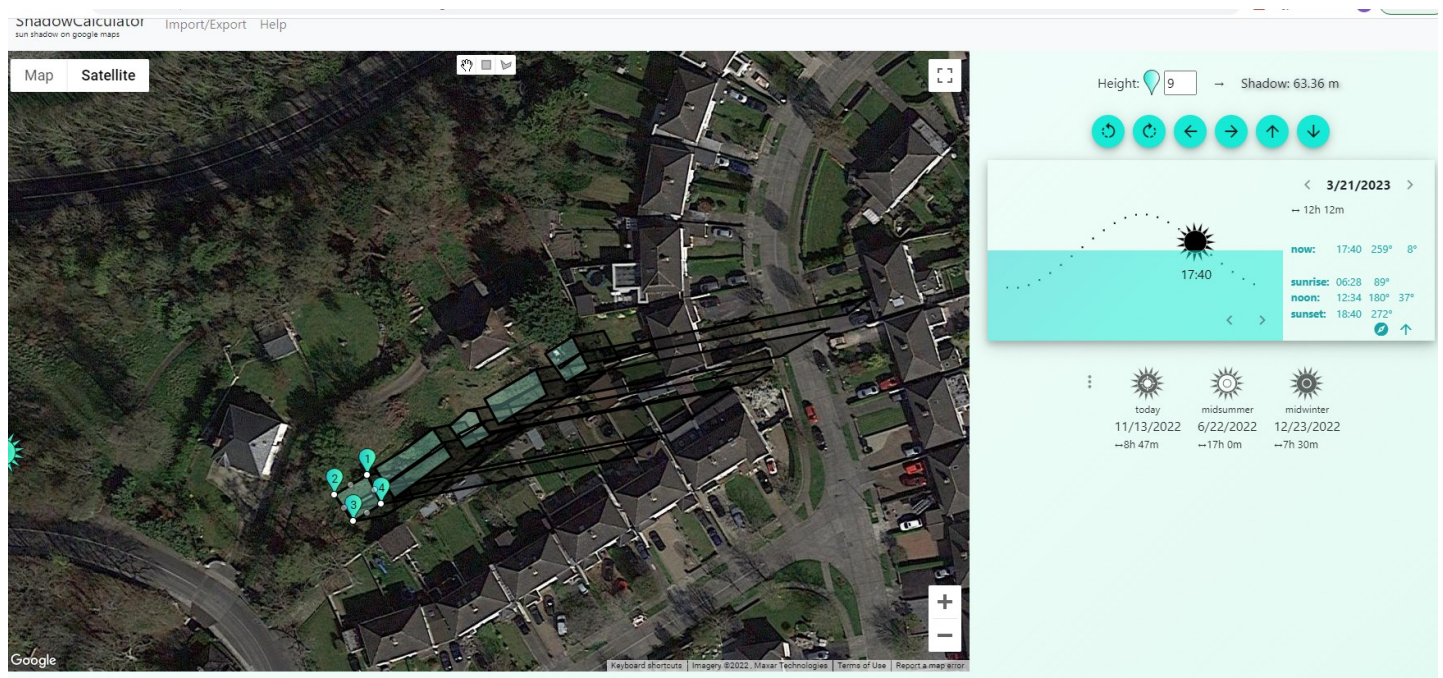
As per the rough, but reasonably indicative sunlight calculation maps included here (taken from a conservative average apex height of 9 metres), there is a clear severe impact on both side of Esker Lawns adjoining the site at various times of the year at least one hour, and possibly two, before sunset, including March 21st and its autumn equivalent (taking summer time hours into consideration).

There would also be a more specific localised impact on some of the gardens from the gable wall and roof line of houses 29-32 which need further careful examination.

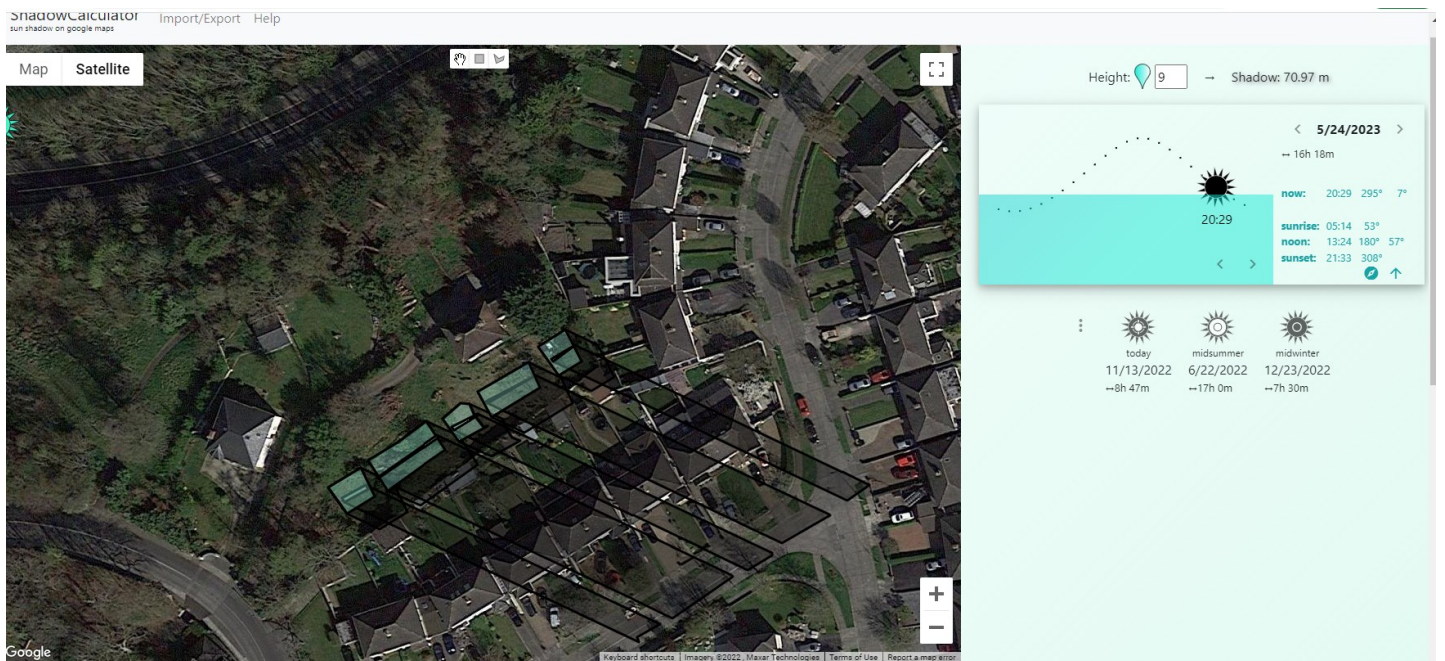
Ignoring all other impacts, the only way to mitigate the sunlight effect would be to place the houses on the north side of the site, which would be more difficult to do in terms of orientating an entrance roadway and creating meaningful amenity space. This cannot be done by way of planning conditions, so on these grounds alone this application must be rejected.



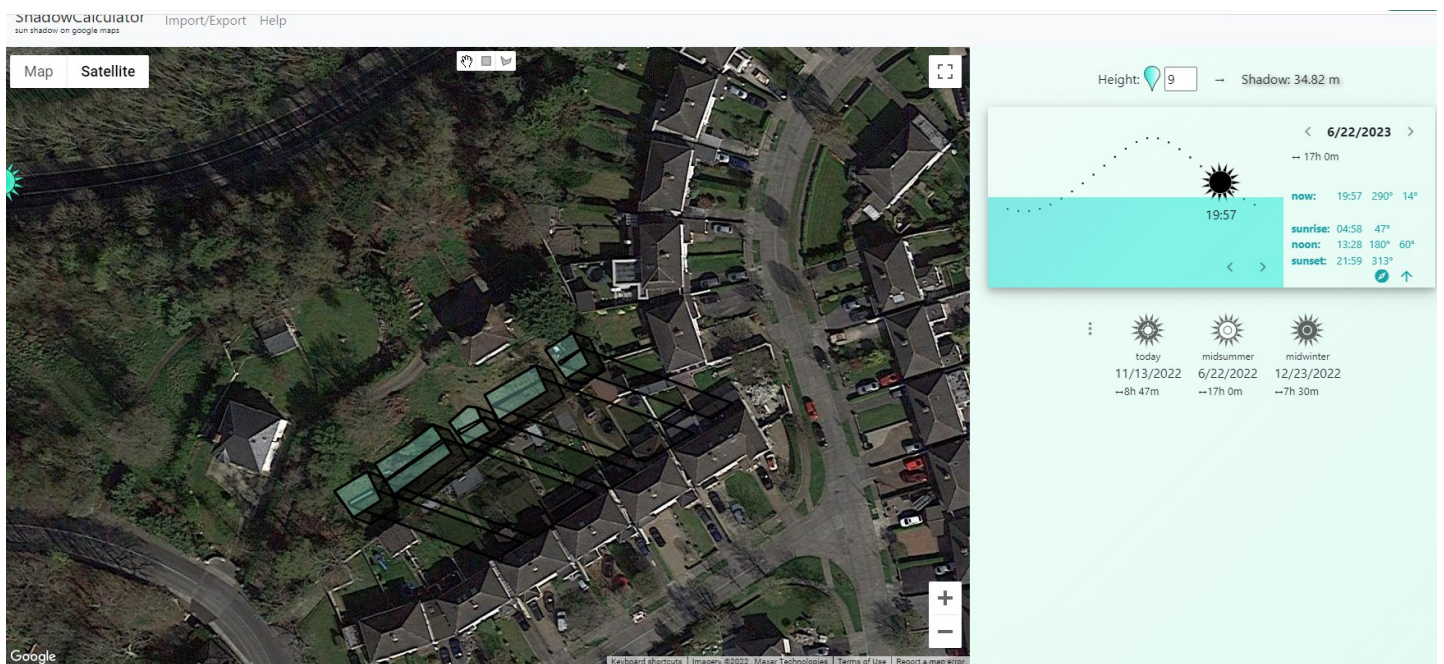
The photograph above takes a rudimentary one-metre height impact shadow assessment of the whole block area. This shows how the existing housing site area as a rule has no impact on adjoining houses.

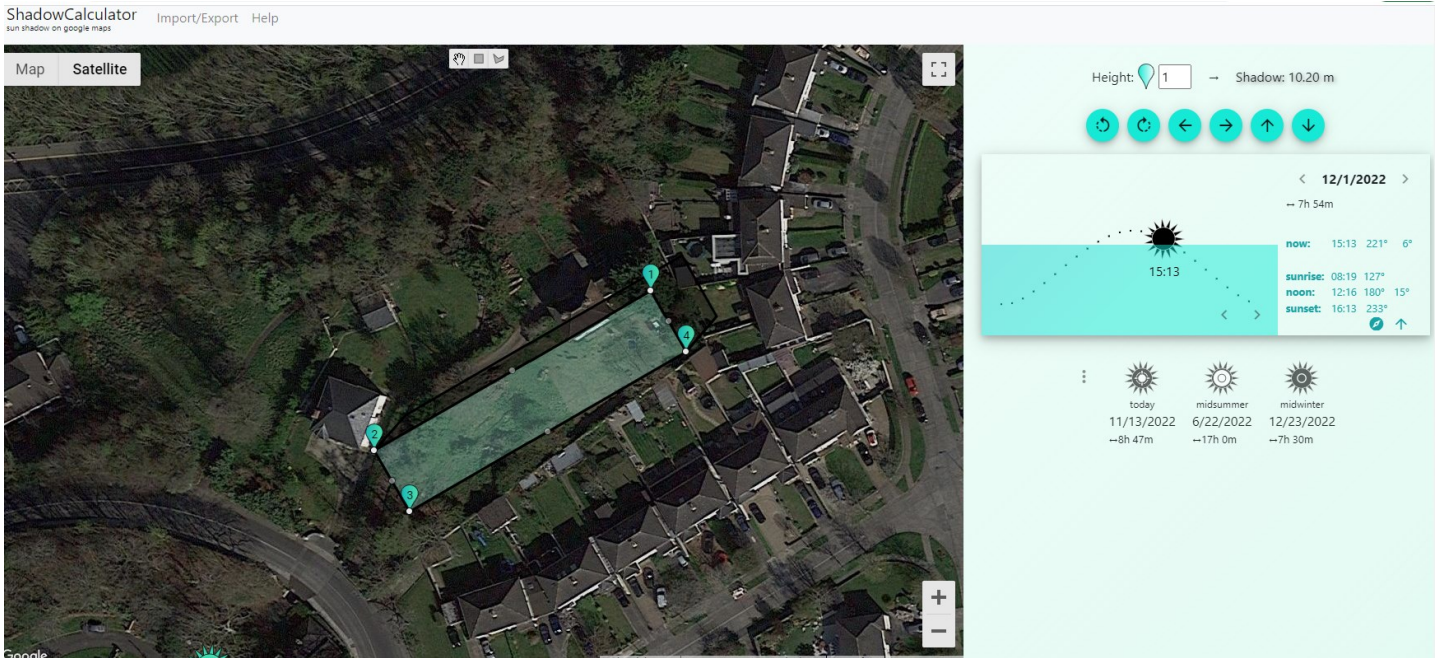


However the same cannot be said using shadow calculations for the same date an hour before sunset on March 21st. Note how the gardens of several houses are directly affected, with the shadow length sufficient to impact directly indoors in several dwellings.

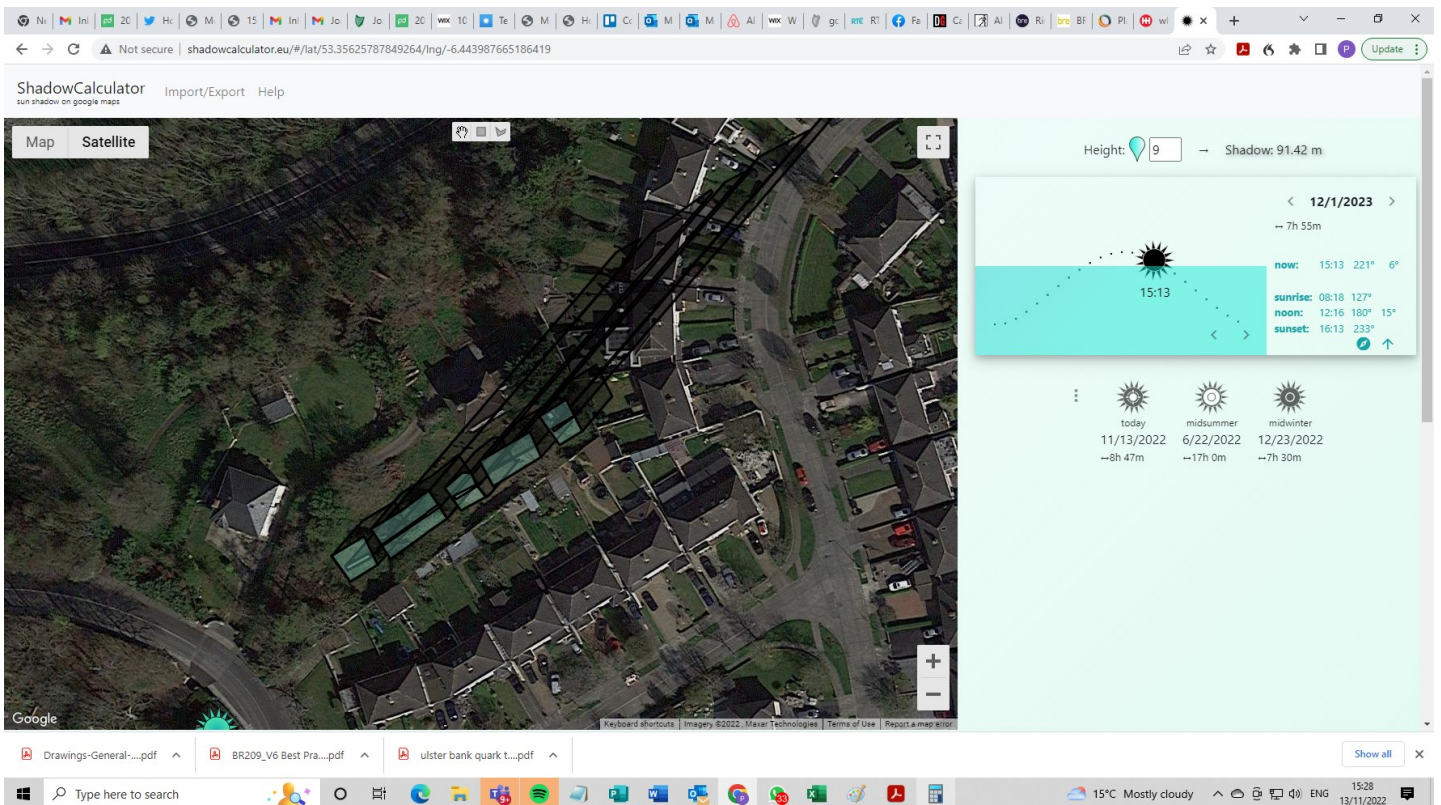


The next diagram above shows an hour before sunset on the 24th of May. At any time of year evening light is hugely important, in terms of well-being, functional use of garden space, reduced lighting costs indoors, etc. The impact at this time falls on houses to the south-east of the development. It gets worse as the setting sun tracks north-west, as shown on the 22nd June below, as indicated a full TWO HOURS before sunset:





As the winter approaches the serious impact affects some other adjoining houses, to a massive degree. The rudimentary one metre height calculation of a block shown above indicates no shadow implication from the existing situation. However the shadow map below (a full hour before sunset on the sample date of December 1) shows how different this would be if the housing was permitted.



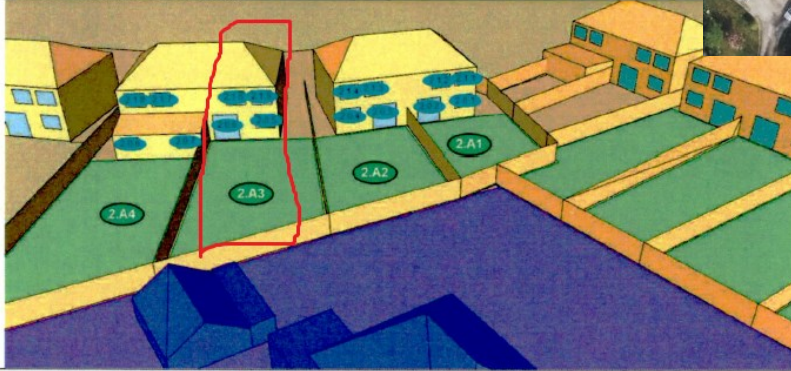
Note especially house 31 where an extension (not shown on the developer's shadowing assessment report) is clearly directly affected by shadowing. This would be not just from apex height but also from gable wall, which no doubt their own submission will highlight. No 32 is also affected detrimentally above.

Neighbours – Window Group B2

Oblique imagery extract Bing Bird's Eye, © Microsoft 2022

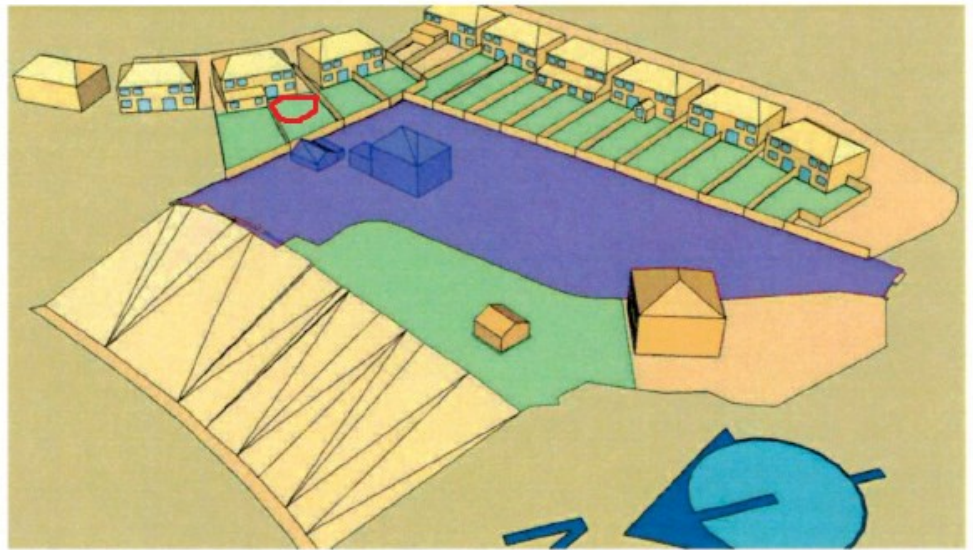


Windows facing the development

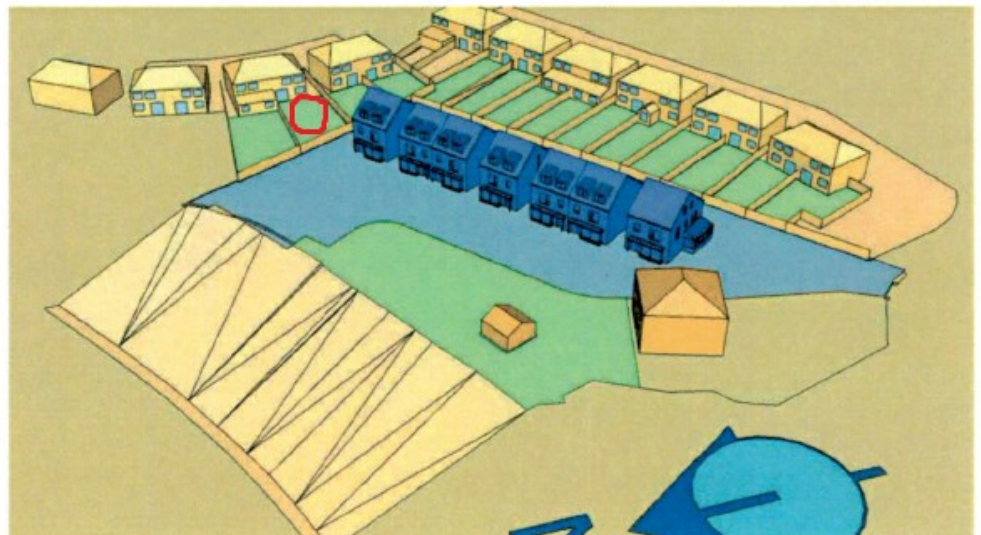


The numbering used later in this report for this group of windows is indicated in cyan above. Amenity spaces (gardens) are noted in green.

Note the area marked in red in the diagrams on this page and on the aerial map. The drawings for the developer's Sunlight, Daylight and Shadow Assessment totally omit a large single storey extension to 31 Esker Lawns, which would be impacted directly by the development



Existing Model



Proposed Model

A detailed track of the sun positions at sample dates and times each month will show an unacceptable shadowing effect on existing homes. Furthermore, the quality of life of any residents who were to purchase these proposed units would also be affected by shadowing from Esker Lawns, up to past 11am in the winter months, which is not a good effect for houses that orientate to the south-east.

Development not in keeping with existing pattern, scale and development of development in environs

This development is abutted to the north and west by lands with single units, eg a gate lodge and “Clonard”, followed by single units right Lucan-Newlands Road. Examining the pattern of existing developments in the area for similar sites along Lucan-Newlands Road, permissions granted so far have facilitated the addition of no more than one additional dwelling beside an existing house, the most recent being a corner house in Esker Lawns omitted in their submission.

In the case of its immediate neighbour “Clonard”, the only development permitted on this site was the replacement of one dwelling with another dwelling. Multiple applications at Clonard for 8 units were turned down as the architect has outlined in their presentation document and a proposal for four units was turned down at an earlier date. The precedent does not exist. The existing site should follow precedent on similar small land plots, such as “Clonbrone”, not a housing estate.

Heritage

The Development Plan seeks retain existing houses that, while not listed as Protected Structures, are considered to contribute to historic character, local character, visual setting, rural amenity or streetscape value within the County. The existing house has been there a long time and fits precisely with its natural setting. If it is in disrepair it can be fixed or an identical A1 rated house with heat pumps could be installed in its place. Even with this, it may be possible to add a further large bungalow on the site, or instead insert three medium-sized single storey units which would increase the site density while also retaining its intrinsic character.

It is also the Council’s intention to encourage the retention, rehabilitation, renovation and re-use of older buildings and their original features where such buildings and features contribute to the visual setting, collective interest or character of the surrounding area and to ensure that infill development is sympathetic to the architectural interest, character and visual amenity of the area. This proposed development does neither of the above.

Traffic implications and road safety

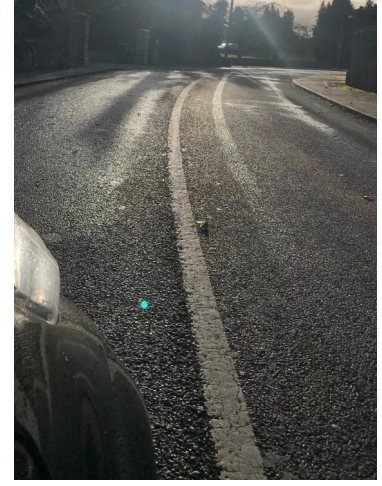
The location of a single exit on a corner is already a hazard for any vehicle exiting the existing development, but multiple vehicles at this location will significantly increase the risk of an accident. The recessing of the gate entrance may provide some additional visibility for cars exiting but the main current risk is to other vehicles and to pedestrians.



The pedestrian footpath at the location of the gate entrance is quite narrow. It continues this way down the hill and in fact gets narrower. Cars driving up the hill often have to cross close to or over the single white line so as to avoid pedestrians stepping out onto the road to pass other pedestrians, especially those with buggies or walking young children. While the correct procedure would be to slow down totally, the practice on a hill with gear changes and slowing down would be for vehicles to pass pedestrians by at normal speed, veering across the median. While such practices are not advisable they have been witnessed.

New greenway route passing this entrance

On a one-way basis, such practices are unlikely to change with the arrival of the proposed new road layout to facilitate the Canal Route Greenway. This route will encourage more local and tourist cycle traffic along past Clonbrone and, while measures are being proposed to enable cyclists to enter a new downhill route to the Lucan Road more safely (via a zig-zag off-road design), no consideration in this plan (due to be adopted as part of a Part 8 at the November 2022 or December 2022 meetings) has been made for the significant impact of additional housing units at Clonbrone.



The photographs above show the approach towards the site during daylight. It is not possible to get a full view of traffic coming towards vehicles on either side. A vehicle exiting the site would not have much time to see a car coming up the hill and would have to crawl out to get a better view. They will not be seen by pedestrians coming towards the village. As more electric cars come onto the roads, they will likely not be heard either. This is already a tricky location with cemetery, school bridge drop-offs and estates traffic and will be even trickier with the cycle route proposals as per the diagram below:



Note how complex the proposals are and how Clonbrone's entrance is directly in the middle of proposed works? Intensifying development here will make it way more dangerous for pedestrians, cyclists and other traffic.

Other issues

As the photo adjacent shows (precedent already in situ for similar laneway off Lucan-Newlands Road), bin lorries will not realistically go in and out of this development, meaning residents will have to **wheel their bins out**. The only place they can put these is to the left of the entrance, potentially blocking pedestrians, forcing them out onto the road. While the footpath is wider at this location, it narrows towards the entrance. Seven black bins and up to 14 green/brown bins twice a month will cause serious problems on those days.



All other issues raised as points of additional information in the previous application still apply, eg emergency vehicles, trees, bats, archaeological heritage etc. These need to be addressed again in the CE report, but obviously there are other issues that give grounds for outright refusal.

Summary

There is definitely some scope and some precedent for increasing the number of houses on this site, but nowhere near the extent of this application, nor in the manner proposed. Anticipating that this planning application will be rejected once again, being similar to the last application, the developer should go way further in scoping any future proposed application. Ideally, to preserve the character of this site, the existing house's footprint could be retained and possibly extended to the west side. This would permit another medium-sized bungalow "gate lodge" closer to the entrance, which would be a balanced outcome.

Alternatively, there is scope for up to three sizeable bungalows on the site, perhaps surrounding a roundabout at the end of a single roadway. This would triple the housing density of the land and also give the developer a reasonable return on any investment.

Trusting that these points can be taken into account when assessing the merits of this application.

Yours sincerely,

Cllr Paul Gogarty