

To the Senior Executive Officer
Housing Dept,
South Dublin County Council
County Hall,
Tallaght,
Dublin 24

Palmer Park/Pearse Bros Pk
Residents Assoc
c/o 6 Palmer Pk
Ballyboden
Dublin 16

**Submission on behalf of Palmer Park/Pearse Brothers Park
Residents Association**

Proposed Development

Notice Under Part 8 of the

Planning & Development Regulations 2001/2006

Taylor's Lane Infill Housing, Rathfarnham, Dublin 16

We wish to lodge our strong objection to the proposed development on the following grounds:

1. The first being the most obvious. The proposed area on the Kingston Court site is actually designated open space as part of planning permission granted 10/3/78. (pl. ref. RA18)

“.... Condition 11 of the grant of permission states that: that the area shown as open space be levelled, soiled and seeded and landscaped to the satisfaction of the County Council and to be available for use by residents on completion of their dwellings....”

The fact that the developer later went into liquidation is not the fault of residents who purchased their homes and whose dwellings were in fact completed so why should they be made sacrifice the open space that was always their's and residents of surrounding estates to enjoy.

It was the local authority's error/mis-judgement to then install a water-main on the only remaining land they were entitled to build on, again this is not the fault of any resident in Kingston Court or Palmer & Pearse Bros Pk who have utilised this space for the past number of years.

We would challenge the legal basis that SDCC has to build on this particular space especially in light of the precedent they have set in refusing permission to build on conditioned open-space in the Templeroan area.(pl. ref.SD07A/0256) We also dispute the Council's dishonesty in feigning ignorance to the exact location of the designated open space in this area,

especially in light of maps indicating its location but of which SDCC are unable or unwilling to release for public scrutiny.

2. In refusing permission for the Templeroan development it was decided that ...“the use of this space for development is considered inappropriate and would be contrary to Council policy and would set an undesirable precedent for future development...”

Their decision in the Templeroan application also raises the issue that the development ...“would significantly impact on the amenities of this area”

Taylor's Lane is currently being upgraded and is also due to have a QBC installed on completion of this widening – we would suggest that the protection of this current open space adjacent to the road upgrade, goes some small way in negating the pollution and noise that this much busier road will bring. As such, all remaining green spaces adjacent to the road should be protected.

As in the Templeroan case, in reducing this open space by developing infill housing on it, would also significantly impact on the amenities of the area, therefore SDCC should act in a consistent manner and the same rules & decisions should apply to all open space of the same zoning.

Not to mention that three local T.D's and six local councillors made submissions, observations or representations objecting to developing on green space used for recreational amenity(ref SD07A/0256). Is it the case that certain politicians and local elected representatives seek to protect open space areas in only affluent areas where electoral votes are more easily given or taken away?

3. The visual impact of these horribly designed infill houses should also be addressed. If you look along Taylor's Lane at the granite walls currently being constructed as part of the roads upgrade, the protected structure of the Carnegie Library and many of the private residents dotted along the lane it is impossible to understand why SDCC could expect anyone to accept that these designs fit in with the character and finish already present.

The Ballyboden Village Plan sought to develop a village atmosphere with streetscapes, buildings and amenity areas that would blend in together and enhance and highlight the traditional heritage etc of the Ballyboden area. It would appear to our residents that building 3 storey units (2 storey with attic bedrooms = 3 storeys, lets be honest about it) at these proposed sites will have the complete opposite effect.

The height and design of these eyesores would seriously injure the visual amenity here and the protection of the little areas of open space adjacent to Taylor's Lane is more important than insisting on developing such a small number of units and surely this must be taken into consideration by the Council? The County Development Plan 2004-2010 states;

12.2.5 Infill Development

12.2.5.i

Infill development concerns areas that are largely built up and where the proposal is not of such a scale that it represents a major addition to or redevelopment of, the existing physical fabric. These existing areas, be they older town or village centres, or established suburban residential, or mixed use areas, possess individual character. The design of new development in these areas must have regard to the existing character and must protect and, where possible, enhance amenity. Such development must have regard to the predominant design features of the area, and to the existence of particular elements such as groups of trees, listed buildings, views, or open spaces. In infill development, the proposed building should relate to the overall character of the area. Particular regard should be had to materials and colours proposed in this context.....

4. There are currently thirty-six units being built in nearby Whitechurch estate and local residents fail to understand why many of the residents needing alternative accommodation during upgrade works of the flats could not be accommodated here, considering their flexibility as to where they are re-located?

A survey of the accommodation needs of the residents of both Pearse Brothers Park and Palmer Park has now been completed. Each resident was asked what were their preferences regarding their future accommodation. In addition any special needs or requirements of the residents, was established. The following is a summary of the findings of the survey as detailed in the minutes of Terenure/Rathfarnham Area Committee Meeting (2), (dealing with Housing, Parks, Community and Environment) held on Tuesday 13th March 2007.:

Number of residents wishing to remain in a redeveloped/refurbished unit of accommodation in their present location = 5

Number of residents wishing to move to a newly developed unit in the area = 5

Number of residents who were flexible = 10

Number of residents requesting a Transfer from the area = 2
“...A number of special requirements were identified and these will be taken into account in the design of future accommodation. It is intended to meet the options expressed by the residents as far as is practicable. As previously indicated the refurbishment of the maisonettes in Pearse Brothers Park and Palmer Park can only take place by re-housing the tenants, either on a temporary or permanent basis....”

If you examine the survey of needs carried out by the Housing Dept it is clear that there are currently only five residents who want to move into a newly developed unit in the area, so why do SDCC feel the need to construct the extra units? And why indeed, if these units are for residents of the flats are they two and three storeys with stairs etc when many of these residents have mobility difficulties? Residents on all sides should not be misled and have the right to know what is the real intentions of this Council in this whole

renovation project and this development should not proceed until such time as all information has been brought into the public domain. People are being asked to make a submission with only some of the facts. SDCC are not meeting their full legal obligations under the Planning & Development Act and their own Development Plan? This proposed development cannot and should not proceed until they have proved their legal requirements to the public. The Council have not indicated definitively that residents of these flats will receive these units – that being the case they are lying to residents and expecting them to accept yet more infill housing in parts of Ballyboden. This does not reflect good planning practices.

5. According to SDCC own policy document; **ACTION PLAN FOR SOCIAL AND AFFORDABLE HOUSING 2004 -2008 "A PLACE TO LIVE"** their Key Strategic Objectives were as follows:

In terms of housing the Council has certain priorities:-

- *Developing and delivering a quality of life agenda that promotes community participation, radically alters the visual built environment, creates safe communities and raises the value of properties in line with other parts of the county.*
- *Designing and delivering additional high quality sustainable housing that will also be low maintenance and creating a positive surrounding visual environment. Providing this housing in a planned and methodical manner to ensure on-track delivery.*

.....The main emphasis in new housing units with regard to increasing the sustainable nature of the stock is summarised as follows:

- *Less invasive construction approach to 'infill housing' to reduce impact on site, environs and local community.*

.....It is Council policy when developing housing schemes and negotiating Part V agreements to promote a good social mix and to counter social segregation by providing a suitable mix of housing unit types. The provision of specially adapted units is also accommodated under this policy.

It proposes to develop and advance during the currency of this action plan a number of actions to promote the more efficient use of the existing stock of housing in the County. The primary objective of these actions will be to encourage and to promote among those residents whose existing accommodation is in excess of their immediate and future needs to downsize to more suitably sized accommodation.

If these points we have raised indicate Council policy, it would appear that the Kingston Court site is contrary to its own policy and that the proposed development at the Devoy site will be invasive and impact upon surrounding dwellings in its current design. It also highlights the uncertainty that residents

of the flats are indeed less likely to move into these units as the majority live alone and some have disability/mobility issues – if policy is encouraging tenants to downsize why would they be offering three & four bedroom accommodation, two & three storey units? This again shows the lack of transparency this local authority displays and highlights the bullying tactics it can use in forcing people to accept what they impose.

6. If we are to examine Council policy further we have identified that the in the Terenure Rathfarnham Ward – all of the social housing stock developed by SDCC since 2003 has been solely in the Ballyboden/Whitechurch area. This does reflect the policy of the County Development Plan 2004-2010 which states;

3.1.3.vi

In the past, residential development has been characterised by large tracts of single-type housing, which has resulted in areas of social exclusion and disadvantage. Policies are set out in this Plan which seek to counteract social segregation through the integration of social, affordable and private housing and which seek a mix of house types and sizes to reflect the changing needs of the population.

If the Ballyboden and Whitechurch area is to be used for the sole purpose of social housing without receiving any sort of amenity or play facility for adults and children not to mention that there is not any other estate or site in the rest of the Terenure Rathfarnham Ward which has seen this intrusive, damaging over-development why shouldn't residents be entitled to refuse to accept such proposals now at these ear-marked sites.

It is not fair to suggest that residents are against social-housing and for local councillors etc to fear re-criminations when seen to be rejecting such proposals but as a matter of public interest sometimes such developments are just not appropriate and when an area has its fair share of being robbed of its open space then its time to look elsewhere.

7. The impact on Newbrook House should also be considered. There are few historical buildings left in the Ballyboden area of which there were many but have long since been pulled down in favour of "progress" so its is vitally important that the remaining ones are protected and utilised by the community. The wall alongside Newbrook house is also protected yet this wall will form part of the proposed back-gardens of the units at Kingston Court. Will the Council be putting up fencing to prevent damage to the walls? If so how are people supposed to view the arch-way which appears in the wall? It will only be possible to enjoy the view of the House & Wall when travelling from the Grange Golf Club direction, yet washing lines and other garden necessities will be viewed from this side also. The high-rise design of the units will obscure the view from anyone travelling from the Carnegie Library direction. So is SDCC suggesting that anyone wishing to admire the sight of Newbrook House and its wall must stop in front of it to admire the view. Surely this will impact on the free-flowing traffic speeding along Taylors Lane following the Green Route upgrade that SDCC has worked so hard & efficiently to create??? Residents feel that this inappropriate development really will detract from the potential setting that Newbrook House's owner has suggested will be created.

To the side of Newbrook House is also a small stream and any resident will indicate where wild foxes etc have been seen moving along this area and behind houses across from Kingston Court at Boden Villas. Here the river also sees other wildlife throughout the year. If the Council build houses on the Kingston Court site it will stop this small wildlife corridor which is so unusual to see in such a residential area. Surely the Council should protect this. If we are to examine the Development Plan again we can see that SDCC are supposed to strive towards such protection measures.

12.2.2 Landscape and Site Features

12.2.2.i

In order to protect and enhance the character and amenities of the County, the Council will require that existing site features such as stands of mature trees, hedgerows, watercourses, other site features and views be properly identified and retained where appropriate on development sites. In addition, the Council will require that new planting or other landscaping appropriate to the character of the area be provided. The existence of significant natural features on a site will influence the layout. Developers should consult the Council at an early stage in advance of submitting proposals required in relation to landscaping and planting proposals.

It is on these grounds that we wish to state our fair and reasonable objection to any development whatsoever taking place on the Kingston Court site in the interest of amenity, visual attractiveness and protection of historical buildings on Taylors Lane.

That the design of the units at the Devoy site will be completely re-done to incorporate one-storey accommodation which will have a far less intrusive, negative impact on surrounding homes and the historical buildings on the lane and accommodate the mobility needs of flat residents.

That the units that may be provided on the Devoy site following the full Part 8 process will only be given to the residents of the flats for whom it is suggested that they are being developed for. To allocate them elsewhere would negate the legal basis for proposing them in the first instance.

Paul Herbert