

**Application Reference – SD22A/0390**

**Site Address - Clonbrone, Lucan Newlands Road, Lucan, Co Dublin, K78 Y5C2**

**Proposal** – 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.

**Dear Sir/ Madam,**

**I wish to object to the above planning application; the issues and concerns are set out below.**

This site was the subject of a previous planning application - Application Reference – SD21A/0026 – which was refused. The fundamental grounds for refusal remain the same and the proposed new development has not addressed a number of the Chief Executive's Orders in the previous refusal.

**Order 1:**

1. The proposed new dwellings, and in particular houses 7 and 8, by reason of their excessive height and the proximity to neighbouring residential properties and their private amenity space, would appear overbearing, result in a significant and material loss of light and overshadowing, and create an unacceptable sense of enclosure. In addition to this, the proposal would also result in a poor quality and quantity of accommodation for prospective residents, by means of the cramped layout, poor open space and private amenity space, poor outlook and unacceptable sense of enclosure. Thus, the proposed development would seriously injure the amenity of property in the vicinity and would be contrary to the zoning objective for the area which seeks 'to protect/and or improve residential amenity' and would therefore be contrary to the South Dublin County Council Development Plan 2016 - 2022 and the proper planning and sustainable development of the area.

The excessive height and proximity, sense of enclosure and additional observations has not been addressed with the new application and remains contrary to the South Dublin County Council Development Plan 2016-2022.

**Order 2:**

2. Given the topography of the site, the proposed siting of the dwellings in a visually prominent location adjacent to the area of open space on top of the hill overlooking the Lucan Road and the lack of information submitted in relation to site levels, the planning authority is not satisfied on the basis of the information submitted that the proposal would have an acceptable visual impact on the site and surrounding area. In addition to this the proposal as designed would lead to a cramped and poor layout in the context of the site and surrounding area. The proposal is therefore considered to be contrary to policies H11 and H16 of the South Dublin County Development Plan 2016-2022, and the proper planning and sustainable development of the area.

Topography of the site remains the same. As per Order 2 of previous refusal the application it contravenes policies H11 and H16 of the development plan.

**Order 3:**



3. Having regard to the lack of information submitted in relation to the proposed vehicular access for the site including the ability of vehicles, emergency vehicles, and refuse vehicles to safely manoeuvre within and access and egress the site, as well as the lack of a road safety audit and the permeability of the site, it is considered that the applicant has not demonstrated that the proposal would not generate a traffic hazard or endanger public safety. The proposal would therefore be contrary to the proper planning and sustainable development of the area.

Traffic and safety remain a concern and this has not been significantly addressed

**Order 4:**

4. Having regard to the lack of information submitted in relation to water, foul water and surface water, the Planning Authority is not satisfied, on the basis of the information submitted, that the proposed development would not be prejudicial to public health and therefore is not in the interests of the proper planning and sustainable development of the area.

This order also still remains and has not been significantly addressed.

**Order 5:**

5. Having regard to the lack of information submitted in relation to existing trees, hedges and vegetation within the site and their protection, including the removal of all trees within the site to facilitate the proposal without adequate replacement, the lack of a survey in relation to an existing hedgerow, and the impact on a category A1 tree, it is considered that on the basis of the information submitted that the proposal would have a detrimental impact on biodiversity within the site contrary to policy HCL15 of the South Dublin County Council Development Plan (2016-2022), would result in a poor-quality landscape and environment, and would therefore be contrary to the proper planning and sustainable development of the area.

Trees were removed from this site which displaced a large bat population which has been present since we moved here on 2004 and are no longer here.

**Order 6:**

6. Having regard to the lack of information submitted in relation to ecology and biodiversity and the potential for the site and surrounding area to support wildlife, the Planning Authority is not satisfied, on the basis of the information submitted, that the proposed development would not be prejudicial to biodiversity. The proposal is therefore considered to be contrary to policy HCL15 of the South Dublin County Development Plan (2016-2022), which seeks to ensure that species and habitats are protected, and the proper planning and sustainable development of the area.

Further biodiversity issues have not been adequately addressed.

**Order 7:**



7. Having regard to the lack of information submitted in relation to archaeology and geology and the potential for the site and surrounding area to support archaeological heritage and geology, the Planning Authority is not satisfied, on the basis of the information submitted, that the proposed development would not be prejudicial to archaeological or geological heritage. The proposal is therefore considered to be contrary to policy HCL2 and HCL19 of the South Dublin County Development Plan (2016-2022), and the proper planning and sustainable development of the area.

Further reports which have been submitted are addressed directly to Nacul Developments and not South Dublin County Council and therefore their objectivity could be considered pointless.

**Order 8:**

8. The proposed development would 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.

The reduction of 1 single house on this development does not alter the fact that granting permission to this development would set an undesirable precedent for the area.

**My previous reasons for objection remain valid:**

**Principle of Development**

We note that the lands to the rear of our property are zoned Objective RES 'To protect and/or improve residential amenity' in the South Dublin County Development Plan – 2016-2022. As such, we have no objection in principle to the development of the lands for residential development and welcome the redevelopment of the site for a more efficient use of the lands. However, we have serious concerns on the following matters –

**Layout**

We note that the current Development Plan supports high quality design and layout for new residential developments; this is set out in H11 Objective 1 of the Development Plan. In this regard, it is clear from the plans submitted that the current proposal appears cramped into the site; this is evident in terms of the proposed rear garden depths. We wish to raise our serious concerns regarding the shallow depth of the proposed rear gardens, in the region of 8 metres.

It is noted that the applicant has highlighted good separation distances from the rear of existing dwellings at Esker Lawns, however, the applicant relies heavily on the depths of the existing neighbouring in order to meet the requirement of the Development Plan Section 11.3.1 Residential (v) Privacy, that requires a separation distance of 22 metres thereby reducing the quality of their own development as well as the quality and usability of our garden. This is not acceptable and results in a poor form of development and also would set a poor precedent.

In addition, due to the poor layout, we would have serious concerns regarding overshadowing to our property and those of our neighbours. We note that the shadow analysis submitted is incomplete and fails to provide a comprehensive overview of the actual impact.

The Planning Authority should note that while the redevelopment of the site is welcomed, this should not come at the price of the residential amenity of existing dwellings.



## **Visual Amenity**

We wish to raise concern regarding the proximity of the proposed dwellings to our property and the heights that are almost 2 metres in excess of those on Esker Lawns. This will result in harm to our visual amenity, the proposed dwellings will read as oppressive and overbearing when viewed from our property and our rear garden area.

We wish to highlight to the Planning Authority that Policy 17 Residential Consolidation of the SDCC Development Plan, supports *residential consolidation and sustainable intensification at appropriate locations*. We acknowledge that the zoning allows for residential development, we would argue that the proposed development by virtue of its, scale, bulk, height and close proximity to shared boundaries, the proposal fails to comply with H17 Objective 5: that seeks to ensure that new development in established areas does not impact negatively on the amenities or character of an area.

## **Bats**

We note that the applicant has submitted a Bat Survey. Section 3.2 of this survey highlights that some trees on the site are considered to be of high bat potential. Two species of bats were identified on September 30th 2020, Common Pipistrelle and Soprano Pipistrelle. The report recommends that the trees on site with bat potential should be retained. It is clear from Figure 4 of the report, that there are a number of trees on the site that are affected by bats, while mostly in the south east corner, there are affected trees scattered across the site. We would have concerns that the report does not provide sufficient mitigation measures against the impact of the development on bats. We would be of the view that this issue requires further investigation from the Council's Biodiversity Officer.

## **Transportation Issues**

The position of the narrow single exit on the corner for multiple vehicles is in an extremely dangerous location. Not only is it at a 'blind spot' at the bend at the top of the hill, it is also crossing a busy narrow footpath that is in constant use.

## **Conclusion**

We confirm payment has been made for this submission (receipt attached).

Yours sincerely,

Karen Pringle  
Barry Pringle

Barry & Karen Pringle.  
23 Esker Lawns,  
Lucan,  
Co Dublin.  
K78 F7D5



**Karen Pringle**  
23, Esker Lawns  
Lucan  
Co.Dublin  
K78 F7D5

**Date:** 17-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 by 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**