



<b>Case Reference / Description</b>	Demolition of existing buildings on site, construction of 103 no. apartments, creche and associated site works. No. 2 Firhouse Road and the former "Morton's, The Firhouse Inn", Firhouse Road, Firhouse, Dublin 24.		
<b>Case Type</b>	Section 5 Pre-Application Consultation Request		
<b>Date:</b>	24 <sup>th</sup> January 2022	<b>Start Time</b>	10:00 am
<b>Location</b>	Remotely via Microsoft Teams	<b>End Time</b>	11:15 am
<b>Chairperson</b>	Stephen O'Sullivan	<b>Executive Officer</b>	Helen Keane

**Representing An Bord Pleanála:**

Stephen O'Sullivan, Assistant Director of Planning
Fiona Fair, Senior Planning Inspector
Helen Keane, Executive Officer

**Representing Prospective Applicant:**

Keith Screeney, Applicant
Hugh McCann, Applicant
John Gannon, Tom Phillips + Associates
Linda Colleran, Tom Phillips + Associates
Orla O'Kane, OMP Architects
Michael Hussey, OMP Architects
Ciaran McKeon, Transport Insights
Philip O' Regan, PHM Consulting Engineers
Joanne Coughlan, Studio Aula
Billy Flynn, Flynn Furney Ecology

## Representing Planning Authority

Eoin Burke, Senior Planner
Jim Johnston, Senior Executive Planner
Colm Maguire, Assistant Planner
Graham Murphy, Senior Executive Engineer (Roads Forward Planning)
Brian Harkin, Senior Executive Engineer (Drainage)
Oisín Egan, Public Realm
Ronan Toft, Assistant Engineer (Drainage)

### Introduction

The representatives of An Bord Pleanála (ABP) welcomed the prospective applicant, Planning Authority (PA) and introductions were made. The procedural matters relating to the meeting were as follows:

- The written record will be placed on the pre-application consultation file and will be made public once the Opinion has issued,
- ABP received a submission from the PA on 22<sup>nd</sup> October 2021 providing the records of consultations held pursuant to section 247 of the Planning and Development Act, 2000, as amended and its written opinion of considerations related to proper planning and sustainable development that may have a bearing on ABP's decision,
- The consultation meeting will not involve a merits-based assessment of the proposed development,
- The meeting will focus on key site-specific issues at strategic overview level, and whether the documents submitted require further consideration and/or amendment in order to constitute a reasonable basis for an application.
- Key considerations will be examined in the context of the statutory development plan for the area and section 28 Ministerial Guidelines where relevant,
- A reminder that neither the holding of a consultation or the forming of an opinion shall prejudice ABP or the PA concerned in relation to any other of their respective functions under the Planning Acts or any other enactments and cannot be relied upon in the formal planning process or in legal proceedings.

The ABP representatives acknowledged the letter dated 23<sup>rd</sup> September 2021 formally requesting pre-application consultations with ABP. The prospective applicant advised of the need to comply with the definition of SHD as set out in the (Housing) and Residential Tenancies Act of 2016, as amended, in relation to thresholds of development. The representatives of ABP advised that the Inspector dealing with the pre-application consultation request would be different to the Inspector who would deal with the application when it was submitted. Recording of the meeting is prohibited.

### Agenda

1. Compliance with 'LC' Zoning Objective and CDP Policy.
  - Clarity in respect of location and quantum of non-residential use / uses.
2. Architectural Design Approach:
  - Height, Scale, Massing, Public Realm
  - Material Finishes and Visual Impact.

- Proximity to boundaries and between opposing blocks.
- 3. Impact upon adjoining lands, in particular, High Amenity Area to the NW.
  - Landscape Visual Impact, Protected Views and Protected Structures.
- 4. Response to Issues raised in the CE Report. Including:
  - Access, Transport and Parking,
  - Water Services and Drainage,
  - Ecological Impact.
- 5. Any Other Matters

**1. Compliance with 'LC' Zoning Objective and CDP Policy.**

- **Clarity in respect of location and quantum of non-residential use / uses**

- **ABP Comments:**

- There is a need to further address and justify the 'LC' zoning objective, 'To protect, improve and provide for the future development of local Centres', in any application. The location and quantum of non-residential use needs to be further justified. Further consideration of additional retail, community, recreational or medical use in the scheme given the 'LC' zoning objective.
- Further consideration and or justification of the proposed development regard being had to Policy H10 Mix of Dwelling Types of the CDP which seeks to ensure that a wide variety of adaptable housing types, sizes and tenures are provided in the County in accordance with the provisions of the Interim South Dublin County Council Housing Strategy 2016-2022.
- Further consideration that a material contravention of H9 Objective 3 of the CPD has been justified in this instance (height set back from existing one and two storey housing) and the plot ratio in conjunction with the building height proposed, regard being had to the South Dublin County Council CDP 2016-2022.
- There is no further information facility available to the Board, outside of exceptional circumstances, therefore all information submitted needs to be clear and of a high quality and accurate to ensure that the Board can make an informed decision.

- **Prospective Applicant's Comments:**

- The prospective applicant is seeking to provide a reasonable mix of uses whilst having regard to what is on the site at the moment. Areas of non-residential at ground floor and lower ground floor, café at centre of the site and creche at NE corner.
- Prepared to look at additional active ground floor use and extend active uses to the corner to achieve an entire active ground floor use.
- Prepared to consider the PA's report and will try to integrate additional uses, to have a more continuous active ground floor.
- The non-residential uses are located at ground level to provide an active ground floor onto the public realm.

- **Planning Authority's Comments:**

- The site is zoned 'to protect, improve and provide for the future development of local centres'. Residential is permitted in principle, however % of active ground floor uses is important.

- Each application will be dealt with on a case by case basis, commercial aspect will be viewed in terms of location, quantity and quality.
- Visual access at ground level, there is an expectation to have a range of uses at ground level in a LC.
- The commercial aspect provision is too low.
- There is a significant amount of uses that are located in the basement of the proposed development.

## 2. **Architectural Design Approach:**

- **Height, Scale, Massing, Public Realm**
- **Material Finishes and Visual Impact.**
- **Proximity to boundaries and between opposing blocks.**

### • **ABP Comments:**

- Further consideration and justification of urban design considerations such as the height, bulk, scale and mass of the buildings in the context of the existing pattern of development in the area and in the context of existing Development Plan policy.
- Justification of the height, architectural design / treatment and interface with public streets, in particular, from Mount Carmel Park housing development to the northeast and from the adjoining Firhouse Road.
- There is a need for submission of a detailed Urban Design Statement and an Architectural Statement, detailing finishes, use of materials and variety in design.
- Further consideration of proximity to boundaries and between opposing blocks, overbearance, over shadowing and overlooking or perceived issues around these matters.
- Justification for reliance on tree planting and landscaping as a form of mitigation for visual impact.
- Further consideration of over shadowing to amenity spaces within the development, to have cognisance to large deciduous broad-leaved trees to the north of the site not within the control of the applicant.
- Further consideration to be taken for tree roots and what affects proposed building foundations may have on trees to the north of the site outside of the control of the applicant.
- There is a requirement to carry out a daylight and sunlight assessment as part of any future application. The assessment should set out where the proposal complies with relevant BS or BRE standards and any noncompliance or shortfall should be clearly identified, justified and mitigation measures proposed.
- Clarification required with regard to % and detail of dual and single aspect units proposed within the development.
- Further consideration and justification of useability, location and layout of open space and public realm strategy. A breakdown on the quantum of public open space versus private space should be submitted as part of any application.
- The prospective applicant is to have regard for the requirements in advertising the Material Contravention (if required) accordingly at application stage.

- Computer generated images are useful for members of the public to assess the application but are not required to be included as part of the application documentation.
- **Prospective Applicant's Comments:**
- The tallest part of the proposed development is centrally located and steps down as it moves towards Mount Carmel Park, to the north east of the site.
- The taller aspect of Block B and C are located along the western edge of the proposed development site, stepping down towards the Firhouse road.
- Strategy to locate taller buildings to the west, strong landmark on the corner up to 5 storey stepping down to 3 on the edge.
- The building is set back from the stone wall boundary and the trees to the north of the site, trees are located outside of the control of the applicant.
- The prospective applicant notes the PA's request for the transition of heights to be reconsidered.
- Has reconsidered the setbacks to the west of the proposed development.
- Will reconsider the building heights.
- Will take the PA's concerns into consideration and is happy to work to achieve an acceptable solution.
- Is aware that a Material Contravention may be required.
- Is aware of the area of sensitivity that the PA has referred to in their report and is happy to include this as part of the visual impact analysis.
- Seeks to achieve full compliance in relation to potential overlooking and privacy.
- Is aware of the 22-metre separation distance requirement but is also aware of the relaxation of same.
- The proposed development presents quite a limited overlooking scenario.
- The materials and finishes are simple in form and seek to resemble a mill type building, materials are robust and maintenance free.
- Design reflects the mill type character in the wider area but the design is a new point of reference.
- **Planning Authority's Comments:**
- The heights of the proposed development need to be refined and tweaked.
- There are no high buildings in the vicinity of the proposed development.
- The prospective applicant is to be cognisant of the features surrounding the proposed development including the mature trees along the northern boundary and the nursing home to the south of the scheme.
- A Material Contravention may be required at application stage.
- A truer representation of the visual impact will be required. Additional computer-generated images may be useful.
- The proposed development will be the tallest in the area.
- There should be more order to the materials.
- The prospective applicant is to have regard for potential overlooking, separation distances and a report is to be submitted at application stage detailing same.

**3. Impact upon adjoining lands, in particular, High Amenity Area to the NW.  
- Landscape Visual Impact, Protected Views and Protected Structures.**

- **ABP Comments:**

- The prospective applicant is to provide further details in relation to the impact upon adjoining lands.
- Further consideration of visual impact in terms of views from the immediate surrounding roads and from the N81 from the north.
- Greater detail required of how the development addresses Firhouse Road, incl. landscaping, direct access to non residential uses, active streetscape and the number of entrances proposed at the ground floor of the scheme. It is of paramount importance that the new streetscape and public realm is to a very high standard in relation to layout, design, materials and finishes and a sense of place is created. In this context a greater level of details is required for the new streetscape along the public road.

- **Prospective Applicant's Comments:**

- The applicant's team is happy to address the issue raised by PA in respect of views from N81 to the north.
- In relation to protected structure to the south, there are a number of vantage points from where development will not be seen.
- Applicant's team happy to discuss and agree additional viewpoints and CGI vantage points with the PA.
- The prospective applicant has carried out extensive tree surveys.
- Is seeking to create an additional an offset on the western edge with Block C.
- Will assess any impact on existing trees and daylight to the units.
- An arborist report will be submitted with the application documentation.
- Applicant will relook at perception of overlooking and while proposal does not adhere to 22 m separation distance, it is considered relaxation of this standard is appropriate in this instance. This is a dense scheme on a LC zoned corner site.

- **Planning Authority's Comments:**

- The prospective development is located in a particularly sensitive location.
- There is a likely threat to the mature trees, located outside of the application site to the north.
- A future management and maintenance plan of the existing trees, located on private property not part of the applicant's site or public property.
- The prospective applicant should have regard for the potential cost of tree maintenance and pruning or eventual possible removal of the mature trees, given their proximity to the proposed Block C and residential amenity issues.
- Cognisance and justification of impact of mature trees on sunlight and daylight to future occupants. Also possibility of storm damage from trees falling.
- The prospective applicant is to have regard for environmental and ecological issues.
- Updated bird surveys are required at application stage.
- There is a need to rationalise what it is referencing. Justification in any application in particular given height, which rises over 3 storey surrounding existing development.

- Justification of transition in height, change in materials and setbacks proposed.
- More CGI's required from different vantage points.

**4. Response to Issues raised in the CE Report. Including:**

- **Access, Transport and Parking,**
- **Water Services and Drainage,**
- **Ecological Impact.**

• **ABP Comments:**

- The local centre zoning aspect of the proposed development will be considered at application stage.
- The proposed development is located at a significant cycle route for the city.
- Further consideration and clarity in respect of issues pertaining to drainage connections, flood risk and agreements with the Drainage Department of South Dublin County Council.
- Further consideration of access and parking arrangements proposed, and the observations contained within the Roads Department Report.
- Consideration that any arguments made by the applicant in relation to layout and design, visual impact and open space quantum, ecology, bats and birds will need to be justified at application stage.
- Clarification that all items raised by the PA in their report submitted to the Board are addressed, further meetings should be sought to resolve outstanding issues.
- There is no provision for further information at application stage.
- Cycle connectivity and width of footpaths for pedestrians shall be looked at in terms of the LC zoning.

• **Prospective Applicant's Comments:**

- The prospective applicant has had negotiations with the PA's roads department. They do not have any issues in relation to the proposed development.
- Additional visitor cycle parking is proposed.
- Higher cycle parking ratio is proposed in lieu of a high ratio of car parking.
- 158 cycle parking spaces proposed
- The Firhouse road is an area of low pedestrian activity, a 2 -metre footpath is proposed.
- The prospective applicant will review the proposals for the Mount Carmel Park cycle route and Dodder Greenway route, further engagement with the PA shall be sought.
- Irish Water have issued the prospective applicant with an agreement in relation to a diversion.
- Proposing to divert water infrastructure, pipe cover detailing issue. Infrastructure can run adjacent to the footpath and no go onto Mount Carmel Road.
- Proposing to accommodate tree pits, rain gardens, incorporate green / blue roof system to podium areas and balconies, in consultation with PA.
- The prospective applicant is having consideration for the timeframe for surveys as well as the expiry date of the SHD process.

- **Planning Authority's Comments:**

- The PA is seeking an increase in the cycle parking provision.
- 2-metre footpath is the minimum width required for the Design manual for Urban Roads and Streets (DMURS).
- A wider footpath along the Firhouse road should be considered, given the LC nature of the site.
- The proposed development site is located within an area that has local centre zoning, not just residential zoning.
- Further details are to be provided on the surface water attenuation.
- The PA advises that underground attenuation systems are minimised where possible. More swales, green / blue roofs, more SuDS incorporated into the layout.
- The prospective applicant is to provide cross sections of the water services infrastructure.
- The bat survey is to be updated, to include the line of trees, green infrastructure link. Regard to be had to lighting and Bats, Bat roosts and Ecology.
- Ensure updated surveys are provided.
- The prospective applicant is to have regard to the Japanese knotweed on the proposed development site.

**5. Any other matters**

- **ABP Comments:**

- A diversion of existing infrastructure may be required. Further consideration and clarity in respect of engagement with IW any agreements required.
- Clarification and determination of matters raised within the PA Opinion and Appended South Dublin County Council Department reports submitted to ABP on the 22<sup>nd</sup> October 2021 in advance of any application.

- **Prospective Applicant's Comments:**

- Further engagement will be sought on matters arising.
- No further comments.

- **Planning Authority's Comments:**

- Further engagement will be facilitated on matters arising.
- No further comments.



## Conclusion

The representatives of ABP emphasised the following:

- There should be no delay in making the planning application once the public notice has been published.
- A Schedule of Documents and Drawings should be submitted with the Application.
- Sample notices, application form and procedures are available on the ABP website.
- Irish Water would like prospective applicants to contact Irish Water at [cdsdesignqa@water.ie](mailto:cdsdesignqa@water.ie) **between the Pre-Application Consultation and Application stages**, to confirm details of their proposed development and their proposed design.
- The email address to which applicants should send their **applications** to Irish Water as a prescribed body is [spatialplanning@water.ie](mailto:spatialplanning@water.ie).

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Stephen O'Sullivan  
Assistant Director of Planning  
February, 2022