

Ashling Doherty

From: Housing Manager DAU <Manager.DAU@housing.gov.ie>
Sent: Thursday 14 July 2022 15:38
To: Strategic Housing Unit
Subject: Your Ref: ABP-313777-22 Our Ref: SHD SDCC Firhouse
Attachments: SHD SDCC Firhouse.pdf

Follow Up Flag: Follow up
Flag Status: Completed

A Chara,

Attached please find the Archaeological and Nature Conservation observations/recommendations of the Department in relation to the aforementioned SHD Planning Application.

Can you please confirm receipt of same?

Kind Regards,

Edel Griffin
Executive Officer

An Roinn Tithíochta, Rialtais Áitiúil agus Oidhreachta
Department of Housing, Local Government and Heritage

Aonad na nIarratas ar Fhorbairt
Development Applications Unit

Oifigí an Rialtais
Government Offices

Bóthar an Bhaile Nua, Loch Garman, Contae Loch Garman, Y35 AP90
Newtown Road, Wexford, County Wexford, Y35 AP90



Your Ref: ABP-313777-22
Our Ref: SHD SDCC Firhouse
(Please quote in all related correspondence)

14 July 2022

The Secretary
An Bord Pleanála
64 Marlborough Street
Dublin 1
D01 V902

Via email to strategichousing@pleanala.ie

Re: Notification under the Planning and Development (Housing) and Residential Tenancies Act 2016; Planning and Development (Strategic Housing Development) Regulations 2017

Proposed Strategic Housing Development: SHD development consisting of 100 residential units at 2 Firhouse Road and former Mortons Pub, Firhouse Road, Dublin 24.

A chara

I refer to correspondence received in connection with the above. Outlined below are heritage-related observations/recommendations of the Department of Housing, Local Government and Heritage (the Department) co-ordinated by the Development Applications Unit under the stated headings.

Archaeology

It is noted that the proposed development site is partially within the zone of notification for the following archaeological monument that is listed in the Record of Monuments and Places (RMP): DU022-103---- House – 18th / 19th century. This monument is subject to statutory protection in the Record of Monuments and Places established under Section 12 of the National Monuments (Amendment) Act 1930-2014.

It is also noted that the proposed development area is large in scale (over 0.5ha). The Department is in receipt of a report entitled *Archaeological impact assessment and method statement for a proposed Strategic Housing Development at The Firhouse Inn, Firhouse Road, Dublin 24* by Eoin Halpin of Archaeology & Heritage Consultancy. The Department agrees with the author that 'the possibility of any physical elements of the RMP site (DU022-103----) extending into the proposed development area are negligible'.



It is proposed in the report to 'archaeologically test the available open spaces around the existing Firhouse Inn building'. Given the scale of the proposed development site, and in line with the published policy of this Department that such large-scale developments are subject to an archaeological assessment (Framework and Principles 1999), it is possible that hitherto previously unrecorded subsurface archaeological features may be encountered during the course of groundworks required for such largescale developments. Therefore the Department agrees with the author's proposal to test the available open spaces and recommends that the following be carried out as a condition of planning permission:

Archaeological Condition:

The applicant is required to engage the services of a suitably qualified, licensed archaeologist to carry out an archaeological assessment and archaeological testing across the proposed development site as a condition of planning. No groundworks shall be undertaken in the absence of the archaeologist without his/her express consent. Please allow 5-6 weeks to facilitate the processing of an archaeological licence. Archaeological Assessment and Testing shall include:

1. The archaeologist shall inspect the proposed development site (PDS), detail the historical and archaeological background of the site and review all cartographic sources and aerial photographs for the area.
2. The archaeologist shall then excavate test trenches at locations chosen by the archaeologist, having consulted the site plans in liaison with the Licensing Section, National Monuments Service of the Department of Housing, Local Government and Heritage (DHLGH). Excavation is to take place to the uppermost archaeological horizons only, where they survive. Where archaeological material is shown to be present, the archaeologist shall stop works pending further advice from the Department. Please note that all features/archaeological surfaces within the test trenches are to be hand-cleaned and clearly visible for photographic purposes.
3. Having completed the work, the archaeologist shall submit a written report to the Local Authority, An Bord Pleanála, and to the Department outlining the results of the test excavations. The report shall comment on the degree to which the extent, location and levels of all proposed foundations, service trenches and other sub-surface works required for the development will affect the archaeological remains. This should be illustrated with appropriate plans, sections, etc.



4. Where archaeological material is shown to be present, further mitigation measures will be required; these may include but not be limited to the following: redesign to allow for preservation in situ, archaeological excavation and/or monitoring. The Department will advise the applicant, An Bord Pleanála, and the Local Authority with regard to these matters.

Reason: To ensure the continued preservation (either in situ or by record) of places, caves, sites, features or other objects of archaeological interest.

Nature Conservation

The site of the proposed development is approximately 180m from the River Dodder and surface water run-off from the site is at present discharged at its north east corner to a public surface water sewer which runs into Mount Carmel Park before apparently discharging into the Dodder. While another public water pipe which at present runs across the rear of the development site is proposed to be diverted to run under the Firhouse Road as part of the new development, it is still intended to discharge surface water runoff from the site in future into the same public surface water sewer as that currently used. Unmitigated therefore, there is a definite possibility that during both the clearance and construction phase of the proposed development and its operational phase pollutants mobilised from the development could reach the Dodder and have detrimental effects on its biota. Species present on this river include the kingfisher, a species listed in Annex I to the Birds Directive, brook lamprey and otter, species afforded protection under the Habitats Directive, and good population of trout. All of these species as well as much of the rest of the aquatic flora and fauna present in the Dodder would be sensitive to potential pollutants arising from the proposed development such as silt, hydrocarbons or cementitious materials, which might be transported into the river by surface water runoff. The possibility of such pollution from the proposed development affecting the Dodder's biota is not addressed in the Ecological Impact Statement Report (EclSR) supporting the current application, however measures set out in the Construction Environment Management Plan (CEMP) and Construction Waste Management Plan (CWMP) submitted in support of this application, such as in relation to the storage of hydrocarbons and other chemicals and machinery in bunded areas and the employment of silt curtains and siltation ponds, if implemented in full during the development's construction phase should avoid pollutants being mobilised from the site into the Dodder. Similarly, during the operational phase of the proposed development sustainable drainage system features are intended to be incorporated in its surface drainage water system which will divert some runoff into infiltration areas and limit discharge of water into the public surface water sewer



to greenfield rates, having first passed through a hydrocarbon interceptor; an approach which should prevent pollution of the Dodder during this phase of the development.

A breeding bird survey carried out in April of this year and submitted in support of the present application identified no birds nesting on the development site, but noted breeding behaviour by wood pigeon in the mature tree line located immediately behind the stone wall which forms the northern (rear) boundary of the site. The presence of several other bird species which might be expected to nest in the mature trees occurring in treelines was also noted. In addition to the species referred to in the breeding bird survey a staff member of this Department has observed rooks nesting in this treeline in recent years and suspects jackdaws may also nest there. As it is intended to prune back overhanging branches from the treeline to the property boundary to facilitate the proposed development, it will be necessary that such arboricultural works are carried out outside the bird breeding season to ensure no interference with nesting birds occurs.

The same Department staff member can further recall swallows nesting in the roof covering an open sided smoking area to one side of Morton's pub approximately ten years ago. A bat roost of this and other buildings on the development site carried out in May of this year found they had potential as bat roosts but found no evidence of their use by bats for roosting purposes. Bat activity survey surveys also failed to identify any bat roost on the development site, but recorded the presence in or near the site of soprano and common pipstrelle bats, and Leisler's bat, as well as a more light sensitive *Myotis* species, probably Daubenton's bat, which has frequently been recorded foraging over the nearby Old City Weir on the Dodder. The bat survey report recommends the installation of bat friendly lighting in the proposed development and also a resurvey of the buildings on the site for roosting bats before any demolition of these premises.

Recommendations

In the light of the above it is recommended that the Board should attach conditions on the following lines to any planning permission granted in response to the current application:

1. That the measures proposed in the CEMP and CWMP supporting the present application to prevent pollution from the development site being mobilised into surface water runoff shall be incorporated into a finalised CEMP and finalised CWMP to be submitted to the planning authority for its written agreement before the commencement of any works on site, and shall be implemented in full.

Reason: To avoid downstream detrimental effects on the biota of the River Dodder resulting from water borne pollution originating from the proposed development.



2. That the proposed pruning back of overhanging branches from the treeline adjacent to the northern boundary of the development site shall only be undertaken outside the main bird breeding season i.e. from September to February inclusive.
Reason: To avoid the disturbance to or the destruction of bird nests, eggs and nestlings.

3. That proposals to incorporate nesting sites for swifts, swallows and house martins into the proposed development shall be submitted for the written agreement of the planning authority before the commencement of development, these proposals to include the design and locations within the development of the nesting sites for these species within the development and to be implemented in full.
Reason: As a biodiversity enhancement measure and to compensate for any nesting sites lost as a result of the proposed demolition of the existing buildings on the development site.

4. That a bat roost survey of the buildings on the development site and a bat activity survey of the site shall be carried out immediately before the demolition of any building on the development and if any bat roost is identified a licence is obtained from the Department to derogate from the Habitats Directive to destroy such a roost before any demolition works are undertaken.
Reason: To avoid injury to bat species which are subject to a system of strict protection under the Habitats Directive (92/43/EEC)

5. That a finalised external and internal lighting design scheme for the proposed development signed off on by a bat specialist shall be submitted to the planning authorities for their written agreement before the commencement of development on site, this lighting scheme to include measures to avoid the illumination of the treeline adjacent to the northern boundary of the site and to be implemented in full, with its implementation to be confirmed in writing to the planning authority by a bat specialist after installation.
Reason: To conserve bat species which are subject to a system of strict protection under the Habitats Directive (92/43/EEC).

You are requested to send any further communications to this Department's Development Applications Unit (DAU) at manager.dau@housing.gov.ie, or to the following address:

The Manager
Development Applications Unit (DAU)



Government Offices
Newtown Road
Wexford
Y35 AP90

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A handwritten signature in cursive script, appearing to read 'Joanne Lyons', is written above a horizontal line.

Joanne Lyons
Higher Executive Officer
Development Applications Unit
Administration