

2020

Draft South Dublin County Development Plan 2022-2028

Public Consultation Submission

Lands Adjacent the Foxhunter
Pub, Lucan Road, Ballydowd,
Lucan, Co Dublin K78 P285



Introduction

This submission has been prepared on behalf of Fox Connect Ltd, in response to an invitation to comment on the forthcoming Development Plan for South Dublin County Council to cover the period 2022 to 2028.

The Draft Plan is on public display online from July 7th 2021 to September 15th 2021 inclusive.

The public have been invited to view and have their say on the Draft County Development Plan. Formal submissions / observation to the Draft Plan are to be made in writing via the on-line consultation hub.

This submission to the South Dublin County Plan 2022-2028 will set out the location and context of the subject site, recent planning history and proposed future development of the site.

This submission will outline the key provisions they request to be included in the new County Plan, namely a rezoning of this site from retail warehouse use to Objective 'RES' *"to protect and/or improve residential amenity"*

Site Context

This planning report has been prepared to accompany a planning application by Fox Connect Ltd. seeking rezoning for residential development at lands adjacent the Foxhunter Pub, Lucan Road, Ballydowd, Lucan, Co Dublin K78 P285

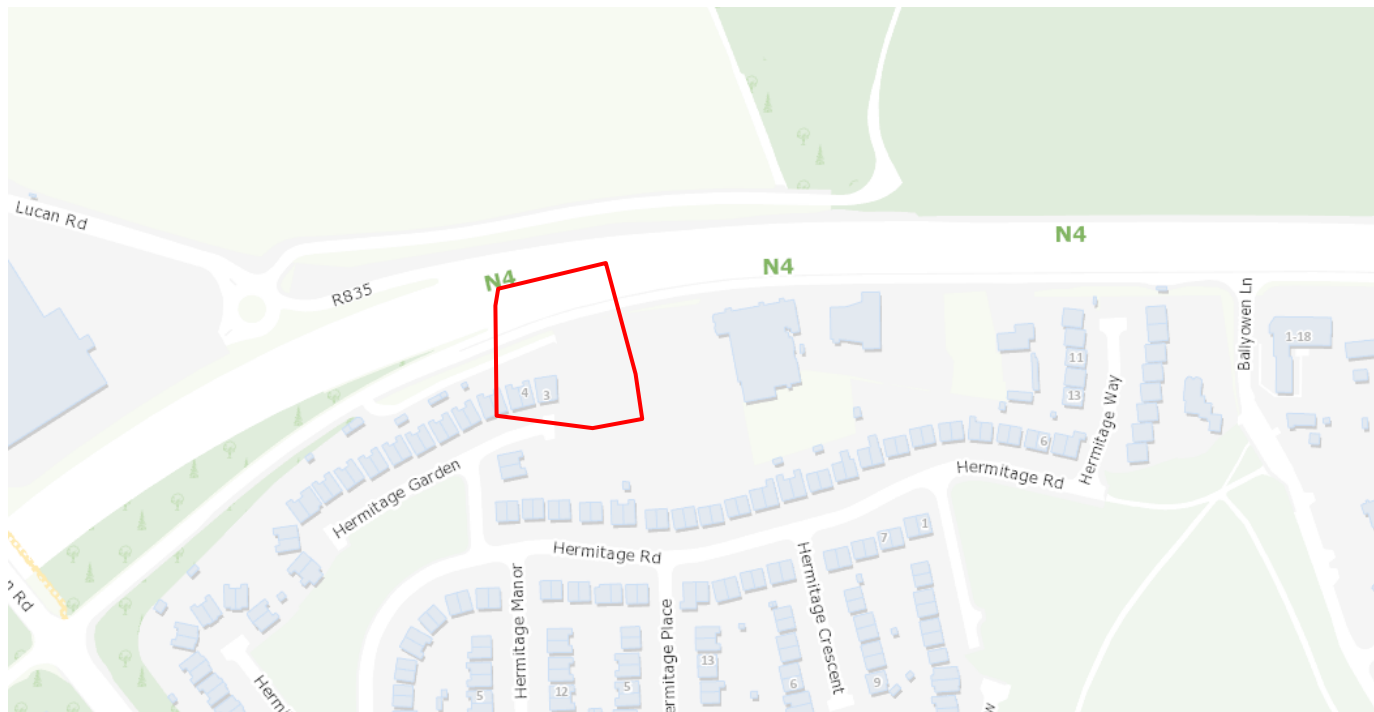


Figure 1: Site Location Map

The site of this zoning request is located within the established suburban area of Lucan, c. 2km east of the centre of Lucan village and c. 2km west of Liffey Valley town centre. The site is approximately 10km west of Dublin City centre.

The overall site contains the Foxhunter pub, a substantial surface car park with access to/from the N4 carriageway (westbound) and undeveloped green land to the rear. The site is bounded by the N4, golf courses and vast open green lands zoned to protect the amenity of the Liffey Valley to the north, a Texaco petrol filling service station to the east and Hermitage Park residential estate, characterised by two storey semi-detached units, to the south and west of the site. To the west of the development, the site abuts the termination of a cul-de-sac, Hermitage Garden, part of the overall Hermitage Park housing development.



Figure 2: Aerial photo of the surrounding area with an indicative outline of the subject site in red.

The site currently has a number of individual trees which consist of *Betula*, *Fagus* and *Chamaecyparis* trees which have been marked as category C trees and proposed to be removed to facilitate the development. A single line of *Cuprocyparis* \times *leylandii* runs the length of the western and southern boundary which forms a screen to neighbouring properties. 157 no. new trees have been proposed as part of the current planning application, 114 (approx. 73%) of which are native.

The subject site is located adjacent to a high quality bus corridor connecting Lucan to Dublin City centre. Bus routes 25(a)(b)(x), 66(a)(b), 67 and 767 all service this route. The bus journey times to the city centre are c. 22 minutes in duration.(Source: Google Maps).

The NTA Greater Dublin Cycle Network Plan runs east west along the N4 which bounds the site to the north and also in an east west direction located south of the site on Ballyowen Road and Willsbrook Road.

Policy Context

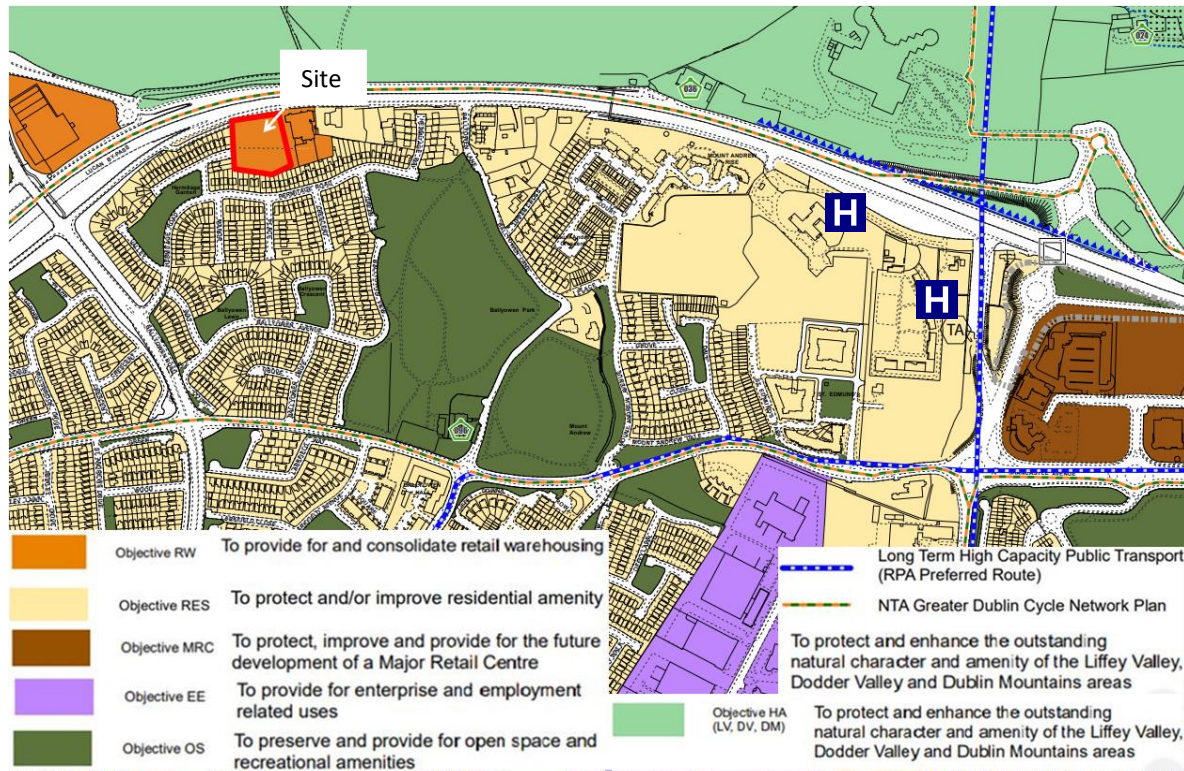


Figure 3: Zoning Plan from South Dublin County Development Plan 2016-2022 identifying the sites zoning objective. Annotated by Manahan Planners, April 2020

The current SDCC Development Plan, adopted in 2016, has allocated a zoning Objective RW, “to provide for Retail Warehouse use”. Residential use is a “Not Permitted” land use. See image below.

The previous Development Plan 2010-2016 permitted residential use on the site and indeed permission was previously granted for residential development.

We note that under the previous development plan, the site was zoned ‘Objective A’ “to protect and/or improve Residential Amenity”. On this site, in 2005, Reg. Ref. SD05A/0409 was granted permission for residential development. The development consisted of 14 No. 2-storey dwellings on the lands at the southern half of the site.

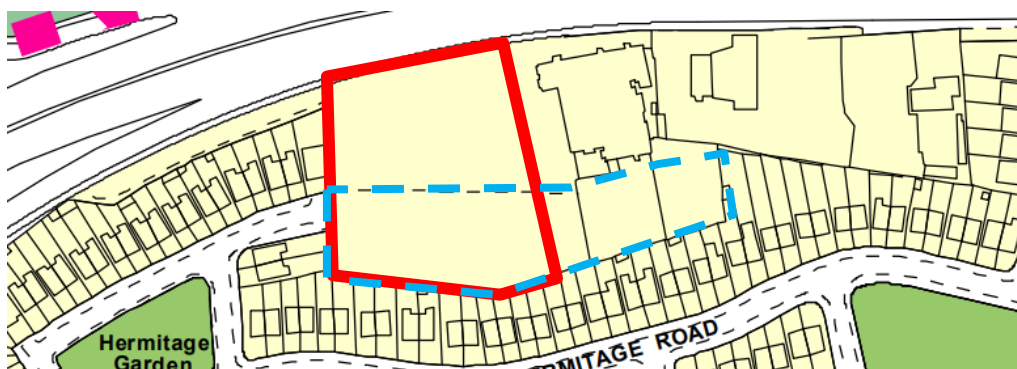


Figure 4: Zoning Map from South Dublin County Development Plan 2010- 2016 identifying the proposed development boundary (in red) and the previously granted development boundary SDO5A/0409 (in blue).

It is unclear why the Planning Authority decided to change the zoning of this site from Residential to Retail Warehousing in 2016. It is understood that an Avoca outlet was mooted for this site. In addition, however, some Elected Members wrote to the adjoining residents saying that implementing such a zoning (Retail Warehouse) would ensure that no apartments would ever be built here.

However, the permissible use under the zoning objective would be difficult to facilitate due to access issues to the site from the N4 national road. Given the restricted left in and left out nature of the access to this site and the proposals by TII for the improvement of the N4, it is highly unlikely permission could be granted for Retail Warehouse accessed from the N4. See report by NRB Traffic Consultants lodged with the planning application currently with An Bord Pleanala.

Moreover, this site is insufficient in size to accommodate a retail warehouse building and its attendant parking. Given this double restriction on size and access to the N4, the only method of developing this site is via the lands to the rear through the Hermitage housing estate. In this context, an alternative use has to be found for the site. It is submitted a reversion to the previous residential use would be the optimum outcome.

Undeveloped Residentially zoned lands in the vicinity

The South Dublin City Development Plan Designated Lucan as a ‘Metropolitan Consolidation Town’. See description below.

HIERARCHY	DESCRIPTION	LOCATIONS	SOUTH DUBLIN
METROPOLITAN CONSOLIDATION TOWNS	Strong active urban places within the Metropolitan Area with strong transport links. These towns should be developed at a relatively large scale as part of the consolidation of the Metropolitan Area and to ensure that they support key public transport corridors connecting them to the City, to each other and to Large Growth Towns in the Hinterland. Long term growth could see them expanding to a population of up to 100,000 people in a planned and phased manner.	Swords, Blanchardstown, Lucan (inc. Adamstown), Clondalkin (inc. Clonburris), Tallaght, Dundrum, Dun Laoghaire, Bray.	Tallaght, Lucan (inc. Adamstown) and Clondalkin (inc. Clonburris)

Figure 5: Settlement strategy description for Metropolitan Consolidation Towns. South Dublin County Development Plan (1.4.4)

The intention to develop Lucan at a relatively large scale will need higher residential density to continue in this manner. Given the recently adopted National Planning Framework 2040 and Regional Spatial Economic Strategy Guidelines which emphasises the need for higher residential densities within Dublin’s metropolitan area, to accommodate the demand for residential development, in close proximity to existing services and public transport and to ensure the sustainable use of existing serviced land, residential development is the most suitable use on this site.

Planning History

There are a number of previous planning applications submitted on the subject site.

SDo3A/0171

An application for 16 No. apartments in two separate two/three storey blocks and 5 no. duplex apartments in a separate two storey blocks was lodged with South Dublin County Council in March 2003. Permission was granted for the development in September 2003.

The application was subject to first and third party appeals to An Bord Pleanála. The Board subsequently refused permission for the development citing the following reason:

“the vehicular access to the proposed development by means of the termination of a cul-de-sac within the Hermitage Park housing estate and the location of the access road and parking area on site adjacent to the site boundary directly behind existing houses, it is considered that the proposed development would seriously injure the amenities of property in the vicinity and, in particular, those of the houses on the adjoining sites, through noise, traffic generation and general disturbance.”

SDo4A/0701

An application for 16 No. apartments in two separate two/three storey blocks and 5 no. duplex apartments in a separate two storey blocks with access via the N4 carriageway through the Foxhunter Pub carpark was lodged with South Dublin County Council in September 2004. Permission was refused for the development in November 2004. The reasons for refusal are as follows:

1. *“The proposed development would endanger public safety by reason of a traffic hazard or obstruction of road users or otherwise, due to the intensification and generation of traffic turning movements at the median break on the N4 in order to access the development from the west.*
2. *The intensification of use of an access onto the slip road of the N4 would be in conflict with NRA Policy as set out in their letter of 25/07/94*
3. *The proposed development would be in conflict with the following policies of the Planning Authority Paragraph 2.6.12, 2.6.12 (i) of the South Dublin County Development Plan 1998, and would therefore be contrary to the proper planning and sustainable development of the area,*
4. *Due to the location of the access road and parking area on site adjacent to the site boundary directly behind the existing houses, it is considered that the proposed development would seriously affect the amenities of property in the vicinity and, in particular, those of the houses on the adjoining sites, through noise, traffic generation and general disturbance. The proposed development would therefore seriously injure the amenities of the area and of property in the*

vicinity and be contrary to the proper planning and sustainable development of the area.

SD05A/0409

An application for a residential development of 14 no. dwelling units arranged in 2 no. blocks comprising of 2 no. 2 bed town houses (2 storey) and 3 no. 3 bed town houses (2 storey - all with balconies) and 1 no. 4 bed terrace house, as well as 6 no. 4 bed semi-detached houses and 2 no. 5 bed semi-detached houses (all 2 storey). Access to the scheme will be via Hermitage Garden and Hermitage Park. Permission for the development was granted in October 2005.

The application was subject to a third party appeal to An Bord Pleanála. The Board decided to grant permission with a number of conditions which are mostly standard. Condition No. 6 states the following:

“All construction traffic shall access/egress the site via the car park of the Foxhunter Public House, and the cul-de-sac at Hermitage Garden shall not be opened up for pedestrian and vehicular access until the development is otherwise completed.”

The permitted development never commenced and the site remains undeveloped.

Planning Assessment

National Planning Framework 2040 (NPF)

The National Planning Framework (NPF), published in February 2018, sets out a strategic development framework for the Country to 2040. The National Planning Framework is the Government's plan to cater for the extra one million people that will be living in Ireland, the additional two thirds of a million people working in Ireland and the half a million extra homes needed in Ireland by 2040.

As a strategic development framework, the Plan sets the long-term context for Ireland's physical development and associated progress in economic, social and environmental terms and in an island, European and global context. Ireland 2040 will be followed and underpinned by supporting policies and actions at sectoral, regional and local levels.

Under the heading of 'Compact Growth', the NPF is:

Targeting a greater proportion (40%) of future housing development to happen within and close to existing built-up areas. Making better use of under-utilised land, including 'infill' and 'brownfield' and publicly owned sites together with higher housing and jobs densities, better serviced by existing facilities and public transport".

[Our emphasis]

A recurring theme in the Plan is the requirement to ensure that the future growth of Dublin occurs within its Metropolitan limits. The NPF estimates that Dublin City and suburbs will grow by c. 264,000 people in the period to 2040. Ireland 2040 targets a significant proportion of future urban development on infill/brownfield development sites within the built envelope of existing urban areas. This is applicable to all scales of settlement, from the largest city, to the smallest village.

The NPF states that:

"between 2018 and 2040, an average output of at least 25,000 new homes will need to be provided in Ireland every year to meet people's needs for well-located and affordable housing, with increasing demand to cater for one - and two-person households. Within this figure, there is a wide range of differing housing needs that will be required to be met".

With particular respect to housing and community development, National Policy Objective 33 of the NPF has the following stated objective:

"Prioritise the provision of new homes at locations that can support sustainable development and at an appropriate scale of provision relative to location."

The NPF also provides that:

“To more effectively address the challenge of meeting the housing needs of a growing population in our key urban areas, it is clear that we need to build inwards and upwards, rather than outwards. This means that apartments will need to become a more prevalent form of housing, particularly in Ireland’s cities” (National Planning Framework, 2018, p.93).

In conclusion, the Subject Proposal is Fully Consistent with the provisions of the NPF. The redevelopment of this under-utilized brown field urban site would contribute to compact growth. It is submitted that the proposed development is consistent with the objectives of the NPF in seeking to consolidate and densify an urban area proximate to primary transport routes. The proposal will also provide an alternative residential format which will contribute to the overall availability of accommodation in the outer City.

Regional Spatial Economic Strategy (RSES)

The Eastern and Midlands Regional Assembly adopted the final version of the Regional Spatial and Economic Strategy (RSES) in late June 2019. The RSES is a strategic plan and investment framework to shape the future development and to better manage regional planning and economic development throughout the Region. It identifies regional assets, opportunities and pressures and provides appropriate policy responses in the form of Regional Policy Objectives.

The RSES makes note of the need for the intensification of brownfield sites in the existing urban areas. This is set out in the Regional Policy Objective 4.3:

“RPO 4.3: Support the consolidation and re-intensification of infill/brownfield sites to provide high density and people intensive uses within the existing built up area of Dublin City and suburbs and ensure that the development of future development areas is co-ordinated with the delivery of key water infrastructure and public transport projects.”

The RSES also highlights that the recent trends in the delivery of specialised housing typologies such as student accommodation and shared accommodation is indicative of the change in approach that will be necessary to accommodate the changes in demand and demographics in the Region into the future. We support that the subject development proposal is consistent with the policy objectives of the RSES.

South Dublin County Development Plan 2016-2022

The subject site is zoned in the current Development Plan as ‘Objective RW’ which seeks *“to provide for and consolidate retail warehousing”*. This is not an achievable or sensible zoning objective for this site. The site is too small to accommodate a retail warehouse and its associated car parking of a scale to be viable. Moreover the level of traffic associated with this use would not be permitted for access and egress

onto the N4 carriageway by either the Transportation Division of SDCC or the TII. The Planning Authority have effectively sterilised this site from development.

A residential development on this site would be a material contravention to the zoning objectives set out in the current development plan. Under previous development plans this site was zoned RES “*To protect and/or improve residential amenity*” and permissions were granted for residential development. Such development is not now permitted. We request that this be changed.

The settlement strategy for the region has been changed due to the recently adopted NPF and RSES which has been set out above. This new policy approach seeks the re-intensification of underutilized sites and to prioritise the provision of new homes at locations that can support sustainable development and at an appropriate scale.

In general terms, apartments are most appropriately located within urban areas. As with housing generally, the scale and extent of apartment development should increase in relation to proximity to core urban centres and other relevant factors. Existing public transport nodes or locations where high frequency public transport can be provided, that are close to locations of employment and a range of urban amenities including parks/waterfronts, shopping and other services, are also particularly suited to apartments.

A Social Infrastructure Audit was carried out by Manahan Planners and was submitted as part of the current Planning Application. The Audit shows that site is well located with regard to proximity to existing community and social infrastructure. It is considered that there is ample provision of existing community, recreation, educational and social infrastructure within the surrounding area of the site.

The site of this application is located within the established suburban area of Lucan, c. 2km east of the centre of Lucan village and c. 2km west of Liffey Valley town centre. The site is approximately 10km west of Dublin City centre. The site is considered to be located within an “Intermediate Urban Location”.

General locational consideration

Intermediate Urban Locations

Such locations are generally suitable for smaller-scale (will vary subject to location), higher density development that may wholly comprise apartments, or alternatively, medium-high density residential development of any scale that includes apartments to some extent (will also vary, but broadly >45 dwellings per hectare net) including:

- *Sites within or close to i.e. within reasonable walking distance (i.e. up to 10 minutes or 800-1,000m), of principal town or suburban centres or employment locations, that may include hospitals and third level institutions;*
- *Sites within walking distance (i.e. between 10-15 minutes or 1,000-1,500m) of high capacity urban public transport stops (such as DART, commuter rail or Luas) or within reasonable walking distance (i.e.*

between 5-10 minutes or up to 1,000m) of high frequency (i.e. min 10 minute peak hour frequency) urban bus services or where such services can be provided;

- *Sites within easy walking distance (i.e. up to 5 minutes or 400-500m) of reasonably frequent (min 15 minute peak hour frequency) urban bus services.*

High density residential development is suitable at this location. There will be no impact on future development to the north of the site as the site is situated adjacent the N4 national road and overlooks open agricultural lands, golf courses and the Liffey Valley to the north. It is well served by high frequency public transport, suburban centres and employment locations as well as public parks and green spaces which is identified within the Social Infrastructure Audit.

The Sustainable Urban Housing Design Standards for New Apartments 2018 states that:

“In suburban/urban locations served by public transport or close to town centres or employment areas and particularly for housing schemes with more than 45 dwellings per hectare, planning authorities must consider a reduced overall car parking standard and apply an appropriate maximum car parking standard.”

The proposed development is located close to the urban and employment centres Lucan and Liffey Valley Shopping Centre as well as being adjacent to frequent public transport.

Sustainable Transport

The site location is in close proximity high frequency bus routes (Fig. 10 and 11) that connect Lucan to Dublin City centre. Dublin Bus No's. 25(a)(b)(x), 66(a)(b) and 67 all service this route.

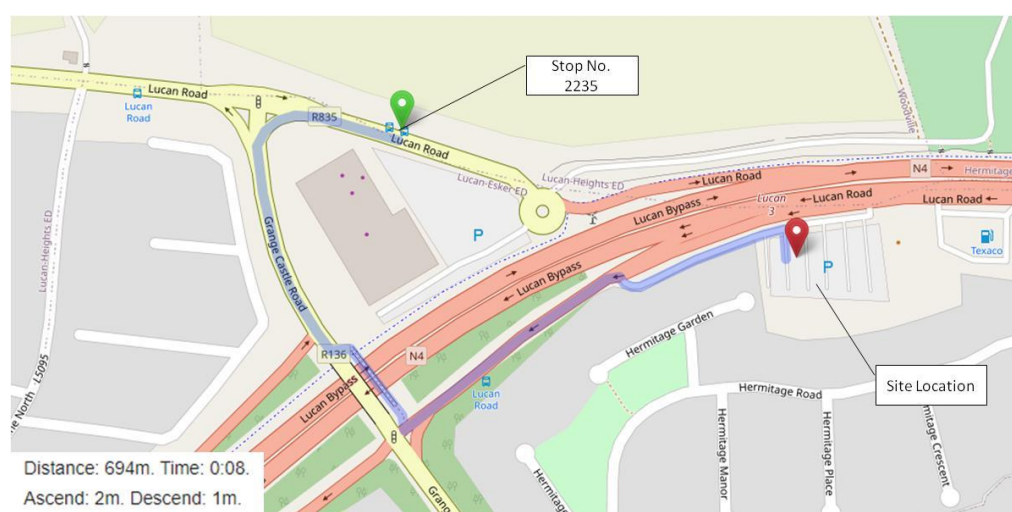


Figure 10: walking distance to bus stop No. 2235 (source: openstreetmap.org)

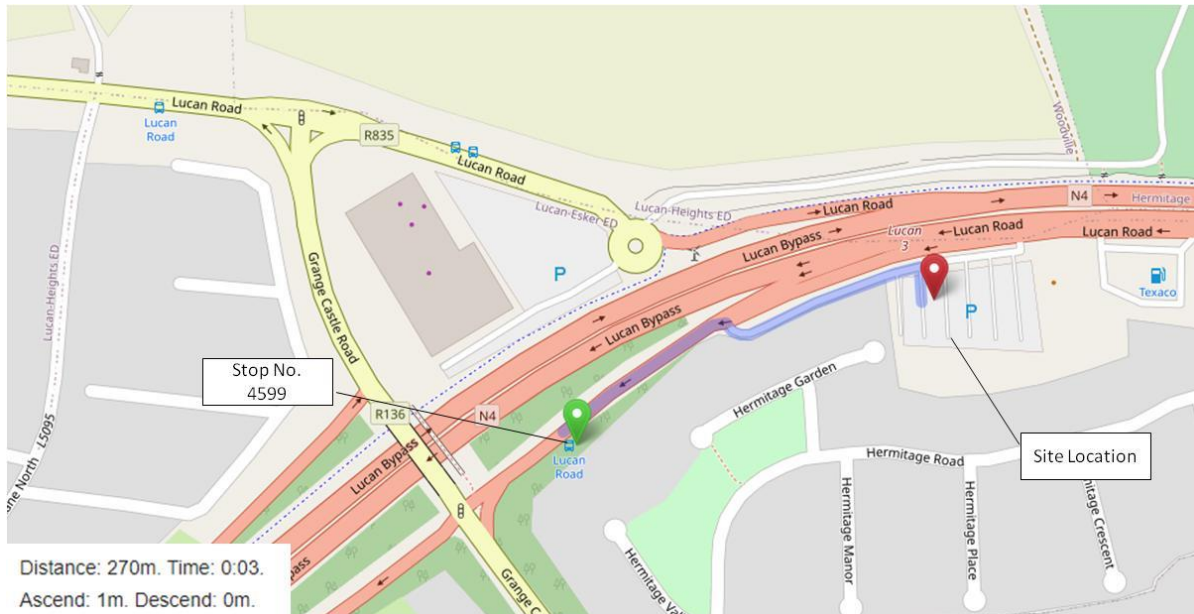


Figure 11: walking distance to bus stop No. 4599 (source: openstreetmap.org)

The two major centres of Liffey Valley and Lucan Village are less than 10 minutes cycle of the subject site. The accessibility of these centres is a positive for any residential development at this location.

The NTA Greater Dublin Cycle Network Plan runs east west along the N4 which bounds the site to the north and also in an east west direction located south of the site on Ballyowen Road and Willsbrook Road.

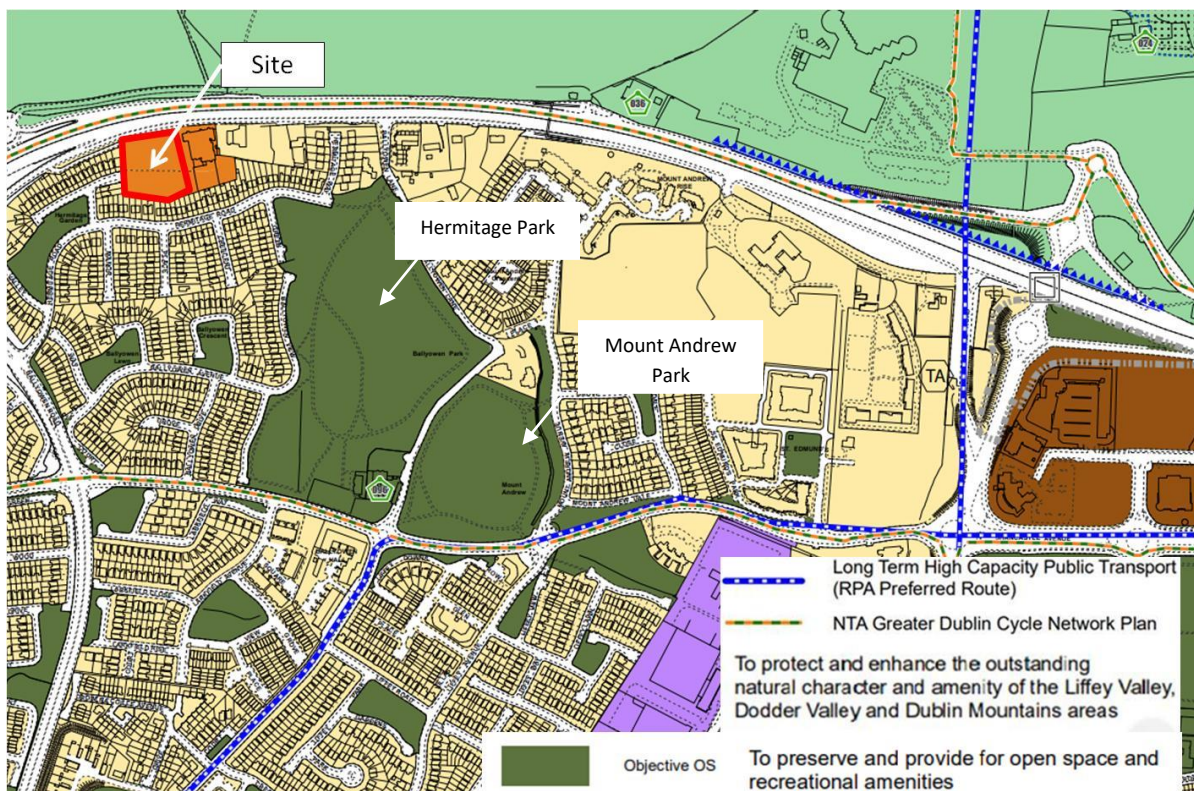


Figure 12: NTA Cycle Network Plan and open green space surrounding site, South Dublin County Council Zoning

Traffic Assessment and Mobility Management

The 2020 application, currently with An Bord Pleanála, was accompanied a Transportation Assessment Report from NRB Traffic Consultants. The report assesses the traffic and transportation impact of the proposal for a residential apartment development on the site.

The analysis includes the effects of the existing traffic on the local roads and was based on a comprehensive classified vehicle turning movement survey undertaken for the purposes of this study carried out prior to the Covid 19 Pandemic in February 2020.

The report demonstrated that the proposed residential development proposed would have a negligible impact upon the established local traffic conditions and could easily be accommodated on the road network without any capacity or road safety concerns arising.

NRB also prepared a Mobility Management Plan which consisted of a package of measures put in place to encourage and support more sustainable travel patterns among residents, staff and other visitors. The Mobility Management Plan is useful not only to reduce the attractiveness of private car use, but also for the ability to promote and support the use of more sustainable transport modes such as walking, cycling, shared transport and mass transit.

The Mobility Management concluded:

“The development forming the subject of this application accords with the principles of sustainable development, being located within an established residential and developed area with clear and easy access to alternative modes of travel. With restricted levels of private car parking provided this also acts as a demand management measure. The Management Company, once the development is occupied, will utilise pragmatic measures that encourage safe and viable alternatives to the private car for accessing the development.”

Impacts on residential amenity of neighbours–Potential for overlooking, over shadowing.

The lands to the north of the site consist of the N4 Motorway and Hermitage golf club. There would be no residential property overlooked or overshadowed by a residential proposal

The lands to the east consist largely of commercial property and would not be adversely affected by the residential development.

There is an existing residential development (Hermitage Gardens) to the south and west of the proposal. The boundaries of the site contain mature trees to a height of

10m. It is submitted that because of these trees and the distances from the boundaries, no adverse overlooking would be created.

Flood Risk Assessment

JBA Consulting have undertaken this Flood Risk Assessment in accordance with the Planning System and Flood Risk Management Guidelines for Planning Authorities (DoEHLG& OPW, 2009), to ensure sustainability and effective management of flood risk associated with the residential development of this site.

The Flood Risk Assessment confirms that the proposed development site is located in Flood Zone C. This means the probability of flooding from rivers is low (less than 0.1% or 1 in 1000 for river floods). There is no identified historic or predicted fluvial flooding within the site boundary or surrounding area.

Drainage Assessment

A Drainage Report was prepared by JJ Campbell for the 2020 application. This set out the technical data for the existing and proposed water supply, surface water, foul effluent networks and SUDS spreadsheet for the proposed development.

The outcome of these studies was that there was no drainage constraints on the site.

Conclusion

The current County Development Plan in 2016, rather oddly, zoned these lands for a commercial use that it is impossible to implement. This is due to the site being insufficient in size and having to take its access from a National Primary Road.

A development on this site, by necessity, needs to be accessed from the housing estate to the rear. This constrains the use of the site to residential use.

The site has previously been given planning permission for residential development under previous development plans. We submit that the current zoning objective is incongruent with the circumstances of the site, the surrounding context and current planning policy.

Moreover, the recently adopted National Planning Framework 2040 and Regional Spatial Economic Strategy Guidelines emphasise the need for higher residential densities within Dublin's metropolitan area, a need this site can cater to.

Residential development is an appropriate use within this area with good accessibility and amenities, and hence a residential development in this location is considered to be consistent with the proper planning and sustainable development of the area.

It is requested that the South Dublin County Council proceed to reverse the 2016 zoning of this site and reinstate the previous residential use zoning of the site.



Manahan Planners

10th September 2021