

**CUANA BUI
18 BRENNANSTOWN VALE
DUBLIN 18
D18W8W7**

**An Bord Pleanála
64 Marlborough Street,
Dublin 1,
D01 V902**

AN BORD PLEANÁLA	
LDG-	053374-22
ABP-	
16 MAY 2022	
Fee: €	200
Type:	cheque
Time:	10-21
By:	hand

14th May 2022

Re: Observation of Strategic Housing Development Application.

An Bord Pleanála Case reference: TA06D.313281

Applicant: Cairn Homes Properties Limited

Description of Development: Demolition of 'Winterbrook', and the former dwelling attached to Barrington Tower (a protected structure), Brennanstown Road, Dublin 18 - construction of 534 no. Build to Rent apartments, creche and associated site works.

Dear Sir / Madam

We wish to make this written observation in respect of the SHD application referred to above.

In accordance with relevant requirements please note -

- We enclose herewith the required payment of €50 being the prescribed fee in this instance.

- This submission is being made within the 5-week period from which the application was made to An Bord Pleanála (i.e. on or before the 17th May 2022).

Firstly, may we state that we are not at all opposed to the principle of appropriate development on the subject lands. We also attempted to engage with the developer directly a number of times, in order to discuss the substance of our issues / submission – and he opted not to engage, leaving us no choice but to proceed down this formal route.

For context - We are the owners of Cuana Bui, 18 Brennanstown Vale, Dublin 18 and our home directly adjoins the Western Boundary of the subject lands and would be most particularly impacted by the proposed Block J, within the application drawings.

Issues –

1) The negative impact on the residential amenity of our home at No. 18 Brennanstown Vale due to:

- The visual overbearance of the 6 - 7 Storey Block I (which will rise to c. 14m over the ridge height of our home, and which will be relatively close to our shared boundary).
- The negative impact on our garden and all our habitable rooms with east facing windows (including our kitchen & main bedroom) due to **over shadowing** and **loss of light** given the proximity, height and massing of Block J relative to our home.
- **Loss of privacy** by way of direct over-looking into our kitchen, main bedroom, and front / rear gardens (from both windows and overhanging balconies on the western and southern elevation of Block J).

The potential **noise impact** arising from this massing of 534 apartments, together with ancillary development, into a relatively small site

- The **potential significant loss of screening along the western boundary** of the site (due to proposed boundary and landscaping treatments) which will make the proposed new development even more visually prominent at this location – unless the developer is conditioned to retain all existing screening along this boundary, which would be of some benefit.

If the Bord were minded to grant permission, we would respectfully request that the massing and scale of the overall development (particularly along the western boundary) be significantly reduced to ensure a more appropriate transition between the existing 2-storey homes at Brennanstown Vale and this new apartment development. It is our considered opinion that the blocks along this boundary should be reduced to 3 - 4 storey to mitigate against all the potential negative impacts referred to above & to align more appropriately with existing DLR Council Development Plan height strategy / limits.

We would also appreciate if all existing trees be conditioned to be retained along this boundary and better landscaping treatment could be provided along our shared boundary in order to mitigate against the visual impact of the proposed development and reduce noise impact.

The existing Building height Strategy for DLR Council suburban sites, as set out in Appendix 9 of the Plan, states that - "a general maximum height of 3 – 4 storeys for apartment developments at appropriate locations, including large infill sites, providing there is no detrimental effect of existing character and residential amenity" Consideration may also be given to minor modifiers.

The applicants own '**Daylight, Sunlight and Overshadowing**' analysis submitted with the application specifically refers to the negative impact that will be experienced by adjoining homes in Brennanstown Vale with regards to reduced daylight and overshadowing. We would respectfully submit that the only means of adequately addressing this serious issue, is to ensure that heights are reduced by at least 2/3 floors along this boundary and massing is also reduced.

We would respectfully suggest that (having regard to & acknowledging the fact that this is clearly a potentially appropriate large infill suburban site, suitable for development), the developer should be Conditioned to significantly reduce the massing and heights of the overall scheme, in order to comply with the DLR County Development Plan and to protect the residential amenity of the existing adjoining 2 storey properties – which the Plan rightly sets out to do. A decision to grant permission for the existing scheme, without revision of heights / massing would clearly be a serious deviation from the DLR Development Plan building height strategy / standards and would constitute a Material Contravention of the DLR Plan, which would require a Variation to the Plan to be sought by the applicant, a Statutory formal process to be gone through and votes of the Council, in advance, if such a Variation were ever to be permitted.

2) Landscape Plans and boundary treatment

We also wish to bring the following to the Boards attention in respect of the application documents (specifically the drawings, photomontages and the EIS):

- It is difficult to make out from the landscape drawings (No's. 1815 PL P 05 IFP and 1815 PL P 08 IFP) whether the existing mature trees located within the application site (aligning its western boundary) adjacent to our property are being retained or removed. These trees currently provide excellent screening between our home and the development site and it would be essential for them
- to be retained in order to adequately screen any development. This mature tree line is referred to in the landscape design statement and a photo is provided (V2, pg5). The design statement claims that every effort will be made to retain existing hedgerows and trees, but it is not at all clear from the Landscape Masterplan that in fact, this is being done ? The details on the boundary treatment drawing (No's. 1815 PL P 05 IFP) show that it is intended to remove the existing fencing on this boundary and to replace this with a proposed mesh fence (subject to agreement) so it seems likely that the existing trees along this boundary may also being removed as part of this process too ? It is our considered opinion that this proposed landscape treatment will not provide adequate screening between us and Block J (especially if the existing mature trees along this boundary are being removed). **We would therefore ask the Board to get clarification on boundary and landscaping proposals along the western boundary of the site to ensure that if required, revisions can be made to the landscape plan to ensure that ALL existing trees / hedgerows along this boundary be retained & that appropriate screening, to reduce visual impact, protect privacy and provide noise buffering between the proposed development and our home be included as appropriate. As things stand, this is all completely unclear from the submitted documents.**
- While the Visual Impact Assessment carried out in the EIS claims that existing vegetation will provide good screening between the existing development and the surrounding area (and shows much of this existing vegetation in the photomontages), we note that this may not correspond

with the potential removal of existing tree's / vegetative screening, particularly along the western boundary of the development site as

- suggested in the landscape masterplan and boundary treatment drawings (No's. 1815 PL P 05 IFP and 1815 PL P 08 IFP). **We would therefore appreciate if the Board could get clarification on these entirely contradictory submissions by the applicant, in the interests of ensuring that the Visual Impact Assessment (particularly with regards to the visual impact within Brennanstown Vale) is accurate and fair.**

3) Red line boundary and Title issues

Despite being put on Notice and clearly being aware of the position on the ground, the applicant has included a strip of land along their boundary & that shared between ourselves and 17 Brennanstown Vale, within their Red line and other drawings. This strip of land has been in our Possession and control since we purchased our home in 2003 and for many years previously, in the control and Possession of the prior owners. In the case of 17 Brennanstown Vale, we are advised that this strip of ground (included by the applicant within their Red Line), has been in the Possession and control of the owners of no. 17 for almost 3 decades. This entire strip of ground has been fenced off from the Barrington Tower site for many decades. Please see attached map/s outlining the land in question.

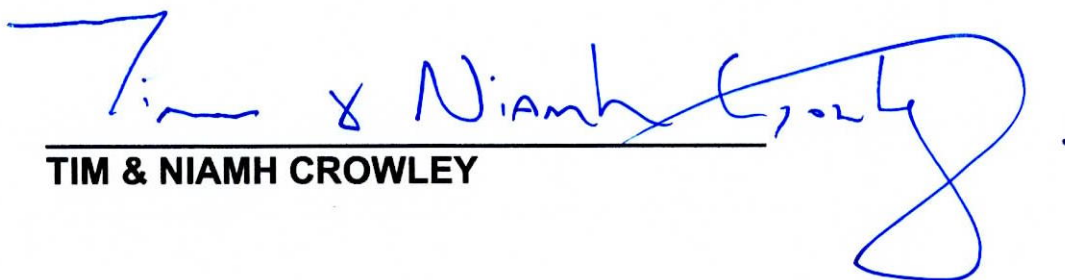
The fact that the applicant has erroneously included land outside of their possession / control and which has been fenced off from their site for many decades, calls into question the validity of many of the drawings / maps included in the subject application. Given that the applicant opted not to engage with us in respect of this (or any other issue), prior to applying for permission, means that we must reserve our position in relation to these fundamental flaws in respect of the application drawings and the inclusion of lands clearly within our possession. We would respectfully request that the Bord take note of this issue in the context of the fact that the applicant could not undertake any of the works proposed within this portion of the lands within our and our neighbour's possession and therefore there may be some question over the validity of the application. As the applicant has opted to try to include these lands as part of their site area, we will now have no choice but to lodge the appropriate formal application for Possessory Title of these portions of land & take whatever further remedies we may be advised, in order to protect our position.

There are obviously potentially serious traffic issues associated with the scale of this proposal, coming out on to Brennanstown Road, in advance of the Road upgrade scheme, which has not been implemented – presumably this quantum of development could only be considered premature in advance of that.

On a general note to finish, we would submit that it is a pity that Cairn Homes have opted to apply for planning permission for what can only be described as an ugly, monolithic, bulky and overly dense scheme on this potentially wonderful development site. We would readily acknowledge that Cairn have delivered some very attractive and appropriate schemes in recent years on other sites, however the proposed plans for the Barrington Tower site appear to be ill thought out and to fall well short of the type of attractive / appropriate development which they are very well capable of & we would urge both the applicant and the Bord to consider if a far more attractive & sustainable development would not be much more appropriate, on such a lovely site.

Furthermore, it is a pity that Cairn chose to have no interaction whatsoever in respect of their plan's, with their neighbours in this case, many of who's homes & residential amenity would be very severely impacted by the sheer scale / height of the plan's submitted & none of whom that we know of personally, are opposed to appropriate / attractive housing development on the site in question.

Yours Faithfully

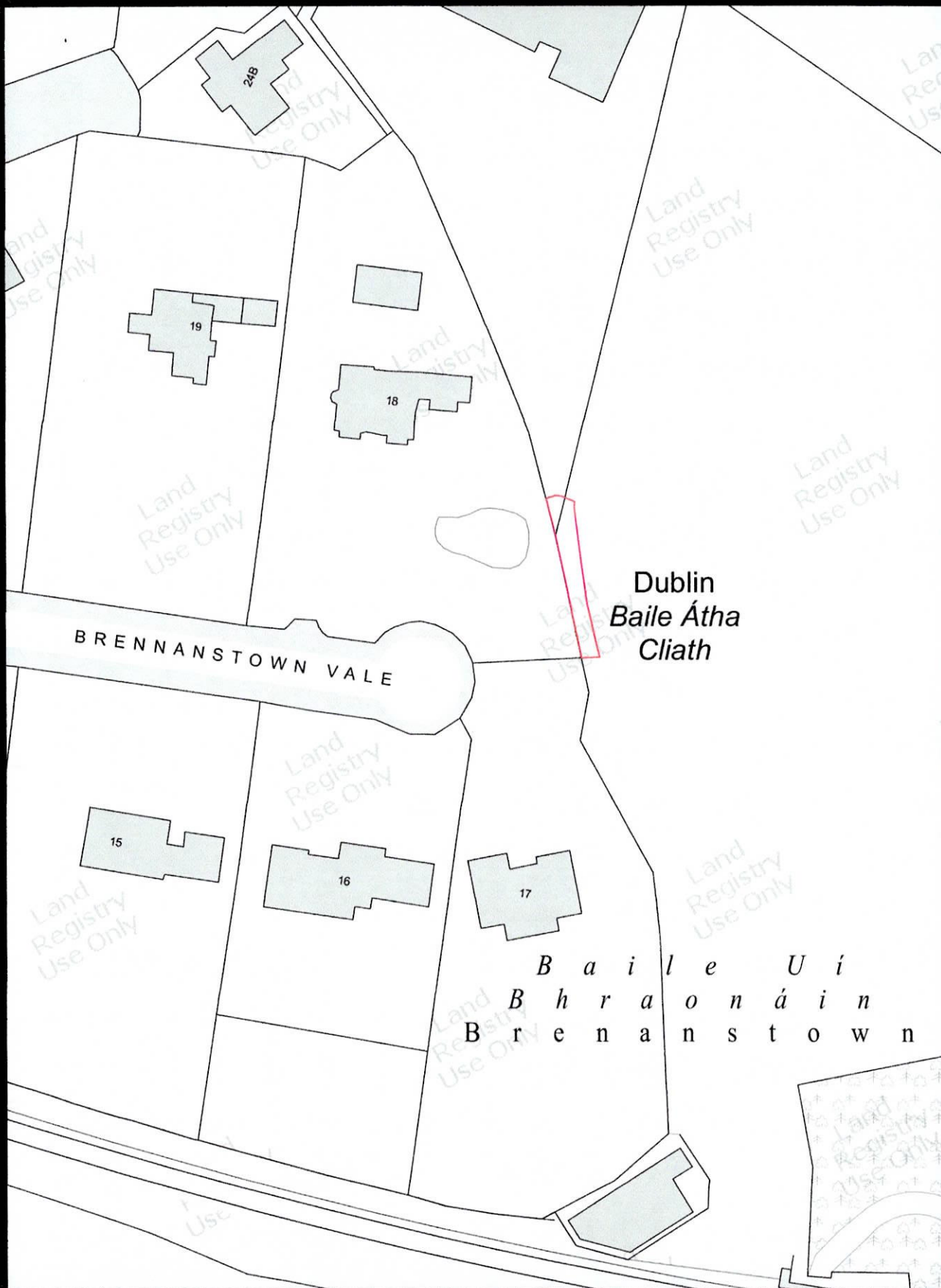


TIM & NIAMH CROWLEY

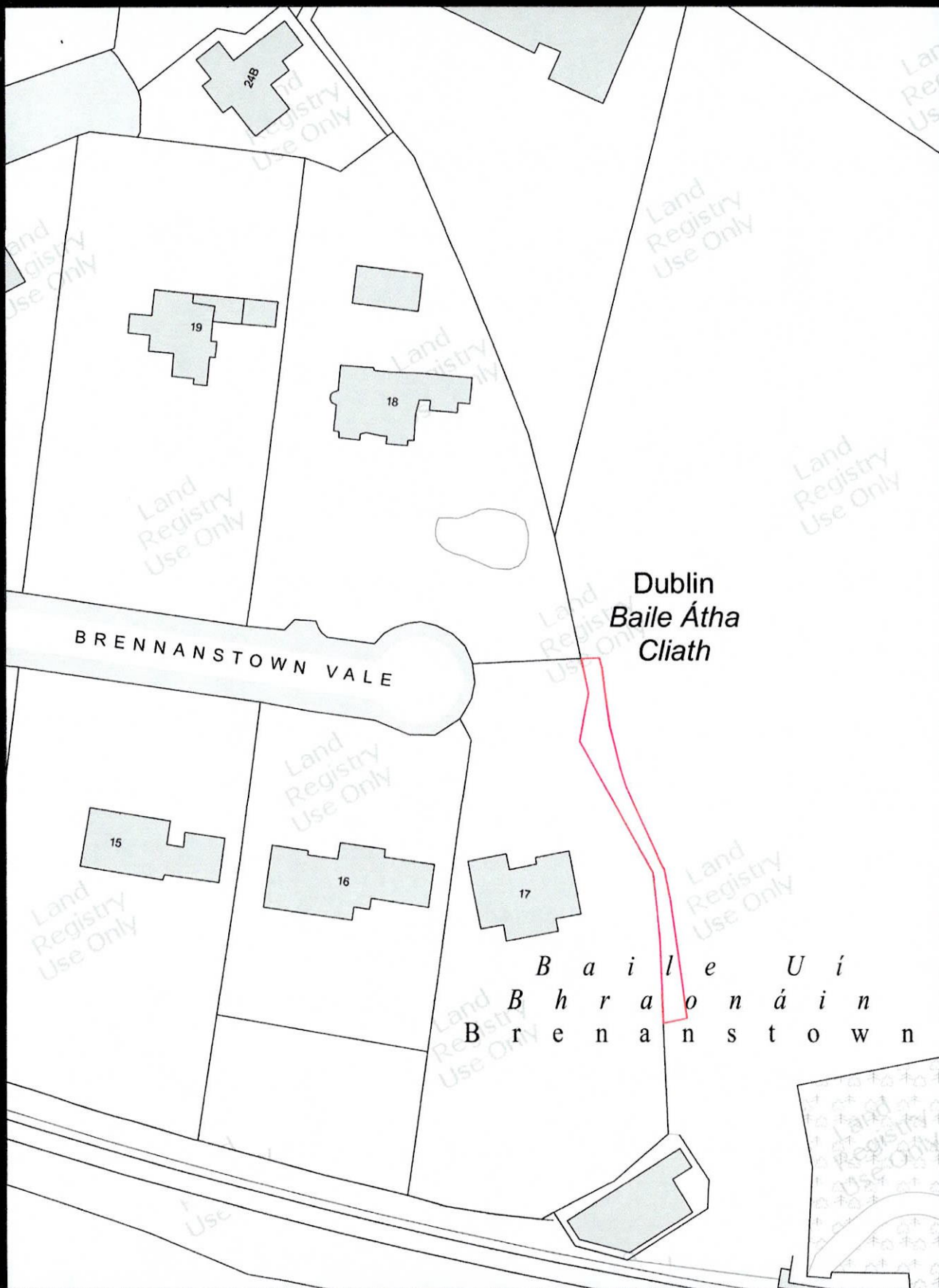
Enclosures –

- 1. Map's outlining site area along boundary of 18 / 17 Brennanstown Vale, outside of the possession / control of Cairn Homes**
- 2. Indicative overlay of above area (outlined blue) marked on applicant's layout plan, for context**
- 3. Cheque in the amount of €50.00**





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<http://www.osi.ie> search 'Large Scale Legend'