SHD

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	Promilla Shaw
(b)	Observer's postal address	'Westfield', Brennanstown Road, Dublin 18, D18 N9Y0

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	Peter Cassidy Architects
(b)	Agent's postal address	6 Clarinda Park North. Dun Laoghaire, Co. Dublin, A96 V089

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	☐	**The agent at the postal address in Part 2**	✓

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 for 234 Built to Rent Apartments in 8 blocks with associated entrance, parking, siteworks, services and landscaping, etc.

(c) Location of proposed development
(for example: 1 Main Street, Baile Fearainn, Co Abhaile)

Sites of 'Winterbrook' and 'Barringtown Tower' (RPS No. 1729), Brennanstown, Dublin 18, D18 V8P5.

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.)

Please see the supporting documentation combined with this form as one PDF file named Promilla Shaw 313281

- Planning and Design Review by Peter Cassidy Architects
- Client Letter from Promilla Shaw of 'Westfield' Brennanstown Road
- Highways and Transportation Review by Pinnacle Consulting Engineers
- Drainage Assessment Report by Mulhall Consulting Engineers

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 ☐

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

Planning & Design Review

Barrington Tower SHD Ref 313281

Client: Promilla Shaw

16 May 2022

VERSIONS

Number	By	Date	Context
1	Michael O'Neill	10th May 2022	First draft
2	Michael O'Neill	15th May 2022	Second draft
3	Michael O'Neill	18th May 2022	Final Issue

APPROVALS

	Name	Signature	Position	Date
Prepared by	Michael O'Neill		Senior Architect	10th May 2022
Reviewed by	Peter Cassidy		Principal Architect	15th May 2022
Approved by	Peter Cassidy		Principal Architect	16th May 2022

CONTACT DETAILS

Name	Position	Email	Mobile
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This report is to be read in conjunction with the following documents

Letter from our client Promilla Shaw of **'Westfield', Brennanstown Road, Dublin 18**

Highways & Transportation Review by Pinnacle Engineering Consultants

Drainage Assessment Report by Mulhall Consulting Engineers

Introduction

We hereby submit an Observation in relation to the Barrington Tower Strategic Housing Development, An Bord Pleanala Reference 313281 lodged 12th April 2022, as described in the below site notice wording on behalf of our client Promilla Shaw of

Cairn Homes Properties Limited intend to apply to An Bord Pleanála for planning permission for a strategic housing development at this site of c.3.81 ha at 'Winterbrook' and 'Barrington Tower', Brennanstown Road, Dublin 18. The application site contains a Protected Structure - 'Barrington Tower' (RPS No. 1729).
The site is bounded by Brennanstown Road to the north, the Luas Green line to the south, Brennanstown Vale to the west and the Barrington cemetery, dwellings along Brennanstown Road and Druid's Glen to the east/southeast. A small area of the site (c.203sqm) falls within the Cherrywood Planning Scheme SDZ area providing access to the Brennanstown luas stop and an existing ESB substation.

The development will include the demolition of an existing habitable dwelling "Winterbrook", and the derelict, former dwelling attached to Barrington Tower protected structure. 'Barrington Tower' itself will be retained and restored. It is also proposed to demolish the existing boundary wall to the north of the site along Brennanstown Road.
The development will provide a 'Build to Rent' (BTR) apartment development consisting of 8 no. blocks ranging in height up to 10 storeys (including lowermground floor) providing a total of 534 no. apartments. This will comprise of:

- *30 no. studio, 135 no. 1 -beds, 318 no. 2-beds & 51 no. 3-beds. All residential units provided with associated private balconies/terraces to themnorth/south/east/west elevations.*
- *Resident Support Facilities & Resident Services & Amenities (total floor area c.1,496 sq.m) including flexible spaces including entertainment rooms, meeting rooms, parcel rooms, media rooms, lounge and workspaces, gyms and studio, chef's kitchen and dining area.*
- *A creche (c.356.5 sq.m), and a retail unit (c.336.8 sq.m).*
- *Car and cycle parking at basement (2 levels) and at ground level. This will provide 419 no. car parking spaces, 1,266 no. cycle parking spaces and 17 no. motorcycle spaces.*
- *All associated site development works, open spaces and landscaping, boundary treatments, plant areas, waste management areas, cycle parking areas, and services provision (including ESB substations).*

Vehicular/pedestrian/cyclist access from Brennanstown Road will be provided along with improvement works to the Brennanstown Road including a new junction and pedestrian crossing facilities. Pedestrian/cyclist access through the site to the Brennanstown Luas Stop will also be provided.

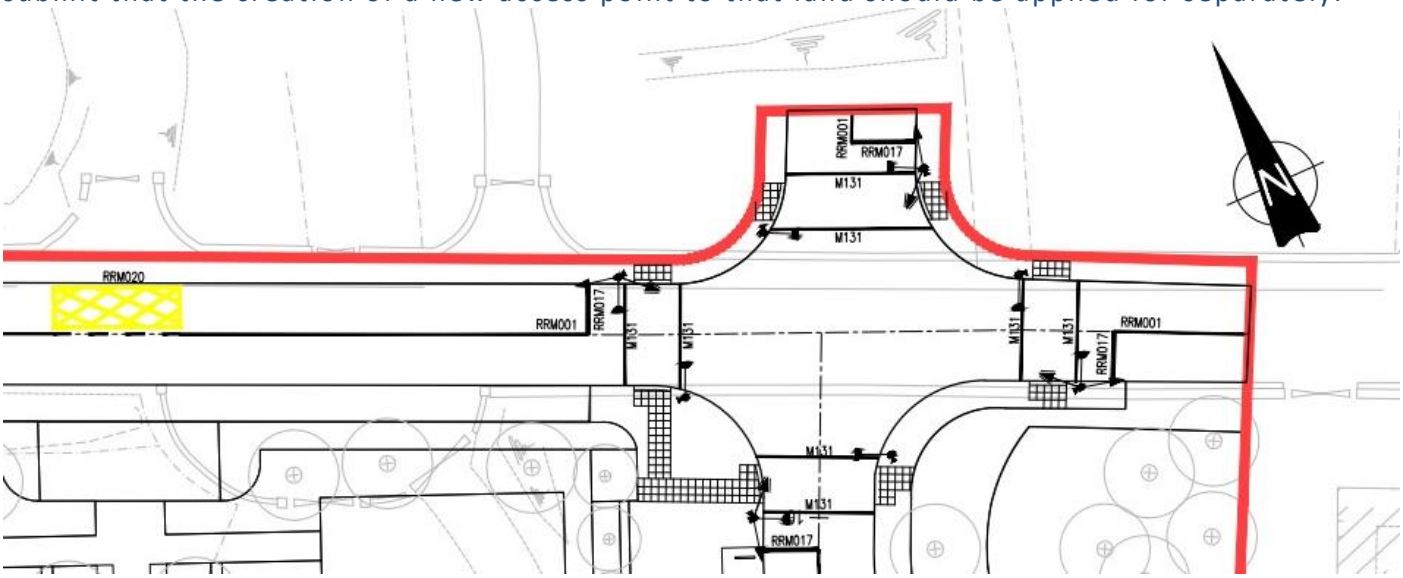
The application contains a statement setting out how the proposal will be consistent with the objectives of the relevant Dun Laoghaire Rathdown County Development Plan 2016-2022 (currently in force), the Dun Laoghaire Rathdown County Development Plan 2022 – 2028 (adopted, due to come into force on the 21st April 2022) and the Cherrywood Planning Scheme 2014 Strategic Development Zone.

The application contains a statement indicating why permission should be granted for the proposed development, having regard to a consideration specified in section 37(2)(b) of the Planning and Development Act, 2000, as amended, notwithstanding that the proposed development materially contravenes a relevant development plan or local area plan other than in relation to the zoning of the land.
An Environmental Impact Assessment Report and a Natura Impact Assessment have been prepared in respect of the proposed development

01 Site Notices

The giving of adequate public notice is required. The notices should describe the proposed development and be available to read from the public realm. Three of these notices constitute a hazard both to approach and to read. They face directly onto a narrow public road with no footpath (Brennanstown Road). Warning signs threatening to call the police if a trespass is committed make reading even of the sole sign that faces into the entrance of "Winterbrook" not something that can be done with comfort, and this sign too is quite close to the road.

The site notice states that *"The site is bounded by Brennanstown Road to the north"* and refers to *"a new junction and pedestrian crossing facilities".* This application shows lands to the northern side of Brennanstown Road which is enclosed within the red outline. These lands are in a different folio and on the opposite side of the road but they are not described in the public notices. The junction shows a new access onto this northern site but this is not described. We submit that the creation of a new access point to that land should be applied for separately.



02 Material Contraventions of the 2022-2028 Development Plan

The material contraventions are broadly similar for both the 2016-2022 and 2022-2028 Development Plans. We refer below to 2022-2028 Development Plan The applicant lists the potential material contraventions, which include:

- *Building Height*
- *Car Parking Standards (Table 8.2.3 and Table 8.2.4)*
- *Apartment Development Quantitative Standards - Separation between blocks, mix of units*
- *Brennanstown Road improvements (SLO 130 and ST25)*
- *Convenience Shop Section (Sections 8.2.6.1 and 8.2.6.3)*
- *Stand-alone creche facility*
- *Retrofit and reuse of buildings*

This list appears to omit the objective to preserve the existing trees and woodlands near Barrington's Tower although it appears to be mis located and then dismissed as of no import in the Evaluation of Consistency on P 145. We intersperse our comments below.

Building Height

Development Plan 2022 – 2028
The development plan states that the recommendations and guidance set out within the Building Height Strategy for the County (Appendix 5 of the draft Development Plan) will be adhered to.
Appendix 5 appears to be the same as Appendix 9 in the current plan
4.3.1.3 Policy Objective PHP20: 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. *On all developments with a units per hectare net density greater than 50, the applicant must provide an assessment of how the density, scale, size and proposed building form does not represent over development of the site. The assessment must address how the transition from low density to a higher density scheme is achieved without it being overbearing, intrusive and without negatively impacting on the amenity value of existing dwellings particularly with regard to the proximity of the structures proposed. The assessment should demonstrate how the proposal respects the form of buildings and landscape around the site's edges and the amenity enjoyed by neighbouring uses.* *On all developments with height proposals greater than 4 storeys the applicant should provide a height compliance report indicating how the proposal conforms to the relevant Building Height Performance Based Criteria "At District/Neighbourhood/Street level" as set out in Table 5.1 in Appendix 5.* *On sites abutting low density residential development (less than 35 units per hectare) and where the proposed development is four storeys or more, an obvious buffer must exist from the rear garden boundary lines of existing private dwellings.* *Where a proposal involves building heights of four storeys or more, a step back design should be considered so as to respect the existing built heights*

Material Contravention
The proposed general height of the scheme at 3-10 (9 storeys plus lower ground floor) storeys, would, in the main, be in excess of County Building Height Limit of 3-6 storeys (allowing for the additional "upward modifier") and would therefore be a material contravention of the Development Plan.

The proposed design ignores PHP20. There are walls between 5 and 10 stories in height marching down the site. We request the board to support the measures in the development plan which are intended to preserve the residential amenity of this low density area and not grant a material contravention in this regard. The development should be refused. The excessive height impacts on several issues as well as those in PHP20, including

- the external overshadowing of communal and public open space
- the requirement of providing high reach fire tender access for buildings over 10M and 7,000 m^3
- the need for a 5M access road for access to 50% of the perimeter for buildings over 10M and 7,000 m^3

Car Parking Standards (Table 8.2.3 and Table 8.2.4)

Development Plan 2022 – 2028 Car parking
Section 12.4.1 states that *To provide for pedestrians and cyclists as part of the development management process, all new development will be required to maximise permeability and connectivity for pedestrian and cyclistsand to create direct links to adjacent roads and public transport networks in accordance with the provisions of the 'Urban Design Manual – A Best Practice Guide' (2009), 'Sustainable Urban Housing: Design Standards for Apartments' (2018) and the 'Design Manual for Urban Roads and Streets' (DMURS, 2019).* *On existing roads, traffic management measures may be required to create a pedestrian and cycle friendly environment. Road safety interventions may also be required to create a safe road environment for all road users such as the provision of accessible pedestrian facilities and segregated cycle tracks.* *Section 12.4.5 states that* *Car parking standards provide a guide on the number of required off-street parking spaces for new developments. The principal objective of the application of car parking standards is to ensure that, in assessing development proposals, appropriate consideration is given to the accommodation of vehicles attracted to the site within the context of Smarter Travel, the Government policy aimed at promoting modal shift to more sustainable forms of transport."* *Section 12.4.5.2 states that* *In relation to the maximum standards, any proposals exceeding these standards will be permissible only in exceptional circumstances; such as where the Planning Authority consider that there is a specific requirement for a higher number of spaces. An example of this would be in instances where there are demonstrable benefits for the wider area through regeneration or similar urban and civic improvement initiatives. In certain instances, within all zones, applicants may be required to provide the maximum number of spaces.* *In certain instances, in Zones 1 and 2 the Planning Authority may allow a deviation from the maximum or standard number of car parking spaces specified in Table 12.6 or may consider that no parking spaces are required. Small infill residential schemes (up to 0.25 hectares) or brownfield/refurbishment residential schemes in zones 1 and 2 along with some locations in zone 3 (in neighbourhood or district centres) may be likely to fulfil these criteria. In all instances, where a deviation from the maximum or standard specified in Table 12.6 is being proposed, the level of parking permitted and the acceptability of proposals, will be decided at the discretion of the Planning Authority, having regard to criteria as set out below:* *(i) Assessment Criteria for deviation from Car Parking Standards (set out in Table 12.6)* *- Proximity to public transport services and level of service and interchange available.* *- Walking and cycling accessibility/permeability and any improvement to same.* *- The need to safeguard investment in sustainable transport and encourage a modalshift.* *- Availability of car sharing and bike / e-bike sharing facilities.* *- Existing availability of parking and its potential for dual use.* *- Particular nature, scale and characteristics of the proposed development (as noted above deviations may be more appropriate for smaller infill proposals).* *- The range of services available within the area.* *- Impact on traffic safety and the amenities of the area.* *- Capacity of the surrounding road network.* *- Urban design, regeneration and civic benefits including street vibrancy* *- Robustness of Mobility Management Plan to support the development.* *- The availability of on street parking controls in the immediate vicinity.* *- Any specific sustainability measures being implemented including but not limited to: - The provision of bespoke public transport services.* *- The provision of bespoke mobility interventions.* *Where a development site is located on the boundary of two or more parking zones, the level of parking provision will be decided at the discretion of the Planning Authority having regard to the criteria set out above. In Zones 1 and 2, where a deviation from the parking standards set out in Table 12.6 is being proposed, the applicant should engage with the Council at pre-planning stage regarding the acceptability of the proposal*

Section 12.4.5.6
For the purposes of the parking standards set out in Table 12.6 Built to Rent development are considered to be residential apartments. Where a Built to Rent scheme avails of lower car parking based on the nature of the use a condition should be attached to any grant of permission to state that planning permission shall be sought for a change of tenure to another tenure model following the period specified in the covenant.

Land Use		Zone 1 MTC Areas and Blackrock	Zone 2 Near Public Transport	Zone 3 Remainder of County (non-rural)	Zone 4 Rural
Houses:	Criterion	Maximum	Standard	Standard	Standard
House 1 bed	unit	1	1	1	Case by case
House 2 bed	unit	1	1	1	Case by case
House 3 bed or more	unit	1	2	2	Case by case
Apartments and Sheltered Housing:					
Apt 1 bed	unit	1	1	1*	Case by Case
Apt 2 bed	unit	1	1	1*	Case by Case
Apt 3 bed +	unit	1	2	2*	Case by Case
Retail:	Criterion	Maximum	Standard	Standard	Standard
Retail Conv > 100sqm	GFA	1 per 60	1 per 40	1 per 30	n/a
Retail Conv < 100sqm	GFA	none	none	1 per 30	n/a
Childcare	GFA (including set down)	1 per 80	1 per 60	1 per 40	1 per 40

Figure 11Table 12.6 of the development plan 2022 - 2028

Section 12.4.5.7 also notes:
Residential developments of more than 50 units should have at least one loading bay and there shall be a ratio of not less than 1 loading bay per 100 units in larger developments. Loading bays shall be situated so as to minimise traffic hazard, reduce distance to carry goods and encourage its use for home deliveries. This standard may be relaxed if the planning authority consider it is appropriate based on the location and the nature/design of both the street and the residential development.

Material contravention

The proposed provision of 419 no. car parking spaces including parking for the creche and retail unit could therefore be considered a material contravention of the Development Plan's car parking standards.

The Development Plan now sets a maximum standard for car parking within zone 1 and a standard requirement in zone 2. As such the proposed parking is below the standard requirements.

We refer the Bord to the Section 2.2.3 of the Highways & Transportation Review by Pinnacle Engineering Consultants for comments in relation to parking , roads and transportation issues. We are not arguing for additional car parking spaces for this excessively high density development. We are saying that the scheme as designed does not appear able to support its design population in terms of much needed vehicular transport. The applicant offers what seem to be unsupported justifications for reducing car parking provision, based on unfounded claims for the quality and proximity of public transport.

The applicant relies on the currently inactive Brennanstown Stop on the Green LUAS line, a line on which delays and overcrowding of carriages have routinely been reported in the media and where upgrades have failed to keep pace with demand. This Green LUAS line services the Cherrywood SDZ which is currently about to intensify its density per Variation No. 8. This will consume what little spare capacity might have served the Brennanstown SHD.

We ask that the Bord recognise the grossly substandard condition of Brennanstown Road, the lack of likely capacity on the Green LUAS line, the undersupply of car parking, and refuse permission for the proposed development.

Apartment Development Quantitative Standards - Separation between blocks, mix of units

Development Plan 2022 – 2028
Residential Size and Mix *Section 12.3.3 'Quantitative Standards for All Residential Development': Second paragraph.* *"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 233."*

The Applicant States: *"We note that this added policy is clearly contrary to national policy, specifically SPPR8(i) of the Apartment Guidelines which state "No restrictions on dwelling mix" for Build to Rent developments."*

The "*mix on page 233:"* is a reference to Table 12.1 as extracted below and which would require 20% 3-beds in residential developments in existing built-up areas

Table 12.1 *Apartment Mix Requirements*

Area	Threshold	Mix Studio/1/2 bed Requirement (Apartments and duplexes)	3+ bed Requirement (Apartments)
New Residential Community (See figure 2.9 Core Strategy Map	Schemes of 50+ units	Apartment Developments may include up to 60% studio, one and two bed units and with no more than 30% of the overall development as a combination of one bed and studios and no more than 20% of the overall development as studios	Minimum 40% 3+ bedroom units
Lands within SUFP	Schemes of 50+ units	Apartment Developments may include up to 60% studio, one and two bed units with no more than 30% of the overall development as a combination of one bed and studios and no more than 20% of the overall development as studios	Minimum 40% 3+ bedroom units
Existing Built up area.	Schemes of 50+ units	Apartment Developments may include up to 80% studio, one and two bed units with no more than 30% of the overall development as a combination of one bed and studios and no more than 20% of the overall development as studios	Minimum 20% 3+ bedroom units

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.

It is clear that providing a greater percentage of larger apartments that cater for families will improve the amenity and the ability of the development to respond to differing market needs, as opposed to simply catering for the target markets of Single Income No Kids or Double Income No Kids, so beloved of Irish landlords.

The County Development Plan has been described as a form of contract between the Council and the Electorate, and measures such as this, which is intended to improve the mix of apartments coming to the market and improve sustainability, should not be summarily removed to provide more of the lowest common denominator. Compliance with this measure supports the land use zoning to improve amenity and providing 3-befroom apartments via the Build to Let delivery model is the only means to actually supply strategic family-orientated housing at the moment.

We are aware of the notice regarding the Draft Ministerial Directive on the Council website which proposes to remove this wise provision in the Development Plan, among others
https://www.dlrcoco.ie/en/news/general-news-public-notices/d%C3%BAn-laoghaire-rathdown-county-development-plan-2022-2028-draft

However as of 16.05.2022, Section 12.3.3. is a part of the County Development Plan 2022-2028 and the proposed mix of units materially contravenes it. Thus, we request An Bord to refuse permission for the proposed development.

Development Plan 2022 – 2028

12.3.5.2 Separation Between Blocks

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.

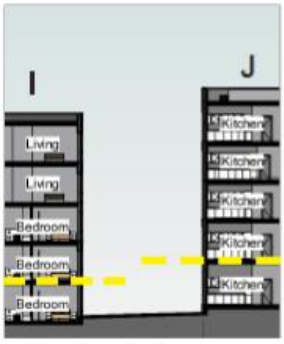
A minimum clearance distance of circa 22 metres, in general, is required, between opposing windows in the case of apartments up to three storeys in height. ***In taller blocks, a greater separation distance may be prescribed having regard to the layout, size, and design****. In certain instances,* ***depending 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*

There seems to be no "Material contravention" comment to cite in Chapter 11 of the applicant's Planning Report. However, in Chapter 9, P. 123, the Planning Report states that "*Finally, it is noted that, contrary to Section 8.2.3.3(iv) that some of the separation distances between blocks are less than 22m."*

Under Building design, P. 125, the Evaluation states this.

While the apartment blocks are not located more than 22m apart, and in some instances the distance is less, the layout of the site, and the distance between the blocks ensures appropriate protection of the residence in terms of privacy and ensuring no overlooking, particularly given the changes in levels throughout the site, ensuring no direct overlooking between windows and balconies.

PCA highlighted text in **Bold** in the outlined quotation above. 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". Thus separation distances below 22M within the layout do not comply. As there does not appear to be a derogation in favour of Build-To-Let Apartments in allowing for reducing the space separation between the blocks, we request an Bord to support the development plan standards, and therefore not to not grant a material contravention and to refuse permission for the proposed development.



Sections between Blocks I and J

Sections between Blocks H and G

Sections between Blocks F and E

Extract from Reddy Architecture Urban Design Statement showing the poor quality of environment that will be provided by the proposed block separation given the height of the blocks.

This will not improve residential amenity in any sense of that term.

To suggest that changes in ground level *"ensures appropriate protection of the residence in terms of privacy and ensuring no overlooking"* particularly in relation to 10 storey buildings seems illogical and unfounded. The design of the balconies uses no means to mitigate overlooking from apartment to apartment bar the "moving along" of opposing windows or obscure glazing. There are no 1.4M high opaque balcony screens. The long elevations of full height windows and balconies constitute a material contravention of the land use primary objective, which by their overlooking and the associated visual obtrusion of the multi-storey apartment blocks significantly diminish the amenities of existing adjoining residences and will tend to seriously reduce the privacy and value of these properties. We request an Bord to refuse permission for the proposed development

Brennanstown Road improvements (SLO 130 and ST25)

From Chapter 9 of the Planning Report (2016-2022 Development Plan)

Policy 25 deals with Roads. This states that "It is Council policy, in conjunction and co-operation with other transport bodies and authorities such as the TII and the NTA, to secure improvements to the County road network – including improved pedestrian and cycle facilities." The supporting text states that "It is an objective of the Council to preserve the existing character of Brennanstown Road whilst undertaking a Traffic Management Scheme that will:
- reduce traffic speeds and improve road safety.
- provide improved facilities for vulnerable road users.
- reduce through traffic.
- facilitate the development of zoned lands.
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.

The Brennanstown Road Traffic Management Scheme may determine the future development potential of the area and therefore it is also an objective of the Council to limit developments along Brennanstown Road to minor domestic infills and extensions until the Scheme has been completed and its recommendations implemented (Refer to SLO No. 130 Maps 7 and 9)."

Material Contravention
Giving that the Brennanstown Road Traffic Management Scheme designated under Policy 25 of the Development Plan has not been agreed or implemented by the County Council. As a result the granting of the current development may be considered a contravention of Policy 25 which seeks to "limit developments" along the road until the Scheme has been implemented.

From Chapter 1 of the Planning Report (2022-2028 Development Plan)

5.7 Road & Street Network

It is also an objective to carry out a Traffic Management Scheme on the Brennanstown Road (refer also to SLO73). The Traffic Management Scheme will:
- Provide improved facilities for vulnerable road users;
- Reduce traffic speeds and improve safety;
- Reduce through traffic; and,
- Ensure boundary treatment and landscaping solutions mitigate the impacts on the Sylvan setting of Brennanstown Road.

***SLO 73:** 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.*

Material Contravention
The Brennanstown Road Traffic Management Scheme has not been agreed or implemented by the County Council thereby restricting the quantum of development in this area. Policy 25 of the previous Development Plan had a similar policy, however, despite this policy being in place for over 6 years the Part VIII agreement has never been adopted and there is no revised Part VIII policy before the Council. Therefore, given SLO 73 the granting of permission for the current development may be considered a material contravention.

We refer the Bord to the Highways & Transportation Review by Pinnacle Engineering Consultants. It is foreseeable that it is only a matter of time before there is a fatality due to the increased vehicle and cycle traffic generated by the soon-to-be-completed 136 no. dwellings in Brennanstown Wood ABP- 301614-18 and the 234 no dwellings at the Doyle's nursery site ABP-305859-20. Permitting more development and ad hoc piecemeal changes to an already hazardous and substandard road when a coordinated plan is what is needed will not deliver a safe road design.

We submit that the local authority is correct in its restriction of development along Brennanstown Road per SLO73. We request An Bord Pleanala to discharge its duty of care to the residents and road users and refuse permission.

Convenience Shop Section (Sections 8.2.6.1 and 8.2.6.3)

Section 7.5.5.1 states the need for convenience shopping provision and accepts that a Neighbourhood Centre may not always be available within easy walking distance.

A small/local convenience shop will be open for consideration within a residential area (lands zoned Objective 'A' – "To protect and/or improve residential amenity"). When assessing any such proposals, the Council will have regard to the distance from the proposed development to established local shopping facilities and to its impact on the amenity of adjoining dwellings. Local convenience shops shall not have a floorspace greater than 100 sq.m. net. (refer also to Policy RET7, Section 7.5.5.1).

Material Contravention
A retail unit of c. 366.8sqm is proposed for this development.
This might contribute to a reduction in traffic movements to and from the site. However, there is the risk that it could attract locals from outside the development to the shop with consequent higher traffic movements. It might improve amenity per the land use zoning. The caveat is that it should not become a source of late night disturbance. But it stands or falls with the proposed development. Accordingly, we must request that the Bord refuse permission.

Stand-alone creche facility

Section 12.3.2.4
In assessing individual planning applications for childcare facilities, the Planning Authority will have regard to the following:
-Suitability of the site for the type and size of facility proposed.
-Adequate sleeping/rest facilities.
- Adequate availability of indoor and outdoor play space.
- Convenience to public transport nodes.
- Safe access and convenient off-street car parking and/or suitable drop-off and collection points for customers and staff.
- Local traffic conditions.
-Number of such facilities in the area. In this regard, the applicant shall submit a map showing locations of childcare facilities within the vicinity of the subject site and demonstrate the need for an additional facility at that location.
- Intended hours of operation.
- Applications for childcare facilities in existing residential areas will be treated on their merits, having regard to the likely effect on the amenities of adjoining properties, and compliance with the above criteria.
- Detached houses or substantial semi-detached properties are most suitable for the provision of full day care facilities. Properties with childcare should include a residential component within the dwelling, and preferably should be occupied by the operator or a staff member of the childcare facility.
- For new residential developments, the most suitable facility for the provision of full day care should be a purpose built, ground floor, standalone property.

ANOTHER POLICY STATES
Policy Objective PHP6:
It is a Policy Objective to: Encourage the provision of appropriate childcare facilities as an integral part of proposals for new residential developments and to improve/expand existing childcare facilities across the County. In general, at least one childcare facility should be provided for all new residential developments subject to demographic and geographic needs. Encourage the provision of childcare facilities in a sustainable manner to encourage local economic development and to assist in addressing disadvantage.

Material contravention
The proposal does not include a standalone property, rather it is at the ground floor of block CD.

The proposed creche may possibly be a benefit but it is an economic entity requiring customers to bring and collect children on a site that is not set up with a circular vehicular route to process high volumes of cars. This facility will cause congestion at peak periods morning and evening so we must request that the Bord refuse permission.

Retrofit and reuse of buildings

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).

Section 3.4.1.2 states that

Where an existing building cannot be incorporated into a new layout and the development facilitates a significant increase in density, demolition may be considered to be acceptable to the Planning Authority (See also Section 12.3.10. Demolition and Replacement Dwellings).

Section 12.3.10 outlines considerations for demolition and replacement dwellings.

The Planning Authority has a preference for the deep retro-fit of structurally sound, habitable dwellings in good condition as opposed to demolition and replacement unless a strong justification in respect of the latter has been put forward by the applicant. (See Policy Objective CA6: Retrofit and Reuse of Buildings and Policy Objective PHP19: Existing Housing Stock - Adaptation)

Demolition of an existing house in single occupancy and replacement with multiple new build units will not be considered on the grounds of replacement numbers only but will be weighed against other factors. Better alternatives to comprehensive demolition of, for example, a distinctive detached dwelling and its landscaped gardens, may be to construct structures around the established dwelling and seek to retain characteristic site elements.

The Planning Authority will assess single replacement dwellings within an urban area on a case by case basis and may only permit such developments where the existing dwelling is uninhabitable.

Applications for replacement dwellings shall also have regard to Policy Objectives HER20 and HER21 in Chapter 11. In this regard, the retention and reuse of an existing structure will be preferable to replacing a dwelling, and the planning authority will encourage the retention of exemplar nineteenth and twentieth century dwellings on sites in excess of 0.4 hectares.

Policy HER8 Works to Protected Structures

It is a Policy Objective to:

i. *Protect structures included on the RPS from any works that would negatively impact their special character and appearance.*
ii. *Ensure that any development proposals to Protected Structures, their curtilage and setting shall have regard to the 'Architectural Heritage Protection Guidelines for Planning Authorities' published by the Department of the Arts, Heritage and the Gaeltacht.*
iii. *Ensure that all works are carried out under supervision of a qualified professional with specialised conservation expertise.*
iv. *Ensure that any development, modification, alteration, or extension affecting a Protected Structure and/or its setting is sensitively sited and designed, and is appropriate in terms of the proposed scale, mass, height, density, layout, and materials.*
v. *Ensure that the form and structural integrity of the Protected Structure is retained in any redevelopment and that the relationship between the Protected Structure and any complex of adjoining buildings, designed landscape features, or views and vistas from within the grounds of the structure are respected.*
vi. *Respect the special interest of the interior, including its plan form, hierarchy of spaces, architectural detail, fixtures and fittings and materials.*
vii. *Ensure that new and adapted uses are compatible with the character and special interest of the Protected Structure.*
viii. *Protect the curtilage of protected structures and to refuse planning permission for inappropriate development within the curtilage and attendant grounds that would adversely impact on the special character of the Protected Structure.*
ix. *Protect and retain important elements of built heritage including historic gardens, stone walls, entrance gates and piers and any other associated curtilage features.*
x. *Ensure historic landscapes and gardens associated with Protected Structures are protected from inappropriate development (consistent with NPO 17 of the NPF and RPO 9.30 of the RSES).*

Material Contravention

The development will include the demolition of an existing habitable dwelling "Winterbrook", and the derelict, former dwelling attached to Barrington Tower protected structure. 'Barrington Tower' itself will be retained and restored. It is also proposed to demolish the existing boundary wall to the north of the site along Brennanstown Road. Given the proposal to demolish existing dwellings, this may be considered a material contravention of Objective CA6

Our client would prefer that "Winterbrook" be made good and kept as a single dwelling together with the existing trees on the boundary, which is an objective the development plan, given the historical context of the additions.

In relation to Barrington Tower there is an argument that its story is continuing and that it has some merits per the comments on the National Inventory pf Architectural Heritage website

https://www.buildingsofireland.ie/buildings-search/building/60260220/barringtons-tower-brennanstown-road-originally-brenanstown-road-brenanstown-dun-laoghaire-rathdown

Survey Data

Reg No	*60260220*
Rating	*Regional*
Categories of Special Interest	*Architectural, Artistic*
Original Use	*Folly*
Date	*1805 - 1815*
Coordinates	*322694, 224249*
Date Recorded	*12/04/2016*
Date Updated	*- - /- - /- - - -*

Description

Attached single-bay three-stage folly, built 1810, on a square plan originally detached. Extended, 1956, producing present composition to accommodate alternative use. Now disused. Set in overgrown grounds with rusticated rendered piers to perimeter having stringcourses below capping supporting wrought iron double gates.

Appraisal

A "faux" Irish tower house folly erected by John Barrington (1764-1824) of nearby Glendruid (see 60260215) representing an integral component of the early nineteenth-century built heritage of south County Dublin with the architectural value of the composition, one described (1838) as 'a lofty pleasure turret erected near [the site of] a castle' (D'Alton 1838, 836), confirmed by such attributes as the compact square plan form; the battered silhouette; and the crow stepped parapets embellishing the roofline.

NOTE: An adjoining "fan-shaped" neo-Georgian house not only repurposed the folly, but also timber work reclaimed from Platin Hall (1700; demolished 1954-5), County Meath.

We request an Bord to support the development plan standards, to not grant a material contravention and to refuse permission for the proposed development.

03 Privacy and Overlooking

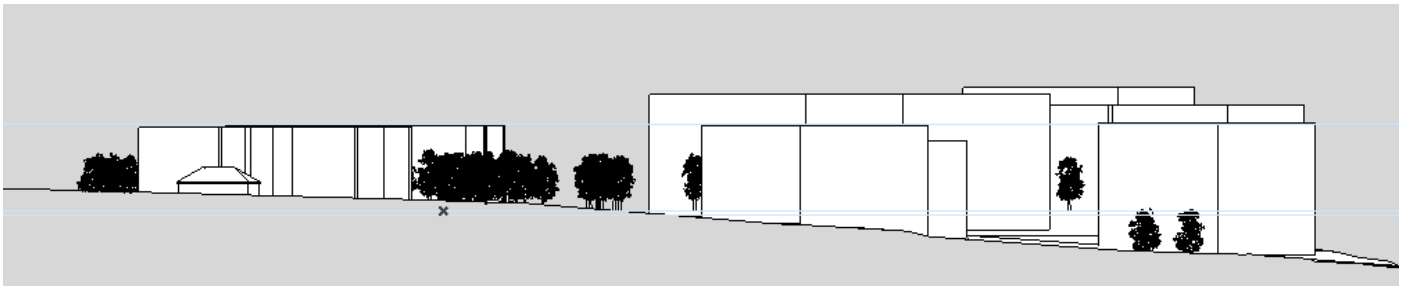
Privacy is the greatest concern of people facing new five and ten storey buildings with a multiplicity of glass balconies addressing what they once regarded as the private rear areas of their dwellings. Far from preserving the amenity of existing residences, this vista destroys any peace of mind anyone might have. Its not about a family living opposite you a mere 22 metres away. Its about being overlooked from a height of eight storeys and having hundreds of cars moving around to the back of your property whereas before you enjoyed a degree of seclusion.

It would be useful for a resident to see what the proposed development looked like in relation to their property but there are simply no site sections taken looking from the west towards the development. There isn't even a perspective looking towards the blocks from the site of the adjoining houses to give then an idea of what to expect. And some site sections are so obscured with trees that you cannot form an idea of relative scale. We note that the team producing this information had over a year to prepare properly set up visuals with which to generate views.

We employed modelling software and we were able to get some approximate answers. First, we mirrored drawing number 1-02-ZZZ-ZZZ-DR-RAU-AR-3001 showing sections BB and CC. While there are height differences across the site it gives an idea of all the windows and balconies looking towards the dwellings to the west.

Mirrored Sections BB (top) and CC (bottom) – these are effectively looking eastwards towards the development.

Then, we compared this with a section through our approximate model – without the trees – to see the scale of the proposed development relative to our client's house. The concept of "having regard to the pattern of development in the area" is used to assess proposed developments. The proposed development ignores these existing patterns.



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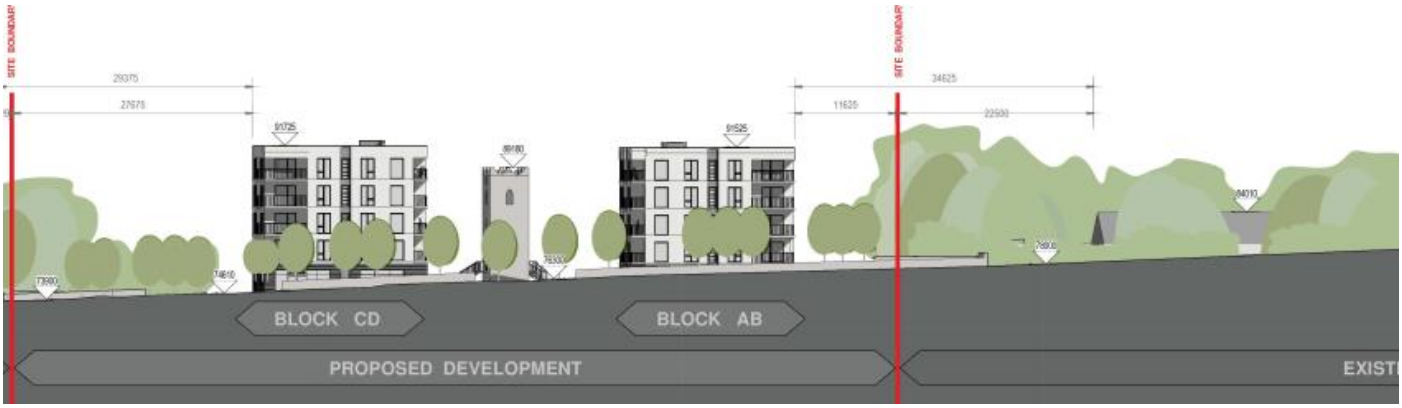
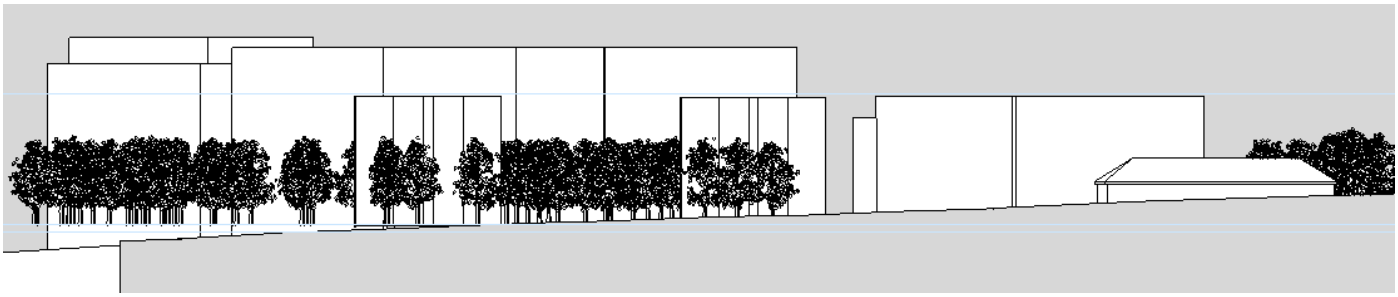
Section through Peter Cassidy Architects model looking eastwards towards the development.

We then looked at Section AA which includes our client's property, but with so many trees that our clients house is difficult to make out amongst the greenery. The submitted artistic rendering by the applicant is of a development which proposes to remove the existing screening trees which the Development Plan requires to be maintained. However, the developer continues to show mature trees in their sectional elevation, copied below. Also, this drawing omits the outline of the blocks further back in the site to better present the lower, front pair of blocks.



Extract from the Applicant's proposed Section AA looking south from Brennanstown Road.



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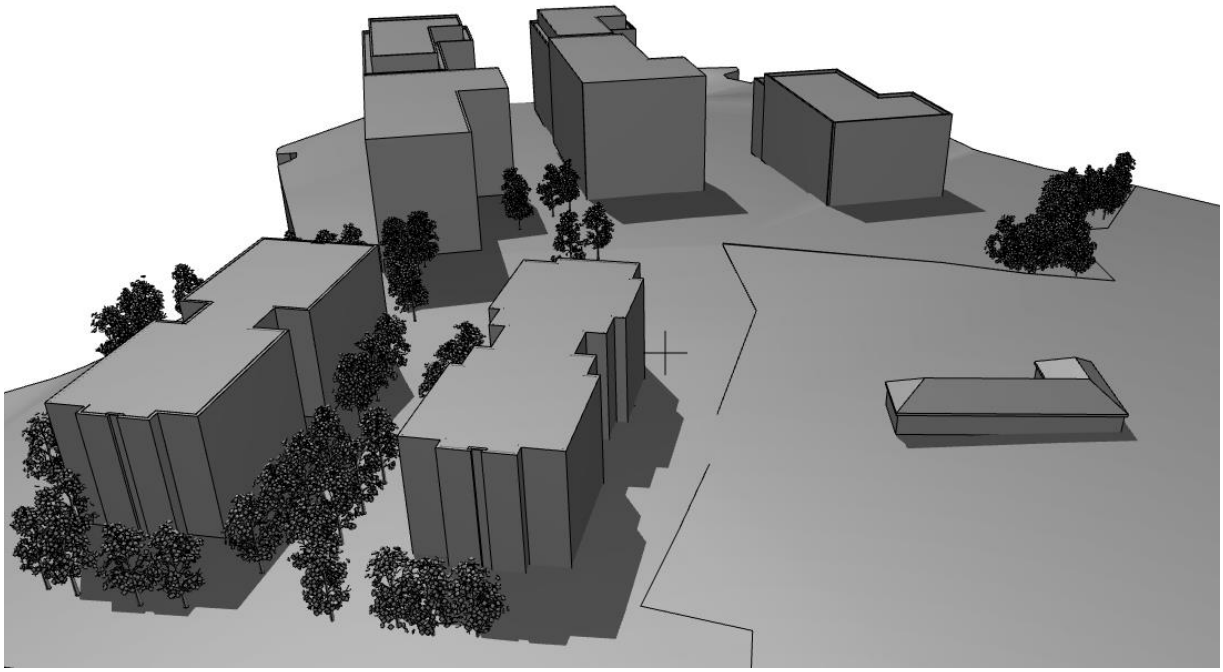
Section through Peter Cassidy Architects model of the development looking south from Brennanstown Road.

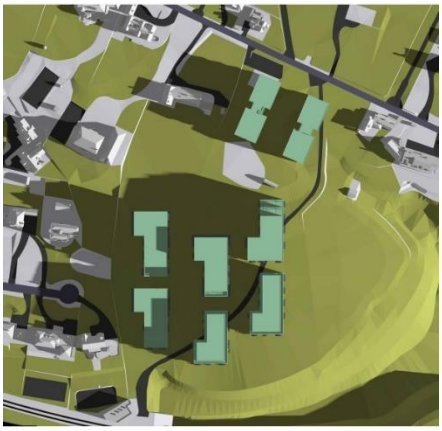
As you can see from the above section the effect of the blocks further away is disproportionate. With the screening effect of the trees removed, the effect is striking and shows how the existing dwelling is dwarfed and overlooked. The effect is very clear when looked at in the 3D aerial view. We therefore request An Bord to refuse permission.



3D view of Peter Cassidy Architects model of the development looking south from Brennanstown Road.

04 External Environment

The applicant has provided a Daylight Sunlight and Overshadowing Report from which we extracted these examples

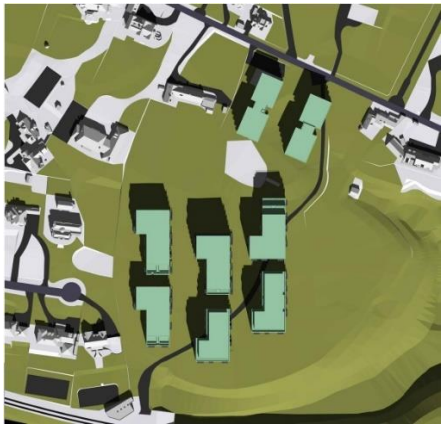


0800

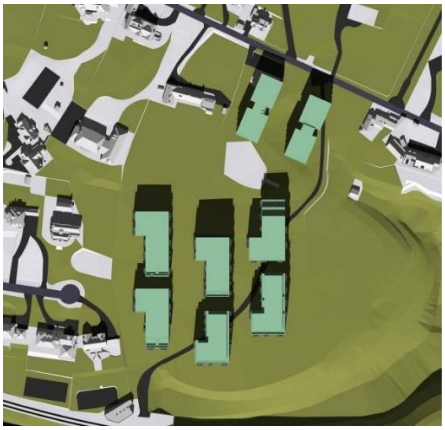
0900

1000

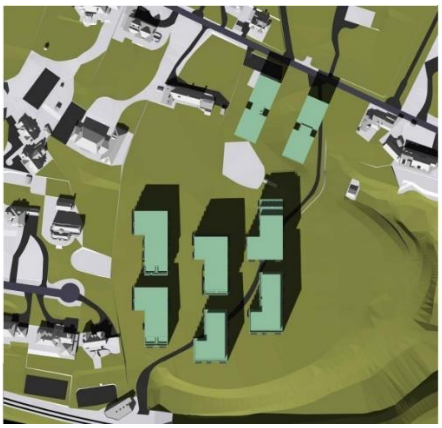
1100



1200

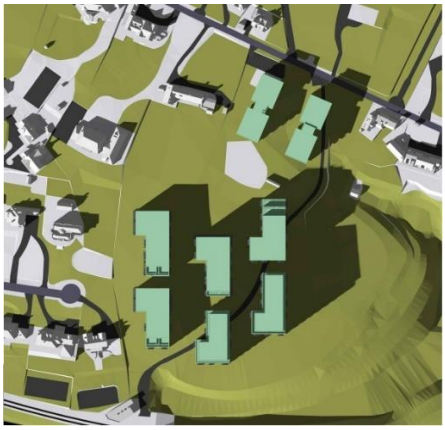


1300

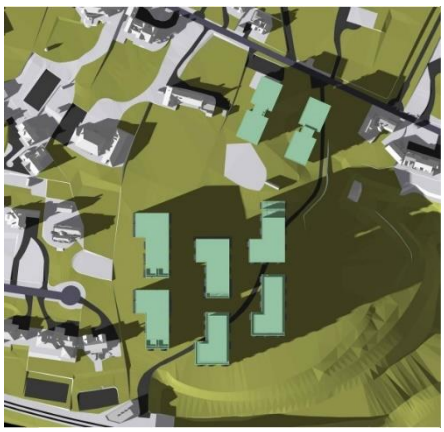


1400

1500



1600



1700

These shadow studies show the proposed development on March 01 at the times shown at the bottom of each image from 0800 to 1700.

It is evident that during the first three and the last three hours of the 10-hour day the communal open space it in shadow, showing the consequences of having these blocks too close together. This is notwithstanding their ideal north south alignment.

When the blocks are this close and this high, the areas close to them are in shadow for most of the year, with reduced leisure amenity. The expected downdraft from high buildings will further reduce amenity.

05 Emergency Services

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

Extract from proposed Site Layout Drawing BRT-1-02-SW-ZZZ-DR-RAU-AR-1003_PROPOSED+SITE+PLAN.pdf

Table 5.1 **Vehicle access to buildings**

Volume of building (m^3)	Height of top storey above ground (m)	Provide vehicle access	Type of appliance
up to 7,000	under 10	at rate of 2.4 m in length for every 90 m^2 of ground floor area	pump
	over 10	to 15% of perimeter	high reach
7,000-28,000	up to 10 over 10	to 15% of perimeter to 50% of perimeter	pump high reach

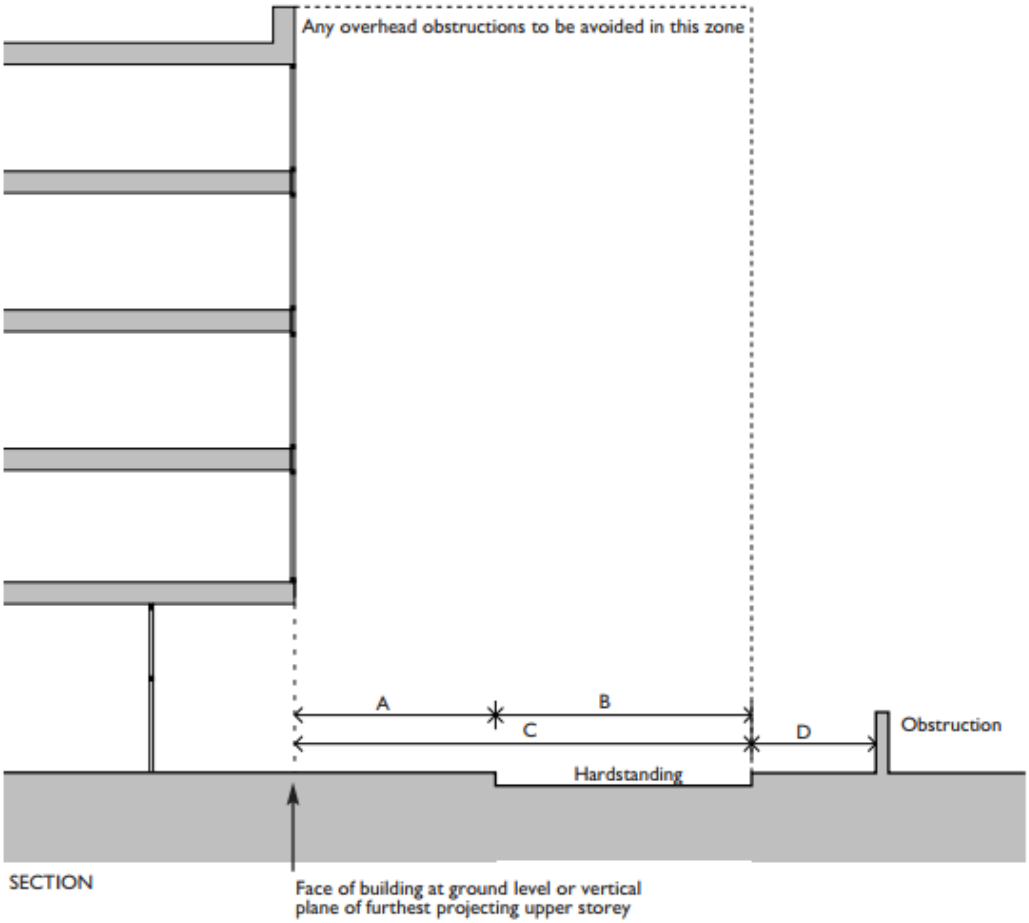
Extracts from Technical Guidance Document B

All of the proposed blocks appear to be more than 10M above ground level and their volumes appear to exceed 7,000 cubic metres. If so, high reach appliances need to access 50% of the perimeter. PCA understands that the closest Fire Tenders available to deal with a Fire Emergency are those at the Kill Avenue Fire Station. These Fire Tenders are most likely to be the units called to respond to a fire emergency and they will need compliant facilities. These Fire Tenders are Hydraulic Platforms. Access routes, hard standing and turning facilities must suit these.

Thus, according to TGB these buildings require a 3.7M wide access road and 5.5M wide hard standing to give access to 50% of their perimeters. Where access roadways are provided within the site of a building, turning facilities for appliances, in accordance with the requirements of Table 5.2 should be provided in any dead-end access route that is more than 20M long. The high reach appliance must be able to operate from anywhere along the required 50% of the building perimeter so this requires a 5.5M road of hard standing sufficient to support the HGV weight of a fully laden Fire Tender. The Fire Tender Access should usually be on the same side of the buildings as the Main Entrance.

The Applicant has shown a 4.8 M wide main access road and a 3.6M wide road along part of the western boundary. There are no turning facilities apart from T-junctions and it is not clear that these provide sufficient access to enough of the block's perimeters to comply. There appears to be no hard standing within 2.0M of the building per Dia. 32.

Diagram 32 **Fire appliance (high reach) access to buildings** *Par. 5.2.4*



DIMENSION		TYPE OF APPLIANCE	
		Turntable ladder	Hydraulic platform
A	Max distance of hardstanding from building	4.9 m	2.0 m
B	Minimum width of hardstanding	5.0 m	5.5 m
C	Minimum distance of further edge of hardstanding	10 m	7.5 m
D	Minimum width of unobstructed space for swing of hydraulic platform	n/a	2.2 m

NOTE
Hardstanding for high reach appliances should be as level as possible and should not exceed a gradient of 1 in 12.

Complying with these requirements may significantly reduce the proposed Public Open Space and proposed Communal Open Space. Positioning the hard standing within 2.0M of the proposed buildings may compromise the amenity of the proposed Private Open space for the apartments which will have a very small buffer zone between them and the access road, with little space for a path to pass by. It would seem that providing access to 50% of their perimeters to all the blocks, including Block G and Block H will require a complete rethink of the site layout.

Request An Bord Pleanala to Refuse Planning Permission

The applicant refers to the Section 9(6)(c) of the 2016 Act, and sets out the criteria in Section 37(2)(b) of the 2000 Act under which the Board can grant a material contravention:

- Section 37(2)(b)(i) - the proposed development is of strategic or national importance.
- Section 37(2)(b)(ii) - there are conflicting objectives in the Development Plan, or the objectives are not clearly stated, insofar as the proposed development is concerned
- Section 37(2)(b)(iii) - permission for the proposed development should be granted having regard to regional spatial and economic strategy for the area, guidelines under section 28, policy directives under section 29, the statutory obligations of any local authority in the area, and any relevant policy of the Government, the Minister, or any Minister of the Government
- Section 37(2)(b)(iv) permission for the proposed development should be granted having regard to the pattern of development, and permissions granted, in the area since the making of the development plan

The private right to develop is not unlimited and that any grant of permission must balance the needs of developers against the needs of the local electorate as agreed with the Local Authority and as expressed in the adopted Development Plan. We submit that the Objectives adopted by a Local Authority after consultation with the electorate should not be lightly brushed aside or wantonly disregarded merely because a proposal is in excess of 100 dwellings thereby earning it the tag of "strategic". We summarise our clients concerns below.

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. Strategic Local Objective 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.

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 (COS), 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 of 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: *"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 Provision of 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 5.5M 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 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.

In conclusion we request An Bord Pleanála to refuse permission for the reasons stated above, in our client's letter and in the Reports from Pinnacle Consulting Engineers and Mulhall Consulting Engineers, all of which form part of this Observation.

Objection by Promilla Shaw against the enormously high-density new development proposed at Brennanstown Towers application ABP Ref 313281 2022 and the disproportionate traffic congestion it will cause on Brennanstown road.

We are the immediate neighbours, residents of Westfield, bordering with the proposed Barrington Towers Development and are very perturbed by this plan and have many concerns which we would like to table for your kind consideration.

Privacy rights
Our privacy rights will be overlooked by design of the 5 to10 storey high blocks of apartments with balconies opening to our side of garden and house totalling 534 units around us.

We understand that the housing problem is all over Ireland but this fact, in and of itself doesn't mean that people should suffer under the money-oriented policies of the government.

Who gives them the right to impose disproportionately large population on 9 acres of land and congest the Brennanstown area with an overwhelming density of people and vehicles consequently crippling the amenity quality of everyday life of the existing householders, who will also suffer the devaluation of their properties? Serious safety issues will certainly arise due to the nature of Brennanstown Road and the creation of a single point of entry to the site.

Traffic
The new developments on Brennanstown Road like Brennanstown Wood ABP-301614-18 (136 units), Doyle's Nursery SHD ABP-305859-19 (234 units), and Brennanstown Tower SHD ABP-313281-20 (534 units), will bring total of new 904 units with 2440 new residents, around 1200 -1500 new cars and thousands of cyclists and pedestrians with children.

The proposed development will choke the narrow Brennanstown Road because it does not have the capacity to deal safely with the current lorry traffic, car traffic, cyclist and pedestrian movements, never mind absorb that the influx of the permitted developments and proposed new populations. We are looking to the future when there will be many more dwellings on this single road in the pipeline. We see in the documents submitted that there is already a site to the north of us on Brennanstown Road which may be ready to be lodged.

The Brennanstown Road with many bends is about 2 kilometres long from Cabinteely to Brighton Road and it has one bottleneck entry and one bottleneck exit junction with a very tight footpath usually on one side of the road only. Significant patches of the road have no foot path at all, especially all along the sharp change of direction towards the eastern end, where cars already have to stop to give way to the on-coming traffic.

Pedestrians with small children and prams cannot be expected to walk safely on the road but that is exactly what we saw this week. Without proper foot paths and cycle lanes this road is already potentially lethal for walkers and is going to become a hotspot for accidents.

Thus, the current road represents a poor compromise with the safety of human lives in the balance. There is no way one could *at the moment* create even one separate cycle lane and one separate 1.8M path on this tight road and still have the capacity to allow cars to pass. It is clear that the road cannot safely absorb the scale of traffic being created by this proposed development and other developments on this road, including those already unwisely permitted by An Bord Pleanála.

High Rise Buildings and connectivity

People who are living here invested their lives to live in peace, secluded privacy and tranquillity.

We are not against any future developments per se but the way this old country road is being treated made me think that how can a few people sitting in their offices just one day decide to make hundreds of residents' lives difficult and miserable by introducing a proposal to construct an unbelievably huge amount of apartments, (like a small town itself) and infringe in neighbours' privacy by lodging disproportionately high, unaesthetically designed, 5-10 storey buildings.

This is especially so overlooking our house named "Westfield", a single storey house adjacent to the Barrington Tower SHD and other houses on the road.

This will consequently lead to profiting in the range of hundreds of millions of euros by someone, ultimately ignoring the consequential impact on biodiversity, ecology, heritage and environment as well.

The pollution will increase too because public transport is unavailable on Brennanstown Road and most cyclists are afraid to use it.

The Brennanstown Area has no proper road infrastructure and no proper accessibility to public transport, only one miserable and unreliable bus number 63 comes from Dun Laoghaire and passes through the Brighton Road junction.

There is no proper grocery market within walkable distance nor is there pharmacy nearby (the convenience shop as proposed, would not be sufficient to cater for 539 households) and the LUAS is not a solution to all the problems such as the school run and weekly shop.

Space, trees and natural surroundings

The wild beauty of nature can never be replaced no matter how good your new induced arrangements are. As it is rightly said "Old is gold." Yet you can have an overpowering jungle of concrete all around (8 high rise buildings in total) and lose the beautiful natural surroundings.

Once these old big trees and vegetations are proposed to be uprooted then you can never bring them back and will take another half a century to reach to their glory. This goes against the Council's stated policy of preserving these trees in our development plan which this "strategic" housing development is trying to ride roughshod over.

We are also very much concerned about the safety and longevity of our own trees at the property of Westfield. Once the trees on the developers' lands are uprooted which are very close to our boundary, our beautiful, majestic trees will be exposed to strong winds and can be damaged. The development plan, which we supported, requires these to be retained. The more we think about it the more our hearts sink. Lockdown period showed that the natural surroundings could be your healing strength and a friend. I must say that, we survived partly due to this beautiful nature around when all of us were in isolation.

Wild life
Singing of birds, and visiting of the migrant and different species of small and bigger birds like sparrows ,robins, finches, blue tits, butterflies, bees, squirrels, herons and ducks in our and neighbour's gardens brought joy to our being (sparrow hawks, bats, foxes and even a badger was once seen in our garden) .

Request Refusal
We request the Bord to Refuse Permission for the proposed overdevelopment of this site which is clear will pave the way for further intensive developments in the area which will flood Brennanstown Road with additional traffic which will in turn lead to deaths.
An Bord Pleanála should consider an application with reduced the scale of density and reject the sickening and ruthlessly planned large high rise buildings just on this road and only entertain development that complies with the current county development plan. This requires a traffic management plan to be put in place before any new development of large scale is granted.

Development Plan 2022-2028
SLO 73: 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.

I am sure one could do with much less density and with more aesthetically designed houses and small buildings with a good quality housing which will harmonise with the existing character of Brennanstown Road and the previous pattern of development for prospective residents with at least one parking space per unit which is lacking at the moment in the proposed plan (only 416 for 534 units),

I would like to quote here from the recent approval of an application by the Bord Pleanala, for a 419-apartment build-to-rent residential scheme on a site in Cornelscourt Village ABP-312132-21 which is around the corner from Brennanstown road and the traffic from this development will meet at the Brighton road junction;
The Bord inspector's recommendations to planning commission stated that she was satisfied that the development *"is reflective of good contemporary architecture and provides a high-quality design approach…".*

This seems to me to be a quite unconvincing, vague and unsatisfactory reason to grant permission. The issue is not a question of contemporary architecture and design approach as given in the ruling, but instead objectively addressing the concerns of residents in respect of proper planning and development and this was missing.

We don't know who the decision makers are in An Bord Pleanála for this project but please before making any decision, we humbly invite you to visit the Brennanstown Road yourselves and see the character of the road and have first-hand experience. The ambience, peace, silent sounds and calmness around this area which you may not experience while sitting in the enclosed environment of your offices.

An Bord Pleanála making the correct decision is very crucial for the area. I hope you look into our grave issues of the road and the scale of density, not with preconceived notions that every inch of space available in this area is to be used for skyscrapers, but please consider all aspects of the stipulated concerns and issues mentioned above and the objections with a fresh approach and with sensitivity and responsibility.

A few people's decision could make things great or destroy it for ever. We have seen recently with our own eyes how one person sitting in power can do havoc to people and to this planet earth.

On the other hand, one can choose to bring peace and creativity in the world and to the planet earth and so with due respect we hope the ruling should be based on broad spectrum sustainability, the principle of proper planning, and development and not arbitrary, unequal and unreasonable decisions promoting the interests of the wealthy few at the expense of local residents, road users and pedestrians under the cloak of this being a "strategic housing development".

It is hard to see that proposing a disproportionate number of dwellings discharging onto a site on a substandard and dangerous road is in any way "strategic" in any national sense.

This is an "opportunistic" housing development, proposing well above the 100 no. dwellings which the act suggests makes it "strategic". An Bord Pleanála should remember - all development is local. It must be accepted by the locals who have to face the consequences.

The sight of An Bord Pleanála disregarding the safety or road users and the privacy and peace of mind of existing residents is not something that is in accordance with the principles of proper planning and development, which is supposed to guide the Irish Planning Process.

Once more I beg and request you to please visit your conscience and of course this area as well, before coming to the final decision and then imprinting your signatures on the file.

The decision you make now, will be mentioned in history.

Regards,

_____

Promilla Shaw

'Westfield'
Brennanstown Road,
Dublin 18.

PINNACLE
CONSULTING ENGINEERS

Highways & Transportation Review

Brennanstown Road SHD

Promilla Shaw

16 May 2022

STRUCTURAL • CIVIL • DUE DILIGENCE • ENGINEERING MASTERPLANNING
FLOOD MANAGEMENT • INFRASTRUCTURE DESIGN
PRE-DEVELOPMENT ENGINEERING • BIM • TRANSPORTATION

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APPROVALS

	Name	Signature	Position	Date
Prepared by	Ronan Kearns		Associate Transport Planner	16/05/22
Reviewed by	James Mayer		Director	16/05/22
Approved by	James Mayer		Director	16/05/22

VERSIONS

Number	By	Date	Context
1	Ronan Kearns	09/05/22	First draft
2	Ronan Kerns	13/05/22	General update
3	Ronan Kearns	15/05/22	General update
4	Ronan Kearns	16/05/22	Final issue

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CONTENT

1 INTRODUCTION

1.1 Background

Case reference: TA06D.313281

Lodged: 12/04/22

Submission on Cairn Homes Properties Ltd., application for permission for a strategic housing development on lands located off Brennanstown Road.

Description

'Demolition of 'Winterbrook', and the former dwelling attached to Barrington Tower (a protected structure), construction of 534 no. Build to Rent apartments, creche and associated site works.'

The following Chapters outline a review of the Highways and Transportation elements of the Brennanstown Road SHD.

1.2 Introduction

Brennanstown Road originally evolved as a rural road at a time when traffic in this part of Dublin consisted of horse drawn vehicles, persons traveling on horseback, farm animals, and local foot traffic. In more recent times it has struggled to deal with its subsequent role as a suburban road for relatively low-density residential developments with ever-rising numbers of mechanically propelled vehicles of much higher speeds and increasing widths. It is now being asked to service developments which are urban in scale and density.

Brennanstown Road remains a narrow country road along much of its length. It is of substandard design in terms of profile, alignment, lane width, sightlines, set-down places, visitor and delivery parking, footpaths, verges, cycle paths, entrance design, junction design, gradients and desire lines. In this instance, a desire line is created between the development and local amenities such as schools, shopping and public transport nodes. These can only be accessed via Brennanstown Road.

While some limited ad hoc local improvements have taken place, the road as it exists is not designed to cater for the current level of two-way traffic in terms of the types or numbers of modern vehicles, never mind permitted and proposed numbers.

Heavy Goods Vehicles cannot pass cars going in opposite directions without halting traffic. HGVs cannot pass other HGVs without mounting the narrow older kerb. HGVs cannot traverse the recent new roundabout without mounting the new wider kerb. In some locations even passenger cars must come to a complete stop to allow oncoming traffic to pass safely,

There is no public transport on Brennanstown Road as passenger buses cannot safely negotiate it. This should raise a red flag when high density developments are being considered.

There are no cycle lanes at all, at a time when the greater numbers of new and less experienced cyclists have come to reasonably expect such segregation and protection from vehicle traffic movements.

The road fails to cater safely for able-bodied pedestrians, never mind people with disabilities. It is hazardous to walk along during the day, let alone at night. There are no pedestrian crossing points. There are no parking spaces or lay-bys for visitors, delivery vehicles or vehicles temporarily stopped due to accidents or punctures.

This road is hazardous enough, but it will soon be subjected to greater numbers of hazardous traffic movements due to other new residential developments that have already been granted permission. These new developments have not been properly supported by necessary overall road improvements because the Part 8 strategy proposed to improve Brennanstown Road was rejected in 2017 by the local councillors and no other overall measures to mitigate risk and promote the safety of road users have been put in place since.

The limited local improvements required by these permissions are not governed by a properly designed overall road improvement plan. In that sense they are illogical, arbitrary and inadequate. While some effects on road safety due to construction traffic from these recent permissions are evident, the bulk of these expected traffic movements have not yet taken place because the new dwellings remain unoccupied.

If more high-density developments are permitted, it is foreseeable that road hazard will rise significantly. We list below the foreseeable new and additional increase in traffic hazards that will arise under several headings due to the traffic movements during the construction and operational phases of the subject proposed high density residential development.

- Brennanstown Road is a narrow road which is not suitable to cater for current and traffic flows safely nor the high volumes of traffic that will be generated by the proposed development as well as the traffic flows from those permitted developments coming online. Having regard to this existing substandard arrangement it is considered that to permit the proposed development would exacerbate an existing undesirable situation and endanger public safety by reason of a traffic hazard and obstruction of road users, cyclists and pedestrians and therefore would not be in accordance with the proper planning and sustainable development of the area.
- The restricted width of Brennanstown Road is not suitable to cater for high volumes of construction traffic that will be generated by the proposed development during the construction phase. Current permitted construction traffic already causes unregulated stoppages on the road and kerb mounting events. Having regard to this existing substandard arrangement, where there is currently a 3 Tonne weight restriction and where two HGVs cannot physically pass each other, it is considered that to permit the proposed development would exacerbate an existing undesirable situation and endanger public safety by reason of a traffic hazard and obstruction of road users, cyclists and pedestrians and therefore would not be in accordance with the proper planning and sustainable development of the area.
- Due to endangerment of public safety as a result of the intensification of vehicular traffic and vulnerable road users on Brennanstown Road with its inadequate, poorly sighted and unregulated junctions and entrances and total absence of cycle lanes and traffic calming measures, the development would endanger public safety by reason of traffic hazard of obstruction of road users or otherwise.
- The internal layout of the development is not in compliance with the requirements of Section 5.2 – Vehicle Access, of Technical Guidance Document B, with regard to access for Fire Service vehicles. All the blocks are more than 10M above ground level and their volumes exceed 7,000 cubic metres. Thus, they 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. It is considered that the proposed development would endanger residents by reason of fire safety and therefore would not be in accordance with proper planning and sustainable development in the area.
- The internal layout of the development is not in compliance with the requirements of Section 5.2.4 of Technical Guidance Document B, with regard to turning facilities for the Fire Service. It is considered that the proposed development would endanger residents by reason of fire safety and therefore would not be in accordance with proper planning and sustainable development in the area.
- Brennanstown Road lacks a continuous footpath from Foxrock to Cabinteely, key desire lines, and associated facilities such as public lighting, delivery/visitor parking, cycle lanes and safe crossing points. It is not within the gift of the Applicant to deliver these improvements as they require road-widening, grading and re-alignment along the length of the road as part of a coordinated package of road improvement measures. Carrying out such works will require the approval of the Council and either the unlikely consent of multiple Third Parties or compulsory purchase orders. The Applicant is therefore reliant on the uncoordinated, largely unregulated, arbitrary and piecemeal upgrade of Brennanstown Road which is contrary to proper planning principles.
- The Traffic and Transport Assessment included with the application does not reflect the ongoing congestion that affects at the signal-controlled junctions located at either end of Brennanstown Road and the surrounding local road network. It does not appear that consultation took placed between the Applicant and the Local Authority to determine how this congestion would be assessed. It is considered that the proposed development would increase congestion and delay on what is in essence a rural road in an urban location and therefore would not be in accordance with proper planning and sustainable development in the area.

2 TRAFFIC AND TRANSPORT STATEMENT

2.1 Background

The main objective of a Traffic and Transport Assessment is to examine the traffic impact of the proposed development and its access arrangements on the local area road network. The net change in traffic on the network due to additional traffic is calculated and its impact on the local area road network has been determined.

The methodology adopted for this report can be summarised as follows:

Existing Traffic Flow Assessment: - Baseline traffic counts to be undertaken

Existing Transport Infrastructure: - Information on public transport, walking and cycling in the area of the proposed development to be collected

Development Proposals: - Description of proposed development, including proposed improvements to the road accesses to the site and a review of parking and servicing provisions, and facilities for pedestrians and cyclists.

Development Trip Generation Figures: - Based on the schedule of accommodation of the proposed development, derived trip rate data and developed development traffic flows, which were assigned to the existing network having regard for traffic patterns on Brennanstown Road and the surrounding network.

Percentage Impact: - The development traffic impact on key junctions was considered, taking account for traffic growth and committed development traffic.

Assessment of Junction Capacity: - The operation of key junction, with and without the proposed development, was undertaken, to determine future operation and any requirements for mitigation measures.

2.2 Observation

2.2.1 Existing Conditions

Brennanstown Road is in essence a rural road characterised by a number of one-off houses and – until the recent permissions for Brennanstown Woods and Doyle's Nurseries Sites - by infill low density housing developments

Its horizontal and vertical alignment would be considered substandard, as evident by the number of road traffic collision illustrated in Figure 4, for the following reasons:

- Limited forward visibility in certain sections
- Horizonal alignment not suitable for 3 Tonne vehicles
- Vertical alignment not suitable for persons with mobility and visual impairment
- Geometric layout not suitable for two-way traffic at parts
- Limited public lighting
- Limited footpaths
- No cycle facilities

Figure 1 Limited forward visibility

2.2.2 Existing Road Network

The development contravenes Dun Laoghaire Rathdown County Development Plan (2022-2028) Policy T10, T11, T12 and SLO73.

*"**Policy T10**: It is a Policy Objective to secure the development of a high quality, fully connected and inclusive walking and cycling network across the County and the integration of walking, cycling and physical activity with placemaking including public realm improvements*

***Policy T11**: It is a Policy Objective to maintain and expand the footway and pedestrian route network to provide for accessible, safe pedestrian routes within the County in accordance with best accessibility practice."*

*"**Policy T12:** It is a Policy Objective to secure improvements to the County Cycle Network in accordance with the Dún Laoghaire-Rathdown Cycle Network Review whilst supporting the NTA on the development and implementation of the Greater Dublin Area Cycle Network Plan, subject to environmental assessment."*

***SLO 73:** "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."*

Brennanstown Road is a substandard road with limited pedestrian and no cyclist infrastructure. It lacks a continuous footpath from Foxrock to Cabinteely, a key desire lines, and associated facilities such as public lighting and safe crossing points.

DMURS suggests the following:

- A 1.8m footpath is the Minimum space for two people to pass comfortably. Areas of low pedestrian activity

- A 2.5m footpath is the desirable space for two people to pass comfortably. Areas of low to moderate pedestrian activity
- A 3.0m footpath minimum space for small groups to pass comfortably. Areas of moderate to high pedestrian activity
- A 4.0m footpath is the minimum space for larger groups to pass comfortably. Areas of high pedestrian activity

With an anticipated 1240 residents, footpaths with a desirable minimum width of between 2.5m-3.0m is required along Brennanstown Road.

Figure 2 Incomplete and Narrow footpaths on Brennanstown Road

It is not within the gift of the Applicant to deliver the pedestrian or cycling polices outlined above and the road improvements to provide the physical links supporting them as these will require the consent of Third Parties or CPOs. The Applicant also acknowledges that Dun Laoghaire Rathdown County

Council are not in a position to deliver a Part VIII Plan for the upgrade of Brennanstown Road as it has been rejected by the elected members in 2017. The Applicant is therefore proposing the piecemeal upgrade of Brennanstown Road which is contrary to the principles proper planning and sustainable development

2.2.3 Public Transport

The NTA (formerly DTO) publication "The Route to Sustainable Commuting" suggests 4km as being a reasonable distance for a commuter to walk to work and 10km for a commuter to cycle to work.

These figures represent the higher end of the scale with regard to reasonable commuting distances.

A more conservative approach has been taken to determine the catchment areas around the proposed development and key public transport corridors. The catchment areas have been assumed where a high proportion of users within the catchment areas would see the corresponding form of transport as an attractive mode of travel:

- Direct bus route 500m catchment
- QBC Routes 700m catchment
- Rail 1000m catchment
- Walking 2.5km catchment
- Cycling 5km catchment

As it currently stands, the development is not within 500m catchment of a direct bus route, it is not within 700m of a QBC bus route and is not within a 1000m catchment of a LUAS service.

The site is located adjacent to the Brennanstown Luas Stop that is built but currently not operational. No time frame has been offered to the development as to when this station would be operational with no indication that it is within gift of the Applicant to deliver this public transport option to future residents. It is therefore assumed that development will not have immediate access to the Luas stop and therefore, the proposed development has limited accessibility to high quality public transport nodes that are approaching capacity.

Section 3.5 of Appendix D of the Traffic and Transport Assessment states the following:

Future Capacity 2022- 2040

In March 2019, Ann Graham, Chief Executive Officer, National Transport Authority, advised an Oireachtas Committee that "It is projected that the number of people seeking to travel on the Green Line in future years will exceed the carrying capacity of the Luas system, requiring an upgrade. However, that upgrade is not expected to be needed for some time – perhaps twenty years or so."

This statement is contrary to the many reports of over crowding on peak time Luas services and preceded increases in density in the Cherrywood SDZ.

The original Cherrywood SDZ proposed 8,700 homes once complete. The homes can access the Luas at Brides Glen, Cherrywood and Laughanstown Luas stops.

Proposed Amendment No. 8 Building Height and Density Changes and Appendix E suggests a net increase of 202,300 sq. m of residential floor space. This is illustrated in the figure below.

Proposed Amended Table 2.3 Town and Village Centre Development Quantum Ranges.

	Net Site Area HA	Min/Mx Gross Retail Floor Space Sq.m	Min/Max Gross Residential Floor Space Sq.m	Min/Max High Intensity Employment Gross Sq.m	Min/Max Non-Retail Uses Net Sq.m	Community Sq.m
Cherrywood Town Centre	16.1	34,394/40,909	120,000/150,000	82,800/109,000	47,500/ 60,000	2,200/3,000
Tully	1.2	4,000/6,060	12,000/~~18,000~~ 19,500	750/1,000	750/1,000	250/500
Lehaunstown	0.9	1,515/3,790	9,000/ ~~12,000~~ 14,800	700/1,000	700/1,000	250/500
Priorsland	0.9	1,290/2,275	9,000/ ~~12,000~~ 18,000	700/1000	700/1000	250/500
MAX TOTALS	**19.1 HA**	**41,199/53,034SQ.M**	**150,000/~~192,000~~ 202,300**	**84,950/112,000SQ.M**	**49,650/ 63,000 sq.m**	**2,950/ 4,500 sq.m**

Figure 3 Extract from Proposed Amendment No. 8 Building Height and Density Changes and Appendix E

This is likely to mean that Carrickmines, and Brennanstown Luas stop should it come online, will be competing for limited spaces as residents of the Cherrywood SDZ will have first access to Luas services.

In summary, the proposed development has limited accessibility to high quality public transport nodes that are approaching capacity.

2.2.4 Walking and Cycling

The nearest bus stop and LUAS stops are located c. 650m and c. 1.0k respectively west of the proposed entrance with no continuous footpath linking the development to the bus stop.

The Applicant does not include travel distances to/from the interior of the site such as Apartment Blocks AB or CD. The actually walking distance is closer to c. 1.0km to 1.3km away on terrain that would be characterised as having step slopes with limited facilities for pedestrians and those with mobility and visual impairments. This is unlikely to encourage a modal shift away from cars.

The Applicant describes Brennanstown Road as follows:

'In the immediate vicinity of the proposed development site, a poor and narrow standard of footpaths is provided along the northern side of Brennanstown Road.

To the west of the subject development site on Brennanstown Road, the existing pedestrian facilities are new and appropriate in terms of width, which facilitate pedestrian progression towards Glenamuck Road and associated public transport facilities.'

Including

'No cycling facilities along Brennanstown Road'

The statement that new and appropriate pedestrian facilities exist to the west of the subject site seems to imply a continuous footpath exists, but this is not the case.

The existing substandard road continues westwards for approximately 240M from the proposed site entrance. At that point on the northern road edge a new footpath installed at Brennanstown Wood commences It continues for a mere 80M until it reaches the roundabout, where there is an unregulated 10M wide crossing. A new path proceeds from there 140M west to the entrance to Carrickmines Wood where there is another unregulated 10M wide crossing. A recent path proceeds for circa 40M westwards. After this there is a substandard path on the northern road edge.

On the south edge of the road a path run from the Brennanstown Wood Roundabout for approximately 80M westwards to the entrance to Brennanstown Vale. It does not continue as far as the entrance of Carrickmines Wood.

The new paths appear to be 1.8M wide. The substandard sections to which they connect are circa 700-800mm wide. The road carriageway remains substandard at circa 5.0 – 5.6M in width.

For the record, the new roundabout access to Brennanstown Wood appears to be only 20M in outer diameter. This is far short of the outer diameter for HGV traffic which is 25M which may help explain both the damage visible to the verge and anecdotal reports of apparently illegal turning movements being carried out by drivers to access this development during its construction phase.

Based on the above, it is reasonable to conclude that the development will be car dependent due to the lack of safe and accessible green links (foot paths, cycle paths) to local amenities and public transport nodes.

2.2.5 Road Safety

There are a number of accident black spots located along Brennanstown Road, as illustrated below. The proposed development will increase the number of vehicles using Brennanstown Road and likely increase the likely of additional road traffic collisions occurring.

Access to the M50/N11 will be key vehicular desire lines for the development. The Applicant has stated that it is reliant on Third Party lands for the required road improvement works to Brennanstown Road and cannot guarantee safe access along Brennanstown Road for existing and future road users.

The safety design of four-wheeled vehicles has improved due in part to tests carried out by the European New Car Assessment Programme (Euro NCAP) together with tests carried out by the National Highway Traffic Safety Association (NHTSA) and Insurance Institute for Highway Safety (IIHS) in the United States of America. These tests are based on modelling impacts. These impacts involve relatively low speed impacts (30-40 mph / 50 – 65 kph) with other cars or walls. Pedestrian tests in Europe occur at 25kph. No tests assess hitting an oncoming HGV with a closing speed of even 80kph (50+30kph) No tests are done assessing hitting an oncoming car at 50kph with a closing speed of 100kph (50 + 50 kph). No tests are done assessing hitting pedestrians at 50kph. 50 kph is the permitted speed on Brennanstown Road.

Figure 4 Collision Data (Source: RSA)

2.2.6 Potential/Proposed/Committed Infrastructure Works

Section 4.3.2 of the Traffic and Transport Assessment states the following:

'One of the Six-Year Road Objectives of Dun Laoghaire Rathdown County Development Plan is to undertake a Traffic Management Scheme for Brennanstown Road that will 'reduce traffic speeds and improve road safety, provide improved facilities for vulnerable road users, reduce through traffic, and facilitate the development of adjoining zoned lands.' In 2016 Dun Laoghaire Rathdown prepared a design for the Brennanstown Road upgrade which was referenced to as the "Brennanstown Road Traffic Management Scheme". The Scheme was put forward by DLRCC through the part 8 planning

process however it was not approved by the elected members. The scheme that was put forward was considered an acceptable design by DLRCC. As the scheme was rejected by the elected members is not included in the Programme of Capital Projects proposed for the period 2019 – 2021 and an alternative approach is required if the objectives for Brennanstown Road are to be achieved.'

Section 4.3.2 of the Traffic and Transport Assessment states the following:

Politically, it is highly unlikely that any traffic management scheme for Brennanstown Road will be implemented as a single package in the near future. It is far more likely that the required works will be implemented incrementally through the planning process over a period of years.

Planning permission has already been granted by An Bord Pleanala for the upgrade of two significant sections at either end of Brennanstown Road. The approvals aggregate to a total length of 880 metres (45% of the overall length of 1,940 metres).

To the west of the subject site, the Park Developments Group have completed the reconstruction of some 460 metres of Brennanstown Road including the provision of a roundabout access to Brennanstown Wood, which was recently constructed (ABP-301614-18). Figure 4-3 illustrates the upgrade to this section of Brennanstown Road.

To the East, Marlet Group have recently commenced works on the former Doyle Nurseries site (Ref. Reg. APB-305859-19) which includes 370m of upgrades along Brennanstown Road.'

The Applicant acknowledges the sub-standard nature of Brennanstown Road and its unsuitability to cater for the proposed development. The Applicant further acknowledges that Brennanstown Road will not be subject to a Part VIII scheme by the Local Authority but is instead reliant on Third Parties to deliver critical infrastructure for the development both in terms of road safety and sustainable transport.

To permit the development in its current form would be premature pending the construction of the road improvement works on Brennanstown Road that are required to support this application.

2.2.7 Site Access

A single vehicular access is proposed to serve the proposed development of 534 apartments, crèche and retail space.

Given that there is only one vehicular access to service 534 no. Build to Rent apartments, creche and associated site works, no consideration has been given to an access plan should the site be inaccessible via Brennanstown Road.

An Emergency Management Plan should give guidance to ensure that emergency vehicles can access the site in emergency situation and should include scenarios where the vehicular entrance is inaccessible.

During an emergency, emergency vehicle access is most efficient and effective when fire appliances and ambulances have fast, and clear access provided. Poor or inadequate access can delay an emergency response. Delays getting to and dealing with a fire or a sick or an injured person may risk the safety of people and their property. Because of the functions performed by emergency fire tender vehicles, they are larger and heavier than those used by other emergency services, and this should be provided for in the geometric design of the emergency access routes.

Drawing No. BRR-WM-ZZ-00-DR-C-P012+Swept+Path+Analysis+-+Fire+Tender outlines the swept path analysis for the fire tender. It does not illustrate an alternative route to the development should the signal-controlled junction be inaccessible.

It also does not outline the outrigger area required under Building Regulations 2006 Technical Guidance Document B- Fire Safety. The suggested swept path suggests that such areas may not be suitable for the required bearing. Elements of the structure also appear inaccessible. Technical Guidance Document B suggests that a 5M wide hard standing is required to access 50% of each building's perimeter, on the same side as the main entrance, and requires a 3.7M access road to each building.

2.2.8 Car Parking

The proposed development is relying on Sustainable Urban Housing: Design Standards for New Apartments 2020. This is applicable to urban sites with good access to public transport by means of footpaths/cycle paths.

The proposed development is not linked to any high-capacity public transport nodes via a safe pedestrian/cycle route and hence, the development will be car dependent. It is therefore argued that the Applicant's use of recommendations used in the Sustainable Urban Housing: Design Standards for New Apartments 2020 is not suitable.

The Applicant proposes 419 spaces to serve 534 units at a ratio of 0.78 spaces per unit. The Applicant does not disclose the number of visitor car parking spaces, c. 135 spaces at a ratio of 1 visitor space per unit based on Sustainable Urban Housing: Design Standards for New Apartments 2020.

This potentially only leaves 284 spaces for residents with an effective rate of 0.5 spaces per apartment.

Census 2016 data, access via GeoHive, suggests that the Cabinteely-Loughlinstown area, as illustrated below, has 79 permeant dwellings with the following car ownership levels:

- No motor car 2
- 1 motor car 11
- 2 motor cars 25
- 3 motor cars 10
- 4 or more motor cars 11
- Not stated 5
- Total 64

At a rate of 0.8 cars per dwelling, car parking provision of 0.5 spaces per apartment will likely lead to inconsiderate and illegal parking with the development and surrounding estates.

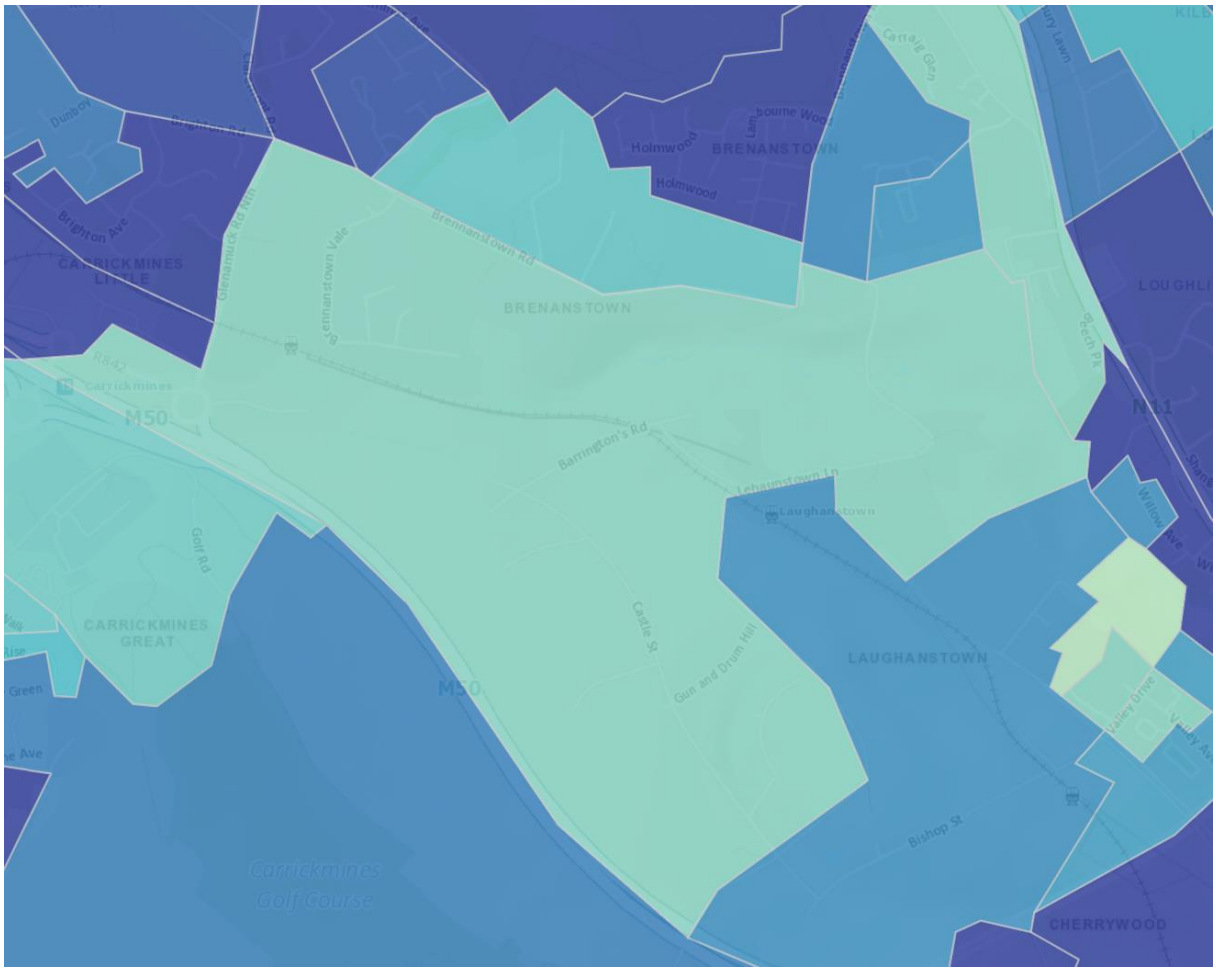

Figure 5 Study Area

2.2.9 Cycle Parking

It is proposed to provide 1,266 spaces. No drawing demonstrates how these cycle spaces will be secured and covered. The applicant suggests that this high number of cyclists will use the substandard Brennanstown Road narrow carriageway which lacks both footpaths and cycle paths. This will put cyclists in harm's way and appears to be arbitrary, illogical and may amount to reckless endangerment.

2.2.10 Facilities and access for those with impaired mobility

There is no external facilities and access routes for those who are visually and mobility impaired. Brennanstown Road has gradients in excess of these permitted under the Building Regulations making access for those with mobility and visually impairments difficult.

There is no continuous footpath along the desire lines from the development towards Foxrock or Cabinteely. Where footpaths exist, they are narrow and unlikely be able to accommodate two buggies/wheelchairs passing.

Figure 6 Existing Fooptath

The figure above illustrates the unsuitability for Brennanstown Road to accommodate additional pedestrians including those with mobility and visual impairments.

One controlled crossing point is provided at the development on Brennanstown Road. Along the remainder of Brennanstown Road there is limited controlled/uncontrolled crossing points and other facilities such as tactile paving.

2.2.11 Cycle Facilities

There are currently no cycle facilities on Brennanstown Road with cyclists expected to share a road with limited forward visibility.

Figure 7 No Cycle Facilities

The above image shows a cyclist approaching a bend in the round with forward visibility less than what is acceptable for the speed limit. This may, as evident in the RSA collision data, lead to collisions with vehicles as there is not sufficient reaction time to break upon encountering a cyclist on the road.

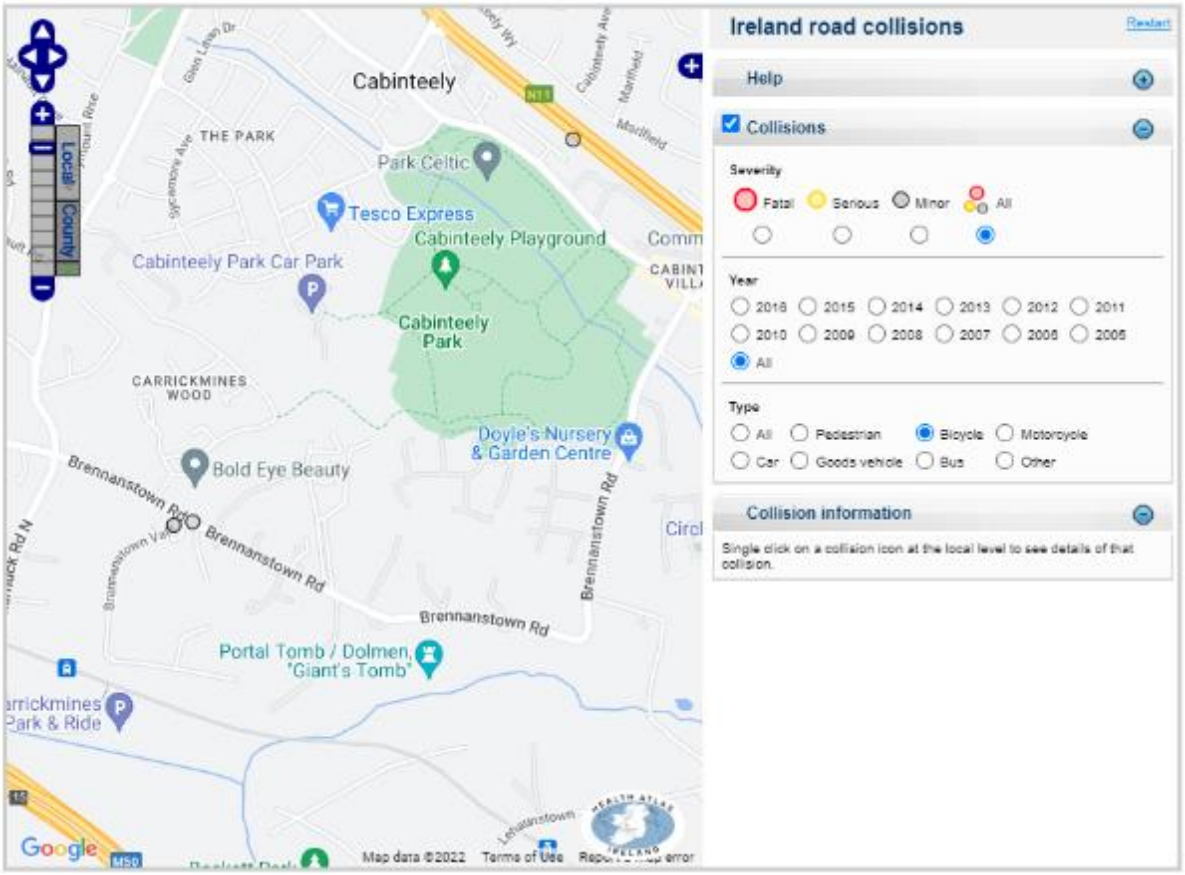

Figure 8 Bike Collisions

There is no plan to upgrade Brennanstown Road under the Greater Dublin Cycle Network Plan as published by the NTA.

There is no Objective to upgrade Brennanstown Road included in the County Development Plan 2022-2028 – see Land Use Zoning Maps No. 7 and No. 9.

Figure 9 Extract from the Cycle Network Plan - Proposed Cycle Network Dublin Area

The Applicant suggests that up to 1240 cyclist will use Brennanstown Road.

Figure 4.52, from the National Cycle Manual, replicated below, provides an overview of the integration and segregation of cycle traffic within the carriageway based on vehicle speeds and traffic volumes. For example:

- On busier/moderate speed streets, designers are generally directed to apply separate cycle lanes/cycle tracks.

The accompanying speed survey provided by the Applicant suggests that there is an 85th percentile speed of 54.91 Km/h.

Table 14 of the Traffic & Transport Assessment suggests that Brennanstown Road has an AADT greater than 2,000 vehicles.

Using figure 10 below, there is a requirement for an off-road cycle track to ensure the safe passage of cyclists along Brennanstown Road.

The Applicant acknowledges the sub-standard nature of Brennanstown Road and its unsuitability to cater for the proposed development. The Applicant further acknowledges that Brennanstown Road will not be subject to a Part VIII scheme by the Local Authority but is instead reliant on Third Parties to deliver critical infrastructure for the development both in terms of road safety and sustainable transport.

To permit the development in its current form would be premature pending the construction of the road improvement works on Brennanstown Road that are required to support this application and already permitted developments.

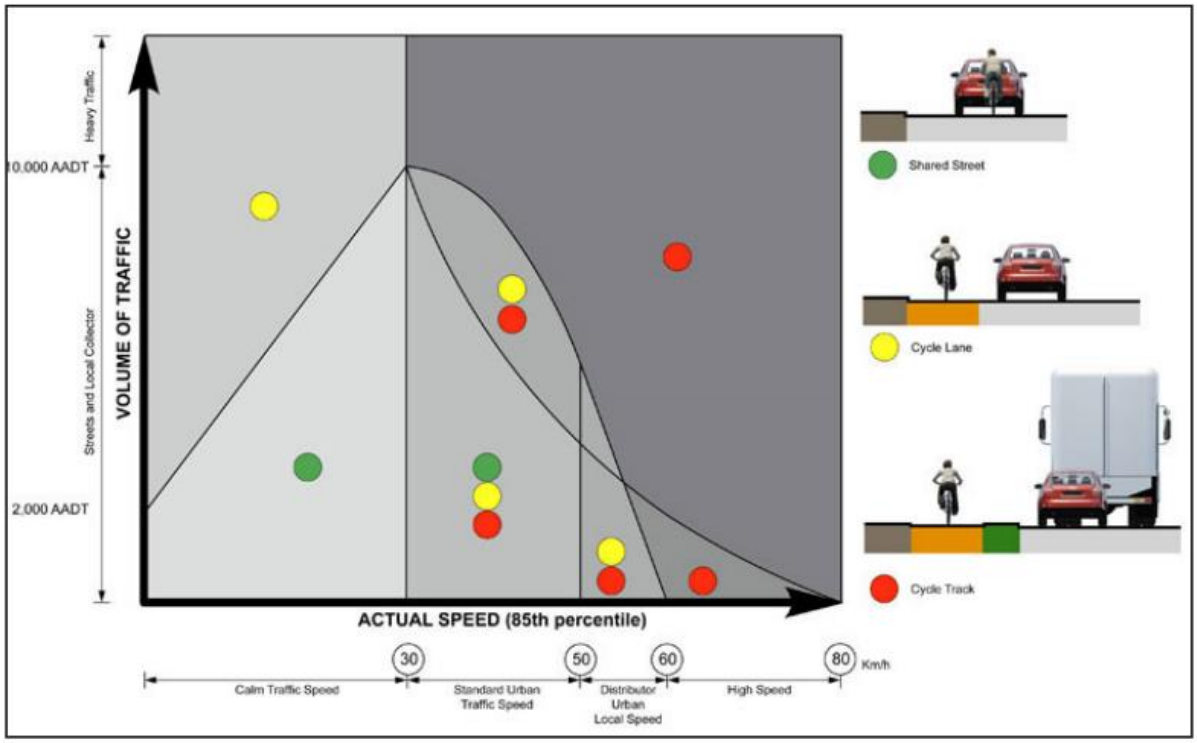

Figure 4.52: Extract from the National Cycle Manual (2011) which illustrates the appropriate use of integrated or segregated cycle facilities according to the volume and speed of traffic.

Figure 10 Extract from DMURS

2.2.12 Growth factors

The Applicant has suggested an opening year of 2026. Should permission be granted in 2023, and assuming a 5-year permission, this suggests a more realistic opening year of 2028.

Traffic analysis should be carried out on the year that full occupation is expected. The future design years should be based on this.

2.2.13 Traffic Survey

Traffic surveys were carried out during Thursday 10th June 2021. This is outside the TII recommendations when traffic surveys should be carried out.

The surveys should be carried out on the dates that would ensure that flows were representative of normal term time and hence not affected by school holidays or other public holidays or events. As such they provide an appropriate and robust representation of a neutral month during a period of normal school and employment activity. The surveys should be designed to provide representative values encompassing AM and PM peak periods during normal traffic conditions and not affected by Covid 19 lockdowns. This is not the case.

The modelling carried out by the Applicant is supposed to be reliant on accurate traffic survey data that would be representative of actual peak time traffic. The junction capacity analysis carried out by the Applicant is thus likely to misrepresent current flow patterns and the resultant impact of the development.

2.2.14 Junction capacity analysis

Table 14, copied below, from the Traffic and Transport Assessment suggests that the cumulative impact of on local junctions would be up to 84% of existing flows.

Junction	Junction Existing Flow - AM Peak Hour	Junction Existing Flow - PM Peak Hour	Additional Traffic Two-way Flow (AM)	Additional Traffic Two-way Flow (PM)	% Expected Increase (AM)	% Expected Increase (PM)
Junction 1	1267	1408	187	143	14.76%	10.16%
Junction 2	361	469	187	143	51.80%	30.49%
Junction 3	296	382	187	143	63.18%	37.43%
Junction 4	266	355	187	143	70.30%	40.28%
Junction 5	260	329	220	168	84.62%	51.06%
Junction 6	1081	1002	36	31	3.3%	3%

Figure 11 Traffic Volumes

The Applicant has modelled the Junction 1 using software such TRANSYT which includes outputs on queue lengths. The Applicant but does not state what calibration was used to determine the accuracy of their model. The following information, as a minimum, is lacking:

- Geometric survey
- Signal timings
- Queue lengths

Anodically, and based on Google Maps Traffic layers, the queues from the Junction 1 can stretch back along Glenamuck Road measuring c. 510m, on Brighton Road measuring c. 165m, on Cornelscourt Hill Road measuring c. 210m and on Brennanstown Road measuring c. 360m.

Junction 1, as modelled by the Applicant, shows an increase of 14.76% in the AM and 10.16% PM with a max que of 25 on Glenamuck Road North. Assuming one car equals 5m, the queue length illustrated below is c. 101 which is less than what is indicated on the Google Map extract.

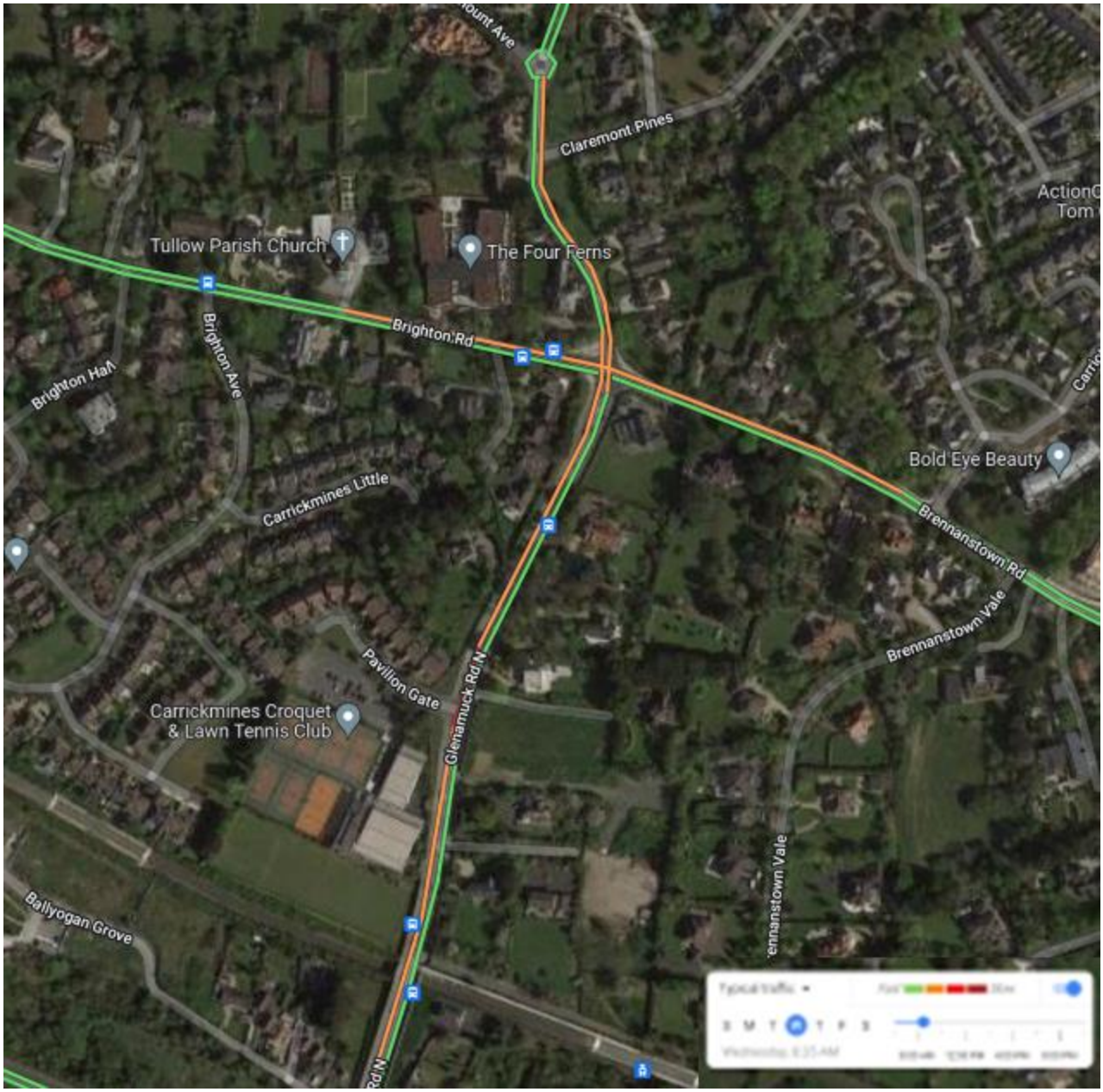

Figure 12 Traffic Congestion – Brennanstown

The Applicant states the following: *'From the analysis results as summarised above, Junction 1 is currently operating within capacity during both peak hours during opening year. For the future assessment year of 2041 + Proposed Development, the results indicate that this junction will operate at the upper limit of the acceptable level of capacity during both peak hours with the highest DOS at 96% and a corresponding queue of 24 vehicles recorded in the AM and with the highest DOS at 99% and a corresponding queue of 24 recorded in the PM. It is acknowledged that a junction operating with a DOS between 90% and 100% or slightly above is likely to present some level of congestion, however, this is only slightly higher than the "do nothing" scenario for 2041.'*

The queue lengths observed via Google Maps is contrary to what is observed the modelling output. Without a calibrated model, it is therefore difficult to assess the accuracy of the modelling output. Calibration is the iterative process of comparing the model with system i.e., the signal-controlled junction, revising the model if necessary, comparing again, until a model is accepted (validated). Validation is a process of comparing the model and its behaviour to the real system and its behaviour.

2.2.15 Study area

Based on a cumulative impact of less than 3%, the Applicant has decided not to model Junction 6 Brennanstown Road/Bray Road signal-controlled junction.

Again anodically, and based on Google Maps Traffic layers, this does not fit with what is happening on the ground.

In its scoping exercise, the Applicant included the Old Bray Road junction but not the Junction with the N11. Given the close proximity of each junction together they should be modelled as one junction as traffic backed up from the junction onto the N11 can affect the performance of the Old Bray Road/Brennanstown Road signal-controlled junction.

Given the finite road capacity available, the completion of existing permissions such as Doyle's Nursery and Brennanstown Wood (which has not yet been occupied) will exacerbate this, and the Barrington Tower development may make it simply inaccessible.

It is recommended that the Applicant models the linked junction to determine the impact the development will have at this key node in the local road network.

2.2.16 Emergency Access

In August 2021 there was a fire in Appledore, a vacant house located opposite the proposed new development access.

In order to control the fire, the road was closed by Dublin Fire Brigade limiting access along Brennanstown Road. Dublin Fire Brigade required access for their water tankers whose entry to the site was hampered by the geometric layout of Brennanstown Road.

The closure of Brennanstown Road would potentially leave 1240 people stranded with only one access to/from the development.

3 DRAWINGS

3.1 Background

The follow chapters provides a review of the Highways and Transportation drawings of the Brennanstown Road SHD.

3.2 Observations

3.2.1 General Arrangement Drawing

BRR-WM-ZZ-00-DR-C-P017 does not contained dimensions to the existing Brennanstown Road or footpath.

The Applicant is requested to provide a full dimensioned layout of Brennanstown Road from Foxrock to Cabinteely and to demonstrate the following:

- Detailed horizontal and vertical sections
- Detailed swept path analysis for all anticipated construction vehicles, delivery vehicles and refuse vehicles in both direction along Brennanstown Road
- A review of the SSD in accordance with the relevant design speeds/speed limit.

This information is required to ensure the suitability of Brennanstown Road to accommodate construction traffic and future development traffic.

3.2.2 Sight lines

No sight line drawings have been provided by the Applicant. The GA drawings suggests that all junctions will be yield junctions.

The attention of a driver should not solely be focused on approaching vehicles and the acceptance of gaps. The pedestrian/ vulnerable road users should be higher in the movement hierarchy. For this reason, priority junctions in urban areas should be designed as Stop junctions, and a maximum X distance of 2.4 metres should be used.

The proposed layout may increase the risk of an RTC involving vulnerable road users through the use of yield lines at these junctions.

3.2.3 AuotTracking

Drawing No. BRR-WM-ZZ-00-DR-C-P013 shows a refuse vehicle revising from the main road into 2 No. bin collection areas. No mitigation measures are offered by the Applicant to ensure the safety of vulnerable road users during these manoeuvres.

Drawing No. BRR-WM-ZZ-00-DR-C-P012 does not demonstrate the SSD of the reversing vehicle. It is unclear of the reversing vehicle will see vulnerable roads users adjacent to the swept path increasing to risk of an RTC.

Drawing No. BRR-WM-ZZ-00-DR-C-P012 does not demonstrate that the proposal is in compliance with the requirements of Section 5.2.4 of Technical Guidance Document B, with regard to turning facilities for the Fire Service. The Applicant is requested to submit details on how this will be provided for a high reach applicant in accordance with Table 5.2. An AutoTrack Analysis should be submitted to verify proposed layouts.

On consideration of the height of the proposed buildings, high reach vehicle access is required to the front of each apartment block. This vehicle access must be in accordance with the requirements of Table 5.1 and Diagram 32 of the Technical Guidance Document B. The Applicant is requested to indicate details on appropriate site layout maps to clearly demonstrate this requirement.

3.2.4 Traffic Signals

No dimensions are illustrated on Drawing No. BRR-WM-ZZ-00-DR-C-P014 but based on the number of tactile paviours on each arm, it is estimated that the with of the crossings is 2.0m.

With a crossing measuring 2.0m wide, this crossing is not designed to accommodate the movement of cyclists across this junction.

The signalised crossings are for pedestrians only and if cyclists use them, they could collide with pedestrians given the narrow widths. Given that up to 1240 cyclist will use this junction this is a significant road safety issue.

A cycle lane should be provided in advance of each arm on approach to the junction of the with an advanced stop line/stacking area be provided for cyclists to help with straight ahead and right turning movements out of the development.

The controlled crossing should be upgraded to a toucan crossing (width and signal heads) to facilitate cyclists and pedestrians.

Also note, that the tactile pacing on 3 of the 4 arms indicate that the footpaths along the site frontage is less than 1.8m (tactile paving indicates a width of c. 1.2m). This is not suitable for the quantum of pedestrian movements expected at this location.

These widths are not suitable for those with a visual or physical impairment or those with a buggy possible forcing them on to the road and oncoming traffic. It also doesn't allow pedestrians to take refuge for oncoming cars with wing mirrors may over sail the footpaths due to the narrow nature of Brennanstown Road.

3.2.5 External works drawings

Detailed drawings of the proposed signalised junction should be provided showing the intervisibility splays at the junction in accordance with DN-GEO-03044

4 CONSTRUCTION TRAFFIC MANAGEMENT PLAN

4.1 Background

The Construction Traffic Management Plan or CTMP should be developed to help the Project Supervisor Construction Stage (PSCS) and contractors to identify hazards that may affect construction staff and the general public through the movement of construction vehicles within sites and on public highways.

The aim of the CTMP is to apply appropriate controls so that the movement of vehicles and pedestrians on a construction site and surrounding road network are managed and coordinated. Where roadworks are to be carried out on live roads the requirements of Chapter 8 and Temporary Traffic Management Guidance should be considered and implemented as required.

4.2 Observation

No specific Construction Traffic Management Plan has bene provided by the Applicant. A Construction Management Plan is provided but lacks elements that would be expected as follows:

- A description the proposed supply route to and from the site, showing details of links to the strategic road network.
    - It's acknowledged that haul routes are shown on 6-1 and 6-2 of the of the Construction Management Plan. This is contrary to Page 11 of the RSA which states that there is a 3tonne limit in operation on Brennanstown Road meaning construction vehicles are legally unable to reach this site via the routes shown. The site is land locked and can only be accessed via Brennanstown Road.
- How will contractors, delivery companies and visitors be made aware of the route (to and from the site) and of on-site restrictions, prior to undertaking the journey?
- No accurate (to scale) site plan showing all points of access and where materials, skips and plant will be stored, and how vehicles will access the site.
- How will vehicles enter and leave the site?
- If delivery vehicles cannot access the site, where will they wait to load/unload?
- Provide a breakdown of the number, type, size and weight of vehicles accessing the site.
- Will vehicle wheel wash facilities be provided?
- A description of how the Applicant will protect the public highway from damage arising from construction related activity and prevent concrete and other detritus form being washed into the public highway drainage system.
- A swept path analysis of the haul route to ensure two HGVs can pass. The image below suggests that an HGV or large rigid vehicle would not be manoeuvre at this junction due to the geometric layout.

Figure 13 Brennsntown Road/Glenamuck Road Signal Controlled Junction

- What are the arrangements for co-ordinating and controlling delivery vehicles with this site and other sites that maybe under construction simultaneously?
- Who has responsibility for supervising, controlling and monitoring vehicle movements to/from the site?
- What are the arrangements to ensure that the loading/collection area is clear of vehicles and materials before the next lorry arrives?
- Where will the contractors' own vehicles park?
- How will the Applicant protect pedestrians from the construction works, particularly vulnerable users?
- What is the Applicant proposed method of spoil removal (wait & load, conveyor, grab, skip swap, etc.) and what is the anticipated dwell time of spoil removal vehicles?
- How many construction-related trips are expected and over what duration for the following
    - Demolition waste removal
    - Soil stripping
    - Export of cut
    - Import of fill
    - Construction material delivery
    - Construction was export
    - Staff trip
- How will concrete be supplied to the site, where will the delivery lorries be located and for how long?
- Will the Applicant be applying to install new or modified utility services to the site that involve work to the public highway? If so, which companies are involved?
- The Construction Traffic Management Plan should be periodically monitored and reviewed. Any significant changes to the CTMP should be reported to the Local Authority. Who will be responsible for this?
- The Applicant must coordinate traffic arrangements with other developments in the area. Who will be responsible for this?
- Who will deal with any complaints from local residents and businesses, etc.?

The supplied document is insufficient to determine the impact that construction activities will have on Brennanstown Road and adjoining properties.

4.3 Brennanstown Wood Roundabout

A new roundabout has recently been constructed on Brennanstown Road to service the new residential development at Brennanstown Road.

Inscribed circle diameter (ICD) The diameter of the largest circle that can be inscribed within the roundabout kerbs. This roundabout has an ICD c. 20m which is less that would be typical for a roundabout that could accommodate large rigid and articulated vehicles.

A smaller ICD will result in larger vehicles over sailing the kerbs which is evident in the image below. The oversailing of the kerb may result in a collision with a vulnerable road user such as a cyclist as there isn't enough road space for larger vehicles to complete their manoeuvre safely.

Figure 14 Kerb oversailing

4.4 Brennanstown Road – Construction Impact

The delivery of heavy groundwork machinery, crane installation using articulated low loaders, that can neither navigate the new roundabout, the majority of Brennanstown Road and proposed entrance (as designed).

No information has been provided by the Application on the suitability of Brennanstown Road, using testing such as falling weight deflectometer (FWD) testing, to determine the bearing capacity of the road to accommodate the anticipated additional loading relating to the construction vehicles.

A FWD is a testing device to evaluate the physical properties of pavement in highways, local roads, The data acquired from FWDs is primarily used to estimate pavement structural capacity, to facilitate determine if a pavement is being overloaded.

The extent of the heavy vehicle traffic movements and the nature of the payload may create problems of:

- Fugitive losses from wheels, trailers or tailgates; and
- Localised areas of subgrade and wearing surface failure.

Should permission be granted, the contractors should ensure that:

- Loads of materials leaving each site will be evaluated and covered if considered necessary to minimise potential dust impacts during transportation.
- The transportation contractor shall take all reasonable measures while transporting waste or any other materials likely to cause fugitive loses from a vehicle during transportation to and from site, including but not limited to:
    - Covering of all waste or material with suitably secured tarpaulin/ covers to prevent loss; and
    - Utilisation of enclosed units to prevent loss.
- The roads forming part of the haul routes will be monitored visually throughout the construction period and a truck mounted vacuum mechanical sweeper will be assigned to roads along the haul route as required.

In addition, the contractor shall, in conjunction with the local authority:

- Undertake an FWD test on roads forming the haul routes one month prior to the construction with results issued to LA.
- Undertake additional inspections and reviews of the roads forming the haul routes one month prior to the construction phase to record the condition of these roads at that particular time.
- Such surveys shall comprise, as a minimum, a review of video footage taken at that time, which shall confirm the condition of the road corridor immediately prior to commencement of construction. This shall include video footage of the road wearing course, the appearance and condition of boundary treatments and the condition of any overhead services that will be crossed. Visual inspections and photographic surveys will be undertaken of bridges and culverts that are along the haul roads.
- Where requested by the local authority prior to the commencement of construction operations, pavement condition surveys will also be carried along roads forming part of the haul route. These will record the baseline structural condition of the road being surveyed immediately prior to construction.
- Throughout the course of the construction of the proposed development, on-going visual inspections and monitoring of the haul roads will be undertaken to ensure any damage caused by construction traffic is recorded and that the relevant local authority is notified. Arrangements will be made to repair any such damage to an appropriate standard in a timely manner such that any disruption is minimised.
- Upon completion of works, undertake an FWD test on roads forming the haul routes with results issued to the LA. The surveys carried out at preconstruction phase shall be repeated and a comparison of the pre and post construction surveys carried out.
- Issues identified in the comparison will be remediated by Applicant.

Figure 15 Pavement failure - Brennanstown Road

5 DMURS STATEMENT OF CONSISTENCY

5.1 Background

It is a requirement of the regulations that the proposed housing development is compliant with the requirements of the Design Manual for Urban Roads and Streets (DMURS).

Through offering guidance and good design principles, the stated objective of DMURS is to achieve better street design in urban areas for all road users including pedestrians, cyclists, and drivers. Through the adoption of these principals, it is expected that more people will choose to walk, cycle, or use public transport by making the experience safer and more pleasant.

This will be evident by lower traffic speeds, reduce unnecessary car use and the creation of a built environment that promotes the building of sustainable communities and places.

5.2 Observation

The Design Manual for Urban Roads and Streets recommends the carrying out of a Street Design Audit. No such audit has been undertaken.

They key design principals outlined in the DMURS Statement of Consistency are generic. A Street Design Audit would outline explicitly how these principals have been implemented.

6 QUALITY AUDIT

6.1 Background

Road Safety Audit (RSA) involves the evaluation of road schemes during design and construction to identify potential hazards to all road users. While RSA is required under the EU Directive on Road Infrastructure Safety Management (EU RISM), it has been incorporated into TII Publications since 2001. RSA is to be carried out on all new national road infrastructure projects and on all schemes which result in a permanent change to the existing road or roadside layout. RSA is also recommended for similar changes to the local and regional road network. TII Publications describes RSA under TII GE-STY-01024 - Road Safety Audit.

During RSA the audit team looks at the scheme from the point of view of all road users, with particular attention being paid to the needs of vulnerable road users. The RSA team identifies potential safety problems within the scheme and makes recommendations to the designer to improve the road safety of the scheme.

The Quality Audit, incorporating a Road Safety Audit, is carried out in accordance with the guidance in the Design Manual for Urban Roads and Streets (DMURS), produced by Department of Transport Tourism and Sport in March 2013 and as updated in June 2019.

The Quality Audit is a design stage audit and includes a Stage 1&2 Road Safety Audit an access audit, a walking audit and a cycling audit. (i.e., aspects of a Quality Audit carried out independent of the Design Team and generally included as appendices to the overall Audit)

The outcome is a set of recommendations that are provided to the design team to help improve the quality of the design with regard to the areas described above. A feedback form has also been provided for the designer to complete indicating whether or not he/she will accept those recommendations or provide alternative recommendations for implementation.

6.2 Observation

Given the reliance the application on Brennanstown Road to access public transport, local amenities and the M50/N11, the scope of the Quality Audit (which includes a walking/cycling audit) should have included Brennanstown Road in its entirety. The Applicant is requested to update their Quality Audit to reflect this.

Problem 3.2 of the Quality Audit states the following:

'Brennanstown Road is a narrow road. It is unclear what the overall width of the carriageway will be when the works are complete. At present if two wide vehicles meet, they pass using a passing bay type arrangement at private accesses. There is a risk that if two wide vehicles queue at the signals they will not be able to pass when they get the green signal. This could lead to mounting of the footpaths or reversing, both of which could put vulnerable road users at risk.'

The images below illustrate this issue.

Figure 16 Brennanstown Road Blocked by rigid vehicle

Figure 17 Pedestrian forced to use road as rigid vehicle blocks footpath

Figure 18 Banksman required to direct pedestrian around rigid vehicle causing obstruction on Brennanstown Road

Figure 19 Narrow Carriageway

The image above shows a pinch point on Brennanstown Wood adjacent to the proposed development. The road is so narrow at this point cars must stop and give way to coming traffic. Larger vehicles may be forced to reverse to find a passing bay.

Not the wing mirror overhanging the footpath which may result in a collision with a vulnerable road user.

The Quality Audit makes the following recommendation

'Ensure that the carriageway width is sufficient at the junction to allow two wide vehicles pass.'

The following response was provided by the Designer

'There is a 3 Tonne weight restriction on Brennanstown Road. Therefore, it is unlikely that there will be large goods vehicles passing as the site junction. Should two vehicles meet at the junction the bell mouth is of the junction can accommodate large vehicles pulling in temporarily.'

This statement is confirmed in the image below.

Figure 20 Brennanstown Road Weight Restriction

Should the development be granted permission, it would not be possible for the Applicant to construct the development based on their methodology presented in their Construction Management Plan. As matters stand, even car/car traffic movements regularly come to a complete halt, and HGV traffic already mounts new kerbs and verges.

Should this weight restriction be removed, the RSA states that '*there is a risk that if two wide vehicles queue at the signals they will not be able to pass when they get the green signal. This could lead to mounting of the footpaths or reversing, both of which could put vulnerable road users at risk.'* Given the vertical and horizontal alignment of Brennanstown Road is substandard, this statement can be applied along most of the road. The recent 140M section west of Brennanstown Wood could possibly pass two HGVs on the straight sections. However, the curved section leading into the narrow roundabout might pose problems for HGVs, particularly the longer trucks.

7 TRAVEL PLAN

7.1 Background

A travel plan is a package of actions designed by a workplace, school or other organisation to encourage safe, healthy and sustainable travel options. By reducing car travel, travel plans can improve health and wellbeing, free up car parking space, and make a positive contribution to the community and the environment. However, the proposed travel plan does not appear to be well-founded.

7.2 Observation

Section 4.5 of the Travel Plan describes the existing environment for pedestrians as of a 'high standard'. The Travel Plan, and the measures outlined within, are based on access to this 'high standard' pedestrian facilities.

As outlined previously, this is not the case. It grossly misrepresents the existing situation on Brennanstown Road and dramatically overstates the effects of proposed improvements, limited as they are to the limited road frontage of the proposed development. It is therefore reasonable to conclude that the measures outlined in the Travel Plan are unattainable.

The Travel Plan is very much an outline plan with generic outcomes. Modal targets are given but no specific details are given on how these targets will be set, monitored, reviewed and implemented.

No specific commitment has been given by the Applicant to monitor the effectiveness of the Travel Plan post full occupation. Monitoring of the Travel Plan is an essential part of the whole process. Monitoring means regularly checking the progress towards the targets with activities such as travel surveys or vehicle counts. It enables the Travel Plan Coordinator to see whether the Travel Plan initiatives are having the desired effect on people's travel behaviour.

The following will the key cornerstones of how the Travel Plan will be monitored:

- Baseline travel figures need to be established very early on so that there is something to benchmark the Applicant r progress against.
- Travel Plan monitoring needs to take place at regular, agreed intervals (1,3,5 & 10 years). Monitoring enables the Applicant to test whether the Travel Plan initiatives have been a success or whether interventions are required.
- Monitoring allows the Travel Plan Co Ordinator to review the Applicants progress towards the targets and objectives.
- Regular monitoring is a requirement for Travel Plans secured through the planning process and the frequency of reports needs to be agreed with the Local Authority.
- Travel Plan objectives and targets should form the basis of the monitoring strategy as it is these that the Applicant will monitor progress against.
- Different types of monitoring tools can be used to collect the travel data required.

No specific commitment has been given by the Applicant about applying corrective actions to polices that are not delivering the desired results.

It is important to establish a remedial strategy within the Travel Plan document so that all interested parties are clear what the Applicant will do if targets are not achieved, or if it looks unlikely that they will be achieved.

By including a remedial strategy in the Travel Plan, it also helps to demonstrate the Applicant's commitment to achieving these targets.

The remedial strategy will include specific ideas for actions, access controls or the addition of extra measures. The aim of any remedial strategy should be to ensure that the organisation can work to meet the objectives of their Travel Plan.

If the Travel Plan is failing to meet the agreed targets, the remedial strategy should be put into practice to help get the Travel Plan 'back on track' as soon as possible.

8 AN BORD PLEANALA OPINION

8.1 Background

AS part of the tri-partite meeting with An bord Pleanala, the Applicant was provided with feedback on areas that An Bord Pleanala had concerns with.

An Bord Pleanala provided the following feedback

Item 1

A detailed statement, demonstrating how the proposed development will tie in safely with the wider road network, for the overall Brennanstown Road area, in particular the Brennanstown Wood development to the northwest, and the future LUAS stop to the south, with regard to vehicular, pedestrian and cycle connections.

Item 2

A detailed statement, with accompanying plans and drawings, setting out in detail, adequate, safe traffic / pedestrian facilities on Brennanstown Road to accommodate the scale and quantum of development proposed.

8.2 Observation

Upon review of the Applicant's response, the following is noted:

The Applicant's response does not demonstrate and address this item properly. It only demonstrates that it will construct a new signal-controlled junction on to Brennanstown Road for vehicle access and a controlled pedestrian crossing.

The Applicant acknowledges the sub-standard nature of Brennanstown Road and its unsuitability to cater for the proposed development. The Applicant further acknowledges that Brennanstown Road will not be subject to a Part VIII scheme by the Local Authority but is instead reliant on Third Parties to deliver critical infrastructure for the development both in terms of road safety and sustainable transport.

To permit the development in its current form would be a material contravention of the development plan and would therefore be premature pending the construction of the road improvement works on Brennanstown Road that are required to support this application and already permitted developments.

Item 2

The Applicant's response does not demonstrate and address this item properly. It only demonstrates that it will build new footpaths and road section to the length of the frontage of the development.

The new footpath only measures 113m and when combined with 130m of the Brennanstown Wood development, it provides only a total of 243m of adequate footpath on a road 1.9km long.

The response implies that the connection of the 2 footpaths on each development deals adequately with the connectivity issues.

It doesn't refer to the width of the existing footpath – some parts of which are less than 1 metre wide and of poor quality. The resultant footpath is substandard and does not meet the required specifications of DMURS particularly given the quantum of pedestrians that will use these footpaths as a result of the proposed development and other permitted local developments.

Brennanstown Road lacks a continuous footpath from Foxrock to Cabinteely, key desire lines, and associated facilities such as public lighting, delivery/visitor parking, cycle lanes and safe crossing points. It is not within the gift of the Applicant to deliver these improvements as they require road-widening, grading and re-alignment along the length of the road as part of a coordinated package of road improvement measures. Carrying out such works will require the approval of the Council and either the unlikely consent of multiple Third Parties or compulsory purchase orders. The Applicant is therefore reliant on the uncoordinated, largely unregulated, arbitrary and piecemeal upgrade of Brennanstown Road which is contrary to proper planning principles.

9 Conclusion

9.1 Conclusion

The limited local improvements to Brennanstown Road required by this application are not governed by a properly designed overall road improvement plan. In that sense they are illogical, arbitrary and inadequate. While some effects on road safety due to construction traffic from proposed and recent permissions are evident, the bulk of these expected traffic movements have not yet taken place because the new dwellings remain unoccupied.

If more high-density developments are permitted, it is foreseeable that road hazard will rise significantly. We list below the foreseeable new and additional increase in traffic hazards that will arise under several headings due to the traffic movements during the construction and operational phases of the subject proposed high density residential development.

- Brennanstown Road is a narrow road which is not suitable to cater for current and traffic flows safely nor the high volumes of traffic that will be generated by the proposed development as well as the traffic flows from those permitted developments coming online. Having regard to this existing substandard arrangement it is considered that to permit the proposed development would exacerbate an existing undesirable situation and endanger public safety by reason of a traffic hazard and obstruction of road users, cyclists and pedestrians and therefore would not be in accordance with the proper planning and sustainable development of the area.
- The restricted width of Brennanstown Road is not suitable to cater for high volumes of construction traffic that will be generated by the proposed development during the construction phase. Current permitted construction traffic already causes unregulated stoppages on the road and kerb mounting events. Having regard to this existing substandard arrangement, where there is currently a 3 Tonne weight restriction and where two HGVs cannot physically pass each other, it is considered that to permit the proposed development would exacerbate an existing undesirable situation and endanger public safety by reason of a traffic hazard and obstruction of road users, cyclists and pedestrians and therefore would not be in accordance with the proper planning and sustainable development of the area.
- Due to endangerment of public safety as a result of the intensification of vehicular traffic and vulnerable road users on Brennanstown Road with its inadequate, poorly sighted and unregulated junctions and entrances and total absence of cycle lanes and traffic calming measures, the development would endanger public safety by reason of traffic hazard of obstruction of road users or otherwise.
- The internal layout of the development is not in compliance with the requirements of Section 5.2 – Vehicle Access, of Technical Guidance Document B, with regard to access for Fire Service vehicles. All the blocks are more than 10M above ground level and their volumes exceed 7,000 cubic metres. Thus, they 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. It is considered that the proposed development would endanger residents by reason of fire safety and therefore would not be in accordance with proper planning and sustainable development in the area.
- The internal layout of the development is not in compliance with the requirements of Section 5.2.4 of Technical Guidance Document B, with regard to turning facilities for the Fire Service. It is considered that the proposed development would endanger residents by reason of fire safety and therefore would not be in accordance with proper planning and sustainable development in the area.
- Brennanstown Road lacks a continuous footpath from Foxrock to Cabinteely, key desire lines, and associated facilities such as public lighting, delivery/visitor parking, cycle lanes and safe crossing points. It is not within the gift of the Applicant to deliver these improvements as they require road-widening, grading and re-alignment along the length of the road as part of a coordinated package of road improvement measures. Carrying out such works will require the approval of the Council and either the unlikely consent of multiple Third Parties or compulsory purchase orders. The Applicant is therefore reliant on the uncoordinated, largely unregulated,

arbitrary and piecemeal upgrade of Brennanstown Road which is contrary to proper planning principles.

- The Traffic and Transport Assessment included with the application does not reflect the ongoing congestion that affects at the signal-controlled junctions located at either end of Brennanstown Road and the surrounding local road network. It does not appear that consultation took placed between the Applicant and the Local Authority to determine how this congestion would be assessed. It is considered that the proposed development would increase congestion and delay on what is in essence a rural road in an urban location and therefore would not be in accordance with proper planning and sustainable development in the area.

APPENDIX A – PHOTOS

Figure 21 Photo 1 - Brennanstown Road Looking North

Figure 22 Photo 2 - Brennanstown Road as a cycle route

Figure 23 Photo 3 - Brennanstown Road narrow footpath

Figure 24 Photo 4 - Brennanstown Road – Limited forward visibility

Figure 25 Photo 5 - Pinch Point

Figure 26 Photo 6 - New roundabout with evidence of vehicles mounting kerb

Figure 27 Phot 7 - Brennanstown Road Blocked by rigid vehicle

Figure 28Photo 8 - Incomplete and Narrow footpaths on Brennanstown Road

Figure 29 Photo 9 - Pedestrian forced to use road as rigid vehicle blocks footpath

Figure 30 Photo 10 - Banksman required to direct pedestrian around rigid vehicle causing obstruction on Brennanstown Road

Figure 31 Photo 11 – Vehicles over sailing roundabout

Figure 32 Photo 12 – Brennanstown Road/Glenamuck Road signal-controlled junction

Figure 33 Photo 13 - Pavement failure - Brennanstown Road

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Drainage Assessment Report

Job Reference: 2211

Project: Barrington Tower SHD, Brennanstown Road, Dublin 18

Report Date: May 12th, 2022

Report Prepared by: Chartered Structural & Civil Engineer Patrick Mulhall
BE(Hons), MSc, PgDip(H&S), Grad IOSH, CEng MIEI

We hereby comment on the Planning Permission Application for the Brennanstown Road Strategic Housing Development, An Bord Pleanala Reference 313281 lodged 12th April 2022:

1. The drainage proposal intends to discharge the final outfall foul water effluent from the development 300mm diameter pipe at 1:39.6 fall, into an existing 225mm uPVC pipe. This existing 225mm uPVC pipe size is too small for the proposed development foul water discharge. This pipe is on land not in control of the applicant.

2. The drainage proposal intends to discharge the final outfall foul water effluent from the proposed development into an existing foul pipe system which connects to a combined water pipe network. This does not represent good planning practice. Foul water discharge from such a large-scale development to a combined water pipe network should not be permitted. Foul water discharge from such proposed large-scale developments must only be permitted where there is dedicated public foul water pipe network in the area.