



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

Khaled Sarwat

(b) Observer's postal address

'Egypt House', Brennanstown Road, Cabinteely, D18 PY05

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

Click or tap here to enter text.

(b) Agent's postal address

Click or tap here to enter text.

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)

313281

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

Barrington Tower SHD

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

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

'Winterbrook' and 'Barrington Tower', Brennanstown Road, Dublin18

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.)

Observation on Strategic Housing Development ABP Ref 313281 2022, also known as the Brennanstown Road SHD or the Barrington Tower SHD. We ask An Bord Pleanála to refuse permission for the proposed development based on the below grounds, including Material Contraventions of the County Development Plan 2022-2028 and other issues.

1. The Land Use Zoning is *“Objective A – to provide residential development and improve residential amenity while protecting the existing residential amenities.”*

We submit that the proposed development would materially contravene Land Use zoning Objective A, its purpose and intent – to protect and improve residential amenity. We ask An Bord to uphold the Development Plan.

2. SLO 73 states: *“It is an Objective of the Council: To limit development along the Brennanstown Road to minor domestic infills and extensions until a Traffic Management Scheme for the area has been completed and its recommendations implemented.”*

We submit that the proposed development would materially contravene Objective SLO 73. We submit that if An Bord disregards Objective SLO 73 it would fail to discharge its duty of care to existing and future residents and all the foreseeable users of Brennanstown Road. This includes adult and child pedestrians; able bodied and disabled persons; cyclists, e-bikers and e-scooterists; visitors and delivery personnel; truck drivers, car drivers and construction vehicle drivers; drivers of emergency service vehicles. Safety and amenity would be diminished due to traffic hazards that will arise under several headings due to the congestion, and obstruction of traffic movements arising during the construction and operational phases of the proposed high density residential development.

3. Policy Objective PHP20: states *“Protection of Existing Residential Amenity. It is a Policy Objective to ensure the residential amenity of existing homes in the Built-Up Area is protected where they are adjacent to proposed higher density and greater height infill developments.”*

We submit that the proposed development would materially contravene Objective PHP20 and accordingly would, due to their height, overlooking, loss of privacy, scale, visual obtrusion, failure to respect the existing patterns of and scale of local development, loss of sunlight to mature gardens and hedgerows, seriously injure the residential amenity of existing properties leading to a loss in house prices.

5. Grounds

4. Paragraph 12.3.5.2 “Separation Between Blocks” states *“All proposals for residential development, particularly apartment developments and those over three storeys high, shall provide for acceptable separation distances between blocks to avoid negative effects such as excessive overlooking, overbearing and overshadowing effects and provide sustainable residential amenity conditions and open spaces.”*

This is qualified by the following paragraph (our emphasis in **bold**): *“A minimum clearance distance of circa 22 metres, in general, is required, between opposing windows in the case of apartments up to three storeys in height. **In taller blocks, a greater separation distance may be prescribed having regard to the layout, size, and design.** In certain instances, **depending on orientation and location in built-up areas**, reduced separation distances may be acceptable. In all instances where the minimum separation distances are not met, the applicant shall submit a daylight availability analysis for the proposed development.”*

We submit that this development exceeds the prescribed height of three stories whereby 22M separation distance is considered acceptable by two to seven stories. We submit that this low-density area of predominantly single-storey and two storey houses cannot be considered to be one of the “built-up areas”. We therefore submit that the proposed development would materially contravene this requirement of the Development Plan, which is intended to ensure that the primary land use zoning objective is met. The daylight report shows that these blocks, due to the limited distance between them, their excessive length and height will cause overshadowing of the Communal Open Space, resulting in a poor quality external environment. We submit the COS will suffer from tunnel-effect high winds from the prevailing wind direction and significant downdrafts due to the height of the buildings.

5. Policy Objective CA6 States *“Policy Objective CA6: Retrofit and reuse of buildings - It is a Policy Objective to require the retrofitting and reuse of existing buildings rather than their demolition and reconstruction where possible recognising the embodied energy in existing buildings and thereby reducing the overall embodied energy in construction as set out in the Urban Design Manual (Department of Environment Heritage and Local Government, 2009). (Consistent with RPO 7.40 and 7.41 of the RSES).”*

We submit that the proposed development would materially contravene this requirement of the Development Plan, due to the proposed complete demolition of “Winterbrook” (which is in reasonable condition) and the dwelling attached to “Barrington Tower”, which although currently derelict could be retrofitted and re-used. We submit that the retrofitting and re-use existing buildings to provide residential accommodation achieves one of the primary aims sustainable development and reduction of Ireland’s carbon footprint. We submit that this is a viable alternative to carbon-intensive new build multi-storey developments like the one proposed and entirely supports the Land Use Zoning Objective of the subject site.

6. The second paragraph of Section 12.3.3 ‘Quantitative Standards for All Residential Development’ of Chapter 12 (pg. 236) of the Written Statement, states:

5. Grounds

“That the requirement for certain percentages of 3-bed units in apartments shall apply to Build To Rent developments to accord with mix on page 237.”

We submit that the proposed development would materially contravene this requirement of the Development Plan, which is intended to ensure that an appropriate mix of apartment types are available to the rental market, would therefore fail to support the growth of a sustainable local community and fail to improve residential amenity.

7. The preservation of the trees to the north of the subject site is an objective of the development plan as shown on Land Use Zoning Map 7. This can be downloaded as [land_use_zoning_map_7_0.pdf](#) from the Council website.



We submit that the proposed development would materially contravene this requirement of the Development Plan, as the removal of these trees is required for the development of Blocks AB and CD. The removal of these trees would seriously injure the amenity of both the neighbouring houses and the visual amenity of Brennanstown Road and would therefore be contrary to the proper planning and sustainable

development of the area.

To protect and preserve Trees and Woodlands



8. The Site Layout as proposed does not appear to be compliant with TGD B Fire (2006) Section 5.2 Vehicle Access.

The smaller five storey front blocks' top floor is more than 10M above GL and their volume exceeds 7,000 cubic metres. These and all the bigger blocks require a 5M wide hard standing to give access to 50% of their perimeters, a 3.7M wide access road and turning facilities. Attempting to comply with these requirements will significantly reduce the proposed public open space and it is not clear how 50% of perimeter access will be provided.

9. Given the Material Contraventions above, any future proposed development should be significantly reduced.

The topography of the northern boundary does not allow for taller buildings without damaging the appearance or character of the area by the impact of significantly overbearing existing adjoining residential property west of the northern boundary. Blocks AB and CD, at a minimum, should be removed from any new proposal. This land should be laid out as public open space as a community gain for the Brennanstown Road Area to improve local amenity.

The clustering of the remaining six blocks should be reconsidered. Their height and close proximity lead to overlooking, loss of privacy and visual obtrusion towards the western boundary, creating a shadowed, low-amenity windswept environment between the blocks. Providing proper fire tender access will significantly reduce the depth and quality of the proposed public open space to the

5. Grounds

west of the site. This suggests that at least two more blocks should be deleted from the lower part of the site for any new proposal.

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

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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



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FEM – Received		SHU – Processed	
Initials		Initials	
Date		Date	

Notes