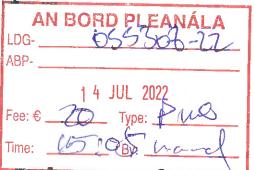
Project No. 64.06/2022





Planning Observation

RE: Strategic Housing Development Application by Bluemont Developments (Firhouse) Limited for demolition of existing structures, construction of 100 no. residential units, a creche, café, medical unit, barber shop, office, betting office, basement carparks and all associated development works at No. 2 Firhouse Road and the former 'Morton's The Firhouse Inn', Firhouse Road, Dublin 24. ABP Ref. TA06S.313777

DATE: July 2022

on behalf of: Mount Carmel Park Residents Association, C/O Ann Walker, 1A Mount Carmel Park, Firhouse, Dublin 24.

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1.0 Introduction

RW Nowlan & Associates have been retained by Mount Carmel Park Residents Association, C/O Ann Walker, 1A Mount Carmel Park, Firhouse, Dublin 24, to prepare this observation to a Strategic Housing Development application, An Bord Pleanala reference 313777, submitted by Tom Phillips + Associates on behalf of Bluemont Developments (Firhouse) Limited to An Bord Pleanala for permission for the demolition of the existing structures and construction of 100 no. residential dwellings across two blocks, consisting of 96 no. apartments and 4 no. duplex units, a creche, a barber shop, medical unit, café, office, betting office, car and bicycle parking and all associated site development works at No. 2 Firhouse Road and the former 'Morton's The Firhouse Inn', Firhouse Road, Dublin 24.

Our clients have serious concerns with the development as proposed and wish to lodge with An Bord Pleanala a record of their objection. Their concerns relate to the implications in terms of the excessive scale and height of the proposed development and the resulting overlooking impact this proposal would have on the privacy of their homes. There is also a concern in relation to impact on daylight and sunlight, traffic impact, noise, sewerage infrastructure, and the overall level of detail provided within the application documents submitted to An Bord Pleanala. We enclose a cheque for the prescribed observation fee of €20 made out to An Bord Pleanala. A petition signed by 145 local residents in support of this submission is also attached as Appendix A.

2.0 Proposed Development

The proposed development was outlined in the statutory notices as follows:

'Bluemont Developments (Firhouse) Limited intend to apply to An Bord Pleanála (the Board) for a Strategic Housing Development with a total site area of c.0.46 ha, on lands located at No. 2 Firhouse Road and the former 'Morton's The Firhouse Inn', Firhouse Road, Dublin 24.

The development will consist of the demolition of all existing structures on site (c. 1,326 sq m), including:

- Two storey building formally used as public house, ancillary off-licence and associated structures (c. 972 sq m);
- Two storey building comprising an existing barber shop and betting office (c. 260 sq m);
- Single storey cottage building and associated structures (c. 94 sq m); and
- Eastern boundary wall and gated entrance from Mount Carmel Park.

The development with a total gross floor area of c. 11,638 sq m, will consist of 100 no. residential units arranged in 2 blocks (Blocks 01 and 02) ranging between 3 and 5 storeys in height, over lower ground floor and basement levels, comprising:

- 96 no. apartments (consisting of 2 no. studio units; 45 no. one bedroom units; 10 no. two
 bedroom (3 person) units; 34 no. two bedroom (4 person) units; and 5 no. three bedroom
 units), together with private (balconies and private terraces) and communal amenity open
 space provision at podium and roof levels; and
- 4 no. duplex apartments (consisting of 2 no. one bedroom units and 2 no. two bedroom units (4 person) located within Block 01, together with private balconies and terraces.

The development will also consist of non-residential uses (c. 355 sq m), including:

- 1 no. café (c. 58 sq m) and 1 no. office (c. 30 sq m) located at ground floor level of Block
 01;
- 1 no. medical unit (c. 59 sq m) and 1 no. betting office (c. 66 sq m) located at ground floor
 level of Block 02;

- 1 no barber shop (c. 28 sq m) located at ground floor level between Blocks 01 and 02; and
- 1 no. crèche (c. 114 sq m) located at lower ground floor level of Block 01 and associated outdoor play area to the rear.

Vehicular access to the site will be from the existing access off Firhouse Road. The proposal includes minor alterations to the existing access, including the provision of new and enhanced pedestrian infrastructure.

The development will also consist of the provision of public open space and related play areas; hard and soft landscaping including internal roads, cycle and pedestrian routes, pathways and boundary treatments, street furniture, basement car parking (80 no. spaces in total, including accessible spaces); motorcycle parking; electric vehicle charging points; bicycle parking (long and short stay spaces including stands); ESB substations, piped infrastructural services and connections to existing public services, (including relocation of existing surface water sewer and water main from within the application site onto the public roads area along Firhouse Road and Mount Carmel Park); ducting; plant; waste management provision; SuDS measures; stormwater management and attenuation; sustainability measures; signage; changes in levels; public lighting; and all ancillary site development and excavation works above and below ground'.

3.0 Failure to Include 1A Mount Carmel Park in Assessment

The vast majority of the submitted plans and assessments do not appear to include 1A Mount Carmel Park. Figure 1 below is an extract from the submitted Site Layout Plan which does not include 1A Mount Carmel Park.



Figure 1: Site Layout Plan as Submitted

1A Mount Carmel Park was granted permission by South Dublin County Council on the 23rd March 2018 under Planning Reg. Ref. SD17A/0279. The house was built shortly thereafter in 2018, Figure 2.



Figure 2: 1A Mount Carmel Park Proximity to Development Site

The house at 1A was not included within the planning drawings, Visual Impact Assessment, Daylight and Sunlight Assessment or the Noise Assessment. As these assessment form a critical element of determining whether the proposed development is suitable in this location, it is considered that this omission would preclude An Bord Pleanala from granting permission for the development until such a time that the existing dwelling at 1A Mount Carmel Park is included in all assessments.

4.0 Overlooking and Overbearing Impact

There is an existing public house, off licence, betting shop, barber shop and stone cottage on the subject site which would be demolished to facilitate the proposed development. The area surrounding the subject site is characterised by two-storey semi-detached residential properties. The scale and bulk of the proposed development would inevitably result in an overbearing impact on existing residents in the area, most notably that of our clients in Mount Carmel Park.

The proposal includes balconies which face towards Mount Carmel Park as well as roof gardens on Block B1 which directly faces Mount Carmel Park. Mount Carmel Park is a quiet residential

estate with a high level of privacy at present. The proposed development would be detrimental to our clients' privacy with windows and balconies directly overlooking their homes as shown in Figure 3 below. It is also noted that Figure 3 shows mature tree beside 1A Mount Carmel Park that are not there and are not proposed within the development. The trees shown are those located within the Ballyboden St. Enda's GAA site behind the subject site and must be retained as set out in planning reg. ref. SD20A/0140 for the development of two no. grass playing pitches. The significant change that the proposed development would bring to the current residential amenity would inevitably negatively impact on the property value of homes within Mount Carmel Park.

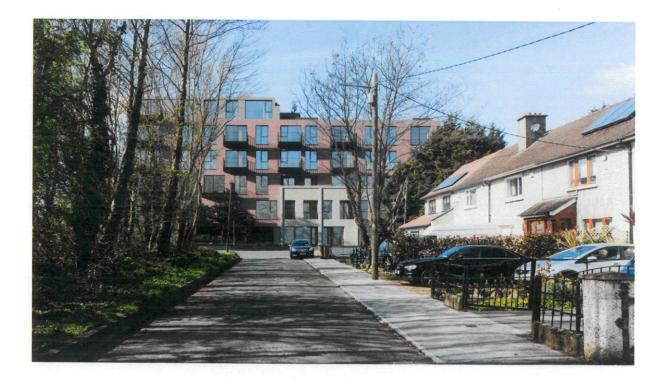


Figure 3: Photomontage Image Submitted Showing Proposed Development Mount Carmel Park

In addition to overlooking, the proposed balconies and roof gardens would also seriously injure residential amenities of the neighbouring dwellings as a result of noise and disturbance arising from the open nature and close proximity to the existing residential dwellings. The proposal as submitted to An Bord Pleanala does not include any measures such as screening to reduce overlooking and/or noise spill from the proposed balconies. It is considered that this is not consistent with planning policies for sustainable development and should be reassessed.

The proposed apartment block B1 which faces Mount Carmel Park ranges in height from 12.7m to 20.5m, over three to five storeys. Given the short distance to existing dwellings in Mount Carmel Park combined with the large size windows in the apartments and the balconies, it is considered that there would be a significant overbearing impact should the proposed development proceed.

The height proposed is outside that which can be considered acceptable within the South Dublin Development Plan 2016-2022. The proposal materially contravenes the development plan in relation to the height proposed. The applicant has acknowledged this within the Material Contravention Statement submitted with the application documents. While the reasoning for the proposed increase in height in this location is understood, it is not considered that this is an appropriate location to contravene H9 Objective 3 within the Development Plan which states as follows;

'H9 Objective 3: To ensure that new residential developments immediately adjoining existing one and two storey housing incorporate a gradual change in building heights with no significant marked increase in building height in close proximity to existing housing.'

When considering appropriate maximum height of new buildings, section 11.2.7 of the South Dublin Development Plan states the following;

'The proximity of existing housing - new residential development that adjoins existing one and/or two storey housing (backs or sides onto or faces) shall be no more than two storeys in height, unless a separation distance of 35 metres or greater is achieved'.

The proposed development does not comply with the above Development Plan policy as the separation distance between the proposed development and number 1 and number 28 Mount Carmel Park are 23 meters as confirmed on P.29 of the Architectural Design Statement prepared by O'Mahony Pike and submitted with the application. It is also noted that, again, 1A Mount Carmel Park does not appear in this image so the separation distance in reality is closer than the

23 meters described, measured at merely 15.3 meters. The Morton's site is also elevated from the Mount Carmel Park estate causing the height of the development to appear even higher from within the estate.

The Specific Planning Policy Requirements (SPPRs) outlined within the Urban Development and Building Height Guidelines (2018) ('Building Height Guidelines') provide clarity in relation to increased building heights in certain circumstances. However, it is not considered that they can be appropriately applied in this instance. The subject site is directly adjacent to a mature residential community and it is not possible to achieve the level of development proposed on the subject site without significant, negative impact on their residential amenity.

It is also noted that the houses in the local area have continuing issues with the sewerage capacity with events of backup and overflow occurring, South Dublin County Council and Irish Water are aware of the ongoing issues. The pipes in the area are outdated and cannot support demands from the existing residences. Figures 4 and 5 below show a compilation of some of the instances of sewerage backing up within the Mount Carmel Park estate, most notably within numbers 15a and 17. This would only be exacerbated should the proposed development connect in to the existing sewerage network.



Figure 4: Compilation of Sewerage Backup within the Open Space in the Area



Figure 5: Compilation of Sewerage Backup within Gardens within the Mount Carmel Park Estate

Additionally, the density of development proposed would increase pressure on local schools, many of which are already at full capacity. It is also considered that the provision of a betting office rather than a shop is a missed opportunity and does little to improve the existing services in the area.

5.0 Daylight and Sunlight Impact

Residents within Mount Carmel Park also have serious concerns in relation to the overshadowing impact of the proposed development would have on their homes. The applicant has submitted a Daylight and Sunlight Assessment which was prepared by O'Connor, Sutton Cronin Consulting Engineers.

As outlined in Section 3.0 above, 1A Mount Carmel Park is not included within the maps and images used to carry out the assessment for the proposed development. As such, it is not possible to confirm the true impact the proposal may have on 1A Mount Carmel Park. However, it is clear from Figure 6 below that 1A Mount Carmel Park would fall within the 25° line and require further analysis of the potential impact of the proposed development.



Figure 6: Extract from Daylight and Sunlight Report Showing 25° line.

The report sets out the significance of the 25° line as follows;

'In the first instance, if a proposed development falls beneath a 25° angle taken from a point 1.6 metres above ground level from any adjacent properties, then the BRE Guidelines say that no further analysis is required in relation to impact on surrounding properties as adequate skylight will still be available. If the proposed development extends beyond the 25° line then further analysis is required (Step 2)'.

As 1A Mount Carmel Park was not included in the mapping, the true extent of the development has not be assessed and must be addressed before any grant of permission could be forthcoming.

The report also confirms that our clients' properties will be negatively impacted by the proposed development in terms of the light receivable in to their windows and rear private amenity space.

This is most notable on the 21st March and 21st December as shown in Figure 7 and Figure 8 below, extracts from the Daylight and Sunlight Report, but will occur to some extent year-round.

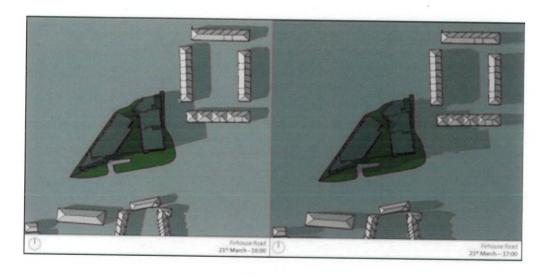


Figure 7: Overshadowing Impact of the Proposed Development on 21st March at 4pm and 5pm

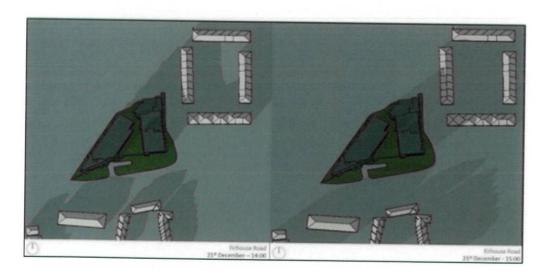


Figure 8: Overshadowing Impact of the Proposed Development on 21st December at 2pm and 3pm

It is considered inevitable that our clients would have to electrically light their home much more frequently than at present due to overshadowing resulting from the proposed development which is contrary to policies for energy saving and sustainable development. This could result in impacts on health and also financially when the rising cost of gas and electricity is considered. It is considered that the inevitable impact that the proposed development would have on our clients' homes in terms of receivable light is a direct result of overdevelopment of the subject site.

6.0 Traffic and Parking

The proposed development includes provision for 80 no. car parking spaces within a two storey basement car park area. The car parking is separated in to commercial spaces at level B01 and residential spaces at level B02. In total 17 no. spaces are provided for commercial use and 63 spaces are provided for the residential dwellings. A Traffic and Transport Assessment (TTA) has been prepared by Transport Insights and submitted with the application documents. Access to the proposed development is provided off the Firhouse Road via the existing access to the Morton's site.

The car parking provision for the residential units is set at 0.63 spaces per unit. Within the TTA, a suitability study is shown to analyse if the carparking provision is adequate in this location. The analysis concludes that 64% of average apartment residents in the outer suburbs in Dublin own a car. While the proposed provision of 63 no. spaces may align with this conclusion, it does not take in to account visitors or some apartments requiring more than one car parking space, for example two individuals sharing an apartment who both require a car.

The concern raised by our clients in relation to the proposed car parking provision of only 0.63 spaces per apartment is that should there not be enough spaces in the basement car park, it is inevitable that residents or visitors would park on street or mount pavements to park within the Mount Carmel Park estate. It would not be possible to control this ad hoc parking resulting in a

considerable negative impact on the existing residents and safety concerns within the wider Mount Carmel Park estate. The public transport in the area is barely adequate at peak times at present. The addition of 100 residential units in the area could not be supported by the current public transport provision, increasing the dependence on private cars.

The provision of 17 no. parking spaces to service the commercial activity on site is also considered inadequate. The proposal includes a café, office, medical unit, betting office, barber shop and creche as part of the development. It is considered that the carparking provision of 17 no. spaces would only cover the spaces required by staff and not accommodate customers arriving. It is inevitable that customers would park at street level on the side of the road or on kerbs to access the services provided on the site if there is no car parking spaces available in the basement car park.

The proposal includes one set down space for the creche facility at B01 level. It is considered that one space is not adequate to accommodate arrivals at the creche which are generally grouped at certain times of the day. It is also considered unlikely that all parents will go down to a basement carpark to drop their child to the creche and more likely that if surface level parking beside the creche is not provided, parents may park in an unsafe manner beside the creche to drop their child off and leave without having to navigate a basement carpark. This would be directly to the front of no. 28 Mount Carmel Park and could lead to significant disruption on the internal estate road as the road is quite narrow at 5.3 meters wide. The narrow width of the road results in obstructions that can not be passed if someone is to stop in this location. The Mount Carmel park estate has ongoing issues of people mounting kerbs to park already which South Dublin County Council and An Garda Siochana are already aware (Figure 9). This element of the proposed development should be reassessed by the applicant.

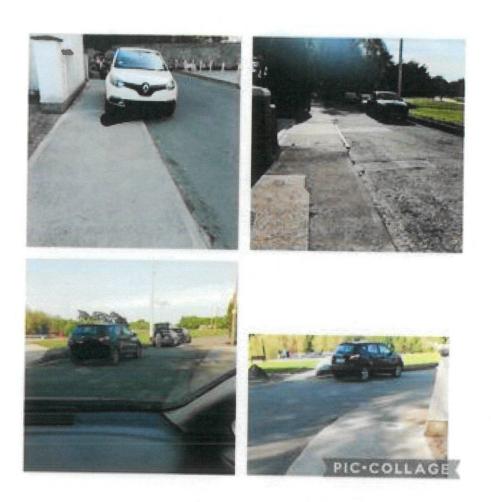


Figure 9: Examples of Dangerous Parking in Mount Carmel Park at Present

The Morton's Inn site is also currently used as parking for the River Dodder Greenway which attracts a high number of visitors travelling by car. Concern has been raised that the redevelopment of this site will also cause visitors to the greenway to park in Mount Carmel Park causing further disruption and hazards with the estate. Clarification is also sought on where construction workers would park their cars during the construction phase of development to ensure parking would not be parked in an unsafe manner in the Mount Carmel Park estate.

It is considered that the above concerns should be addressed within An Bord Pleanala's assessment of the development to avoid the significant negative impacts on the existing residents and the amenity currently enjoyed within Mount Carmel Park.

7.0 Conclusion

- The application documentation as submitted to An Bord Pleanala fails to include 1A Mount
 Carmel Park which was built in 2018 and is the closest residential property to the proposed
 development. It is considered that a grant of permission could not occur until such a time as the
 submitted assessments include all existing neighbouring dwellings.
- The proposed development materially contravenes the County Development Plan 2016-2022 in terms of building height. It is not considered appropriate at this location to contravene the development plan requirements in relation to height as it would result in a serious negative impact on the existing residential amenity of those in the neighbouring estate, Mount Carmel Park.
- The proposed development will seriously injure residential amenity of adjoining property in
 Mount Carmel Park by overlooking, overshadowing and noise and disturbance arising from the
 close proximity of balconies and communal roof terraces.
- Car parking is inadequate. Notwithstanding the proximity to public transport facilities it is considered that some car parking needs to be provided in order to ensure that haphazard roadside parking is avoided.
- It is respectfully submitted that An Bord should refuse planning permission for this proposed development in the interest of the proper planning and sustainable development of the area.

We look forward to hearing from you in due course.

Yours Sincerely,

R.W. Nowlan & Associates

APPENDIX A – Petition from Local Residents in Support of this Submission

	Residents of Mount Carmel Park	, Firhouse, Dublin 24
House No	Name of Resident (Printed)	Signature of Resident
3	ROSS GRIFFIN	Ass 100
5	Patricia Innis	36
5	Vera Assent D.	VRegl.
9	da Marach	1214
12	TREVOR SMYTH	Acres 17,7
12		Thomas Do
14	STEPHEN ROBINSON	Stopleykobura
14.	Rory griffin JOHANN CLINTON	Rohygiplin
14.19	DI.	Johann Clinton Polli MAN
	Patrick meader	
20	Andy Suives	Andy Duras.
71	Dearing Burners	Joann June
	John Byun	Joh Barry
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23	Then Keogh Martin Keogh	Thea teogli
33:	Maetin Keath	Maxim Keogh
23	Potricia Keogh	Calicia Keegh.
24	Your Campbell	Kand Carpbell
24	Shay Camphell	Day Call
24	Pat Campbell	Pat Carpbell
24	1 Marie Campbell	Marie Comphell
25	SIOBHAN KENNEDY	Diobhon Kennedy
25	Marie KENNEDY	Marie Kennedy
25	KIERAN COX	Kieran Cox

			25 ANGELA KENNEDY angola Kennedy		Residents of Mount Carmel Park,	Firhouse, Dublin 24
25 Angela Kennery angola Kayada 28 Malo o Josle Muala 6 Jos	25 Angela Kennery angola hamada 28 Mualo o Joale Muala 6 Joo	25 Angela Kennery anada Kamada 28 Mudlo o Josle Mugla 6 Jos	25 Angela Kennesy angola Kennegha 28 Malo & Josle Muala & Joo	House No		
				25 28 28	ANGELA KENNEDY Mo O Toole Nualo o Joale	Ongola Keynedy Blo of De Muala 6 Joo

	Residents of Mount Carmel P	ark, Firhouse, Dublin 24
louse No	Name of Resident (Printed)	Signature of Resident
11	ANN WALKER	ann Wolken
15.	JoHNNY Murphy	John Mury
16.	MAIRE Murphy	Maire Murp
1A.	Pot. atkinson	Pot Altinson
IA.	BOHH WACKER	John Walky
15A.	John Murphy	Ahr May
15A	Rida Munply	Lida Mu
15A	GARY Munply	Joy Mu
15A	Luke Mungey	Luka Merk
16	DAVID MURPHY	Pard Mosphy
16	Nicola Murphy	Picole Woephar
IA	SHAPON WARTON	Janolet .
19	STEPHEN WALKER	Aly the
IA	Abbi Waker	aldof Yaker.
1	RYAN OBYRNE	Rolle
2	Alm Bray	ALAN BRAY.
4	Romy de land	Barry of aland
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7	KATHLEEN MEREEVY	Katter hilfred

Residents of Mount Carmel Park, Firhouse, Dublin 24		
House No	Name of Resident (Printed)	Signature of Resident
8	CHRISTOPHER MOONEY	(B Mooney
9	Amondo 1-elly	b boly
13.	ANN CRICKLEY	an Contilus-
17	gill lee	9000
17.	BRIAN HORAN	the Cham
26	AIDAN HOLMES	a Pot
10	HAZEL TRAVERS	H. Tharo
10	Shane Hayes	aft.
27	DEIRDRE WYER	Toirde year.
27	Ross HACLETT	Ross Hospett.
18	YOUSEF KHALIFA	Ychalle
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Observation signatures for Bord Pleanala ref. 313777 Mortons Site, 2 Firhouse Rd., Dublin 24

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REGLY O'CONNOR		116 Meadow Rx, Churchter ND.
John J. REYNOX	15 4. Y. Ray nolda	15 Carrigles WAL FIRM
Marie Whelan		132 Woudlas ga Fineroo
Boatice Don rel	LA AVORA	9, Monalea Ph D24
Joseph Donnally		2 Monda 1K D 24
Brian Donnell	Book Donnelly	2 MONALEA PARK DZ4
ngele Guy E	B Donnelly	2 Manaka Park DZU.
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PLANNING OBSERVATION SIGNATURES BORD PLEANALA REF. 313777. MORTONS SITE, FIRHOUSE ROAD, DUBLIN 24. SIGNATURE ADDRESS 24 Taylerson Quet 74 Marcha Wood ReHouse Rd 16 DELAFORD PK KNOCKLYON DIG 40 Mount Alfon 201 Mout CARIS BLAKE

PLANNING OBSERVATION SIGNATURES BORD PLEANALA REF. 313777.
MORTONS SITE, FIRHOUSE ROAD, DUBLIN 24.

NAME	SIGNATURE	ADDRESS
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Ann Marie	Ann Harrettornas	11 11 11
Noelle Beiggs	N. BRIGGE	to Menalea Lid
Many Bloke	Mary Blake	22 Monalay Wood.
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Mey Bol	May Bela 1	8 Mondee Wood
Motors Bana	Matt Belon	P Mor les Wood
Davia	Wer Charlenen	31 Monales Pork FAHous
DENIS RIORDAN	Denus Riondan	32 Monales PK D24