

30 Esker Lawns

Lucan

Co Dublin

13 November 2022

Planning Department

South Dublin County Council

**Re Planning Application ref SD22A/0390**

Dear Sir or Madam,

I refer to the above Planning Application in respect of a residential development on lands at Clonbrone, Lucan, Co. Dublin (K78Y5C2).

The site in question was the subject of a previous application in 2021 (ref SD21A/0026) which was refused on a number of very clear grounds. Regrettably, this new application fails to address the very legitimate issues for neighbouring residents that were associated with that application. While it contains a small number of marginal adjustments to the previous application in respect of the overall site layout, the fundamental grounds for refusal of the previous application remain.

I am writing as resident since 1968 of an adjoining property at 30 Esker Lawns, Lucan, Co. Dublin (K78TN26). As with the 2021 application, the current proposed development has a direct impact on my home of more than 50 years.

The proposed development contained in this application is not of an appropriate scale and layout for this site and fails to meet the requirement of the relevant Guidelines on Sustainable Residential Development in Urban Areas to ensure that the *"the design approach should be based on a recognition of the need to protect the amenities and privacy of adjoining neighbours and the general character of the area and its amenities, i.e. views, architectural quality, civic design etc."*

The previous application (SD21A/0026) was refused on a number of grounds, including Reason 1: *"The proposed new dwellings, particularly houses 7 and 8, were deemed to be overbearing by reason of their excessive height and the proximity to neighbouring dwellings and their private amenity space, resulting in a significant and material loss of light and overshadowing..."*

In respect of the revised application (SD22A/0390) relating to house no. 7, the submitted planning report accompanying the application (Armstrong Fenton Associates) states (s.2.4 page 9) that *"house no. 7 has been pulled back from the neighbouring boundary to the east with the current gable side of the proposed house no. 7 being c18.6m away from the rear of its nearest neighbour"* and (s.5.1 page 20) *"house no.7 set further back from the eastern boundary of the site to reduce any perceived overbearing impacts on neighbouring properties"*.

While the marginally adjusted position of house no.7 on the site layout relative to the previous application may "reduce" overbearing impacts on neighbouring properties, it does so only to a very marginal extent and certainly fails to meet the stated objectives of ensuring that there will be no impact on neighbouring dwellings in terms of overlooking, overshadowing or overbearing.

I take issue with the veracity of the following statements in the planning report which seek to persuade planners of the merits of the proposed development:

*"Cognisance has been paid to the existing pattern, scale and established pattern of development in the environs. As the site is abutted to the south and east by traditional two storey suburban housing, the scale of the proposed development reflects this such that **there will be no impacts on adjoining residential amenity.**"*

*"The layout of the proposed houses, the roof pattern, the location of the dormer windows all accord with good principles of design such that **no overlooking, overshadowing of adjoining properties will occur.**"*

*"On its eastern and southern side, the rear gardens of existing dwellings at Esker Lawns back onto the boundary of the site and therefore, **in order to avoid any negative overlooking or impact on existing, neighbouring residential amenity, the rear gardens of the proposed dwellings will back onto neighbouring back gardens in a traditional housing layout manner. This affords privacy to the existing dwellings.....**"*

(above excerpts from section 5.1: Context of Proposed Development)

Specifically, for the adjoining Esker Lawns properties to the east of the site, including my home (no. 30) and adjoining houses, the impact of the proposed layout will be direct and severe. House no. 7 will overlook the rear of the Esker Lawns properties to the east of the site.

House no. 7 runs alongside the rear wall of my dwelling and will create very significant overshadowing of my back garden and of the living areas at the back of my house as the previously submitted accompanying graphics demonstrate. These graphics remain relevant to the current application as the adjusted position on the site map of house no. 7 does not adequately address this overshadowing issue. It should be noted in this regard that the supporting submitted 'Sunlight, Daylight and Shadow Assessment' provided by the applicants is based on extremely limited and inaccurate data (e.g. the mapped configuration of houses no.s 30 and 31 Esker Lawns do not match the actual house layouts based on approved extensions/modifications over recent years).

The height of the development and the proximity of this house to my property means that the sunny aspect enjoyed in my back garden and into the back rooms of my house for the past 54 years will be entirely displaced, with overshadowing from this new development dominating the entire back garden as well as the main living areas at the back of the house.

This represents serious injury to the visual and residential amenity of my property. The side wall of the upper floors will be visually obtrusive and overbearing from the back windows of my residence and the overall effects will be to diminish the amenity of my property. The submitted drawings exclude any representation of this aspect.

It is impossible to reconcile the reality of this with the misleading statements made in the application that the design and layout is intended to avoid any negative overlooking or impact on adjoining properties and that no overlooking or overshadowing of adjoining properties will occur.

The height of the new dwellings at 9.8 metres is unchanged from the previous application and continues to be out of keeping with neighbouring properties (approx. 8.2 metres). Contrary to the statements in the application, this is not "similar to and reflective of the prevailing height in the environs".

The application fails to include these relevant details of the adjoining Esker Lawns properties and their features and fails to take account of the essential character and amenity of these neighbouring residences.

The applicants have failed to address some of the most basic grounds for refusal of the previous application, including that "*the proposed new dwellings.....were deemed to be overbearing by reason of their excessive height and the proximity of neighbouring properties...*" and "*the proposed development was deemed to set an undesirable precedent for other similar developments, which would in themselves and cumulatively, be harmful to the residential amenities of the area and would be contrary to the proper planning and sustainable development of the area*"

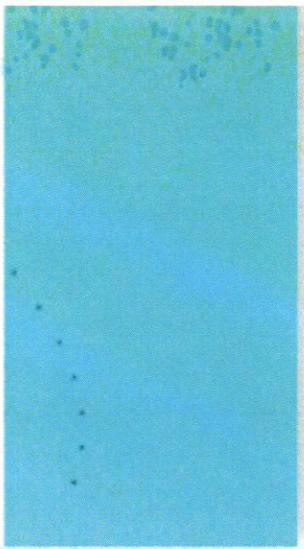
Having regard to the direct negative impact on my home and those of my immediate neighbours, I submit that permission should be refused for this development. This is based on the failure of the applicants to adequately address the impact of the proximity and height of house no. 7 of the proposed development in particular, the failure to address wider issues associated with the height of each of the proposed houses and the failure to adequately address previous planning concerns related to the proposed cramped over- development of this site and associated visual impact on the surrounding area.

I confirm that I have paid the relevant fee accompanying this submission of observations and include evidence of same.

Yours sincerely,

**Elizabeth McCarthy**

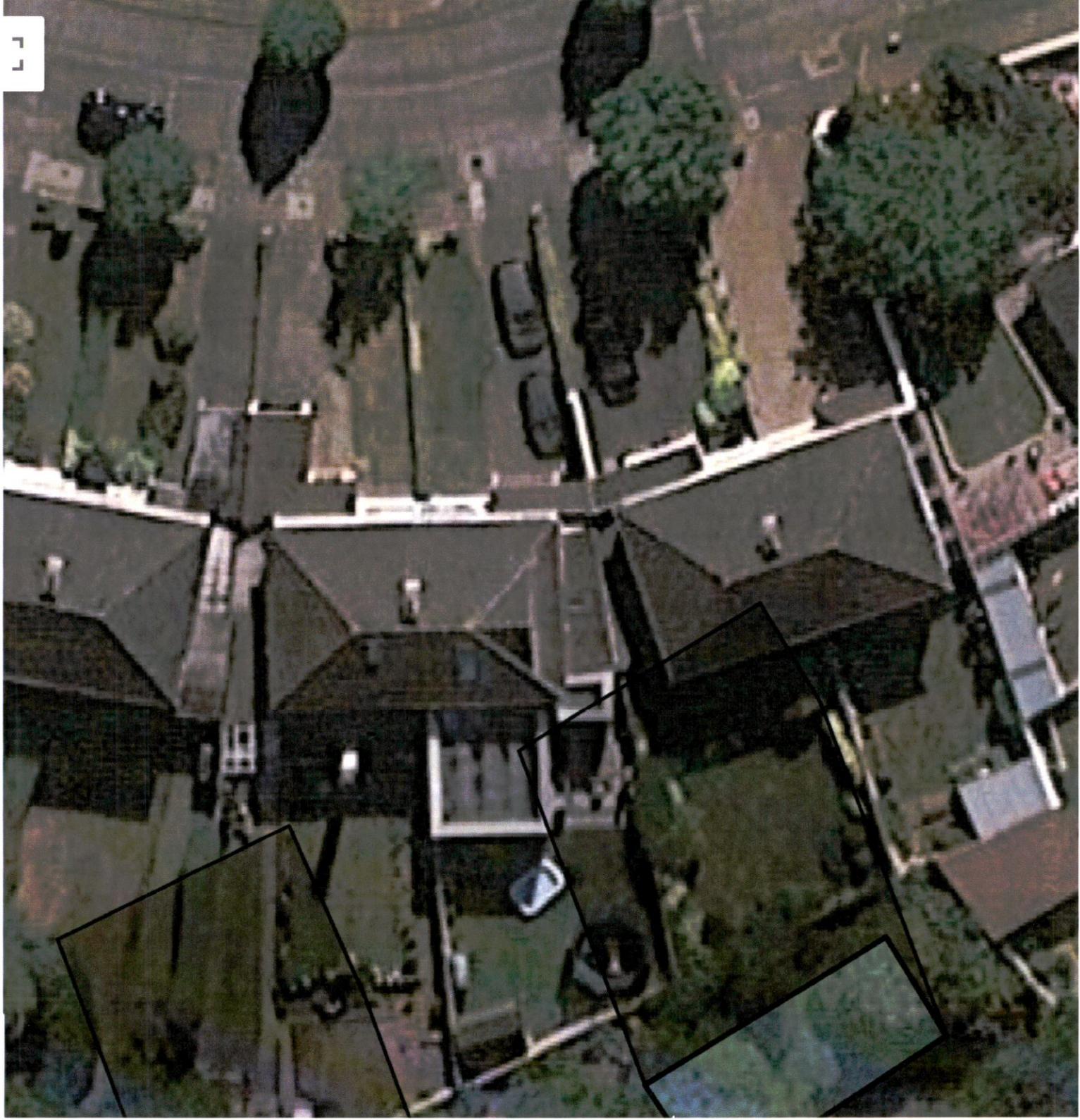
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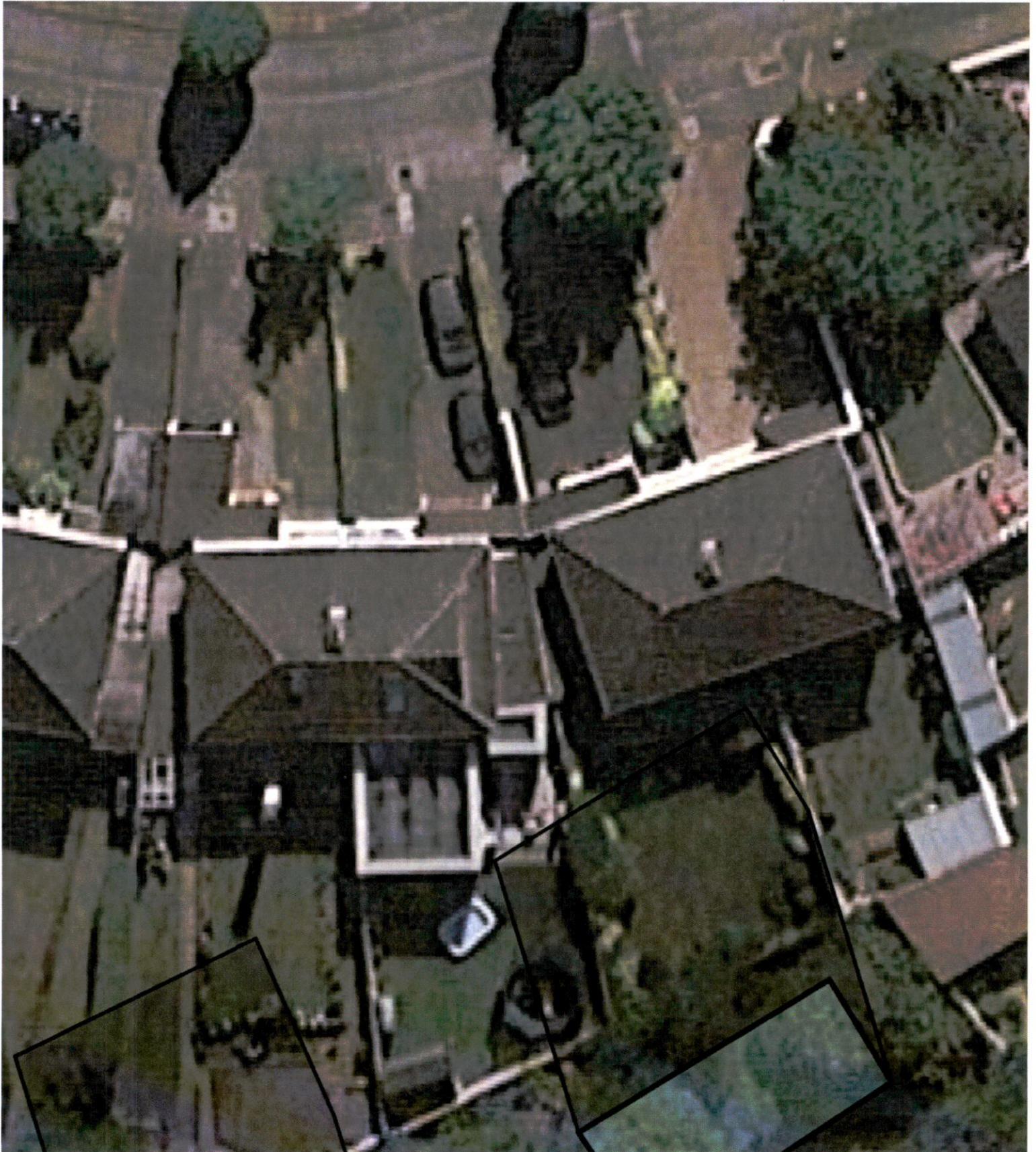
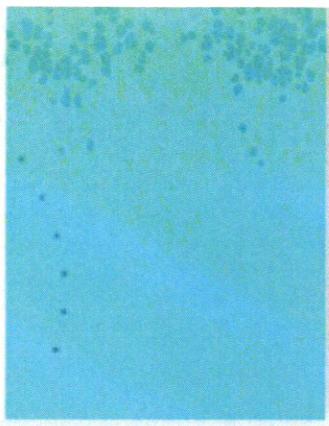


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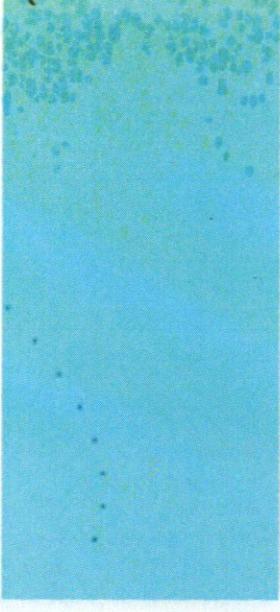
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**Elizabeth McCarthy**  
30, Esker Lawns  
Lucan  
Co. Dublin

**Date:** 16-Nov-2022

Dear Sir/Madam,

**Register Ref:** SD22A/0390  
**Development:** 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.  
**Location:** Clonbrone, Lucan Newlands Road, Esker Hill, Lucan, Co. Dublin, K78 Y5C2  
**Applicant:** Nacul Developments Ltd  
**Application Type:** Permission  
**Date Rec'd:** 13-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](http://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](http://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**