



An
Bord
Pleanála

Observation on a Strategic Housing Development application

Observer's details

1. Observer's details (person making the observation)

If you are making the observation, write your full name and address.

If you are an agent completing the observation for someone else, write the observer's details:

(a) Observer's name

Geraldine MacEvilly & Leanora Frawley

(b) Observer's postal address

6 St James's Terrace, Dolphins Barn, Dublin 8
D08 E2H7

Agent's details

2. Agent's details (if applicable)

If you are an agent and are acting for someone else **on this observation**, please **also** write your details below.

If you are not using an agent, please write "Not applicable" below.

(a) Agent's name

Not Applicable

(b) Agent's postal address

Not Applicable

Postal address for letters

3. During the process to decide the application, we will post information and items to you **or** to your agent. For this **current application**, who should we write to? (Please tick ✓ one box only)

You (the observer) at the postal address in Part 1

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The agent at the postal address in Part 2

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Details about the proposed development

4. Please provide details about the **current application** you wish to make an observation on.

- (a) **An Bord Pleanála case number for the current application (if available)**
(for example: 300000)

ABP-TA29S.313278

- (b) **Name or description of proposed development**

White Heather

- (c) **Location of proposed development**

(for example: 1 Main Street, Baile Fearainn, Co Abhaile)

White Heather Industrial Estate, South Circular Road, Dolphins Barn,
Dublin 8

Observation details

5. Grounds

Please describe the grounds of your observation (planning reasons and arguments). You can type or write them in the space below. There is **no word** limit as the box expands to fit what you write. You can also insert photographs or images in this box. (See part 6 – Supporting materials for more information.)

1. We live at number 6 St James's Terrace which adjoins the proposed development. Our house is not correctly depicted in the design drawings. The back of our house is nearly entirely made up of windows. One floor to ceiling window looking into our kitchen/living space and two large windows on the first floor, looking into our child's bedroom and our main bathroom. We received planning permission from Dublin City Council a number of years ago for this design. Any person now who is able to look into the back of our house, be it from the closer apartment blocks, the new gardens positioned just behind our garden or the houses just six metres away from the back of our garden, will be able to look straight into our living area, our son's bedroom and our bathroom. This is unacceptable. No reference has been made to this in the proposal. The drawings are inaccurate and misleading in a very material way.
2. Due to the significant inaccuracy of the drawings, the measured loss of light entering the working and habitable area of our house is also wildly inaccurate. The window map provided by the developer is incorrect. The windows shown on the window map are much smaller than our actual windows. Please see attached photographs of actual house. The internal daylight distribution as shown on the light report furnished by the developer is incorrect. Even the inaccurate measurements show a loss of light into our living area (where we spend most time) in the winter (when the light is most needed) of over 33%. The real figure must in fact be much higher because the windows are much

5. Grounds

larger. We have made a considerable investment in the house of €400,000 to renovate and improve the house. An important aspect of the investment was of course to maximise the light entering the house. Dublin City Council approved the plans and also approved part funding for the renovations with the City Living Scheme. The light and functionality of the house will be significantly compromised by the proposed development.

3. Apart from the light, which the developer accepts will be significantly impacted, our privacy will be severely affected by overlooking from the adjacent buildings and gardens proposed. For example, the nearest house will be only six metres away from our back garden which is in turn only six metres from our kitchen (which is the main habitable area), our bathroom and son's bedroom. There is no way that we can mitigate this without further reducing light entering the house.
4. No reference is made by the developer at all about the age and historical importance of the houses on St James's Terrace. Our houses were built well before 1800. They have no foundations and the originals walls are timber framed and filled with horse hair. Significant building near the houses if not done with care and with specific reference to the vulnerability of the old houses will cause irreparable damage to the houses. The developer must show how they will mitigate the damage that will otherwise be caused to the houses because of their age and structure. The rear garden walls of the houses on St James's Terrace are old and beautiful. The same wall by the nearby church (Our Lady of Delours) is a protected structure (as part of the church). The developer again does not refer to how the walls will be protected by the significant work that will be carried out in very close proximity.
5. There is a significant amount of asbestos in the existing buildings that will be demolished in White Heather Industrial Estate. No reference is made to this in the developer's submissions except to state in a very general way that if it

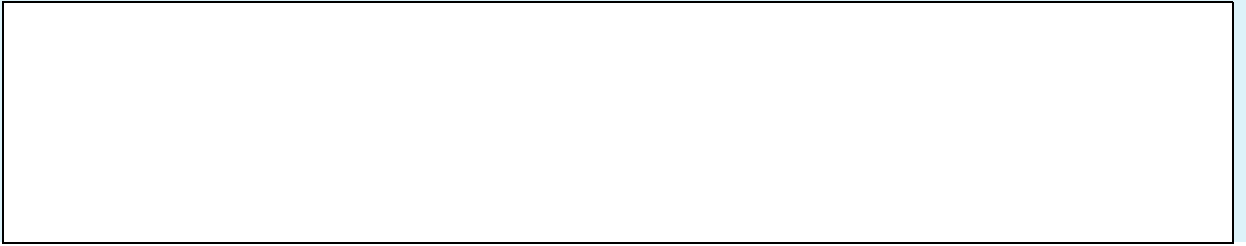
5. Grounds

was found then it would be removed safely. More alarmingly, the developer claims that there are no hazardous materials on site. This is clearly incorrect and either an example of a poorly and inadequately researched and formulated submission or a concerning attempt to conceal a clear and obvious danger. In either event, the submission does not comply with legal requirements and is unlawful.

6. It is not at all clear how the developer intends to mitigate the significant air and noise pollution that will arise over a period of four years during the demolition/construction phase of the development. There are around twenty



5. Grounds



Supporting materials

6. If you wish, you can include supporting materials with your observation.

Supporting materials include:

- photographs,
- plans,
- surveys,
- drawings,
- digital videos or DVDs,
- technical guidance, or
- other supporting materials.

If your supporting materials are physical objects, **you must send** them together with your observation by post or deliver it in person to our office. You cannot use the online uploader facility.

Remember: You can insert photographs and similar items in part 5 of this form – Observation details

Fee

7. You **must** make sure that the correct fee is included with your observation.

Observers (except prescribed bodies)

- strategic housing observation **only** is €20.
- strategic housing observation **and** oral hearing request is €70

Oral hearing request

8. If you wish to [request the Board to hold an oral hearing](#), please tick the “Yes, I wish to request an oral hearing” box below.

Please note you will have to pay the correct **additional non-refundable fee** to request an oral hearing. You can find information on how to make this request on [our website](#) or by contacting us.

If you do not wish to request an oral hearing, please tick the “No, I do not wish to request an oral hearing” box.

Yes, I wish to request an oral hearing

☐

No, I do not wish to request an oral hearing

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Final steps before you send us your observation

9. If you are sending us your observation using the online uploader facility, remember to save this document as a Microsoft Word document or a PDF and title it with:

- the case number and your name, or
- the name and location of the development and your name.

If you are sending your observation to us by post or delivering in person, remember to print off all the pages of this document and send it to us.

The National Adult Literacy Agency (NALA) has awarded this document its Plain English Mark. Last updated: November 2020



For Office Use Only

FEM – Received		SHU – Processed	
Initials		Initials	
Date		Date	

Notes