

**Ref: SHD3ABP-313777-22**

## **INTRODUCTION**

South Dublin County Council hereby sets out its Chief Executive's Report, including recommendations on the above Strategic Housing Development for An Bord Pleanála (ABP or The Board). The Board as the competent authority has validated the application, and will carry out an Appropriate Assessment Screening of the proposed development, and will decide to grant or refuse permission for the proposed development.

### **Statutory Requirements of this Report**

This report sets out, in accordance with the provisions of the Planning and Development (Housing) and Residential Tenancies Act 2016 and the Planning and Development (Strategic Housing Development) Regulations 2017 - inter alia:

1. A summary of the points raised in the submissions received by An Bord Pleanála on the application.
2. The Chief Executive's view on the effects of the proposed development on the proper planning and sustainable development of the area and on the environment, having regard to matters specified in Section 34(2) of the Planning and Development Act, 2000 (as amended) and submissions received by An Bord Pleanála on the application.
3. A summary of the views of the relevant elected members on the proposed development as expressed at a meeting of members of the Tallaght Area Committee (special) meeting on the 12<sup>th</sup> of July 2022.
4. The Planning Authority's opinion as to whether the proposed strategic housing development would be consistent with the relevant objectives of the development plan or local area plan, including a statement as to whether the Planning Authority recommends to An Bord Pleanála that permission should be granted or refused, together with the reasons for its recommendation.
5. Conditions of permission  
Where the Planning Authority recommends that permission be granted or refused, the planning conditions and reasons for them that it would recommend if An Bord Pleanála grants permission.

### **Summary of Key Issues Arising**

- **Land-Use Mix and Rationale**

There is a need to provide an appropriate mix, range and type of uses in Local Centres, including retail, community, recreational, medical and childcare uses, at a scale that caters predominantly for a local level catchment (in relation to the retail hierarchy and EDE14 Objective 1).

The Planning Authority welcomes the provision of residential development on upper floors at this location, and ground floor units facing onto Firhouse Road and Mount Carmel Park. The omission of Apartment A1G and replacement with commercial/retail floorspace would further enhance the local centre use

and remove an otherwise not ideally located apartment. The site is well situated to take advantage of the natural desire line for pedestrians accessing the Dodder Valley via Mount Carmel Park, for uses such as café, etc.

- **Building Height**

The proposed development has a height of 3 to 5 storeys above basement. The Planning Authority supports 3 to 5 storey development here in principle, but considers that the transition in height to the north-east should be gentler, i.e. the step down to Mount Carmel Park should extend further along Block 1.

## **PROPOSED DEVELOPMENT**

### **Development Description**

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.

### Development Statistics

<b>Development Statistics (all values as stated in application form, Architectural Design Statement, planning report or HQA)</b>		
	<b>ABP-311459-21 (Stage 2 Pre-Planning)</b>	<b>This Application (Stage 3)</b>
<b>Tenure</b>	Build to Sell	Build to Sell
<b>Total Units</b>	103	100
<b>Units</b>	103	100
<b>Apartments</b>	103	100
<b>Unit Mix</b>		
<b>Studio</b>	3 (3%)	2 (2%)
<b>1-Bed</b>	48 (45%)	47 (47%)
<b>2-Bed (3-Person)</b>	14 (13%)	10 (10%)
<b>2-Bed (4-Person)</b>	33 (31%)	36 (36%)
<b>3-Bed</b>	5 (5%)	5 (5%)
<b>Development</b>		
<b>Retail/Commercial Units</b>	63sq.m café 80sq.m betting office 83sq.m retail unit	28sq.m barber shop 66sq.m betting office 58sq.m café 59sq.m medical unit 30sq.m office
<b>Retail/Commercial Total</b>	226sq.m	241sq.m
<b>Crèche Floor Area</b>	110sq.m	114sq.m
<b>Site Area</b>	0.46ha	0.46ha
<b>Density</b>	224 units/ha	217 units/ha
<b>Building Height</b>	3 to 5 storeys	3 to 5 storeys (plus 2 basement levels)
<b>Gross Floor Area</b>	7138sq.m (appears to be an underestimate)	7,852sq.m (excludes 2,718sq.m at basement levels)
<b>Plot Ratio</b>	1.6 (appears to be an underestimate)	1.7
<b>Site Coverage</b>	42%	44%
<b>Dual Aspect</b>	46%	50%

<b>Development Statistics (all values as stated in application form, Architectural Design Statement, planning report or HQA)</b>		
	<b>ABP-311459-21 (Stage 2 Pre-Planning)</b>	<b>This Application (Stage 3)</b>
<b>Amenity Space</b>		
<b>Communal Amenity Space</b>	628.9sq.m	940.4sq.m as on drawings (stated as 962.sq.m in ADS and HQA)
Communal Courtyard Open Space	497.5sq.m	445.1sq.m
Communal Roof Terraces	131.4sq.m	495.3sq.m
<b>Public Open Space</b>	844sq.m (18.5%)	1,347.3sq.m (29%)
<b>Parking</b>		
<b>Residential Car Parking Provision</b>	79	80
<b>Residential Car Parking Ratio</b>	0.6	0.63
<b>Bicycle Parking Provision</b>	196	270
<b>Bicycle Parking Ratio</b>	1.43	2.06

### **Summary of the s.247 and Pre-Application Consultations**

Pre-Planning with the Planning Authority (SDCC Refs. SHD1SPP016/20 & SHD1SPP010/21)

The Planning Authority notes that the applicant has engaged in preplanning consultation in relation to the subject site as documented under Reg. Ref. SHD1SPP016/20 and SHD1SPP010/21. Meetings under SHD1SPP016/20 took place on 13th January and 9th April 2021, for a development of 100 no. units in a development of 3-7 storeys, which did not include the entire 'LC' zoned lands. A further meeting took place under SHD1SPP010/21 on 29th July 2021.

The relevant notes are included in the Appendix of this report.

Stage 2 Pre-Planning Consultation with An Bord Pleanála and South Dublin County Council (ABP Ref. TC06S.311459 & SDCC Ref. SHD2ABP-311459-21)

The applicant's agent and design team attended a preplanning consultation meeting with the Planning Authority and An Bord Pleanála on the 24<sup>th</sup> of January 2022, held remotely.

This meeting considered a proposal for the demolition of existing buildings on site, construction of 103 no. apartments, creche and associated site works.

The Board's Consultation Opinion was released in February 2022. The Board's opinion was that the documents submitted with the request to enter into **consultations require further consideration and amendment to constitute a reasonable basis for an application for strategic housing development.**

An Bord Pleanála stated that the following issues need to be addressed:

1. Development Strategy: Further justification for the proposal in light of the ‘LC’ zoning objective, ‘To protect, improve and provide for the future development of Local Centres’’, and non-residential uses at ground level proposed. The predominant use proposed in the scheme is residential, a local centre zoning would envisage a greater degree of mixed use in particular at ground level.
2. Architectural Design Approach: Further justification for the height strategy, integration with the wider area and specifically how transition occurs in terms of design, presentation, quality community and place making. A key issue at this location is the existing environment and specifically how transition occurs between the existing established development along Mount Carmel Park to the north east and the Firhouse Road and the proposed development, cognisance being had that this development will be highly visible on approach from the surrounding area.
3. Landscaping, Materials and Character: Further consideration/justification of the documents as they relate to the visual impact, materials and finishes to the proposed buildings and hard & soft landscaping. The further consideration / justification should address the character and identity and creation of inclusive people friendly neighbourhood, regard being had, inter alia, to the architectural treatment, landscaping, quality public and communal open spaces, pedestrian way finding and connectivity. The further consideration of these issues may require an amendment to the documents and/or design proposals submitted.
4. Residential Design - Further consideration/justification of the documents as they relate to the quality of the proposed residential amenity. This consideration should have regard to, inter alia, the ‘Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas’ (including the associated ‘Urban Design Manual’); the ‘Sustainable Urban Housing: Design Standards for New Apartments – Guidelines for Planning Authorities’ in particular with regard to number of single aspect and north facing units, and daylight and sunlight access to internal habitable areas and in particular to communal courtyards. Shadow Impact Assessment of communal open spaces, private open space and public open spaces. The further consideration of this issue may require an amendment to the documents and/or design proposals submitted relating, inter alia, to layout of the proposed development, improving the quality and providing extended hours of daylight and sunlight to the internal courtyards and to the public open space.

In addition, the following specific information should be submitted with any application for permission (in summary):

1. Statement of consistency and planning rationale
2. Updated Architectural Design Statement. The statement should be supported by contextual plans and contiguous elevations and sections.
3. Material contravention statement
4. Visual impact assessment which includes development in Mount Carmel Park Housing Estate and long range views from the N81 and along Firhouse Road and include the proposed treatment to the public realm.
5. Report on the building materials and finishes

6. Justification of open space provision. Clarity in regard to compliance.
7. Clarity as to what is designated as communal open space and what is public open space. Whether it is intended that the public open space will be taken in charge, and if not, costs etc. for this space.
8. Housing Quality Assessment. Clear delineation of aspect, single aspect north facing and exceeds floor area by 10%.
9. Report that addresses issues of residential amenity. Shall include drawings.
10. Daylight and Shadow Impact Assessment.
11. Clarification regarding connection to water and drainage infrastructure.
12. Response to Planning Authority Opinion.
13. Building life cycle report.
14. Where an EIAR is not being submitted, necessary information for the purposes of EIAR screening.
15. Up to date Ecological Impact Assessment, including bird and bat surveys.
16. Site layout plan including areas, if any, to be taken in charge.
17. Site Specific Construction and Demolition Waste Management Plan.
18. Details of public lighting.

The Board otherwise specified those external consultees it would be necessary to notify about the application:

1. Irish Water
2. Heritage Council
3. National Transport Authority (NTA)
4. Transport Infrastructure Ireland (TII)
5. Department of Culture Heritage and the Gaeltacht
6. South Dublin County Childcare Committee.

## **DEVELOPMENT CONTEXT**

### **Site Description**

The site is located immediately north of the Saggart Luas stop and is bounded to the west by Garter's Lane. The adjacent lands to the north and east are the subject of recent or pending permissions and construction has begun on some of these lands. The site and neighbouring sites are otherwise unused green space.

### **Site Area**

Stated as approx. 0.46 ha.

### **Zoning and Council Policy**

The site is subject to Zoning Objective 'LC': '*To protect, improve and provide for the future development of Local Centres*' under the South Dublin County Development Plan 2022-2028 and an unzoned area that is taken in charge by SDCC.

### **SEA Sensitivity Screening**

The subject site overlaps or is in proximity to the following SEA layers (NB, this is an internal monitoring tool for South Dublin County Council):

- The site adjoins a Site of Geological Interest on the northern boundary.
- The NTA Greater Dublin Cycle Network Plan along the eastern boundary of the site.

- Protect and Preserve Significant Views along Tallaght Road to the north facing the site.
- Sites and Monuments Record DU01873 House - 18th/19th century Tymon South and Protected Structure RPS No. 285 Sally Park, Ballycullen Road, Templeogue House & Gateway located across Firhouse Road.

## **CONSULTATIONS**

### **Internal Consultees**

Water Services	Provided observations
Housing	No objection subject to conditions.
Public Realm	Provided observations
Roads Department	Provided observations
Waste Management	Provided observations

### **External Consultees**

Irish Water	Provided observations
Department of Culture Heritage and the Gaeltacht	Provided observations
Transport Infrastructure Ireland	No observations to make.
Inland Fisheries	Provided observations

### **Irish Water**

Water supply connection is feasible without infrastructure upgrades by Irish Water. Existing water main and sewer running through the site. Layout must provide adequate separate distances from this infrastructure and any structure. Alternatively may enter into diversion agreement with Irish Water.

Provide wayleave over this pipe and ensure it is accessible for maintenance.

Wastewater connection is feasible to the 225mm sewer within the site.

A Statement of Design Acceptance was issued by Irish Water on 13th May 2022.

Requests the conditions are attached including connection agreements, no building over of assets, written confirmation of feasibility of diversion, and carry out in compliance with IW standards, codes and practices.

### **Department of Culture Heritage and the Gaeltacht**

Agrees with the author of the submitted archaeological impact assessment that ‘the possibility of any physical elements of the RMP site (DU022-103---) extending into the proposed development are negligible’.

Agrees to test the available open spaces and recommends archaeological conditions in relation to research of the site, trench testing, archaeological reporting, and any arising mitigation measures from this.

Recommend conditions including that the measures in the CEMP and CWMP to prevent pollution into surface water runoff be implemented in full, the proposed pruning back of overhanging branches from the treeline along the northern boundary be undertaken outside the main bird breeding season, incorporate nesting sites for swifts, swallows and house martins into the proposed development, bat roost and bat activity surveys immediately before demolition, and that lighting is signed off by a bat specialise.

### **Transport Infrastructure Ireland**

No observations to make.

## **Inland Fisheries**

The CEMP requires strengthening and should incorporate measures relating to protecting existing stormwater drain inlets, treating surface water runoff, monitoring pumping of concrete, storage of excavated soil, fuels, oils or lubricants, contingency plan, re-fuelling carried out in accordance with standard best practice, maintenance in a designated area, no entry of solids to existing system, ensuring infrastructure has capacity, no direct pumping of contaminated water, and implementing best practice and Department of Housing, Local Government and Heritage guidance.

## **Third Party Observations**

10 no. individual third party submissions were received by An Bord Pleanála on the application. These submissions raised concerns largely in relation to impact on the adjacent existing Mount Carmel Park housing estate located to the north-east and east of the subject site. The submissions raised the following concerns in summary:

- Detrimental and negative impact on Mount Carmel Park
- Not in keeping with houses at Mount Carmel Park and appearance of the area
- Close proximity to Mount Carmel Park
- Overdevelopment of site
- Number of units excessive
- Height and scale at odds with surrounding area
- Overlooking and overshadowing of residential properties and gardens. Balconies would overlook
- Creche overlooking Mount Carmel Park residents
- Overlooking of family resource centre providing temporary accommodation
- Balconies overhanging road, too close to existing houses/gardens, not safe for emergency exit. Balconies eye sores
- Not sufficient car parking. Parking for retail/commercial/creche. Additional traffic would add to existing parking problems. Loss of public car parking
- Creche parking area not safe
- Further congest traffic on Mount Carmel Park, including from the creche
- Use of the road for emergency vehicle access
- Construction traffic
- Pressure to current infrastructure. Concerns on sufficient water drainage and flooding. Existing issues with the sewerage drainage system
- Works disrupt river and foundation bedrock issues
- No plans for a shop
- Application ignores the existence of 1a Mount Carmel Park
- Trees on the north western boundary appear to be on the eastern boundary, giving the impression that this area already has shading and light issues
- Discrepancies in the figures in the documentation and plans
- Capacity and frequency issues with public transport. Public transport inadequate
- Lack of facilities, services and employment areas in the area
- Affordability of apartments
- Does not serve the needs of young adults, families, downsizers
- Negative environmental and visual impacts
- Detrimental to wildlife, increase pests



- Not opposed to the site being developed on a much smaller scale
- Air pollution, noise and artificial light
- Increase anti-social behaviour

1 no. group submission was received from Mount Carmel Park Residents Association, which raised the following points in summary:

- Excessive height and scale
- Overlooking and overshadowing impact
- Traffic impact
- Noise from balconies and roof terraces
- Sewerage infrastructure
- Failure to include 1a Mount Carmel Park in the assessment
- Overlooking and overbearing impact
- Overlooking from balconies, windows and roof terraces
- Not an appropriate site to contravene height, proximity to Mount Carmel Park estate, site is elevated from the estate
- Existing issues with sewerage capacity
- Density would increase pressure on local schools
- Betting office rather than a shop is a missed opportunity
- Inadequate car parking provision, does not account of visitors, apartments with more than one car, customers, creche, or construction workers
- Cannot be supported by current public transport

A submission was received from Cllr. Alan Edge raising the following points in summary:

- Opposition to SHD system and lack of confidence in ABP as the national planning authority
- Not big enough to accommodate 100 units
- Loss of amenity and strain on local infrastructure
- Density inappropriate relative to location – lack of public transport
- Height relative to neighbouring properties – setback from Mount Carmel Park insufficient
- Proximity to HA zoned Dodder Valley Park – development of this density close to area of HA, refer to baseline survey of Dodder Valley Park
- Current sewage system operating at capacity
- Out of character and impact on amenity of local residents

### **Elected Representatives**

The proposed development was presented at the Tallaght Area Committee (special) meeting on the 12<sup>th</sup> of July 2022. Councillors spoke in objection to the proposal and raised the following points (summarised):

Cllr Hagin Meade

- Overshadowing of apartments

Cllr Edge

- Object

- 217 units per ha is staggering figure for a plot this size and wildly inappropriate.
- Availing of 100 units is a cynical approach to avail of relative lack of regulation of SHD.
- no adequate public transport.
- Will impact sewage capacity in the area.
- Objective 5 of new co dev plan. New plan will be in force. This objective – proposal should not impact on established res areas.
- Proximity to high amenity dodder valley park, adverse impacts on habitats.
- Height – old plan said that new res of greater height required separation of 35m . proposal has separation of 22m from Mt Carmel house – adverse impact on light. Huge impacts on car parking

#### Cllr Collins

- Gross overdevelopment. This is too much. Want better design. Does it have to be 100?
- Orientation of apts – are these dual aspect. Want exclusion of north facing units.
- We don't need another betting office.
- Public transport not adequate.
- School places and sewerage inadequate.
- Are these build to rent. If so, many problems for making communities. It could be partially build to rent.
- Offers nothing to the community

#### Cllr Bailey

- Cynical ploy to get to Bord Pleanala.
- Welcome councils to requirement for part 5.
- Opposed to the build to rent model.
- Inability for people to buy and poor size of apts.
- Height and density is inappropriate.
- Not sustainable development.
- Only 50% dual aspect and insufficient daylight and sunlight.
- Ecology impacts and lack of public transport.
- Creche is in the wrong place

#### Cllr Kearns

- Height and density are huge problem.
- Massive intrusion on residents in Mt Carmel park.
- People in apts would be living in darkness.
- Water and sewerage deficiencies.
- Visual impact would be enormous. Ghastly looking.
- Potentially the space for 320 people living here with only 80 car parking spaces.
- Inadequate public transport.
- Must ensure quality workmanship in building.

Cllr Lawlor

- Material contravention.
- Opposed to this proposal.
- We want to protect our co dev plan.
- Ballyboden GAA were turned down next door due to bats.
- Creche is in wrong location.
- Sewerage and public transport problems.

Cllr McMahon

- Could keep the old cottage.
- Dodder valley – any dev close to this valley has been rejected for drainage and adverse impact.
- Are these build to rent?
- Boundary wall to be destroyed – likewise the trees.
- Height too much on elevated site.
- Would be overpowering on Mt Carmel. 100 units is too much.

Cllr Murphy

- Agree with colleagues on density.
- Is it clustered or does it just look so.
- Is it rendering on façade.
- Is there a plan for pos, a play space?
- Retention of retail is a positive.
- Is there safe bicycle parking – is it on the street.
- Plans appear to be difficult to circumnavigate.
- Potential impact on Dodder valley.
- Sewerage issues

Cllr McCrave

- Reiterate what others have said – density and height is shocking.
- Overlooking Mt Carmel.
- Apts will be postage stamp size.
- Sewerage probs and insufficient car parking and poor public transport.
- Is there an impact statement for bats.
- Where will bins be located.

**RELEVANT PLANNING HISTORY**

**Subject Site**

None.

**Adjacent Site**

**SD15A/0336 & ABP Ref. PL06S.246101 on lands to north-west of subject site**

Permission refused by SDCC and An Bord Pleanála for residential development consisting of 72 dwelling units including vehicular access from Firhouse Road, all associated site and infrastructural works including foul and surface water drainage, 106 car parking spaces, landscaping and public open space, boundary walls and

fences, roads, cycle paths and footpaths all on a site area of approximately 2.3 hectares. The site is within the curtilage of a Protected Structure (RPS reference 284). The development consists of 22 no. 2 storey 2 bed and 3 bed semi-detached houses, 8 corner blocks comprising 24 no. 3 storey 2 bed apartment units with balconies and 8 no. 2 storey 3 bed duplex units and 2 blocks comprising 18 no. 3 storey 1 bed & 2 bed apartments as follows: (a) 18 no. 3 bed semi-detached houses (House Type B); (b) 4 no. 2 bed semi-detached houses (House Type A); (c) 24 no. 2 bed corner apartments (Apartment Type 02, 03, 04); (D) 8 no. 3 bed corner duplex units (Apartment Type 01); (e) 6 no. 1 bed apartments (Apartment Type 02); (f) 12 no. 2 bed apartments (Apartment Type 01,03,04). The proposal also includes the provision of approximately 0.7 hectares of land to the north of the subject site boundary to be transferred into public ownership as part of the Dodder Valley public open space. All this on a site adjacent to the Carmel of the Assumption Convent, Firhouse Road and to the west of the residential development at Mount Carmel Park, Dublin 24. The land is now zoned 'High Amenity Dodder Valley'.

#### **SD20A/0140 on same lands to north-west of subject site**

Permission granted by SDCC for construction of 2 grass playing pitches: pitch No.1 will measure some 145m long by 90m wide and pitch No.2 will measure some 133m long by 80m wide; club facilities including 4 changing rooms measuring 51sq.m each; storage facilities; function rooms; meeting rooms; physiotherapy facilities; kitchen facilities; wc and circulation space; site works include removal of existing hedgerows and trees; replanting areas; formation of a new pedestrian and vehicular entrance on Firhouse Road; 67 car parking spaces; 24 bicycle spaces; perimeter pathway; fencing and attendant landscaping works.

#### **SD17A/0279 to side of No. 1 Mount Carmel Park**

Permission granted by SDCC for demolition of existing garage and construction of semi-detached two-storey, three bedroom dwelling house with new vehicular entrance and associated landscaping, boundary and site development works.

#### **Relevant Recent Enforcement History**

None identified on APAS.

### **RELEVANT POLICY AND GUIDELINES**

#### **Relevant Government Policy**

##### **National Planning Framework**

National Strategic Outcome 1 of the NPF refers to and, stresses the importance, of 'Compact Growth'. The NPF states,

*'From an urban development perspective, we will need to deliver a greater proportion of residential development within existing built-up areas of our cities, towns and villages and ensuring that, when it comes to choosing a home, there are viable attractive alternatives available to people'*

The NPF indicated that the delivery of compact growth will be through National Policy Objective 2a, which states,

*'A target of half (50%) of future population and employment growth will be focused in the existing five Cities and their suburbs'*

and National Policy Objective 3a, which states,

*'Deliver at least 40% of all new homes nationally, within the built-up footprint of existing settlements'.*

The National Planning Framework also includes a specific Chapter, No. 6, entitled 'People, Homes and Communities'. It includes 12 objectives from among which:

Objective 27 seeks to ensure the integration of safe and convenient alternatives to the car into the design of our communities, by prioritising walking and cycling accessibility to both existing and proposed developments, and integrating physical activity facilities for all ages.

Objective 33 seeks to prioritise the provision of new homes at locations that can support sustainable development and at an appropriate scale of provision relative to location.

### **Regional Spatial & Economic Strategy 2019-2031**

The subject site is located within the Dublin City and Suburbs. The Dublin City and Suburbs is considered in the context of the MASP and is dealt with in greater detail in Chapter 5 Dublin Metropolitan Area Strategic Plan (MASP). A number of key Regional Policy Objectives are considered relevant:

*RPO 5.3: Future development in the Dublin Metropolitan Area shall be planned and designed in a manner that facilitates sustainable travel patterns, with a particular focus on increasing the share of active modes (walking and cycling) and public transport use and creating a safe attractive street environment for pedestrians and cyclists.*

*RPO 5.4: Future development of strategic residential development areas within the Dublin Metropolitan area shall provide for higher densities and qualitative standards as set out in the 'Sustainable Residential Development in Urban Areas', 'Sustainable Urban Housing: Design Standards for New Apartments' Guidelines and 'Urban Development and Building Heights Guidelines for Planning Authorities'.*

*RPO 5.5: Future residential development supporting the right housing and tenure mix within the Dublin Metropolitan Area shall follow a clear sequential approach, with a primary focus on the consolidation of Dublin and suburbs, and the development of Key Metropolitan Towns, as set out in the Metropolitan Area Strategic Plan (MASP) and in line with the overall Settlement Strategy for the RSES. Identification of suitable residential development sites shall be supported by a quality site selection process that addresses environmental concerns.*

### **National Policy Documents of Relevance**

*Project Ireland 2040 National Planning Framework, Government of Ireland, 2018.*

*Regional Spatial & Economic Strategy 2019-2031, Eastern & Midland Regional Assembly (2019)*

*Sustainable Urban Housing: Design Standards for New Apartments – Guidelines for Planning Authorities' (2020).*

*Urban Development and Building Heights – Guidelines for Planning Authorities’ (2018),*

*Quality Housing for Sustainable Communities-Best Practice Guidelines, Department of the Environment, Heritage and Local Government, 2007.*

*Sustainable Residential Development In Urban Areas - Guidelines for Planning Authorities, Department of Environment, Heritage and Local Government (December 2008).*

*Urban Design Manual; A Best Practice Guide, A Companion Document to the Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas, Department of the Environment, Heritage and Local Government, (2008).*

*Design Manual for Urban Roads and Streets Department of the Environment, Community and Local Government and Department of Transport, Tourism and Sport (2013).*

*Appropriate Assessment of Plans and Projects in Ireland – Guidance for Planning Authorities, Department of the Environment, Heritage and Local Government, (2009).*

*OPR Practice Note PN01 Appropriate Assessment Screening for Development Management (March 2021).*

*The Planning System and Flood Risk Management - Guidelines for Planning Authorities, Department of the Environment, Heritage and Local Government & OPW, (2009).*

*Site Layout Planning for Daylight and Sunlight: A Guide to Good Practice, Building Research Establishment, (1991).*

*NTA Greater Dublin Area Transport Strategy 2020*

*National Cycle Manual – National Transport Authority (June 2011)*

*Circular PL 3/2016 - Childcare facilities*

## **Relevant Policy in the South Dublin County Development Plan 2022-2028**

*Policy CS1: Strategic Development Areas*

*2.6.1 Land Capacity Study*

- *Land Capacity Sites*
- *Figure 9: Housing Capacity Sites*

*2.6.5 Core Strategy – 2022-2028 Development Plan*

*2.6.6 Housing Strategy*

*2.7 Settlement Strategy*

*Policy CS6: Settlement Strategy - Strategic Planning Principles*

*2.7.1 Dublin City and Suburbs*

*Policy CS7: Consolidation Areas within the Dublin City and Suburbs Settlement  
Promote the consolidation and sustainable intensification of development within the  
Dublin City and Suburbs settlement boundary.*

*Policy NCBH1: Overarching*

*NCBH1 Objective 1*

*Policy NCBH2: Biodiversity*

*Policy NCBH3: Natura 2000 Sites*

*Policy NCBH5: Protection of Habitats and Species Outside of Designated Areas*

*Policy NCBH8: Dodder River Valley*

*Policy NCBH11: Tree Preservation Orders and Other Tree / Hedgerow Protections*

*Policy NCB12: Geological Sites*

*Policy NCBH13: Archaeological Heritage*

*Policy NCBH14: Landscapes*

*Policy NCBH15: Views and Prospects*

*Policy NCBH21: Vernacular / Traditional and Older Buildings, Estates and  
Streetscapes*

*Policy GI1: Overarching*

*Policy GI2: Biodiversity*

*Policy GI3: Sustainable Water Management*

*Policy GI4: Sustainable Drainage Systems*

*Policy GI5: Climate Resilience*

*Policy GI7: Landscape, Natural, Cultural and Built Heritage*

*4.3.2 Strategic Corridor Objectives*

*Table 4.1 Strategic Green Infrastructure Corridors*

*Strategic Corridor 1: The Dodder River*

*Policy QDP1: Successful and Sustainable Neighbourhoods*

*Policy QDP2: Overarching - Successful and Sustainable Neighbourhoods*

*Policy QDP3: Neighbourhood Context*

*Policy QDP4: Healthy Placemaking*

*Policy QDP5: Connected Neighbourhoods*

*Policy QDP6: Public Realm*

*Policy QDP7: High Quality Design – Development General*

*Policy QDP7: High Quality Design – Street Frontage*

*Policy QDP7: High Quality Design – Street Width and Height*

*Policy QDP7: High Quality Design – Adaptability and Inclusivity*

*Policy QDP8: High Quality Design – Building Height and Density Guide (BHDG)*

*Policy QDP9: High Quality Design - Building Height and Density*

*Policy QDP10: Mix of Dwelling Types*

*Policy QDP11: Materials, Colours and Textures*

*Policy H7: Residential Design and Layout*

*Policy H8: Public Open Space*

*Policy H9: Private and Semi-Private Open Space*

*Policy H10: Internal Residential Accommodation*

*Policy H11: Privacy and Security*

*Policy H13: Residential Consolidation*

*Policy SM5: Street and Road Design*  
*Policy SM6: Traffic and Transport Management*  
*Policy SM7: Car Parking and EV Charging*

*Policy COS5: Parks and Public Open Space – Overarching*  
*Policy COS6: Healthcare Facilities*  
*Policy COS7: Childcare Facilities*

*Policy EDE8: Retail – Overarching*  
*Policy EDE14: Retail - Local Centres*  
*Maintain and enhance the retailing function of Local Centres.*  
*EDE14 Objective 1:*

*To support the development and enhancement of local centres as sustainable, multifaceted, retail led mixed use centres, enhancing local access to daily retail needs, which do not adversely impact on or draw trade from higher order retail centres.*

*Policy EDE17: Retail - Off Licences and Betting Offices*

*Policy E3: Energy Performance in Existing and New Buildings*

*Policy IE2: Water Supply and Wastewater*  
*Policy IE3: Surface Water and Groundwater*  
*Policy IE4: Flood Risk*  
*Policy IE7: Waste Management*  
*Policy IE8: Environmental Quality*  
*Policy IE9: Casement Aerodrome*

*12.3.1 Appropriate Assessment*  
*12.3.2 Ecological Protection*  
*12.3.3 Environmental Impact Assessment*  
*12.3.5 Landscape Character Assessment*  
*12.4.2 Green Infrastructure and Development Management*  
*12.4.3 Riparian Corridors*  
*12.5.1 Universal Design*  
*12.5.2 Design Considerations and Statements*  
*12.5.3 Density and Building Heights*  
*12.5.4 Public Realm: (At the Site Level)*  
*12.5.6 Shopfront Design*  
*12.5.7 Signage – Advertising, Corporate and Public Information*  
*12.6.1 Mix of Dwelling Types*  
*12.6.3 Unit Tenure*  
*12.6.7 Residential Standards*  
*12.6.8 Residential Consolidation*  
*12.6.10 Public Open Space*  
*12.7.1 Bicycle Parking / Storage Standards*  
*12.7.2 Traffic and Transport Assessments*  
*12.7.4 Car Parking Standards*  
*12.7.5 Car Parking / Charging for Electric Vehicles (EVs)*  
*12.7.6 Car Parking Design and Layout*  
*12.8.4 Early Childhood Care and Education Facilities*



12.9.5 Retail Development  
12.10.1 Energy Performance in New Buildings  
12.11.1 Water Management  
12.11.3 Waste Management  
12.11.4 Environmental Hazard Management

## **ASSESSMENT OF PROPOSED DEVELOPMENT**

### **South Dublin County Development Plan 2022-2028**

Since the issuing of the Stage 2 Opinion, the South Dublin County Development Plan 2022-2028 has become live as of the 3<sup>rd</sup> of August 2022. The new 2022-2028 County Development Plan is therefore the plan this assessment has been made against.

It is noted that the land use zoning of the site has not changed between the plans and remains as Local Centre zoning. The permitted uses in relation to the proposed development also remain the same. The proposed development in relation to the new CDP is assessed in the following sections of this report.

### **Principle of Development**

#### **Land Use Zoning and Neighbourhood**

The site is subject to Zoning Objective 'LC': *'To protect, improve and provide for the future development of Local Centres'* under the South Dublin County Development Plan 2022-2028 and an unzoned area that is taken in charge by SDCC. The area taken in charge is along the southern and eastern boundaries of the site, along Firhouse Road and Mount Carmel Park.

The proposed development would provide for residential, creche, café, office, medical unit, betting office and barber shop uses. 'Residential', 'Childcare Facilities', 'Restaurant/Café', 'Offices less than 100sq.m', 'Doctor/Dentist', 'Health Centre' and 'Betting Office' are all Permitted in Principle under the LC zoning objective. A barbershop is considered to fit the description of 'Shop-Neighbourhood' under the CDP, which includes smaller shops giving a localised service such as hairdresser and designed to cater for normal neighbourhood requirements. A 'Shop-Neighbourhood' is Permitted in Principle under the LC zoning objective.

The 2022-2028 CDP contains Appendix 12: Our Neighbourhoods, which collates the key objectives specific to each particular neighbourhood area. The subject site is located within the Templeogue/Walkinstown/Rathfarnham/Firhouse neighbourhood. This notes that a key component of the CDP is to support the consolidation of key urban areas with more local day-today services focused within local centres as the plan strives towards a 10-minute settlement concept. Local Centres will play a key role as the plan strives towards delivering connected communities and the 10-minute settlement concept.

It is noted that the subject site is identified as a Housing Capacity Site under Figure 9 of the CDP. The site is therefore identified as having the capacity to accommodate residential development.

#### **Local Centre Council Policy**

Local Centres are Level 4 in the Retail Hierarchy for the Region – South Dublin County (Table 9.1). The CDP describes these centres as:

*These centres usually contain one supermarket ranging in size from 1,000-2,500 sq m with a limited range of supporting shops and retail services and possibly other services such as post offices, community centres or health clinics grouped together to create a focus for the local population. These centres meet the local day-to day needs of surrounding residents.*

This existing Local Centre serves the surrounding area between Firhouse and Knocklyon. The retail policies and objectives of Local Centres under the CDP include:

*Policy EDE14: Retail - Local Centres*

*Maintain and enhance the retailing function of Local Centres.*

*EDE14 Objective 1:*

*To support the development and enhancement of local centres as sustainable, multifaceted, retail led mixed use centres, enhancing local access to daily retail needs, which do not adversely impact on or draw trade from higher order retail centres.*

The proposed development would provide for a mixed-use development of retail, commercial and residential uses. The retail/commercial units are restricted to the ground floor level along the southern and eastern street frontages. The creche would be located at a lower ground floor level in the northeast of the site. The total gross floor area of all non-residential (including the creche) would be approx. 355sq.m. This includes the following uses:

- 28sq.m barber shop
- 66sq.m betting office
- 58sq.m café
- 59sq.m medical unit
- 30sq.m office
- 114sq.m creche

This would equate to 4.5% of the total development. EDE14 Objective 1 states that the CDP supports the development of Local Centres as retail-led mixed use centres. Apart from Apartment No. A1G, the remainder of the development would be at a different ground level to the commercial/retail units. This somewhat limits the conversion of the remainder of the development into retail/commercial use in the future. The Planning Authority has concerns with Apartment No. A1G given its location and therefore privacy. It is considered more appropriate to utilise this floor space for commercial/retail use.

The own door duplex units on the eastern side would be at a lower ground level, however, would be directly accessible from the street. They would also have a ground floor to ceiling height of approx. 3.0m, thereby facilitating the conversion of these units for commercial/retail use in the future.

A Community and Social Infrastructure Audit has been submitted with the application. This report states that there is an adequate supply of community and social infrastructure within a reasonable distance to the subject site to serve the growing population. It is noted that the nearest substantial supermarket to the subject site is at Knocklyon, located c. 1.4m by road to the south east on Knocklyon Road.

Given the above, it is considered that the proposed mix of uses, quantum and layout is in compliance with Council policy in relation to Local Centres. This is subject to changing Apartment No. A1G to commercial/retail floorspace. The proposed mix of uses are to be welcomed. The submitted drawings indicate layouts for the units to demonstrate how they would function.

### **Restrictions on Uses**

Under Policy EDE17, EDE17 Objective 1 and Section 12.9.5(II) Restrictions on Uses the Planning Authority will seek manage and prevent an excessive concentration of betting offices, to ensure the quantum, particularly in smaller centres, is not disproportionate to the overall size and character of the area and that it would not have a negative impact on the amenity of the area.

There is an existing betting office at this location, which would be replaced with the proposed betting office. It is therefore considered to be in compliance in relation to the above Council policy. Details of this unit including opening hours etc. should be agreed via condition.

### **Material Contravention Statement**

A Material Contravention Statement submitted, which states that the proposed development does not comply with the (draft) South Dublin County Development Plan 2022-2028 in relation to the following:

- Unit mix – does not comply with H1 Objective 13, given that the total number of three bedroom units proposed amounts to 5% of the overall total, below the 30% minimum required.
- Separation distances – some separation distances between opposing windows across the scheme which fall below 22 metres and would therefore not comply with Section 13.5.4.

Note: Under the final 2022-2028 CDP these references are changed to Policy H1 Objective 12 and Section 12.6.7. The Material Contravention Statement submitted by the applicant was based on the draft version of the 2022-2028 CDP.

Unit mix and separation distances are assessed further below in this report. Given the wording of the above referred to policies and objectives and the nature of the development, it is not considered that the proposed development materially contravenes these objectives.

### **Residential Density & Building Height** **Density & Building Height**

The proposed residential density would be 217 units/ha. The subject site is located within the Dublin City and Suburbs in the Settlement Hierarchy in the CDP. It is also identified as a Housing Capacity Site under Figure 9 of the CDP.

Policy QDP8 of the Development Plan states that is Policy to adhere to the requirements set out in the *Urban Development and Building Height Guidelines* (2018) issued by the DHLGH through the implementation of the Assessment Toolkit set out in the South Dublin County's Building Heights and Density Guide 2021.

Appendix 10 of the 2022-2028 CDP is South Dublin County’s Building Height and Density Guide. This document forms the primary policy basis and toolkit to employ the delivery of increased building height and density within the County in a proactive but considered manner.

This is not a centrally located site and is somewhat detached from Tallaght by the Dodder Valley. The bus stop on the site is served by the 75 and 75A buses between Tallaght and Dun Laoghaire, which have peak time frequencies of approx. 20 minutes. The 15 bus on Woodstown is a 15-minute walk, and has a 10-minute frequency at peak times, connecting Woodstown to the city centre.

It is noted that **QDP8 Objective 2 states:**

In accordance with NPO35, SPPR1 and SPPR3, to proactively consider increased building heights on lands zoned Regeneration (Regen), Major Retail Centre (MRC), District Centre (DC), Local Centre (LC), Town Centre (TC) and New Residential (Res-N) and on sites demonstrated as having the capacity to accommodate increased densities in line with the locational criteria of Sustainable Urban Housing: Design Standards for New Apartments, Guidelines for Planning Authorities (2020) and the *Urban Design Manual – Best Practice Guidelines* (2009), where it is clearly demonstrated by means of an urban design analysis carried out in accordance with the provisions of South Dublin County’s Building Height and Density Guide that it is contextually appropriate to do so.

The proposed buildings would be 3 to 5 storeys in height above ground level (2 no. basement levels proposed) on an established Local Centre zoning. The ground levels differ across the site so that the site is at a lower level to the rear (north) than the front along Firhouse Road. The building heights would not exceed 5 storeys across the site.

Having regard to the urban design approach and the zoning of the site, it is considered that the principle of the density and building height approach is appropriate in the context of the South Dublin County’s Building Heights and Density Guide 2021. However, the building height should be lower in proximity to existing residential development at Mount Carmel Park. Block 1 should be stepped down earlier to take into account proximity to 1a Mount Carmel Park. In the current proposal it is considered to step up to this height to early along this block. The revision of this block should be addressed by way of condition.

### **Development Mix**

#### **Unit Mix and Type**

The proposed development provides for apartment and duplex development and the following mix of unit type:

Studio	2	(2%)
1-Bed	47	(47%)
2-Bed (3-Person)	10	(10%)
2-Bed (4-Person)	36	(36%)
3-Bed	5	(5%)

The Planning Authority notes the small allocation of 3 bed units (5%). H1 Objective 12 of the 2022-2028 CDP requires proposals for residential development to:

*provide a minimum of 30% 3-bedroom units, a lesser provision may be acceptable where it can be demonstrated that:*

- there are unique site constraints that would prevent such provision; or*
- that the proposed housing mix meets the specific demand required in an area, having regard to the prevailing housing type within a 10-minute walk of the site and to the socioeconomic, population and housing data set out in the Housing Strategy and Interim HNDA; or*
- the scheme is a social and / or affordable housing scheme*

The applicant has identified the proposed unit mix as a material contravention of this policy of the CDP. A Unit Mix Review and Justification Report prepared by Hooke & MacDonald Estate Agents and Property Services has been submitted.

Having regard to the prevailing house type within a 10-minute walk of the subject site (which is low density 3-4 bedroom 2 storey housing), the site size and constraints, the Local Centre zoning, the submitted documentation, it is considered that a lesser provision of 3 bed units would be acceptable on site and the proposed mix complies with H1 Objective 12.

The provision of 4 no. own door duplex units (2 no. 1 bed and 2 no. 2 bed) on the eastern frontage of the site is to be welcomed. This enhances activity along this frontage of the site.

#### **Part V / Social and Affordable Housing**

The Housing Department has provided a report which states:

*I refer to the above application for planning permission, SHD3ABP-313777-22 for the development of 100 residential units and I wish to advise that a Part V condition should be attached to any grant of permission for this application.*

*The developer has proposed the provision of 10 x 1 Bed and 10 x 2 Bed apartments for Part V. It is South Dublin County Councils preference to acquire units on site. Negotiations are ongoing and the applicant is requested to incorporate a wheelchair liveable unit as part of the Part V proposal. Further proposals are subject to review and consideration by the Housing Department & planning approval. Proof of date of ownership of the site is required from the applicant to determine their Part V Percentage liability.*

*South Dublin County Council can only agree Part V in respect of the permitted development subject to costing approval from the Department of Housing, Local Government & Heritage. Please note that the Council would require a fully completed Part V submission prior to commenting on costs.*

The full report is available in the appendices. A Part V condition should be attached in the event of a grant of permission.

#### **Childcare**

In the context of this scale of residential development, the proposal to develop a creche is welcome. The applicant states that this facility has a indicative capacity for 25 to 27 no. childcare spaces. There is a dedicated external play area for the creche in

the north (rear) of the site. Drop off bays (car parking spaces) are identified in the upper basement car park for the creche.

### **Tenure Mix**

The applicant has not described the development as build to rent in the notices. It has therefore been assessed as a Build to Sell development.

### **Design, Layout and Visual Impact**

#### **Design**

In terms of Policy QDP1: Successful and Sustainable Neighbourhoods the following objective is considered relevant to Local Centres:

*QDP1 Objective 5:*

*To promote the re-development of underutilised Local Centres within the County as new mixed use neighbourhood hubs continuing to provide for local retail and services in a manner which respects and consolidates the existing urban character of these areas ensuring adherence to the eight key design principles in ‘The Plan Approach’ including quality of design, integration, accessibility and connections to the surrounding areas.*

QDP2 Objective 1 of 2022-2028 CDP requires that applications for new development shall be accompanied by a statement from a suitably qualified person detailing how ‘the plan approach’ has been taken into consideration and incorporated into the design of the development, including the materials and finishes proposed. In line with Policy QDP8 Objective 1 developments such as this shall be accompanied by a Design Statement.

An Architectural Design Statement prepared by O’Mahony Pike Architects Ltd was submitted with the application. This statement includes a materials and finishes strategy and The Plan Approach Compliance Assessment.

### **The Plan Approach**

The submitted The Plan Approach Compliance Assessment is summarised as follows:

<b>Principles</b>	<b>Applicant’s Compliance Assessment (summary)</b>
The Context of an area (Character/ Infrastructure –GI/ Natural/ Physical)	Context has informed the site layout and architectural strategy
Healthy Placemaking	Development would have a sense of place, providing safe, attractive, useful spaces, enhances public open green spaces
Connected Neighbourhoods	Non-residential uses destination for local community and facilitates local business and activities. Improvements to pedestrian infrastructure along site boundaries. Reinforces connection to Dodder River.
Public Realm	Accessible public open space with trees and natural landscape features. Elimination of forecourt parking allows for connection to public transport and cycling infrastructure. Pedestrian pathways, seating, play spaces amongst trees and planting.
The Delivery of High-Quality and	High quality material finishes and detailing. Designed in

Inclusive Development	accordance with the Universal Design Statement.
Appropriate Density and Building Heights	Height is appropriately concentrated on the corner to create a modest landmark then steps down. Considerate of adjacent Mount Carmel Park estate. Proposed density can support vibrant, compact, walkable places that prioritise pedestrian movement, reducing the need for carbonised travel.
Mix of dwelling types	Provides a variety of dwelling types. Mainly 2 bed apartments, with some 3 bed and the remainder 1 bed. Inclusion of own door duplex units.
Materials, Colours and Textures	Inspired by the material character of the neighbouring contemporary and historic contexts. Red brick used extensively in surrounding housing estates. Stone was characteristically used for industrial buildings that once would have populated the riverbanks.

### **Materials and Finishes**

The materials and finishes of the proposed development include brick, stone cladding panels, zinc cladding, zinc roof and glass or steel vertical balustrades on balconies. Red brick is the dominant material used for the residential element with sheet metal cladding on top floors and roofscape. Stone cladding is used on the retail/commercial units. The own door units would have white toned brick and the creche and upper residential floors of this element would be buff and white toned brick.

The mix and use of these materials is welcomed. They create a distinctiveness between the different elements of the development. Materials and finishes should be agreed with the Planning Authority by way of condition.

A Building Life Cycle Report has been submitted for the proposed development. This provides an assessment of long term running and maintenance costs and measures to manage and reduce costs. This report is to be welcomed and is in compliance with the 2020 Apartment Guidelines.

### **Layout**

The development consists of 2 no. blocks. Block 1 sits on the corner of Firhouse Road and Mount Carmel Park and extends along the eastern boundary with Mount Carmel Park. Block 2 is located to the west of Block 1 and fronts Firhouse Road and extends into the site. Public open space and realm is proposed in front of the buildings along Firhouse Road and at the corner of the junction of Firhouse Road and Mount Carmel Park. It also extends along Mount Carmel Park. The commercial/retail units are appropriately located along the frontage of Firhouse Road, and a strong built form is proposed at the corner of Block 1 on the junction.

In general the overall layout of the proposal is considered to be acceptable. A quality frontage is provided to Firhouse Road, which would enhance the local centre function of the site. The removal of surface car parking and replacement with a high quality public realm is to be welcomed and is a significant improvement to what is currently onsite. The applicant should liaise with SDCC in relation to the design and layout of

the public realm along Firhouse Road in relation to the intended improvements to infrastructure (i.e. cycling) along this road. This should be conditioned.

### **Communal Amenity Space**

A total of 940.4sq.m as on drawings (stated as 962.sq.m in ADS and HQA) of communal amenity space would be provided for the residents. This is proposed centrally at first floor podium level (approx. 445.1sq.m) and as terraces at second (approx. 30.9sq.m), third (approx. 168.5sq.m) and fourth levels (approx. 295.9sqm) on Block 1. The private amenity space for A2C overlaps with the communal terrace at second floor level. Adequate privacy screening would also need to be provided to this balcony. Landscape plans do not appear to have the correct floor plans. Also does not show the balcony at third floor level for apartment A2A1.

The 2022-2028 CDP and Apartment Guidelines would require a minimum of 600sq.m for the proposed development. Even if the above described spaces were excluded, it is considered that the proposed development would still provide sufficient communal amenity space. The submitted Daylight & Sunlight Report assesses the sunlight access to proposed amenity spaces. This includes amenity space at podium level and the balconies, however, not the proposed roof terraces. Given the results for the balconies in similar areas as these roof amenity spaces it is considered that these spaces may, in part, be below the minimum 2 hours of sunlight on March 21<sup>st</sup>. Particularly at the third and fourth levels where these spaces are orientated to the north of taller elements of Block 1.

The largest area of communal open space, located centrally at podium level, however, would receive adequate sunlight. It is therefore considered that sufficient quality communal amenity space would be available in compliance with the CDP and Apartment Guidelines.

### **Public Open Space**

COS5 Objective 5 refers to Table 8.2 of the CDP which states that the minimum overall standard for public open space is 2.4ha per 1,000 population. Based on the calculation basis of COS5 Objective 6 the proposed development is considered to provide for 160 persons. This equates to an overall public open space requirement of 3,840sq.m.

For new residential development on lands such as the subject site a minimum of 10% of the site area is required as public open space. The area to the front of the buildings, south and eastern corner, and an area in the north-eastern corner of the site are indicated as contributing to public open space. This equates to a total of approx. 1,347sq.m (identified as 1,337.2sq.m in the ADS) or 29% of the site area.

These spaces include external circulation space, entrances to the podium level courtyard, commercial/retail units and the creche and bicycle parking. Not all of this space is considered to contribute to usable public open space. The remainder of the space does include active and passive features, biodiversity planting and surface water management, which is to be welcomed.

With the exclusion of the above described spaces, that is not considered to contribute to public open space, it is still considered that the proposal would comply with the



minimum 10% percentage requirement. However, the proposal would not meet the overall standard regardless. COS5 Objective 5 states that a contribution in lieu can be accepted at the discretion of Council to make up for this shortfall.

The applicant has stated in their Statement of Consistency that given the public open space proposed on site and proximity to the Dodder Valley Park, a condition requiring contribution in lieu of the public open space shortfall would be unreasonable.

It is noted that COS5 Objective 5 outlines that a financial contribution in lieu would be held solely for the purpose of the acquisition or upgrading of small parks, local parks and neighbourhood parks subject to the open space or facilities meeting the open space 'accessibility from homes' standards for each public open space type specified in Table 8.1. The adjacent open space to the subject site is the Regional level Dodder Valley Park. The objective outlines that contributions in lieu for Regional Parks should only be in exceptional circumstances. It is not evident that exceptional circumstances exist in this instance.

Overall, the Planning Authority would agree given the proposed provision onsite, the zoning, the proximity of a Regional Park and the location and size of the site that a contribution in lieu of the overall standard shortfall (approx. 0.25ha) is not necessary in this instance.

### **Visual Impact**

There is an objective to Protect and Preserve Significant Views along N81 Tallaght Road to the north facing the site. In relation to this and the site adjoining the High Amenity Dodder Valley zoning the following policies and objectives are noted:

#### *Policy NCBH14: Landscapes*

##### *NCBH14 Objective 4:*

*To require a Landscape / Visual Impact Assessment to accompany all planning applications for significant proposals, located within or adjacent to sensitive landscapes and to provide mitigation measures to address any likely negative impacts.*

#### *Policy NCBH15: Views and Prospects*

*Preserve Views and Prospects and the amenities of places and features of natural beauty or interest including those located within and outside the County.*

##### *NCBH15 Objective 2:*

*To require a Landscape / Visual Assessment to accompany all planning applications for significant proposals that are likely to affect views and prospects.*

A Visual Impact Assessment and Verified Photomontages of the proposed development have been submitted. This includes existing and proposed views from the N81. These show that the development would not have a significant negative impact from viewed from the N81 and Dodder Valley Park. The development would have a strong frontage onto Firhouse Road. The building is setback from the road, which is appropriate, as it allows for public realm and landscaping along the streetscape.

## **Residential Amenity**

### **Unit and Room Sizes**

The standards of the CDP 2022-2028 and Sustainable Urban Housing: Design Standards for New Apartments – Guidelines for Planning Authorities 2020 should be applied. In particular, section 3.8 of the guidelines should be applied. A Housing Quality Assessment has been submitted demonstrating that the proposed apartments would comply with these standards.

### **2-Bed, 3-Person Units**

The proposed development includes 10 no. 2-bed, 3-person units. These units are provided for under the 2022-2028 CDP and require a minimum standard of 63sq.m. The CDP states that 2-bed 3-person units cannot exceed 10% of all proposed apartment units. The proposed development complies given that it would provide for 10 no. (10%).

### **Single and Dual Aspect**

The Architectural Design Statement identifies Duplex 2D2 as dual aspect. This apartment is not considered to be dual aspect. The development would therefore provide 50 no. apartments (or 50%) with dual or more aspect. This complies with the requirement of SPPR 4 of the 2020 Apartment Guidelines that requires *in suburban or intermediate locations, it is an objective that there shall generally be a minimum of 50% dual aspect apartments in a single scheme.*

No single aspect apartments would be facing north, which would comply with the Apartment Guidelines.

### **Separation Distances from Mount Carmel Park**

*Policy QDP3: Neighbourhood Context*

*Support and facilitate proposals which contribute in a positive manner to the character and setting of an area.*

*QDP3 Objective 6:*

*To ensure that higher buildings in established areas respect the surrounding context and take account of heights and their impact on light and the negative impact that they may have on existing communities to ensure consistency with regard to Healthy Placemaking.*

Section 12.6.7 of the CDP states that:

*Section 10 of the Urban Design Manual (2009) addresses privacy and amenity and sets out that rather than establishing a minimum window-to-window standard, the aim should be to assess the impact on privacy of each layout and home design based on:*

- *The site's location and residents' expected levels of privacy*
- *The size of the windows – both those overlooking and overlooked*
- *Changes in level between overlooking windows*
- *Ability to screen/partially obscure views through design*

*In this regard and as a benchmark for development, a minimum clearance distance of circa 22 metres, in general, is required between opposing windows, including in the case of apartments up to three storeys in height. In taller blocks, a greater separation distance may be prescribed having regard to the layout, size, and design.*

*Reduced distances will be considered in respect of higher density schemes or compact infill sites where innovative design solutions are used to maintain a high standard of privacy in line with the provisions of the Urban Design Manual as detailed above.*

*In all instances where the benchmark separation distance is not being met, the applicant shall submit a daylight availability analysis for the proposed development and detail appropriate design measures to reduce undue overlooking.*

Third party submitters have raised concerns in relation to the separation distance of the proposed development from the existing residential development at Mount Carmel Park. They have also pointed out that the submitted application documentation and drawings do not account for the presence of the dwelling at 1a Mount Carmel Park. The 5 storey element of the building would be less than 22m from 1a Mount Carmel Park.

As raised previously in this report Block 1 should be revised to provide for an appropriate transition in height in relation to Mount Carmel Park estate. Subject to this the proposal would be in accordance with Policy QDP3 and QDP3 Objective 6. It is the side and front of the houses at Mount Carmel Park that would face the proposed development. Any impact is also mitigated the location of the public road and public realm between the proposed development and the existing housing.

### **Separation Distances between Blocks**

The separation distances between the two blocks at the closest points would be approx. 5.9m and 8.1m. However, the blocks are on an angle from one another and therefore there would be no windows directly facing one another between the blocks.

### **Daylight and Sunlight**

A Daylight & Sunlight Report has been submitted. The analysis finds that in terms of daylight a compliance rate of 100% across the proposed development against BS 8206, and a 98.5% compliance rate against EN 17037 are achieved. The annual probable sunlight hours assessment has shown that 73% of windows across the development achieve the recommended APSH values stated in the BRE Guidelines, while 78% of windows achieve the recommended values during the winter months, when sunlight is more valuable. The vast majority of windows comply with the direct sunlight recommendations of EN 17037. It is noted that windows with low sunlight access on the north-western (more northern) are to dual aspect apartments.

Third parties have raised concerns that 1a Mount Carmel Park have not been taken into account in the daylight analysis. The submitted Daylight & Sunlight Report appears to have taken this dwelling into consideration in the assessment. While it is not included in the overshadowing images the impact can be discerned from this information. The reduction in height along the eastern elevation would further reduce any impact.

## **Public Realm**

In relation to public realm in Local Centres the CDP states the following:

*QDP6 Objective 3:*

*To promote and implement environmental and public realm improvements in existing town, village, district and local centres to a high standard and finish to ensure that the design addresses environmental quality, urban design, safety including the potential for anti-social behaviour, identity, and image.*

*QDP6 Objective 9:*

*To ensure, in cooperation with the NTA and relevant agencies, that projects which affect the public realm will consider fully the needs of pedestrian, cyclists and public transport users, and that transport schemes complement any public realm objectives.*

SDCC's Public Realm Section have raised concerns in regard to the following:

*The Public and communal open spaces for the proposed development should be designed to all relevant qualitative standards, in addition public and communal open spaces should be designed to be usable and functional within the overall proposed development.*

*Any proposed pedestrian connections to adjoining lands should be clearly indicated on plans. The applicant should show how public open spaces in the wider area will link in and integrate with the proposed development. The public realm should be integrated into the adjacent development areas, creating continuous green infrastructure connections that form both physical and bio-diversity links.*

*The proposed development should create positive additions to the open spaces of the area in the form of planting, permeability, and usable open space.*

*Photomontages and cross sections at appropriate intervals for the proposed development including how the development will interface with existing housing and contiguous lands.*

*The aim of the landscape design proposals should be to create a distinctive, energetic and a well-functioning landscape as well as public, communal and private open space which is usable, functional and visually pleasing.*

*The urban network of public spaces should be clearly delineated. Further consideration and/or justification should be given to the design and treatment of the public open spaces to ensure that they are appropriate to the future residential community and have sufficient animation. In addition, the proposed public open spaces within the proposed development should represent a significant planning gain.*

### *1. Public Open Space Provision*

*Public open space (c. 1,347 sq m) is provided to the south and along the perimeter/boundaries of the proposed development. The proposed public open space provision equates to c. 29% of the total SHD site area. A development standard of 10% of open space on REGEN zoned sites is suggested in the LAP and County Development Plan, the open space provision is excess of the required standards however the public realm section would have concerns regarding the functionality and usability of the public open space provided.*

*The Public Realm Section welcomes the proposed revisions to the landscape proposals:*

- The proportion of the area given over to the vehicle has been greatly reduced.*
- The underground attenuation tank has been removed from the public open space entirely, and the proportion of 'natural' SuDS substantially increased with the*

*inclusion of 4 large proprietary stormwater attenuation tree pits in the public open space, designed with the civil engineers*

- *The addition of additional street tree planting*
- *Increased natural SUDS features*
- *Additional opportunities for play*

*There are concerns regarding the potential effect on amenity due to overshadowing and wind tunnelling effect created by tall buildings (4 to 5 stories). Communal open space provision within the proposed development consists of a podium landscaped courtyard, perimeter area and two roof terraces which act as private spaces accessible only to residents. The Public Realm Section is concerned that the public open space provision within the development is primarily provided through linear open space along southern and eastern boundaries of the proposed development. The Public Realm Section is of the view that the quantity, usability and quality of the proposed public open space provision within the development may not be sufficient to meet the Planning Authorities requirements. To justify the nature of the development proposed, the Planning Authority would expect to see the provision of high quality open spaces that significantly exceeds both the 10% minimum quantitative requirement, and which also provides a significant quality, functional and useable open space. Exceeding the 10% requirement is not in itself a justification for additional density. The public open space within the proposed development should ideally be centrally located, well designed, functional and useable. New housing development is expected to ensure that sufficient recreational space and facilities are available to meet the needs of the prospective residents of the development. The open space provided shall be:*

- *Suitably located within the proposed development, such that it is conveniently accessible to the public;*
- *Generally, be centrally located, of a regular shape, and not fragmented*

## *2. SuDS and Green Infrastructure*

*The Public Realm Section welcomes the submission of a green infrastructure Plan and an increase in the amount of natural SUDS for the proposed Development. This shall be implemented in full by the applicant.*

## *3. Green Space Factor*

*The quantity and quality of green infrastructure provided by new development will be improved by the enforcement of a Green Space Factor (GSF) for South Dublin. A greening factor is a measurement that describes the quantity and quality of landscaping and GI across a defined spatial area. This measurement comprises a ratio that compares amount of green space to the amount of impermeable 'grey' space in a subject site. As a planning tool, this ratio can be used to assess both the existing green cover within a site and the impact of new development, based on the quantity and quality of new green space provided.*

*As required under the new County Development Plan, all new residential and commercial development comprising 2 or more residential units and / or 1,000 sq.metres of commercial floor space are required to reach the minimum green factor score established by their land use zoning.*

*Developers can improve their green factor score by retaining existing landscape features and incorporating new landscape features and GI interventions. A number of landscape and GI surface types and interventions have been assigned a 'weighting',*

*based on their contribution to ecosystem services. Factors with a higher weighting will make a higher contribution to the overall score of a proposed development.*

*The GSF score for a proposed development is calculated using the following equation:*

$$\text{GSF} = \frac{(\text{factor A} \times \text{area A}) + (\text{Factor B} \times \text{area B}) + (\text{factor C} \times \text{area C}) + \text{etc...}}{\text{Site Area}}$$

**Site Area**

*Development proposals can contribute to the greening of South Dublin by including urban greening as a fundamental element of site and building design, and by incorporating measures such as high-quality landscaping (including trees), green roofs, green walls and nature-based sustainable drainage. Urban greening covers a wide range of options including, but not limited to, street trees, green roofs, green walls, and rain gardens. It can help to meet other policy requirements and provide a range of benefits including amenity space, enhanced biodiversity, addressing the urban heat island effect, sustainable drainage and amenity – the latter being especially important in the most densely developed parts of the county where traditional green space is limited.*

#### *4. Play*

*The Public Realm Section welcomes the submission of a play plan as part of the updated/revised submission for this development. However, the Public Realm Section would have some concerns that the larger play items are located level 4 and not within the Public open space areas provided for within the development. Where feasible play items should be located with the Public Open Space areas within the development. In addition, no provision has been made for teenagers within the development. Additional play provision needs to be made within the landscaping scheme for both children in the 0-12 age group and for teenagers.*

*Additional details, specifications and images need to be provided in relation to the proposed playgrounds and play spaces for the development. All play equipment should be of predominantly natural materials with unstructured play included in the proposed design. The applicant should consider the use of engineered woodchip as playground surfacing material.*

The Public Realm Section then recommend conditions to this effect, including a condition in relation to the Green Space Factor. The applicant has submitted a Landscape Design Rationale and Response Document, a Green Infrastructure Plan drawing and other material that details the green infrastructure proposed as part of the development. This includes blue-green roofs, planting, permeable paving etc. The policy relevant to this objective is *Policy GI5: Climate Resilience Strengthen the County's GI in both urban and rural areas to improve resilience against future shocks and disruptions arising from a changing climate.*

Given the green infrastructure incorporated into the proposed development it is considered in line with Policy GI5 in relation climate resilience. The measures would improve what is existing onsite on this established local centre, which has limited if any green infrastructure. In consideration of the timing of the application in terms of the commencement of the Development Plan between the application and the decision and the availability of the measuring tool for GSF, it is considered unreasonable to

require the calculation of the GSF in this application. The Planning Authority is satisfied with the level of Green Infrastructure provision and it is apparent the development would meet this objective.

### **Cultural and Built Heritage**

The site adjoins to the north a Geological Site for Protection Dodder Terraces which has the following summary description under the County Development Plan ‘*Flat-topped elevated terraces that formed river floodplain along the Dodder River during the last deglaciation*’. An Archaeological Impact Assessment and Method Statement has been submitted with the application.

Across Firhouse Road from the subject site is Sites and Monuments Record DU01873 House - 18th/19th century Tymon South and Protected Structure RPS No. 285 Sally Park, Ballycullen Road, Templeogue House & Gateway. A Heritage Impact Assessment has been submitted. This states that the existing buildings onsite have no architectural nor historic significance.

These reports are noted. The relevant measures should be implemented in the event of a grant of permission. The conditions recommended by the Department of Housing, Local Government and Heritage should also be taken into account.

### **Green Infrastructure**

#### **Green Infrastructure**

Based on the CDP’s Green Infrastructure Map and Flood Risk Map the subject site is partially located within a riparian corridor for the Dodder River, in the northern part of the site. The 2022-2028 CDP has specific policies and objectives in relation to riparian corridors including:

#### *Policy GI3: Sustainable Water Management*

*Protect and enhance the natural, historical, amenity and biodiversity value of the County’s watercourses. Require the long-term management and protection of these watercourses as significant elements of the County’s and Region’s Green Infrastructure Network and liaise with relevant Prescribed Bodies where appropriate. Accommodate flood waters as far as possible during extreme flooding events and enhance biodiversity and amenity through the designation of riparian corridors and the application of appropriate restrictions to development within these corridors.*

#### *GI3 Objective 1:*

*To ensure that hydromorphical assessments are undertaken where proposed development is within lands which are partially or wholly within the Riparian Corridors identified as part of this Development Plan.*

#### *GI3 Objective 2:*

*To require development proposals that are within riparian corridors to demonstrate how the integrity of the riparian corridor can be maintained and enhanced having regard to flood risk management, biodiversity, ecosystem service provision, water quality and hydromorphology.*

While a specific hydromorphical assessment has not been submitted it is noted that the applicant has submitted a flood risk assessment, biodiversity and ecology reports

and measures, and surface water quality measures. The subject site itself is an infill site, already hard surfaced, located away from the River Dodder, separated from this by parklands and open space. It is therefore considered that the policy and objectives of the CDP have been met. The Planning Authority recommend a condition in relation to the carrying out of a hydromorphological assessment.

### **Trees and Ecology**

An Ecological Impact Assessment Report, Bat Survey Report, Bird Survey Report and Invasive Species Survey Report have been submitted. Whilst no legally controlled invasive species, such as Japanese Knotweed, were identified on site, biosecurity measures to prevent potential infestation are recommended.

An Arboricultural Report, Tree Survey & Constraints Plan and Tree Works & Protection Plan have been submitted. There are no existing trees on the subject site. There are a substantial number of trees and hedgerows located along the outside of the north-western boundary of the site within the adjacent HA-DV zoned lands. These trees have been surveyed as largely Category B and C trees. These trees are to be retained and protected throughout the development. Some overhanging lateral branches have been identified for pruning back in order to facilitate construction.

The mitigation measures from these assessments should be conditioned in the event of a grant of permission.

### **Access, Transport and Parking**

As shown on the submitted drawings the total number of car parking spaces would be 80 no. (17 no. at upper basement level and 63 no. at lower). 63 no. residential car parking spaces (including 2 no. accessible) would be provided on the lower basement level. The TTA states that 1 no. of the accessible spaces at the upper basement level would also be provided for residential use (so 64 no. in total). This provides a residential car parking ratio of 0.64 spaces per apartment.

The remainder of the spaces (16 no.) would be for the commercial/retail units and located in the publicly accessible upper basement car park level. This includes 1 no. accessible and 2 no. parent child spaces. The applicant states that the proposed development provides for a car sharing scheme, with 17 No. EV cars available for general public use and the residents of the scheme.

Bicycle parking would be provided in line with the Apartment Guidelines and be located at surface and basement levels.

The Roads Department have reviewed the development and note the specific information requested by ABP. The Roads Department state that they are satisfied with the submitted taking in charge plan, that a more detailed CDWMP will be required by way of condition, and that the public lighting plan is acceptable subject to design agreed with SDCC's Public Lighting team prior to commencement.

The Roads Department also have the following observations:

- *Bicycle parking provision is to be to 2018 Apartment Guidelines which is satisfactory. However, all spaces including visitor spaces are recommended to be covered spaces to encourage this mode of travel.*



- *A Mobility Management Plan is to be completed within six months of opening of the proposed development. The Mobility Management Plan shall be agreed in writing with the roads department and the agreed plan, along with the written agreement of the roads department shall be lodged to the planning file. The written commitment of the developer to implement the agreed plan shall also be lodged to the file. REASON: In the interest of sustainable transport.*
- *SDCC reserve the right to request the applicant to install additional traffic calming at the applicant's expense at locations to be agreed. In the interests of traffic safety.*
- *Prior to commencement, SDCC will require a public lighting scheme to be agreed with South Dublin County Council Lighting Department.*
- *All items and areas for taking in charge shall be undertaken to a taking in charge standard. Prior to development the applicant shall submit construction details of all items to be taken in charge. No development shall take place until these items have been agreed.*
- *Prior to commencement a developed Construction Demolition and Waste Management Plan shall be agreed by SDCC and lodged on the planning file.*
- *Footpath and kerb shall be dished and widened, and the dropped crossing shall be constructed to the satisfaction of South Dublin County Council and at the applicant's expense. The footpath and kerb shall be dished and widened to the full width of the proposed entrance.*

Their full report is attached to the appendices of this report. The above comments are recommended to the Board. The Planning Authority have concerned in relation to the proposed cycle infrastructure provision. It is considered that the public realm area adjacent to the Firhouse Road shall be redesigned to provide for improved cycle infrastructure by way of condition.

### **Drainage and Services**

Water Services have reviewed the proposed development and state the following:

- *Concrete tanks are not acceptable to attenuate surface water because there are not a SuDS (Sustainable Drainage System). The proposed concrete attenuation tank shall be removed and replaced with a SuDS type attenuation system such as a grass area, swales or other such SuDS. Water Services (in SDCC) estimate that the proposed site in principal has sufficient surface water attenuation capacity from other proposed SuDS and it is expected that the replacement of concrete tank with a SuDS type system such as grass or swales other SuDS will be sufficient.*
- *The applicant is required to submit a revised surface water drawing clarifying the legend of all surface water pipes on site. For example it not clear what dashed green lines on drawing represent.*
- *The applicant shall also highlight the proposed surface water maximum discharge rate of 1.5L/S on the drainage layout drawing.*
- *All drainage from basement level car parking shall pass through a Class 2 petrol interceptor and discharge to the foul drainage network in compliance with Greater Dublin Regional Code of Practice requirements. Submit a revised basement level drainage layout drawing which demonstrates this. The*

*applicant is also required to demonstrate how basement drainage pumps will operate in the event of a power outage.*

- *All proposed petrol interceptor/s shall be designed as in accordance with section 20 of the Greater Dublin regional Code of Practice for Drainage Works.*

Their full report is attached to the appendices of this report. These comments are referred to the Board for consideration.

The green dashed line on the drawing indicates the presence of an existing surface water drain across the site. As the applicant has stated it is proposed to divert this 300mm pipe out of the site and along the Firhouse Road and Mount Carmel Park, resulting in this public sewer being provided within the public space under the control of the local authority and not in private lands as it is currently. The detail of this should be agreed with SDCC by way of condition.

Irish Water have provided observations on the proposed development stating that water supply and wastewater drainage connections are feasible without any upgrades. They state that there is an existing watermain running through the site which will need appropriate setback distances from or diverted. This would have to be agreed with Irish Water.

In the submitted Water Services Report it is stated that a Diversion Agreement has been issued by Irish Water in May 2022 for the proposed diversion works. It is proposed to rationalise the current arrangement through the provision of new watermains to be located on Firhouse Road. They recommend condition are attached including connection agreements, no building over of assets, written confirmation of feasibility of diversion, and carry out in compliance with IW standards, codes and practices.

The recommended conditions by Irish Water should therefore be conditioned in the event of a grant of permission.

### **Environmental and Safety Considerations**

#### **Environmental Health**

A Planning Stage Noise Assessment has been submitted. This includes an analysis of noise in relation to construction, traffic, M&E, residential development, creche, playgrounds, and commercial units. No report has been received from the H.S.E. Environmental Health Officer. Standard conditions should apply in the event of a grant of permission in relation to air quality, bin storage, fumes and noise. The recommendations from the submitted noise assessment should be conditioned to apply.

#### **Aviation Safety**

The subject site is located within the Approach Surface, Take Off Climb Surface, Outer Horizontal Surface, Bird Hazard and Locations in which developments of up to 30m in height above ground are unlikely to have significance in relation to aviation for the Casement Aerodrome. The proposed development would be approx. 20.5m in overall height.

### **Waste Management**

A Construction Waste Management Plan and Operational Waste Management Plan have been submitted. SDCC's Waste Management section state that the CWMP is acceptable at this stage. They advise that prior to commencement a bespoke Construction and Demolition Resource Waste Management Plan (RWMP) shall be prepared, including demonstration of proposals to adhere to best practice and protocols. Their full report is attached to the appendices of this report. It is recommended that this is conditioned in the event of a grant of permission.

### **Energy**

An Energy & Sustainability Report has been submitted. This report provides an overview of how the proposed development intends to integrate sustainability as part of the design. A Building Energy Rating (BER) of A2/A3 has been targeted throughout.

### **Screening for Appropriate Assessment**

The Board is the competent authority and will screen the development for appropriate assessment. The applicant has provided a Screening for Appropriate Assessment report.

### **Screening for Environmental Impact Assessment**

The Board is the competent authority and will screen the development for EIA. The applicant has provided an Environmental Impact Assessment Screening Report.

### **Conclusion**

Noting national and regional guidance in relation to urban consolidation, and also noting the location of the site, the Planning Authority recommends that the development can be **granted permission**, subject to the conditions proposed in Appendix 1.

Ultimately, the Board should use its discretion to assess whether the above issues do not raise issues of such magnitude as to require a refusal of permission, and can be dealt with by condition.



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**Eoin Burke, Senior Planner**

**Date:**

04/08/22



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**Mick Mulhern,  
Director of Land Use,  
Planning and Transportation**

Appendix 1: Conditions of Permission

No	Condition	Reason
1	<p><b>Effective control on development as approved</b>                      Development in accordance with submitted plans and details.                      The development shall be carried out and completed in its entirety fully in accordance with the plans, particulars and specifications lodged with the application, save as may be required by the other conditions attached hereto.</p>	<p>To ensure that the development shall be in accordance with the permission and that effective control be maintained.</p>
	<p><b>Amendments</b>                      Prior to commencement of development, the applicant developer or land owners shall obtain the written agreement of the Planning Authority to various amendments to the scheme and the final arrangements and layouts associated with those amendments, which shall include the following:                      (a) Omit Apartment No. A1G and replace with commercial/retail floorspace.                      (b) Block 1 revised so that the 3 storey element is extended further along the extent of the building. The building should only step up to 5 storeys in the corner (south-eastern) of the block. Detail of the design of the boundary treatment and screening of the roof terraces, specifically the top roof terrace with the playground equipment, shall be submitted for agreement.                      (c) Revised landscape drawings that show the correct location of private amenity spaces (balconies) and adequate privacy planting around these where they meet communal or public open space.                      (d) In conjunction with the revisions to the public realm along Firhouse Road the applicant shall liaise with SDCC and provide for improvements to cycle infrastructure.</p> <p>Note: Compliance with this condition may require a reduction in units.</p>	<p>In the interest of a high quality sustainable residential development, comfort and safety of pedestrians, traffic safety, and communal residential amenity.</p>
	<p><b>Hydromorphical assessment</b>                      Prior to commencement of development, the applicant shall complete a hydromorphical assessment and submit the report and any amendments on foot of mitigation measures for the written agreement of the Planning Authority.</p>	<p>To comply with the South Dublin County Development Plan 2022-2028</p>
	<p><b>Materials and Finishes</b>                      Prior to the commencement of development the applicant shall submitted materials and finishes of the development for the written agreement of the Planning Authority.</p>	
	<p><b>Commercial Units</b>                      Prior to the occupation of the commercial/retail units and the creche facility the opening hours (if appropriate) and associated signage shall be submitted</p>	<p>To protect existing residential amenity.</p>

	for the written agreement of the Planning Authority.	
	<p><b>Taking in Charge</b>  Prior to commencement of development, the applicant shall submit and obtain agreement of the Planning Authority (following consultation as necessary with the SDCC Public Realm Department and the SDCC Roads Department) to the taking-in-charge plan. All areas to be taken in charge shall be completed as per the council's standard details, which can be found at: <a href="https://www.sdcc.ie/en/services/planning/commencement-and-completion/completion/taking-in-charge-policy-standards/">https://www.sdcc.ie/en/services/planning/commencement-and-completion/completion/taking-in-charge-policy-standards/</a></p>	To comply with the Councils taking in charge standards.
	<p><b>Roads</b>  The following details shall be agreed with the Planning Authority in writing prior to commencement of development:  (a) All bicycle parking spaces including visitor spaces are to be covered.  (b) Additional traffic calming at the applicant's expense at locations to be agreed.  (c) Footpath and kerb shall be dished and widened, and the dropped crossing shall be constructed to the satisfaction of South Dublin County Council and at the applicant's expense. The footpath and kerb shall be dished and widened to the full width of the proposed entrance.</p>	To ensure effective control of development, and to ensure safe and adequate provision of transport infrastructure in line with national guidelines and local needs.
	<p><b>Mobility Management Plan.</b>  A Mobility Management Plan is to be completed within six months of opening of the proposed development. The Mobility Management Plan shall be agreed in writing with the roads department and the agreed plan, along with the written agreement of the roads department shall be lodged to the planning file. The written commitment of the developer to implement the agreed plan shall also be lodged to the file.</p>	In the interest of sustainable transport.
	<p><b>Energy Statement</b>  The applicant has provided an Energy Statement with the application. The Statement specifies measures in line with council policy and Part F and Part L of the Building Regulations. The Energy Statement shall be implemented in full.</p>	To ensure energy efficiency in the development.
	<p><b>Council Housing Strategy.</b>  The applicant, owner or developer, or any other person with an interest in the land to which the development as approved relates shall, prior to the lodgement of a commencement notice within the meaning of Part II of the Building Control Regulations 1997:  (i) enter into an agreement with the Housing Authority for compliance with the Part V of the Planning and Development Act 2000 (as amended) as referred to in the South Dublin County Council Development Plan 2016-2022, providing, in accordance with that section, for the matters referred to in paragraph (a) or (b) of subsection (3) of section 96, and  (ii) when the agreement with the Housing Authority for compliance with the Part V of the Planning and Development Act 2000 is finalised to the satisfaction of the Housing Authority, a certified copy of the agreement shall be lodged with the Planning Authority.</p>	To promote social integration consistent with policies/objectives of the Councils Housing Strategy as contained in the South Dublin County Council Development Plan 2016-2022.

<p><b>Owner’s Management Company</b>  Prior to the commencement of development details of an Owner’s Management Company/Companies, or other such legally acceptable management entity, shall be submitted to the Planning Authority for written agreement.</p>	<p>In the interests of proper planning and sustainable development.</p>
<p><b>Archaeological</b>  (a) The submitted Archaeological Impact Assessment and Method Statement shall be implemented in full.  (b) The measures outlined by the Department of Housing, Local Government and Heritage shall be implemented in full.</p>	<p>In the interests of protecting archaeological heritage.</p>
<p><b>Landscape Design Proposals</b>  Prior to the commencement of development detailed landscape drawings that illustrate hard and soft landscaping, useable communal open space and meaningful public open space shall be submitted for the approval of the Planning Authority. The proposed public open space areas within the development shall be usable space, accessible and overlooked to provide a degree of natural supervision. Details of play equipment, street furniture including public lighting and boundary treatments should be submitted and agreed with the Public Realm Section. In addition, the applicant shall provide the following additional information:</p> <ul style="list-style-type: none"> <li>i. The developer shall submit level details for the open space, this shall include cross section drawings where applicable. If retaining walls are required, they shall be located outside the open space.</li> <li>ii. The applicant is requested to submit a detailed Play Rationale and Layout Plan (separate to, but related to the Landscape Masterplan), using natural and nature-based solutions, to provide informal, impromptu and spontaneous play opportunities, along with play equipment that provides appropriate challenges for multiple age groups.</li> <li>iii. Details of tree planting pits to include SUDs measures in urban tree pits and use of urban tree soil to be submitted to the Public Realm Section of SDCC for agreement.</li> </ul> <p>Soft landscape works</p> <ul style="list-style-type: none"> <li>i. Details of proposed schedules of species of trees and shrubs to be planted, planting layouts with stock sizes and planting numbers/densities.</li> <li>ii. Details of the planting scheme implementation programme, including ground protection and preparation, weed clearance, stock sizes, seeding rates, planting methods, mulching, plant protection, staking and/or other support</li> <li>iii. Details of the aftercare and maintenance programme, the soft landscape works shall be carried out as approved within the first available planting season (October to March inclusive) following the commencement of the development unless otherwise agreed in writing by the local planning authority. If within a period of five years from the date of the planting of any tree or plant that tree or plant, or any tree or plant planted in its replacement, is removed, uprooted, destroyed, dies, or becomes, in the opinion of the local planning authority, seriously damaged or defective, another tree or plant of the same species and size as that originally planted shall be planted in the same place, unless the local planning authority gives its written consent to</li> </ul>	<p>To assimilate the development into its surroundings, in accordance with the policies and objectives contained within the CDP 2022-2028.</p>

<p>any variation  Hard Landscape works  i. Details of walls with brick types, construction design and dimensions  ii. Details of paved surfacing, with materials finishing and edgings  iii. Details of street furniture, with designs materials and dimensions  The hard landscape works shall be carried out as approved prior to the first use/ occupation of the development hereby approved unless otherwise first agreed in writing by the local planning authority and retained as such thereafter.</p>	
<p><b>Tree Protection</b>  All tree protection measures outlined in the submitted Arboricultural Report and associated Tree Works and Protection Plan (Dwg ref: 200930-P-11) prepared by Charles McCorkell shall be implemented in full by the applicant. In addition, no development shall commence on site, including works of demolition or site clearance until:  a) All mature boundary trees located with the adjacent Carmelite lands shall be protected by secure, stout exclusion fencing erected at a minimum distance equivalent to the branch spread of the trees and in accordance with BS 5837 (2012) – Trees in Relation to Design, Demolition and Construction;  b) Any works connected with the approved scheme within the branch spread of the trees shall be by hand only. No materials, supplies, plant or machinery shall be stored, parked or allowed access beneath the branch spread or within the exclusion fencing. Any trees that are damaged or felled during construction work must be replaced with semi mature trees of the same or similar species.</p>	<p>To ensure the safety and well-being of the trees on the site that are to remain after building works are completed, in accordance with the CDP 2022-2028.</p>
<p><b>Arboricultural Method Statement</b>  No operations shall commence on site in connection with the development until a detailed Arboricultural Method Statement (AMS) in accordance with BS5837:2012 Trees in relation to design, demolition and construction – Recommendations has been submitted to and approved in writing by the Planning Authority and the protective fencing is erected as required by the AMS.  The AMS shall include full details of the following:  a) Timing and phasing of Arboricultural works in relation to the approved development.  b) Detailed tree felling and pruning specification in accordance with BS3998:2010 Recommendations for Tree Works.  c) Details of a tree protection scheme in accordance with BS5837:2012: which provides for the retention and protection of trees, shrubs and hedges growing on or adjacent to the site which are shown to be retained on the approved plan.  d) Details of any construction works required within the root protection area as defined by BS5837:2012 or otherwise protected in the approved Tree Protection Scheme  e) Details of the location of any underground services and methods of installation which make provision for protection and the long-term retention of the trees. No services shall be dug or laid into the ground other than in accordance with the approved details  f) Details of any changes in ground level, including existing and proposed</p>	<p>To ensure that the trees on site are adequately protected, to safeguard the character and appearance of the area, in accordance with the CDP 2022-2028.</p>

<p>spot levels required within the root protection area as defined by BS5837:2012 or otherwise protected in the approved Tree Protection Scheme.</p> <p>g) Details of the arrangements for the implementation, supervision and monitoring of works required to comply with the arboricultural method statement.</p> <p>In addition, prior to the commencement of construction works on site, a meeting with the Project Landscape Architect, Site Foremen, the appointed Arborist and a Parks Superintendent from the Public Realm Section shall take place on-site to inspect that:</p> <p>a) all tree pruning &amp; tree felling has been carried out appropriately and  b) that the protective fencing has been erected as per the submitted Tree Protection Plan. This fencing is to remain in place for the duration of the project.</p>	
<p><b>Play Provision</b></p> <p>Clarification shall be provided as to the total number and location of play opportunities; the age range they are appropriate for and whether they are universally accessible. Additional play provision should be made within the public open space areas provided for within the development. An emphasis shall be on active, accessible play throughout the development. The applicant shall provide fully detailed play proposals as part of the landscape scheme for the proposed development. The applicant shall consider the provision of additional universally accessible equipment within the play proposals for the development. Additional details, specifications and images need to be provided in relation to the proposed play spaces for the development. All play equipment shall be of predominantly natural materials with unstructured play included in the proposed design. The applicant shall consider the use of engineered woodchip as playground surfacing material. Proposals shall be submitted in the form of a Proposed Play Rationale and Layout Plan (separate to but related to the Landscape Masterplan).</p>	<p>To uphold the policies of the South Dublin County Council Development Plan 2022-2028 relating to Children’s play, and to provide for the proper planning and sustainable development of the area</p>
<p><b>Green Infrastructure Plan</b></p> <p>The submitted Green Infrastructure Plan shall be implemented in full by the applicant.</p>	<p>In the interest of the proper planning and sustainable development and the maintenance of the county’s green infrastructure.</p>
<p><b>Green Roofs</b></p> <p>Prior to the commencement of development, details regarding the provision of green roofs within the development to be submitted and agreed in writing with the Planning Authority. The green roofs shall be designed so that they contribute to:</p> <p>i. SUDS,  ii. the creation of appropriate and biodiversity</p> <p>The details to be submitted shall comprise:</p> <p>a) identification of the roof areas to be used for the provision of green roofs;  b) details of the planting to be used; and</p>	<p>In the interest of the proper planning and sustainable development of the area and the maintenance of the county’s green infrastructure and in accordance with relevant policies in</p>



<p>c) details of the maintenance including irrigation. The development shall be carried out in accordance with the details so agreed and shall be retained as such thereafter.</p>	<p>the CDP 2022-2028.</p>
<p><b>Roof Gardens</b> Prior to the commencement of Development, details regarding the provision of the proposed roof top terraces within the development to be submitted and agreed in writing with the Planning Authority. The details shall include: (i) A layout for the proposed roof terraces which contributes to privacy for neighbouring occupiers and comfort for users of the roof terraces. (ii) Hard and soft landscaping details. (iii) Details of measures to address noise levels and wind microclimate. (iv) Details of how inclusive access to and within communal rooftop gardens is achieved. (v) Details of proposed safety railings/ boundary treatment</p>	<p>To ensure that the development achieves safe, comfortable and attractive amenity spaces in accordance with relevant policies in the CDP 2016-2022</p>
<p><b>Invasive Species</b> All recommendation contained within the submitted Invasive Species Survey prepared by Flynn Furney Environmental Consultants shall be implemented in full by the applicant, whilst no legally controlled invasive species were identified on site, as recommend in the submitted report biosecurity measures should be put in place especially during the construction phase of the development in order to prevent potential infestation by invasive species. Recommendations to be implemented include: - All machinery, particularly tracked machinery, should be sufficiently checked and cleaned prior to entering the site. - If topsoil is being imported into the site at any stage during construction or landscaping, the soil needs to be certified as having been treated for invasive species and / or the source of the topsoil needs to be confirmed as being invasive species free.</p>	<p>To ensure the proper management of any invasive species.</p>
<p><b>Landscape Management and Maintenance</b> The submitted Landscape and Soft Works Management and Maintenance Plan prepared by Studio Aula shall be implemented in full by the applicant. The development shall be carried out in accordance with the submitted Landscape and SUDS Management Plan. The landscape management plan shall be carried out as approved.</p>	<p>To provide for the satisfactory future maintenance of this development in the interest of visual amenity.</p>
<p><b>Taking in Charge</b> (a) All areas not intended to be taken in charge by the local authority, shall be maintained by a legally constituted management company. (b) A map delineating those areas to be taken in charge by the Local Authority and details of the legally constituted management company contract, and drawings/particulars describing the parts of the development for which the legally-constituted management company would have responsibility shall be submitted to, and agreed in writing with, the planning authority before any of the residential or commercial units are made available for occupation. The management scheme shall provide adequate measures for the future maintenance of public open spaces, roads and communal areas.</p>	<p>To provide for the satisfactory future maintenance of this development in the interest of residential amenity</p>
<p><b>Irish Water</b></p>	<p>In the interest of</p>

	<p>(a) The applicant shall sign a connection agreement with Irish Water prior to any works commencing and connecting to the Irish Water network.</p> <p>(b) Irish Water does not permit any build over of its assets and separation distances as per Irish Waters Standards Codes and Practices shall be achieved. Any proposals by the applicant to build over/near or divert existing water or wastewater services subsequently occurs, the applicant shall submit details to Irish Water for assessment of feasibility and have written confirmation of feasibility of diversion(s) from Irish Water prior to connection agreement.</p> <p>(c) All development shall be carried out in compliance with Irish Water Standards codes and practices.</p>	<p>public health and to ensure adequate water/wastewater facilities.</p>
	<p><b>SUDS Implementation</b></p> <p>Prior to the occupation of the buildings the submitted SuDS scheme shall be implemented within a timescale to be agreed and approved by the Planning Authority and thereafter managed and maintained in accordance with the approved details and submitted management and maintenance plan.</p>	<p>To prevent the increased risk of flooding and to improve and protect water quality, in accordance with policies under the CDP 2022-2028.</p>
	<p><b>SUDS Management Plan</b></p> <p>A comprehensive SUDS Management Plan shall be submitted to demonstrate that the proposed SUDS features have reduced the rate of run off into the existing surface water drainage network. A maintenance plan shall also be included as a demonstration of how the system will function following implementation. Additional natural SUDS features shall be incorporated into the proposed drainage system for the development such as, bio-retention tree pits, rain gardens, detention basins, filter drains, swales etc. In addition, the applicant shall provide the following:</p> <ul style="list-style-type: none"> <li>• Demonstrate the treatment train, biodiversity value and amenity value of the SUDS proposals for the catchment in the residential areas.</li> <li>• Demonstrate how the proposed natural SUDS features will be incorporated and work within the drainage design for the proposed development including drainage / attenuation calculations for same.</li> <li>• Tree Pits to incorporate SuDS bioretention features and sufficient growing medium. SuDS details need to show how the water drains from the road/pavement hard surface into the SUDS tree pit, clearly outlining how SuDS features within the tree pits will function. The applicant is requested to refer to the recently published ‘SDCC Sustainable Drainage Explanatory, Design and Evaluation Guide 2022’ for acceptable SUDS tree pit details.</li> </ul>	<p>To prevent the increased risk of flooding and to improve and protect water quality, in accordance with policies under the CDP 2022-2028.</p>
	<p><b>Ecological Impact Assessment Report</b></p> <p>The recommendations and mitigation measures contained within the Ecological Impact Assessment Report prepared by Flynn Furney shall be implemented in full by the applicant.</p>	<p>To protect and enhance areas of biodiversity, in accordance with policies in the CDP 2022-2028.</p>

<p><b>Bird and Bat Boxes</b> Prior to the occupation of the buildings a scheme to provide bird boxes and bat boxes/tubes on the site shall be submitted to and approved in writing by the Local Planning Authority. The agreed scheme shall be implemented before the buildings are occupied and thereafter maintained.</p>	<p>To encourage wildlife on the site.</p>
<p><b>Boundary Treatments</b> Prior to the occupation of the development, details of a scheme of the means of enclosure shall be submitted to and approved in writing by the Local Planning Authority indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed before the buildings are occupied. Development shall be carried out in accordance with the submitted details and maintained as approved.</p>	<p>In order to ensure high quality landscaping for the boundaries of the site in the interests of visual amenity and to safeguard the residential amenity of neighbouring occupiers.</p>
<p><b>Car Park Facilities for Charging Electric Vehicles.</b> The proposed development shall make provision for the charging of electric vehicles. (a) In the case of on-curtilage/driveway or surface parking, 100% of spaces must be provided with electrical connections and/or ducting as appropriate, to allow for the provision of future charging points. (b) In the case of surface car parking spaces and basement car parking spaces, 100% of spaces must be provided with electrical ducting and termination points to allow for the provision of future charging points. (c) 20% of basement car parking spaces must be provided with electric vehicle charging points as part of initial development, and these must be operational at initial occupation. Details of how it is proposed to comply with these requirements including details of the design of, and signage for, the electric charging points (where they are not in areas to be taken in charge) shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.</p>	<p>In the interests of the proper planning and sustainable development of the area, to provide for improved urban air quality, reduced noise pollution and to support the transition to a low carbon future.</p>
<p><b>Construction Traffic Management Plan</b> Prior to commencement of development a Construction Traffic Management Plan shall be agreed with the Planning Authority.</p>	<p>In the interests of traffic safety and residential amenity.</p>
<p><b>Biodiversity and Public Lighting</b> (a) Prior to the commencement of development, the applicant shall agree in writing an integrated public lighting scheme and Landscape Plan with the Planning Authority, after consultation with the SDCC Public Realm Department, the SDCC Heritage Officer, and the SDCC Public Lighting Department. Once agreed, the scheme shall be constructed/installed to taking in charge standards at the expense of the developer and to the satisfaction of South Dublin County Council Lighting Department. (b) The Public Lighting Scheme shall be signed off by a qualified bat specialist. (c) The Public Lighting scheme and Landscaping Plan shall be integrated</p>	<p>In the interests of protection of bats, public safety and amenity, to prevent light pollution and in the interests of the proper planning and sustainable development of the area.</p>

	and agreed with the Planning Authority prior to commencement of development.	
	<p><b>Services to be Underground.</b></p> <p>(a) All public services to the proposed development, including electrical, information and communications technology (ICT) telephone and street lighting cables and equipment shall be located underground throughout the entire site.</p> <p>(b) There shall also be provision for broadband throughout the site in accordance with the Planning Authority's policy and requirements.</p> <p>(c) Existing overground cables traversing the site shall be diverted underground as per the Utility Report.</p>	In the interests of the visual amenities of the area, the proper planning and sustainable development of the area and compliance with the Council's Development Plan.
	<p><b>Irish Water</b></p> <p>(a) The applicant shall sign a connection agreement with Irish Water prior to any works commencing and connecting to the Irish Water network.</p> <p>(b) Irish Water does not permit any build over of its assets and separation distances as per Irish Waters Standards Codes and Practices shall be achieved.</p> <p>Any proposals by the applicant to build over/near or divert existing water or wastewater services subsequently occurs, the applicant shall submit details to Irish Water for assessment of feasibility and have written confirmation of feasibility of diversion(s) from Irish Water prior to connection agreement.</p> <p>(c) All development shall be carried out in compliance with Irish Water Standards codes and practices.</p>	To ensure that the development does not endanger public health.
	<p><b>Construction Environmental Management Plan</b></p> <p>Prior to commencement of development, the applicant shall submit and obtain written agreement of the Planning Authority for a site specific Construction Environmental Management Plan. The CEMP shall identify potential impacts and mitigating measures, and a mechanism for ensuring compliance with environmental legislation, and ensure best construction practices including measures to prevent and control the introduction of pollutants and deleterious matter to surface water and measures to minimise the generation of sediment and silt.</p>	To ensure compliance with relevant environmental legislation and standards during construction, and to prevent the entry of pollutants into watercourses.
	<p><b>Street Naming and Dwelling Numbering.</b></p> <p>Prior to the commencement of any works on site the applicant, owner or developer shall submit the following for the written agreement of the Planning Authority:</p> <p>(i) A street naming and dwelling/unit numbering scheme, for the development as approved that is in accordance with the Planning Authority's policy and requirements for such schemes, along with associated proposed signage for the scheme.</p> <p>The agreed number shall be placed on each house upon completion so as to be clearly legible from the proposed access road or the public realm, and the</p>	In the interest of the proper planning and sustainable development of the area and compliance with the South Dublin County Council's Development Plan.

<p>agreed street name in both Irish and English, or Irish only shall be erected at the beginning of each street in a manner to be clearly legible, and in accordance with Planning Authority's requirements.</p> <p>The development name should:</p> <ol style="list-style-type: none"> <li>1. Avoid any duplication within the county of existing names, and</li> <li>2. Reflect the local and historical context of the approved development, and</li> <li>3. Comply with; <ol style="list-style-type: none"> <li>(a) Development Plan policy, and</li> <li>(b) The guidelines on naming and numbering of the Department of the Environment, Heritage and Local Government, and</li> <li>(c) Have regard to the Guidelines issued by the Place Names Commission (An Coimisiún Logainmneacha) and</li> <li>(d) Preferably make exclusive use of the Irish language.</li> </ol> </li> </ol> <p>Proposals for an apartment name and numbering scheme and associated signage shall be lodged with the Planning Authority prior to the date of any Commencement Notice within the meaning of Part II of the Building Control Regulations 1997 and prior to the commencement of any works on site. The applicant, developer, or owner is advised to consult with Naming and Numbering section of the Planning Authority in advance of lodging the required scheme.</p>	
<p><b>Construction and Demolition Waste Management Plan</b></p> <ol style="list-style-type: none"> <li>(a) Prior to commencement of development a developed Construction Demolition and Waste Management Plan shall be agreed with the roads department. The agreed plan, along with the written agreement of the roads department shall be lodged to the planning file. The written commitment of the developer to implement the agreed plan shall also be lodged to the file.</li> <li>(b) The plan shall detail that construction waste shall not be left in close proximity to neighbouring residential gardens.</li> </ol>	<p>In the interests of public safety, compliance with Development Plan Policy and sustainable waste management.</p>
<p><b>Construction Noise and Hours.</b></p> <p>To control, limit and prevent the generation of unacceptable levels of Environmental Noise Pollution from occurring during construction activity, no Equipment or Machinery (to include pneumatic drills, on-site construction vehicles, generators, etc.) that could give rise to unacceptable levels of noise pollution as set out generally for evening and night-time in S.I. No. 140/2006 - Environmental Noise Regulations 2006 shall be operated on the site before 7.00 hours on weekdays and 9.00 hours on Saturdays nor after 19.00 hours on weekdays and 13.00 hours on Saturdays, nor at any time on Sundays, Bank Holidays or Public Holidays.</p> <p>Any construction work outside these hours that could give rise to unacceptable levels of noise pollution shall only be permitted following a written request to the Planning Authority and the subsequent receipt of the written consent of the Planning Authority, having regard to the reasonable justification and circumstances and a commitment to minimise as far as practicable any unacceptable noise outside the hours stated above. In this respect, the applicant or developer shall also comply with BS 5228:2009 Noise and Vibration Control on Construction and Open Sites, and have regard to the World Health Organisation (WHO) – Guidelines for Community Noise (1999).</p>	<p>In the interest of public health by the prevention of unacceptable levels of noise pollution which could interfere with normal sleep and rest patterns and/or when people could reasonably expect a level of quietness, the proper planning and sustainable development of the area and to uphold the Council's amenity policies set out in the South Dublin County</p>

	<p>The applicant or developer shall also endeavour to engage in local consultation in respect of any noise sensitive location within 30 metres of the development as approved prior to construction activity commencing on site. Such noise sensitive locations should be provided with the following:</p> <ul style="list-style-type: none"> <li>- Schedule of works to include approximate timeframes</li> <li>- Name and contact details of contractor responsible for managing noise complaints</li> <li>- Hours of operation- including any scheduled times for the use of equipment likely to be the source of significant noise.</li> </ul>	<p>Council Development Plan.</p>
	<p><b>Minimise Air Blown Dust.</b>  During the construction and or demolition phase of the development, Best Practicable Means shall be employed to minimise air blown dust being emitted from the site. This shall include covering skips and slack-heaps, netting of scaffolding, daily washing down of pavements or other public areas, and any other precautions necessary to prevent dust nuisances. The applicant/developer shall comply with British Standard B.S. 5228 Noise Control on Construction and Open sites and British Standard B.S. 6187 Code of Practice for demolition.</p>	<p>In the interest of public health and to uphold the Council's policies set out in the South Dublin County Council Development Plan.</p>
	<p><b>Operational Noise</b>  (a) Noise levels from the development shall not be so loud, so continuous, so repeated, of such duration or pitch or occurring at such times as to give reasonable cause for annoyance to a person in any residence, adjoining premises or public place in the vicinity.  (b) Noise due to the normal operation of the development, expressed as Laeq over 15 minutes at the façade of a noise sensitive location, shall not exceed the daytime background level by more than 10 dB(A) . Clearly audible and impulsive tones at noise sensitive locations during evening and night shall be avoided irrespective of the noise level.  (c) All recommendations outlined in the Planning Stage Noise Assessment prepared by Allegro Acoustics dated 11<sup>th</sup> May 2022 must be implemented.</p>	<p>In the interest of public health.</p>
	<p><b>Bin Storage</b>  Bin storage facilities should be adequately serviced with a water supply, drainage and ventilation.</p>	<p>In the interest of public health and sustainable development.</p>
	<p><b>Fumes &amp; Noise</b>  (a) Any ventilation system shall be adequately filtered and externally vented so as not to cause a nuisance to neighbouring properties.  (b) Any fumes emitted from the premises shall be minimised and if necessary treated using the Best Available Technology and emitted to the outer air.  (c) The noise from the operation of the ventilation system shall be attenuated so as not to cause a noise nuisance to nearby residential properties.  (d) Details to demonstrate compliance with above shall be submitted for the written agreement of the Planning Authority prior to the commencement of any development.</p>	<p>In the interests of public health and in the interest of protecting the established residential amenity of the surrounding area.</p>
	<p><b>Emissions</b>  The development shall be so operated that there will be no emissions of</p>	<p>In the interests of public health and to</p>

	<p>malodours, gas, dust, fumes or other deleterious materials, no noise or noise vibration on site as would give reasonable cause for annoyance to any person in any residence, adjoining premises or public place in the vicinity.</p>	<p>contain dust arising from construction and to prevent nuisance being caused to occupiers of buildings in the vicinity.</p>
	<p><b>Section 48 Financial Contribution</b></p> <p>The developer shall pay to the planning authority a financial contribution in a sum to be agreed with the Planning Authority, in respect of public infrastructure and facilities benefiting development within the area of the planning authority, that is provided, or intended to be provided by or on behalf of the authority, in accordance with the terms of the Development Contribution Scheme 2021 - 2025, made under Section 48 of the Planning and Development Acts 2000-2011 (as amended).</p> <p>The contribution shall be paid prior to commencement of development, or in such phased payments as the planning authority may facilitate. Contributions shall be payable at the rate pertaining to the year in which implementation of the planning permission is commenced as outlined in the South Dublin County Council Development Contribution Scheme 2021 - 2025.</p>	<p>The provision of such facilities will facilitate the proposed development. It is considered reasonable that the payment of a contribution be required, in respect of public infrastructure and facilities benefiting development in the area of the Planning Authority and that is provided, or that is intended will be provided, by or on behalf of the Local Authority.</p>

Appendix 2: s.247 Minutes



### Appendix 3: Roads Report

**Register Reference: SHD3ABP-313777-22**  
**Jun-2022**

**Date: 28-**

**Development:** 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 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 apartments (consisting of 2 studio units; 45 one bedroom units; 10 two bedroom (3 person) units; 34 two bedroom (4 person) units; and 5 three bedroom units), together with private (balconies and private terraces) and communal amenity open space provision at podium and roof levels; and 4 duplex apartments (consisting of 2 one bedroom units and 2 two bedroom units (4 person) located within Block 01, together with private balconies and terraces. Also included is non-residential uses (c. 355 sq m), including: 1 café (c. 58 sq m) and 1 office (c. 30 sq m) located at ground floor level of Block 01; 1 medical unit (c. 59 sq m) and 1 betting office (c. 66 sq m) located at ground floor level of Block 02; 1 barber shop (c. 28 sq m) located at ground floor level between Blocks 01 and 02; and 1 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 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. The application contains a statement setting out how the proposal will be consistent with the objectives of the South Dublin County Council Development Plan 2016-2022 and the South Dublin County Development Plan 2022-2028. The application contains a statement indicating why permission should be granted for the proposed development, having regard to a consideration specified in section 37(2)(b) of the Planning and Development Act 2000, as amended, notwithstanding that the proposed development materially contravenes the South Dublin County Council Development Plan 2016-

**2022 and the South Dublin County Development Plan 2022-2028 other than in relation to the zoning of the land.**

**Location:** Mortons, The Firhouse Inn, Firhouse Road, Dublin 24, D24 YJR4

**Applicant:** Bluemount Developments (Firhouse) Ltd

**App. Type:** SHD3-Application to ABP

**Planning Officer:** CAITLIN O'SHEA

**Date Recd:** 10-Jun-2022

**Decision Due Date:** 04-Aug-2022

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Prior to commencement of any works in the public domain, and in order to comply with The Roads Act 1993 Section 13 Paragraph 10, a Road Opening Licence must be secured from South Dublin County Council, Roads Maintenance Department.

**Description**

The proposed development site is bounded to the north and west by lands adjacent to the Carmel of the Assumption Convent, to the east by the Mount Carmel Park residential area, and to the south by Firhouse Road (R114). It is proposed that the location of the existing access at the site's southwestern boundary from Firhouse Road be maintained to accommodate vehicular access to the proposed development.

An Bord Pleanála considers that the following issues need to be addressed

**Additional Information Requested**

16. A site layout plan indicating what areas, if any, are to be taken in charge by the planning authority.

**Applicant Submitted Response in Additional Information:**

*A Proposed Taken in Charge Areas plan (Dwg. No. 20022-OMP-00-ST-DR-A-1003), prepared by OMP Architects, shows all areas proposed to be taken in charge by the Local Authority and is enclosed with this planning application.*

The roads department are satisfied with the supplied taking in charge plan.

**Additional Information Requested**

17. Site Specific Construction and Demolition Waste Management Plan.

**Applicant Submitted Response in Additional Information:**

*A Construction and Demolition Waste Management Plan, prepared by PHM Consulting, is enclosed with this planning application.*

The applicant has submitted a CDWMP. The plan lacks detail that can only be identified when a contractor is appointed. A more detailed plan will be required prior to commencement this can be by condition of planning.

### **Additional Information Requested**

18. Details of public lighting

### **Applicant Submitted Response in Additional Information:**

*A public lighting plan, prepared by OCSC Consulting Engineers, is enclosed with this planning application.*

The submission is acceptable, Prior to commencement a Public Lighting Design for the development must be submitted and agreed by the Public Lighting team of SDCC.

### **Roads department have the following observations:**

1. Bicycle parking provision is to be to 2018 Apartment Guidelines which is satisfactory. However, all spaces including visitor spaces are recommended to be covered spaces to encourage this mode of travel.
2. A Mobility Management Plan is to be completed within six months of opening of the proposed development. The Mobility Management Plan shall be agreed in writing with the roads department and the agreed plan, along with the written agreement of the roads department shall be lodged to the planning file. The written commitment of the developer to implement the agreed plan shall also be lodged to the file. REASON: In the interest of sustainable transport.
3. SDCC reserve the right to request the applicant to install additional traffic calming at the applicant's expense at locations to be agreed. In the interests of traffic safety.
4. Prior to commencement, SDCC will require a public lighting scheme to be agreed with South Dublin County Council Lighting Department.
5. All items and areas for taking in charge shall be undertaken to a taking in charge standard. Prior to development the applicant shall submit construction details of all items to be taken in charge. No development shall take place until these items have been agreed.
6. Prior to commencement a developed Construction Demolition and Waste Management Plan shall be agreed by SDCC and lodged on the planning file.
7. Footpath and kerb shall be dished and widened, and the dropped crossing shall be constructed to the satisfaction of South Dublin County Council and at the applicant's expense. The footpath and kerb shall be dished and widened to the full width of the proposed entrance.

## Appendix 4: Public Realm Report

### SOUTH DUBLIN COUNTY COUNCIL



### INTERNAL MEMORANDUM

#### Public Realm Planning Report

<b>Development:</b>	Demolition of existing buildings on site, mixed use development comprising of construction of 100 Apartments, creche and associated site works.
<b>Location:</b>	Lands at 2 Firhouse Road, And Former Morton's The Firhouse Inn, Dublin 24  D24 YJR4
<b>Applicant:</b>	Bluemont Developments (Firhouse) Limited
<b>Reg. Ref:</b>	SHD3ABP-313777-22
<b>Report Date:</b>	27/07/2022
<b>Planning Officer:</b>	Caitlin O'Shea

#### Site Area

**0.46 ha**

#### Zoning

The site is zoned zoning 'LC - Local Centres', which the land use zoning objective 'to protect, improve and provide for the future development of Local Centres'. Local Centres are commercial centres that provide day to day services and facilities to cater for a local catchment. Section 5.1.4 (Local Centres) of the Development Plan states: "It is the policy of the Council to encourage the provision of an appropriate mix, range and type of uses in Local Centres, including retail, community, recreational, medical and childcare uses, at a scale that

caters predominantly for a local level catchment, subject to the protection of the residential amenities of the surrounding area.”

### **Description of Development**

The development with a total gross floor area of c. 11,638 sq m, will also 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 B01, 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 B01;
- 1 No. medical unit (c. 59 sq m) and 1 No. betting office (c. 66 sq m) located at ground floor level of Block B02;
- 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 B01 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.

### **Open Space Provision**

PUBLIC OPEN SPACE c. 1,347 sq m or c. 29% of the total SHD site area.

### **Relevant Sections, Policies and Objectives of the SDCC Development Plan 2016-2022:**

#### **DP 2016-22 Section 8.3.0 Public Open Space Hierarchy and Landscape Setting**

It is the policy of the Council to provide a hierarchy of high quality and multi-functional public parks and open spaces.

**G4 Objective 1:** To support and facilitate the provision of a network of high quality, well located and multifunctional public parks and open spaces throughout the County and to protect and enhance the environmental capacity and ecological function of these spaces.

**G4 Objective 2:** To connect parks and areas of open space with ecological and recreational corridors to aid the movement of biodiversity and people and to strengthen the overall Green Infrastructure network.

#### **DP 2016-22 Section 8.1.0 Green Infrastructure Network**

**G2 Objective 1:** To reduce fragmentation of the Green Infrastructure network and strengthen ecological links between urban areas, Natura 2000 sites, proposed Natural Heritage Areas, parks and open spaces and the wider regional Green Infrastructure network

**G2 Objective 2:** To protect and enhance the biodiversity value and ecological function of the Green Infrastructure network.

**G2 Objective 5:** To integrate Green Infrastructure as an essential component of all new developments.

**G2 Objective 9:** To preserve, protect and augment trees, groups of trees, woodlands and hedgerows within the County by increasing tree canopy coverage using locally native species and by incorporating them within the design proposals and supporting their integration into the Green Infrastructure Network.

**G2 objective 11:** To incorporate appropriate elements of Green Infrastructure e.g. new tree planting etc. into existing areas of hard infrastructure wherever possible.

**G2 Objective 13:** To seek to prevent the loss of woodlands, hedgerows, aquatic habitats and wetlands wherever possible including requiring a programme to monitor and restrict the spread of invasive species

#### **DP 2016-22 Section 8.5.0 Green Infrastructure within Urban Areas**

**G6 Objective 1:** To protect and enhance existing ecological features including tree stands, woodlands, hedgerows and watercourses in all new developments as an essential part of the design process.

#### **DP 2016-22 Section 9 Heritage Conservation and Landscapes**

**HCL15 Objective 3:** To protect existing trees, hedgerows, and woodlands which are of amenity or biodiversity value and/ or contribute to landscape character and ensure that proper provision is made for their protection and management in accordance with Living with Trees: South Dublin County Council's Tree Management Policy 2015-2020.

#### **DP 2016-22 Section 8.4.0 Sustainable Urban Drainage Systems**

Sustainable Urban Drainage Systems (SUDS) drain surface water in an environmentally friendly way by replicating natural systems in managed environments. SUDS systems seek to collect, store and clean surface water using natural systems and to release it back into the environment in a slow and controlled way, thereby reducing the risk of fluvial and pluvial flooding. Key features, such as integrated constructed wetlands, permeable surfaces, filter strips, ponds, swales and basins are easy to manage, environmentally friendly and aesthetically attractive.

**G5 Objective 1:** To promote and support the development of Sustainable Urban Drainage Systems (SUDS) at a local, district and county level and to maximise the amenity and biodiversity value of these systems

**G5 Objective 2:** To promote the provision of Green Roofs and/or Living Walls in developments where expansive roofs are proposed such as industrial, retail and civic developments

**Key design issues:**

A minimum of 10% of the gross site area shall be dedicated for use as public open space development - which shall be of a high quality and integrated into an overall interconnected network of public open space and green routes.

Key principles to consider as part of the landscaping scheme for the proposed development include:

- The landscape scheme shall incorporate new elements of green Infrastructure such as tree planting, parks and natural open spaces and sustainable urban drainage systems.
- The landscape scheme shall reduce fragmentation and strengthen ecological links
- A site layout plan which clearly distinguishes between public open space and communal open space shall be submitted. Any proposed pedestrian connections to adjoining lands shall be clearly indicated on plans.
- The prospective applicant shall include any plans for public open spaces in the wider area, if known, and how such proposals would link in and integrate with the proposed development.
- How will the development provide connections to the primary route of the Firhouse Road.

The site layout shall maximise the permeability and connectivity.

**Public Realm Comments:**

In relation to the above proposed development, this section has reviewed the application and has the following comments.

The Public and communal open spaces for the proposed development should be designed to all relevant qualitative standards, in addition public and communal open spaces should be designed to be usable and functional within the overall proposed development.

Any proposed pedestrian connections to adjoining lands should be clearly indicated on plans. The applicant should show how public open spaces in the wider area will link in and integrate with the proposed development. The public realm should be integrated into the adjacent development areas, creating continuous green infrastructure connections that form both physical and bio-diversity links.

The proposed development should create positive additions to the open spaces of the area in the form of planting, permeability, and usable open space.

Photomontages and cross sections at appropriate intervals for the proposed development including how the development will interface with existing housing and contiguous lands.

The aim of the landscape design proposals should be to create a distinctive, energetic and a well-functioning landscape as well as public, communal and private open space which is usable, functional and visually pleasing.

The urban network of public spaces should be clearly delineated. Further consideration and/or justification should be given to the design and treatment of the public open spaces to ensure that they are appropriate to the future residential community and have sufficient animation. In addition, the proposed public open spaces within the proposed development should represent a significant planning gain.

### **1. Public Open Space Provision**

Public open space (**c. 1,347 sq m**) is provided to the south and along the perimeter/boundaries of the proposed development. The proposed public open space provision equates to c. 29% of the total SHD site area. A development standard of 10% of open space on REGEN zoned sites is suggested in the LAP and County Development Plan, the open space provision is excess of the required standards however the public realm section would have concerns regarding the functionality and usability of the public open space provided.

The Public Realm Section welcomes the proposed revisions to the landscape proposals:

- The proportion of the area given over to the vehicle has been greatly reduced.



- The underground attenuation tank has been removed from the public open space entirely, and the proportion of 'natural' SuDS substantially increased with the inclusion of 4 large proprietary stormwater attenuation tree pits in the public open space, designed with the civil engineers
- The addition of additional street tree planting
- Increased natural SUDS features
- Additional opportunities for play

There are concerns regarding the potential effect on amenity due to overshadowing and wind tunnelling effect created by tall buildings (4 to 5 stories). Communal open space provision within the proposed development consists of a podium landscaped courtyard, perimeter area and two roof terraces which act as private spaces accessible only to residents. The Public Realm Section is concerned that the public open space provision within the development is primarily provided through linear open space along southern and eastern boundaries of the proposed development. The Public Realm Section is of the view that the quantity, usability and quality of the proposed public open space provision within the development may not be sufficient to meet the Planning Authorities requirements. To justify the nature of the development proposed, the Planning Authority would expect to see the provision of high quality open spaces that significantly exceeds both the 10% minimum quantitative requirement, and which also provides a significant quality, functional and useable open space. Exceeding the 10% requirement is not in itself a justification for additional density. The public open space within the proposed development should ideally be centrally located, well designed, functional and useable. New housing development is expected to ensure that sufficient recreational space and facilities are available to meet the needs of the prospective residents of the development. The open space provided shall be:

- Suitably located within the proposed development, such that it is conveniently accessible to the public;
- Generally, be centrally located, of a regular shape, and not fragmented

## **2. SuDS and Green Infrastructure**

The Public Realm Section welcomes the submission of a green infrastructure Plan and an increase in the amount of natural SUDS for the proposed Development. This shall be implemented in full by the applicant.

### 3. Green Space Factor

The quantity and quality of green infrastructure provided by new development will be improved by the enforcement of a Green Space Factor (GSF) for South Dublin. A greening factor is a measurement that describes the quantity and quality of landscaping and GI across a defined spatial area. This measurement comprises a ratio that compares amount of green space to the amount of impermeable 'grey' space in a subject site. As a planning tool, this ratio can be used to assess both the existing green cover within a site and the impact of new development, based on the quantity and quality of new green space provided.

As required under the new County Development Plan, all new residential and commercial development comprising 2 or more residential units and / or 1,000 sq.metres of commercial floor space are required to reach the minimum green factor score established by their land use zoning.

Developers can improve their green factor score by retaining existing landscape features and incorporating new landscape features and GI interventions. A number of landscape and GI surface types and interventions have been assigned a 'weighting', based on their contribution to ecosystem services. Factors with a higher weighting will make a higher contribution to the overall score of a proposed development.

The GSF score for a proposed development is calculated using the following equation:

$$\text{GSF} = \frac{(\text{factor A} \times \text{area A}) + (\text{Factor B} \times \text{area B}) + (\text{factor C} \times \text{area C}) + \text{etc...}}{\text{Site Area}}$$

Development proposals can contribute to the greening of South Dublin by including urban greening as a fundamental element of site and building design, and by incorporating measures such as high-quality landscaping (including trees), green roofs, green walls and nature-based sustainable drainage. Urban greening covers a wide range of options including, but not limited to, street trees, green roofs, green walls, and rain gardens. It can help to meet other policy requirements and provide a range of benefits including amenity space, enhanced biodiversity, addressing the urban heat island effect, sustainable drainage and amenity – the latter being especially important in the most densely developed parts of the county where traditional green space is limited.

#### **4. Play**

The Public Realm Section welcomes the submission of a play plan as part of the updated/revised submission for this development. However, the Public Realm Section would have some concerns that the larger play items are located level 4 and not within the Public open space areas provided for within the development. Where feasible play items should be located with the Public Open Space areas within the development. In addition, no provision has been made for teenagers within the development. Additional play provision needs to be made within the landscaping scheme for both children in the 0-12 age group and for teenagers.

Additional details, specifications and images need to be provided in relation to the proposed playgrounds and play spaces for the development. All play equipment should be of predominantly natural materials with unstructured play included in the proposed design. The applicant should consider the use of engineered woodchip as playground surfacing material.

**The Public Realm Section has assessed the proposed development in accordance with the policies and objectives of the County Development Plan 2016-2022 and with best practice guidelines and recommends the following:**

##### **1. Landscape Design Proposals**

Prior to the commencement of development detailed landscape drawings that illustrate hard and soft landscaping, useable communal open space and meaningful public open space shall be submitted for the approval of the Planning Authority. The proposed public open space areas within the development shall be usable space, accessible and overlooked to provide a degree of natural supervision. Details of play equipment, street furniture including public lighting and boundary treatments should be submitted and agreed with the Public Realm Section. In addition, the applicant shall provide the following additional information:

- i. The developer shall submit level details for the open space, this shall include cross section drawings where applicable. If retaining walls are required, they shall be located outside the open space.
- ii. The applicant is requested to submit a detailed Play Rationale and Layout Plan (separate to, but related to the Landscape Masterplan), using natural and nature-based solutions, to provide informal, impromptu and spontaneous play

opportunities, along with *play equipment* that provides appropriate challenges for multiple age groups.

- iii. Details of tree planting pits to include SUDs measures in urban tree pits and use of urban tree soil to be submitted to the Public Realm Section of SDCC for agreement.

#### **Soft landscape works**

- i. Details of proposed schedules of species of trees and shrubs to be planted, planting layouts with stock sizes and planting numbers/densities.
- ii. Details of the planting scheme implementation programme, including ground protection and preparation, weed clearance, stock sizes, seeding rates, planting methods, mulching, plant protection, staking and/or other support
- iii. Details of the aftercare and maintenance programme, the soft landscape works shall be carried out as approved within the first available planting season (October to March inclusive) following the commencement of the development unless otherwise agreed in writing by the local planning authority. If within a period of five years from the date of the planting of any tree or plant that tree or plant, or any tree or plant planted in its replacement, is removed, uprooted, destroyed, dies, or becomes, in the opinion of the local planning authority, seriously damaged or defective, another tree or plant of the same species and size as that originally planted shall be planted in the same place, unless the local planning authority gives its written consent to any variation

#### **Hard Landscape works**

- i. Details of walls with brick types, construction design and dimensions
- ii. Details of paved surfacing, with materials finishing and edgings
- iii. Details of street furniture, with designs materials and dimensions The hard landscape works shall be carried out as approved prior to the first use/occupation of the development hereby approved unless otherwise first agreed in writing by the local planning authority and retained as such thereafter.

**REASON: To assimilate the development into its surroundings, in accordance with the policies and objectives contained within Section 8.3.0 Public Open Space Hierarchy and Landscape Setting and policies HCL7 Objective 1 and HCL7 Objective 2 of the CDP 2016-2022.**

## **2. Tree Protection**

All tree protection measures outlined in the submitted Arboricultural Report and associated Tree Works and Protection Plan (Dwg ref: 200930-P-11) prepared by Charles McCorkell shall be implemented in full by the applicant. In addition, no development shall commence on site, including works of demolition or site clearance until:

- a) All mature boundary trees located with the adjacent Carmelite lands shall be protected by secure, stout exclusion fencing erected at a minimum distance equivalent to the branch spread of the trees and in accordance with BS 5837 (2012) – Trees in Relation to Design, Demolition and Construction;
- b) Any works connected with the approved scheme within the branch spread of the trees shall be by hand only. No materials, supplies, plant or machinery shall be stored, parked or allowed access beneath the branch spread or within the exclusion fencing. Any trees that are damaged or felled during construction work must be replaced with semi mature trees of the same or similar species.

**REASON: To ensure the safety and well-being of the trees on the site that are to remain after building works are completed, in accordance with policy G2 Objective 9, G4 Objective 5, G2 Objective 13, G6 Objective 1, HCL15 Objective 3 of the CDP 2016-2022.**

## **3. Arboricultural Method Statement**

No operations shall commence on site in connection with the development until a detailed Arboricultural Method Statement (AMS) in accordance with BS5837:2012 Trees in relation to design, demolition and construction – Recommendations has been submitted to and approved in writing by the Planning Authority and the protective fencing is erected as required by the AMS.

The AMS shall include full details of the following:

- a) Timing and phasing of Arboricultural works in relation to the approved development.
- b) Detailed tree felling and pruning specification in accordance with BS3998:2010 Recommendations for Tree Works.
- c) Details of a tree protection scheme in accordance with BS5837:2012: which provides for the retention and protection of trees, shrubs and hedges growing on or adjacent to the site which are shown to be retained on the approved plan.
- d) Details of any construction works required within the root protection area as defined by BS5837:2012 or otherwise protected in the approved Tree Protection Scheme

- e) Details of the location of any underground services and methods of installation which make provision for protection and the long-term retention of the trees. No services shall be dug or laid into the ground other than in accordance with the approved details
- f) Details of any changes in ground level, including existing and proposed spot levels required within the root protection area as defined by BS5837:2012 or otherwise protected in the approved Tree Protection Scheme.
- g) Details of the arrangements for the implementation, supervision and monitoring of works required to comply with the arboricultural method statement.

In addition, prior to the commencement of construction works on site, a meeting with the Project Landscape Architect, Site Foremen, the appointed Arborist and a Parks Superintendent from the Public Realm Section shall take place on-site to inspect that:

- a) all tree pruning & tree felling has been carried out appropriately and
- b) that the protective fencing has been erected as per the submitted **Tree Protection Plan**. This fencing is to remain in place for the duration of the project.

**REASON: To ensure that the trees on site are adequately protected, to safeguard the character and appearance of the area, in accordance with policy G2 Objective 9, G4 Objective 5, G2 Objective 13, G6 Objective 1, HCL15 Objective 3 of the CDP 2016-2022.**

#### **4. Play Provision**

Clarification shall be provided as to the total number and location of play opportunities; the age range they are appropriate for and whether they are universally accessible. Additional play provision should be made within the public open space areas provided for within the development. An emphasis shall be on active, accessible play throughout the development. The applicant shall provide fully detailed play proposals as part of the landscape scheme for the proposed development. The applicant shall consider the provision of additional universally accessible equipment within the play proposals for the development. Additional details, specifications and images need to be provided in relation to the proposed play spaces for the development. All play equipment shall be of predominantly natural materials with unstructured play included in the proposed design. The applicant shall consider the use of engineered woodchip as playground surfacing material. Proposals shall be submitted in the form of a Proposed Play Rationale and Layout Plan (separate to but related to the Landscape Masterplan).

**REASON: To uphold the policies of the South Dublin County Council Development Plan 2016-2022 relating to Children's play, and to provide for the proper planning and sustainable development of the area**

#### **5. Green Infrastructure Plan**

The submitted Green Infrastructure Plan shall be Implemented in full by the applicant.

**REASON: In the interest of the proper planning and sustainable development and the maintenance of the county's green infrastructure.**

#### **6. Green roofs**

Prior to the commencement of development, details regarding the provision of green roofs within the development to be submitted and agreed in writing with the Planning Authority.

The green roofs shall be designed so that they contribute to:

- i. SUDS,
- ii. the creation of appropriate and biodiversity

The details to be submitted shall comprise:

- a) identification of the roof areas to be used for the provision of green roofs;
- b) details of the planting to be used; and
- c) details of the maintenance including irrigation.

The development shall be carried out in accordance with the details so agreed and shall be retained as such thereafter.

**REASON: In the interest of the proper planning and sustainable development of the area and the maintenance of the county's green infrastructure and in accordance with relevant policies in the CDP 2016-2022.**

#### **7. Roof Gardens**

Prior to the commencement of Development, details regarding the provision of the proposed roof top terraces within the development to be submitted and agreed in writing with the Planning Authority. The details shall include:

- (i) A layout for the proposed roof terraces which contributes to privacy for neighbouring occupiers and comfort for users of the roof terraces.
- (ii) Hard and soft landscaping details.
- (iii) Details of measures to address noise levels and wind microclimate.
- (iv) Details of how inclusive access to and within communal rooftop gardens is achieved.

(v) Details of proposed safety railings

**REASON: To ensure that the development achieves safe, comfortable and attractive amenity spaces in accordance with relevant policies in the CDP 2016-2022**

#### **8. Invasive Species:**

All recommendation contained within the submitted Invasive Species Survey prepared by Flynn Furney Environmental Consultants shall be implemented in full by the applicant, whilst no legally controlled invasive species were identified on site, as recommend in the submitted report biosecurity measures should be put in place especially during the construction phase of the development in order to prevent potential infestation by invasive species. Recommendations to be implemented include:

- All machinery, particularly tracked machinery, should be sufficiently checked and cleaned prior to entering the site.
- If topsoil is being imported into the site at any stage during construction or landscaping, the soil needs to be certified as having been treated for invasive species and / or the source of the topsoil needs to be confirmed as being invasive species free.

#### **9. Landscape Management and Maintenance**

The submitted Landscape and Soft Works Management and Maintenance Plan prepared by Studio Aula shall be implemented in full by the applicant. The development shall be carried out in accordance with the submitted Landscape and SUDS Management Plan. The landscape management plan shall be carried out as approved.

**REASON: To provide for the satisfactory future maintenance of this development in the interest of visual amenity.**

#### **10. Taking in Charge**

(a) All areas not intended to be taken in charge by the local authority, shall be maintained by a legally constituted management company.

(b) A map delineating those areas to be taken in charge by the Local Authority and details of the legally constituted management company contract, and drawings/particulars describing the parts of the development for which the legally-constituted management company would have responsibility shall be submitted to, and agreed in writing with, the planning authority before any of the residential or commercial units are made available for occupation. The



management scheme shall provide adequate measures for the future maintenance of public open spaces, roads and communal areas.

**REASON: To provide for the satisfactory future maintenance of this development in the interest of residential amenity**

## **11. SUDS IMPLEMENTATION**

Prior to the occupation of the buildings the submitted SuDS scheme shall be implemented within a timescale to be agreed and approved by the Planning Authority and thereafter managed and maintained in accordance with the approved details and submitted management and maintenance plan.

**REASON: To prevent the increased risk of flooding and to improve and protect water quality, in accordance with policies under Section 8.4.0 Sustainable Urban Drainage Systems of the CDP 2016-22 in particular G5 Objective 1 and G5 Objective 2.**

## **12. SUDS Management Plan**

A comprehensive SUDS Management Plan shall be submitted to demonstrate that the proposed SUDS features have reduced the rate of run off into the existing surface water drainage network. A maintenance plan shall also be included as a demonstration of how the system will function following implementation. Additional natural SUDS features shall be incorporated into the proposed drainage system for the development such as, bio-retention tree pits, rain gardens, detention basins, filter drains, swales etc. In addition, the applicant shall provide the following:

- Demonstrate the treatment train, biodiversity value and amenity value of the SUDS proposals for the catchment in the residential areas.
- Demonstrate how the proposed natural SUDS features will be incorporated and work within the drainage design for the proposed development including drainage / attenuation calculations for same.
- Tree Pits to incorporate SuDS bioretention features and sufficient growing medium. SUDS details need to show how the water drains from the road/pavement hard surface into the SUDS tree pit, clearly outlining how SuDS features within the tree pits will function. The applicant is requested to refer to the recently published 'SDCC Sustainable Drainage Explanatory, Design and Evaluation Guide 2022' for acceptable SUDS tree pit details.

**REASON: To prevent the increased risk of flooding and to improve and protect water quality, in accordance with policies under Section 8.4.0 Sustainable Urban Drainage Systems of the CDP 2016-22 in particular G5 Objective 1 and G5 Objective 2.**

### **13. Ecological Impact Assessment Report**

The recommendations and mitigation measures contained within the Ecological Impact Assessment Report prepared by Enviroguide Consulting shall be implemented in full by the applicant.

**REASON: To protect and enhance areas of biodiversity, in accordance with policies IE7 Objective 5, G3 Objective 2, G4 Objective 2, HCL15 Objective 3, and other policies relating to Biodiversity within the CDP 2016-2022.**

### **14. Bird and Bat Boxes**

Prior to the occupation of the buildings a scheme to provide bird boxes and bat boxes/tubes on the site shall be submitted to and approved in writing by the Local Planning Authority. The agreed scheme shall be implemented before the buildings are occupied and thereafter maintained.

**REASON: To encourage wildlife on the site**

### **15. Boundary Treatments**

Prior to the occupation of the development, details of a scheme of the means of enclosure shall be submitted to and approved in writing by the Local Planning Authority indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed before the buildings are occupied. Development shall be carried out in accordance with the submitted details and maintained as approved.

**REASON: In order to ensure high quality landscaping for the boundaries of the site in the interests of visual amenity and to safeguard the residential amenity of neighbouring occupiers, in accordance with the policy and objective H15 Objective 3 of the CDP 2016-2022.**

### **16. Green Space Factor**

As required under the new South Dublin County Council Development Plan 2022-2028; new residential and commercial development comprising 2 or more residential units and / or 1,000 sq. metres of commercial floor space are required to reach the minimum green factor

score established by their land use zoning. Developers can improve their green factor score by retaining existing landscape features and incorporating new landscape features and GI interventions. A number of landscape and GI surface types and interventions have been assigned a 'weighting', based on their contribution to ecosystem services. Factors with a higher weighting will make a higher contribution to the overall score of a proposed development.

The GSF score for a proposed development is calculated using the following equation:

$$\text{GSF} = \frac{(\text{factor A} \times \text{area A}) + (\text{Factor B} \times \text{area B}) + (\text{factor C} \times \text{area C}) + \text{etc...}}{\text{Site Area}}$$

**REASON: In order Strengthen the County's GI in both urban and rural areas to improve resilience against future shocks and disruptions arising from a changing climate, in accordance with the policy GI5 Objective 4 of the new South Dublin County Council Development Plan 2022-2028.**

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**Prepared By: Oisin Egan**  
**Executive Parks Superintendent**

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**Endorsed By: Laurence**  
**Colleran**  
**Senior Executive Parks**  
**Superintendent**

## Appendix 5: Water Services Report

**Register Reference No.:** SHD3ABP-313777-22

**Development:** Demolition of the existing single and two-storey buildings on the site (c. 1,326sq.m), including the former The Firhouse Inn public house and off-licence, barbers, betting office, cottage and other ancillary structures, and the provision of 3 blocks (Block A, B and C) ranging in height from four to five storeys, comprising residential over commercial ground floor uses (c. 7,138 sq m), all over a basement level; the proposed development will comprise 103 apartment units in total (3 studio apartments, 48 one bedroom apartments, 47 two bedroom apartments and 5 three-bedroom apartments), with private, communal and public open space provision (including balconies and terraces to be provided on all elevations at all levels); the provision of a crèche (c. 110sq.m), a café (c. 63sq.m), a betting office (c. 80sq.m) and a retail unit (c. 83sq.m); car and cycle parking at basement and surface levels; storage areas; roads and pathways; pedestrian access points; hard and soft landscaping and boundary treatments; vehicular access to the site will be via Firhouse Road (R114) on the southern site boundary; the development will also include changes in levels; diversion of existing public surface water and public water infrastructure; ground works and foul drainage, stormwater drainage, water supply, service ducting and cabling; SuDS attenuation; attenuation tank; lantrrooms; ESB substations, waste management areas; signage; public lighting and all site development and excavation works above and below ground.

**Location:** Mortons, The Firhouse Inn, Firhouse Road, Dublin 24, D24 YYR4

**Report Date :** 30<sup>th</sup> June 2022

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### **Surface Water Report: Clarification of Further Information required:**

- 1.1** Concrete tanks are not acceptable to attenuate surface water because there are not a SuDS (Sustainable Drainage System). The proposed concrete attenuation tank shall be removed and replaced with a SuDS type attenuation system such as a grass area, swales or other such SuDS. Water Services (in SDCC) estimate that

the proposed site in principal has sufficient surface water attenuation capacity from other proposed SuDS and it is expected that the replacement of concrete tank with a SuDS type system such as grass or swales other SuDS will be sufficient.

- 1.2 The applicant is required to submit a revised surface water drawing clarifying the legend of all surface water pipes on site. For example it not clear what dashed green lines on drawing represent.
- 1.3 The applicant shall also highlight the proposed surface water maximum discharge rate of 1.5L/S on the drainage layout drawing.
- 1.4 All drainage from basement level car parking shall pass through a Class 2 petrol interceptor and discharge to the foul drainage network in compliance with Greater Dublin Regional Code of Practice requirements.  
Submit a revised basement level drainage layout drawing which demonstrates this. The applicant is also required to demonstrate how basement drainage pumps will operate in the event of a power outage.
- 1.5 All proposed petrol interceptor/s shall be designed as in accordance with section 20 of the Greater Dublin regional Code of Practice for Drainage Works.

**Flood Risk Report:**

**No objection:**

**Note:**

- The Developer shall ensure that there is complete separation of the foul and surface water drainage systems within the site, both in respect of installation and use.
- All new precast surface water manholes shall have a minimum thickness surround of 150mm Concrete Class B.
- All works for this development shall comply with the requirements of the Greater Dublin Regional Code of Practice for Drainage Works.

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Signed: \_\_\_\_\_  
          Brian Harkin SEE

Date: \_\_\_\_\_

Endorsed: \_\_\_\_\_

Date: \_\_\_\_\_

Appendix 6: Housing Report

**SOUTH DUBLIN COUNTY COUNCIL**



**INTERNAL MEMORANDUM**

**HOUSING DEPARTMENT**

**30<sup>th</sup> June 2022**

***Michael Mulhern***

***Director of Land Use, Planning and Transportation***

***Dept. of Development, Economic & Transport Planning***

**FAO: Caitlin O'Shea**

**Re: Reg Ref: SHD3ABP-313777-22**

**Location: Mortons, The Firhouse Inn, Firhouse Road, Dublin 24, D24 YYR4**

**Applicant: Bluemount Developments (Firhouse) Ltd**

**Proposal:** *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 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 apartments (consisting of 2 studio units; 45 one bedroom units; 10 two bedroom (3 person) units; 34 two bedroom (4 person) units; and 5 three bedroom units), together with private (balconies and private terraces) and communal amenity open space provision at podium and roof levels; and 4 duplex apartments (consisting of 2 one bedroom units and 2 two bedroom units (4 person) located within Block 01, together with private balconies and terraces. Also included is non-residential uses (c. 355 sq m), including: 1 café (c. 58 sq m) and 1 office (c. 30 sq m) located at ground floor level of Block 01; 1 medical unit (c. 59 sq m) and 1 betting office (c. 66 sq m) located at ground floor level of Block 02; 1 barber shop (c. 28 sq m) located at ground floor level between Blocks 01 and 02; and 1 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 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. The application contains a statement setting out how the proposal will be consistent with the objectives of the South Dublin County Council Development Plan 2016-2022 and the South*

*Dublin County Development Plan 2022-2028. The application contains a statement indicating why permission should be granted for the proposed development, having regard to a consideration specified in section 37(2)(b) of the Planning and Development Act 2000, as amended, notwithstanding that the proposed development materially contravenes the South Dublin County Council Development Plan 2016-2022 and the South Dublin County Development Plan 2022-2028 other than in relation to the zoning of the land.*

I refer to the above application for planning permission, SHD3ABP-313777-22 for the development of 100 residential units and I wish to advise that a Part V condition should be attached to any grant of permission for this application.

The developer has proposed the provision of 10 x 1 Bed and 10 x 2 Bed apartments for Part V. It is South Dublin County Councils preference to acquire units on site. Negotiations are ongoing and the applicant is requested to incorporate a wheelchair liveable unit as part of the Part V proposal. Further proposals are subject to review and consideration by the Housing Department & planning approval. Proof of date of ownership of the site is required from the applicant to determine their Part V Percentage liability.

South Dublin County Council can only agree Part V in respect of the permitted development subject to costing approval from the Department of Housing, Local Government & Heritage. Please note that the Council would require a fully completed Part V submission prior to commenting on costs.

Yours Sincerely,

**Edel Dempsey**  
**Senior Staff Officer**  
**Housing Procurement Section**