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Principal Planning Officer
Planning Department
Dun Laoghaire Rathdown County Council
Marine Road
Dun Laoghaire
Co Dublin

8th September 2015

Re: Application by Castlethorn Construction for Planning Permission for revised design and layout for 36 no. dwellings and associated development on a site at Brighton Road, Foxrock, Dublin 18. (Reg. Ref. No.: D15A/0501)

Dear Sirs,

I have been instructed by my client, Foxrock Area Community & Enterprise Ltd. (FACE) c/o "Duncaitron", 34 Hainault Road, Foxrock, Dublin 18, to make a submission on their behalf in relation to the above proposal which is currently under consideration by your department. FACE is a company limited by guarantee, whose core mission is "**To Enhance Foxrock as an Environment for our Community**". One of the objectives of the organization is to influence planning so as to preserve the distinctive character of Foxrock.

FACE has previously objected to the overall development of which this application forms part, which was granted planning permission by An Bord Pleanala by Order dated 28th July 2014 (PA Reg. Ref. D13A/0285; ABP ref. PL06D.243193). The current application is in respect of revised proposals for the design and layout for 36 no. dwellings that were part of the previous proposal granted permission by An Bord Pleanala but which were required to be omitted from the proposed development by virtue of Conditions 2 and 3 of the said permission, pending the submission and approval of revised plans.

In summary my clients were mainly opposed to the proposed development under Reg. Ref. D13A/0285 because of their concerns that the vehicular traffic which it would generate would add to existing congestion and traffic hazard within an area which is listed as an Architectural Conservation Area in the Dun Laoghaire Rathdown County Development Plan 2011-2016. They argued that the roads radiating out from Foxrock Village, including Brighton Road, are essential to the ambience of the area and are therefore also an intrinsic part of the character which the ACA seeks to preserve. Therefore the impact of any proposed development on the roads is an important consideration in determining the acceptability of a proposal. They drew attention to the Development Plan policy on Architectural Conservation Areas (Policy AR8; Section 11.3.10) which states: "*It is Council policy to protect the special character of places, areas, groups of structures or townscapes which have been designated as Architectural Conservation Areas*", and also to Section 16.9.2 of the Development Plan in relation to development management in ACAs which states that "*The overall principle in*

relation to ACAs is the promotion of positive enhancement of the unique qualities that make the ACA special because of its particular character and characteristics”

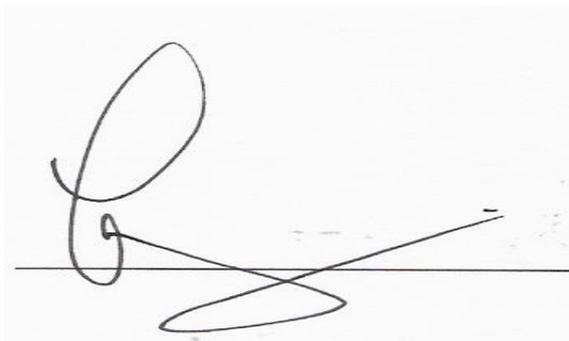
My clients pointed out that that the proposed development would be premature because of a lack of proximity to public transport corridors and its reliance on a single access point on to an existing inadequate road network. It was further suggested that the natural access for the subject site should be by way of the zoned lands to the south and west of the former railway line. These lands would be served by a properly designed distributor road with direct access to the Carrickmines interchange on the M50. It would also bring the subject site within the pedestrian catchment of the currently unused Racecourse stop on the Luas line. It was suggested that such a solution would ideally require a Local Area Plan to be prepared for the future development of the entire area bounded by Leopardstown Racecourse, the M50 and the Foxrock Architectural Conservation Area.

Unfortunately from our clients’ point of view An Bord Pleanála did not accept the above arguments. However the imposition of Conditions 2 and 3, has had the effect of temporarily reducing the quantum of development proposed by 40%, and gives all parties an opportunity to reconsider aspects of the earlier decision. While my clients have no option but to accept that 60% of the original proposal will be accessed from Brighton Road, there is now an opportunity to ensure that the balance of the development can be accessed from the zoned lands to the south.

This possibility arises because since the decision on the earlier application your Planning Authority has published the **Draft County Development Plan 2016-2022**. The Draft Plan has a Specific Local Objective (No. 135) to *“To prepare a Local Area Plan for Ballyogan and Environs.”* Importantly the study area designated for the Ballyogan LAP includes the residentially zoned lands to the west of the former railway line, which are also adjacent to the site which is the subject of the current application.

It is therefore submitted by my clients that the proposed development, because of its remoteness from public transportation links, would be overly reliant on the use of private cars, thereby adding to existing traffic congestion in the area and materially contravening the Development Plan objective to preserve the established character of the Foxrock Architectural Conservation Area. The proposed development would therefore be contrary to the proper planning and sustainable development of the area. It should be rejected as premature pending the preparation of the Ballyogan Local Area Plan and the provision of a properly designed roads infrastructure which would serve to access the subject site as well as the other zoned lands to the south and west of it.

Yours faithfully

A handwritten signature in black ink, appearing to be 'Feargall Kenny', written over a horizontal line. The signature is stylized with large loops and a long horizontal stroke extending to the right.

Feargall Kenny