

# Comhairle Chontae Atha Cliath Theas

## Record of Executive Business and Chief Executive's Order

### PR/1002/21

**Reg. Reference:** SD21A/0139      **Application Date:** 28-May-2021

**Submission Type:** New Application      **Registration Date:** 28-May-2021

**Correspondence Name and Address:** Ian Boyle, Tom Philips & Associates 80, Harcourt Street, Dublin 2

**Proposed Development:** The demolition of three existing apartment units (c. 239sq.m) and bin store (c.18sq.m) and the construction of a residential development arranged in two building blocks (Block A & Block B) ranging from 3 to 6 storeys in height over basement level (c. 3,728sq.m, including basement). Block A comprises 11 residential apartments (c. 1256sq.m) in a 5 to 6 storey building and including a ground floor level cafe (c. 93sq.m) at the buildings south eastern corner; Block B comprises 15 residential apartments (c.1393sq.m) in a 3 to 5 storey building; The proposed development will comprise 26 new residential units (5 studio apartments, 6 1-bedroom apartments, 7 2-bedroom apartments & 8 3-bedroom apartments) with associated balconies and terraces. The proposed development will comprise a total of 40 apartment units derived from 26 new apartments and 14 existing apartments; relocation of existing basement access on Old Greenhills Road and the upgrade and extension of the existing basement level ; provision of internal footpaths; landscaped communal open space (including outdoor gym equipment, children's play area and 'working from home' area); public open space; 13 car parking spaces and 74 long-stay bicycle parking spaces and 1 motorcycle parking spaces at basement level; 2 shared car parking spaces and 20 short-stay bicycle parking spaces at surface level (15 car parking spaces, 94 cycle parking spaces and 1 motorcycle parking in total); all piped infrastructure and ducting; elevation treatments; plant room; lift access and stair cores; hard and soft landscaping and boundary treatments; changes in level; waste management areas; attenuation tank; backup generator; solar photovoltaic panels; lighting; and all associated site development and excavation works above and below ground. The subject site is

# Comhairle Chontae Atha Cliath Theas

## Record of Executive Business and Chief Executive's Order

currently partly developed with an existing residential scheme known as Greenhill's Court comprising 17 apartment units in 4 apartment blocks ranging in height from 2 to 4 storeys, including basement car park all on a site of approximately 0.23ha. on lands bounded to the north by St Basil's Training Centre, to the east by Greenhills Road, to the west by Old Greenhills Road, and to the southeastern corner by Main Street, Tallaght, Dublin 24

**Location:** St. Basil's Training Centre, Greenhills Road, Tallaght, Dublin 24

**Applicant Name:** O'Mahony Holdings SPRL

**Application Type:** Permission

(CM)

### **Description of Site and Surroundings**

#### **Site Description**

The site encompasses a large portion of the parcel of land between Greenhills Road to the east, Old Greenhills Road to the west, and Main Street (Tallaght Village) to the south. The site includes a strip along the eastern side of this portion, which currently accommodates some 3-storey apartment units and a vacant area on the corner of Main St. and Greenhills Road. The site extends to the west to Old Greenhills Road in two sections. The southernmost of these accommodates the entrance to the underground car park, and an open area of hardstanding. The northernmost section contains a communal lawn and pedestrian entrance to the existing apartment complex. Between these two sections is a terrace of 3 units fronting onto Old Greenhills Road. Of these 1-storey units, one is an office, and all three appear to have been extended to the rear. Their back gardens adjoin the subject site. The entire site is bound to the north by St. Basil's Training Centre.

The site sits opposite the site of The Priory, a protected structure.

Site Area: 2.342 Ha.

Site Visit: 28/06/2021

### **Proposal**

The **demolition of three existing apartment units** (c. 239sq.m) and bin store (c.18sq.m) and **construction of a residential development arranged in two building blocks (Block A & Block B), ranging from 3 to 6 storeys in height over basement level (c. 3,728sq.m, including basement).**

# Comhairle Chontae Atha Cliath Theas

## Record of Executive Business and Chief Executive's Order

The development will contain **26 new residential units** (5 studio apartments, 6 1-bedroom apartments, 7 2-bedroom apartments & 8 3-bedroom apartments) with associated balconies and terraces, and a café. The proposed development will comprise a total of 40 apartment units derived from 26 new apartments and 14 existing apartments.

- Block A comprises 11 residential apartments (c. 1256sq.m) in a 5 to 6 storey building and including a ground floor level cafe (c. 93sq.m) at the buildings south eastern corner;
- Block B comprises 15 residential apartments (c.1393sq.m) in a 3 to 5 storey building;
- relocation of existing basement access on Old Greenhills Road and the upgrade and extension of the existing basement level;
- provision of internal footpaths; landscaped communal open space (including outdoor gym equipment, children's play area and 'working from home' area); public open space;
- 13 car parking spaces and 74 long-stay bicycle parking spaces and 1 motorcycle parking spaces at basement level; 2 shared car parking spaces and 20 short-stay bicycle parking spaces at surface level (15 car parking spaces, 94 cycle parking spaces and 1 motorcycle parking in total);
- all piped infrastructure and ducting; elevation treatments; plant room; lift access and stair cores; hard and soft landscaping and boundary treatments; changes in level; waste management areas; attenuation tank; backup generator; solar photovoltaic panels; lighting; and all associated site development and excavation works above and below ground.

### Zoning

The application site is subject to zoning objective 'VC' - To protect, improve and provide for the future development of Village Centres.

### Consultations Received

#### Internal

SDCC Architectural Conservation Officer	Recommends Refusal.
Environmental Services:	
- Surface Water	No objection, subject to conditions.
- Flood Risk	No objection.
Public Realm	No objection, subject to conditions.
Roads	Requests Additional Information.

#### External

An Taisce	Recommends Refusal.
Department of Defence (Property Management Branch)	No objection, subject to conditions.
Dept. of Housing, Local Government & Heritage (Archaeology Unit)	No objection, subject to conditions.
HSE Environmental Health Officer	Requests Additional Information.

# Comhairle Chontae Atha Cliath Theas

## Record of Executive Business and Chief Executive's Order

Irish Water

No objections subject to conditions

### **SEA sensitivity screening**

The application site is located within or adjacent to the following:

1. Architectural Conservation Area
2. Areas of Archaeological Potential
3. Protected Structures

St. Basil's Training Centre, Greenhills Road, Tallaght (RPS. Ref 268) lies partially within the subject site.

The following Protected Structures are adjacent or near to the subject site:

- The Priory, Tallaght (RPS. RPS. Ref 269)
- St. Mary's Dominican Priory, Tallaght (RPS. Ref 270)
- St. Mary's Dominican Church, Tallaght (RPS. Ref 273)

#### 4. Record of Monuments and Places

- DU021-037. Class: Town

### **Submissions/Observations /Representations**

Submissions have been received from a number of third parties who are not statutory consultees. Local groups who have made a submission are Tallaght Community Council, Belgard Area Residents Association, and St. Martin's Residents Association. The following public representatives have also made submissions: Francis Noel Duffy TD, John Lahart TD and Cllr Teresa Costello. John Lahart TD is specifically supporting the submission of Tallaght Community Council. In addition, a number of neighbours and other residents of the county have lodged objections.

It should also be noted that the owner of the site to the south and west, Sirio Homes, has written in support of the application.

The issues raised in the objections can be summarised as follows:

### **Principle of Development and General Observations/Comments**

- Tallaght Community Council is supportive of build-to-sell developments, but only if units are provided for the general population; there are 3 existing emergency/hostel accommodation centres in or planned in the area.
- O'Mahony Holdings criticised for maintenance of other nearby sites.
- This may be a Trojan Horse for a larger SHD application at a later date on the same site, after principle of intensified development is established.
- This and other two recent applications in this area would cause irreparable damage to the character, history, heritage and traditional architecture of Tallaght Village.
- Contravenes the South Dublin County Development Plan 2016 - 2022.

# Comhairle Chontae Atha Cliath Theas

## Record of Executive Business and Chief Executive's Order

- Contravenes policy UC3 (Village Centres) of the County Development Plan.
- Contravenes the Tallaght Town Centre LAP 2020 - 2026.
  - Contravenes section 3.4 'The Village' local objectives.

### Planning History

- Permission was refused for SD03A/0368/PL06S.204649. This scheme is taller and denser than that proposal.
- Permission was refused for SD20A/0250 on adjoining site.
- This development not informed by previous refusals.

### Conservation

- Does not respect ACA.
- Would irreparably damage the ACA and set a precedent for similar development in Tallaght Village.
- Design across the site should be sensitive to the ACA.
- Contravenes policy HCL1 (Heritage Overarching) and objective 1 of that policy.
- Contravenes policy HCL4 (Architectural Conservation Areas) and objective 2 of that policy.
- Contravenes LAP overarching objectives.

### Intensity of Development

- Excessive Height in this context.
- Height exceeds policy in LAP
- Excessive Density in this context.
- Plot ratio of 1.63 exceeds policy in LAP.
- Plot ratio of overall site may be higher as this figure relates only to new buildings.
- Height, massing and architectural treatment do not complement the scale and character of the village.
- Excessive scale on Old Greenhills Road.
- Height, scale, density and massing are contrary to planning policy and contrary to the National Planning Framework.
- Contrary to section 2.6 and section 2.6.2 of the Tallaght Town Centre LAP.

### Visual Impact and Design

- Negative residential & visual amenity impacts.
- Overlooking and overshadowing.
- Would overshadow third party's home.
- Would diminish privacy in third party's rear garden.
- Block B would have significant negative impacts on nos. 1, 2 and 3 Greenhills Road.
- Design is insensitive to the area.
- Additional set backs should be provided to adjoining properties.
- Site boundary treatment is hard.
- Boundary treatments should be carefully considered and integrate with traditional treatments on Old Greenhills Road.

# Comhairle Chontae Atha Cliath Theas

## Record of Executive Business and Chief Executive's Order

### Residential Amenity

- No green space incorporated.
- Open space in the scheme is poor.
- 'Gimmicks' such as Work from Home spaces do not provide proper space for residents.
- Location of bin storage would be detrimental to No. 10 'Court Cottage' Greenhills Road.

### Development Mix

- Mix of units is unacceptable.

### Other Comments

- Contrary to section 2.7.3 'Green Infrastructure' of the Tallaght Town Centre LAP.
- Development works would interrupt water and electrical services to third party's home.

### Relevant Planning History

#### **Recent Applications in the Immediate Area**

SD21A/0136 at St. Mary's Priory, Old Greenhills Road: South Dublin County Council has issued a Notification of Decision to **Refuse Permission** for (a) Construction of a 5 storey nursing home building consisting of (i) 112 bedroom (with en-suite); (ii) associated resident's welfare facilities; (iii) administration areas and staff facilities; (iv) with day centre, and pharmacy proposed at ground floor level; (b) construction of a part 5/part 6 storey building consisting of (i) 108 one-bedroom/two-person independent living units for older people; (ii) social and activity areas; (iii) management office and (iv) 5 guest bedrooms, each unit will be provided with private open space in the form of a balcony/terrace (ranging from 5sq.m to 12sq.m); (c) communal open space and landscaping (including new tree planting and tree retention), 30 car parking spaces and 86 bicycle parking spaces; (d) the development will be served by a new pedestrian and vehicular access from Old Greenhills Road through existing boundary wall; (e) landscaping, boundary treatments (including walls and railings to southern and western boundaries), an ESB Substation, SuDS drainage; road infrastructure and all ancillary site works necessary to facilitate the development.

**Note:** The appeal period for this application is still open.

#### Reasons for Refusal:

1. The proposed design and layout tries to address the issue of a contemporary design within a historic site with the use of contemporary materials and building elements found within the existing building stocks. Having regard to the building height, mass and dense form of the proposed blocks, the overall impact on the protected structures cannot be negated by the design elements and finishes alone. It is considered that the proposed development fails to be sensitive within its proposed location and does not reflect the most suitable layout or design for the intended use on the subject site as the new build will completely dominate this part of the site due to its proposed, height, scale and mass which will be visible within The Priory Demesne and along Old Greenhills Road.

The proposed development would impact on the Protected Structures and result in a diminished quality of character at this sensitive location which would be contrary to the

# Comhairle Chontae Atha Cliath Theas

## Record of Executive Business and Chief Executive's Order

policies for development within the curtilage of a Protected Structure and New Development in ACA in the Tallaght Town Centre Local Area Plan, including Objective HC1 and VL8, which states 'Protect the character and integrity of the Priory, including its parkland setting, and provide for greater public access and usage'.

2. The proposed plot ratio of c1.4 is contrary to the plot ratio range standards in Section 3.4 of the Tallaght Town Centre Local Area Plan 2020 – 2026 and exceeds the 20% flexibility for planning gain outlined in Section 2.6.1 Plot Ratio. The development would constitute overdevelopment and as such would, by itself and by the precedent it would create, be seriously injurious to the redevelopment of the village centre and the development of a site within the curtilage of a protected structure.
3. The proposed building height is contrary to the Tallaght Town Centre Local Area Plan 2020 – 2026 and the South Dublin County Council Development Plan. The site is not identified for taller buildings in the LAP and as such, the proposed development is contrary to Policy UC6 Objective 3 of the Development Plan which seeks to direct tall buildings that exceed five storeys in height to strategic and landmark locations in Town Centres, Mixed Use zones and Strategic Development Zones, and subject to an approved Local Area Plan or Planning Scheme.  
The Tallaght LAP specifies heights of 3-4 storeys for 'other frontages' (the subject site is neither designated as a primary or secondary frontage). Under Section 3.4 'The Village' and particularly Objectives VL6 and VL8, the Tallaght LAP requires development to be responsive to the local context and seek to protect and enhance the setting of protected structures and the ACA. The proposed development is contrary to the proper planning and sustainable development of the area.
4. The buildings would be located in close proximity to the boundary walls, particularly on the eastern side of the site, which coupled with the height proposed would result in a poor and cramped layout. There are also concerns from a heritage perspective regarding the proposed new entrance and the impact that this would have on the setting and character of the protected structure. The public open space is poorly located away from the majority of the Nursing Home and Apartment block and does not encourage public usage. The existing trees along the east boundary would be compromised by the proximity of the eastern block and tall trees at this location would significantly impact on light to the apartments. For these reasons the proposed development would not be in accordance with the Tallaght Town Centre Local Area Plan and the proper planning and sustainable development of the area.
5. The proposed parking provision of 30 car parking spaces would seriously under provide for the proposed development, which the SDCC Roads Department has recommended would require 43 car parking spaces, inclusive of 7 spaces for complementary uses which would be better provided separately (50 spaces in total). The proposed provision would have knock on impacts in terms of illegal parking on the site and on the surrounding road network.

# Comhairle Chontae Atha Cliath Theas

## Record of Executive Business and Chief Executive's Order

6. The applicant has provided a Conservation Statement only in respect of the proposed development. Under Section 6.2.1 of the Tallaght Town Centre Local Area Plan, a detailed Conservation Plan must be prepared for the overall Priory site in advance of any significant development being considered. In the absence of such a plan led approach, the application is considered to be contrary to the proper planning and sustainable development of the area.
7. The applicant has not submitted any form of Ecological Assessment in support of the proposal. Given the presence of mature trees and older buildings which could support bat roosts, this is a significant concern. The proposed development would therefore be contrary to Policy HCL15 of the South Dublin County Council Development Plan 2016 - 2022. The applicant has not addressed Objective VL9 of the LAP which seeks to protect and preserve the heronry located within the site, and the proposed development would therefore be contrary to that objective.

SD20A/0250 at Site of Former Esso Filling Station (south and west of subject site), Main Road: Permission **refused** for (i) Demolition of existing single storey ESB substation (3.5sq.m) on the north western site boundary; (ii) South building ranging from 5 storeys to 8 storeys (max. height c.26.40m) with a total gross floor area of 2663sq.m comprising; (a) 28 residential units comprising 17 1-bedroom apartments, 10 2-bedroom apartments and 1 3-bedroom apartment; (b) At ground floor and with frontage onto Main Road, 3 commercial units to facilitate a range of uses: Unit B (73sq.m) - Class 1, shop (newsagent, parcel delivery drop store) or Class 10 (Community Centre); Unit C (49sq.m) - Class 1 shop (cycle store/Charity Shop); Unit D (74sq.m) - Class 1, shop, Class 2 (financial/professional services) or Class 8 (Healthcare); (c) Also at ground floor, a management office (17sq.m), a maintenance office (12.5sq.m), ESB substation and switch room (combined 22sq.m) and commercial bin storage area (12.5sq.m); (iii) West building ranging from 4 storeys to 5 storeys (max. height c.16.07m) with a total gross floor area of 1441sq.m comprising (a) 15 residential units including 4 studio units; 5 1-bedroom units, 3 2-bedroom units and 3 3-bedroom units; (b) tenant amenity floorspace (42sq.m) at ground floor;(c) 1 92sq.m commercial unit (Cafe/restaurant/Deli) at the corner of Old Greenhills Road and Main Road; (iv) A communal amenity courtyard (459sq.m) and public open space in the form of a new civic plaza (337sq.m) at the corner of Old Greenhills Road and Main Road and public realm improvements at the southern end of Old Greenhills Road including improvement works to the Katherine Tynan memorial (505sq.m); (v) A basement (1298sq.m) incorporating 25 residents car parking spaces (including 4 Go-Car spaces, 2 electric vehicles spaces and 2 accessible spaces), residents long stay cycle parking (50 spaces) and residents waste management facilities (49sq.m); (vi) A new vehicular entrance from the Old Greenhills Road to the proposed basement; (vii) A total of 24 surface level short stay cycle parking spaces comprising 4 spaces at the Katherine Tynan Memorial, 8 spaces within the residents communal courtyard and 12 spaces at the new civic plaza; (viii) Removal of 2 on-street car parking spaces on Old Greenhills Road to facilitate access to the proposed basement and installation of a raised pedestrian crossing at the southern end of Old Greenhills Road and (ix) All ancillary site development works including installation of drainage and water supply infrastructure, installation of rooftop solar photovoltaics panels (128sq.m) and lighting.



# **Comhairle Chontae Atha Cliath Theas**

## **Record of Executive Business and Chief Executive's Order**

### Reasons for Refusal:

1. The proposed development, by reason of the excessive density, plot ratio and height proposed as well as the poor design, would fail to integrate and respond to the site, surrounding context, the Priory Protected Structure and the Architectural Conservation Area, and would result in an incongruous feature that would significantly detract from the visual amenity and character of the area. Thus, the proposed development would contravene the Tallaght Town Centre LAP (2020-2026), the South Dublin County Development Plan (2016-2022), the VC zoning objective which seeks 'To protect, improve and provide for the future development of Village Centres' and the proper planning and sustainable development of the area.
2. The applicant has failed to provide sufficient justification or evidence for the proposed unit mix and tenure. The proposal is therefore considered to be contrary to Objective RE 2 of the Tallaght Town Centre LAP (2020-2026), policy H10 of the South Dublin County Development Plan (2016-2022), and the proper planning and sustainable development of the area.
3. The proposed development, by reason of the proximity to neighbouring habitable room windows, poor quality balconies and access to light, would result in overlooking, an unacceptable loss of privacy, and a poor standard of accommodation for future residents. The proposal would therefore be contrary to the Sustainable Urban Housing: Design Standards for New Apartments – Guidelines for Planning Authorities (2018), The South Dublin County Development Plan (2016-2022) and the Tallaght Town Centre LAP (2020-2026) and would contravene the proper planning and sustainable development of the area.
4. The proposed building, by reason of the proximity to neighbouring habitable room windows, would result in unacceptable levels of overlooking and an unacceptable loss of privacy. Thus, the proposed development would seriously injure the amenity of property in the vicinity and would be contrary to the proper planning and sustainable development of the area.
5. Having regard to the concerns raised by the National Transport Authority regarding the future Bus Connects route and the location of the parking spaces and loading bay on the western side of the application site, the Planning Authority is not satisfied, on the basis of the information submitted, that the proposed development would not be prejudicial to the implementation of the NTA's Bus Connects project and would not result in a traffic hazard. The proposed development would therefore contravene the proper planning and sustainable development of the area.
6. Having regard to the lack of information submitted in relation to surface water, the Planning Authority is not satisfied, on the basis of the information submitted, that the proposed development would not be prejudicial to public health. Thus, the proposed development would contravene the proper planning and sustainable development of the area.

# Comhairle Chontae Atha Cliath Theas

## Record of Executive Business and Chief Executive's Order

### **Applications on This Site (in combination with the site of the former Esso Filling Station)**

SD07A/0883 and PL06S.229207: Permission **granted** by An Bord Pleanála (upholding a decision of SDCC) for construction of mixed retail/residential development of 28 no. apartments and 654sq.m. retail on 4 floors over basement car park as follows: 11 no. 3-bedroom apartments, 9 no. 2-bedroom apartments and 8 no. 1-bedroom apartments on ground, first, second and third floors with projecting balconies at first and second floor and 3 no. ground floor retail units (258sq.m.), (192sq.m.) and (204sq.m.) as modification/extension to and incorporating parts of site of approved development under construction, Reg. Ref. SD04A/0731 with vehicular parking access through approved development under construction at combined site of former Esso service station at junction of Greenhills Road and Main Road and part of site of development under construction at 3A Greenhills Road, Tallaght, Dublin 24. Significant Further Information: the revised proposal will consist of construction of mixed retail/residential development 27 no. apartments and 662sq.m. retail on 4 floors over basement car park as follows: 6 no. 3-bedroom apartments, 17 no. 2-bedroom apartments and 4 no. 1-bedroom apartments on ground, first, second and third floors with projecting balconies at first and second floors and 3 no. ground floor retail units {258sq.m.}, {197sq.m.} and {207sq.m.} as modification/extension to and incorporating parts of site of approved development under construction, Reg. Ref. SD04A/0731, with vehicular parking access through approved development under construction.

SD07A/0569: Permission **refused** for construction of mixed retail / residential developments of 32 no. apartments and 654sq.m retail on 4 floors over basement car park as follows: 13 no. 3 bedroom apartments, 10 no. 2 bedroom apartments, and 9 no 1 bedroom apartments, on ground, first, second, and third floors with projecting balconies at first and second floor, and 3 no. ground floor retail units; (245sq.m); (205sq.m); and (204sq.m) as modification/extension to and incorporating parts of site of approved development under construction Reg. Ref. no. SD04A/0731 with vehicular parking access through approved development under construction.

SD06A/1125: Permission **refused** for demolition of petrol station and construction of mixed retail/residential development of 39 apartments and 676sq.m. retail on 4 floors over basement car park as follows: 9 no. 3-bedroom apartments, 16 no. 2-bedroom apartments and 14 no. 1-bedroom apartments on ground, first, second and third floors with projecting balconies at first and second floor and 3 ground floor retail units - (87sq.m.), (403sq.m.) and (125sq.m.) as modification/extension to and incorporating parts of site of approved development under Reg. ref. SD04A/0731 with vehicular parking access through approved development under construction at combined site of former Esso Service Station at junction of Greenhills Road and Main Road and part of site of development under construction at 3A Greenhills Road, Tallaght

### **On This Site Only**

SD06A/0541 and PL06S.219756: Permission **granted** by An Bord Pleanála (overturning a decision of SDCC) for 2 no. 2 storey bed townhouses as part of development approved under planning permission (Reg. Ref. SD04A/0731) with car parking, landscaping and associated site works.

# Comhairle Chontae Atha Cliath Theas

## Record of Executive Business and Chief Executive's Order

SD04A/0371 and PL06S.210123: Permission **granted** by An Bord Pleanála (upholding a decision to grant by SDCC) for 4 no. linked apartment blocks ranging from 2 to 4 storeys, consisting of 21 no. apartments (comprising of 10 no. 1 beds, 11 no. 2 beds), 2 no. retail units (Block C4), 1 no. temporary advertising board, ancillary accommodation, landscaping, 21 no. surface car spaces accessed from Old Greenhills Road and associated site works

SD04A/0324: Permission **refused** by South Dublin County Council for 2 No. buildings ranging from 2 to 4 stories over basement car parking containing 26 No. car spaces. The proposed development will consist of 30 No. apartments (comprising of 12 No. 1 beds, 13 No. 2 beds, 3 No. 3 beds and 2 No. 3 bed duplex units), 1 No. temporary advertising board, ancillary accommodation, landscaping, 4 No. surface car spaces and associated site works.

### **On subject site (3A) and linked site (3B Greenhills Road, east of Greenhills Road)**

SD03A/0367 and PL06S.204653 at 3A and 3B, Greenhills Road: Decision by An Bord Pleanála to **grant permission and refuse permission** to 4 no. buildings ranging from 2 to 4 storeys over basement car parking containing 82 no. spaces, consisting of 1 no. creche, 2 no. retail units, 78 no. apartments (comprising of 28 no. 1 beds, 31 no. 2 beds, 14 no. 3 beds and 5 no. 2 bed duplex units), 2 no. temporary advertising boards, ancillary accommodation, landscaping and associated site works.

SD03A/0368 and PL06S.204649 at 3A Greenhills Road: Permission **refused** on appeal by An Bord Pleanála (overturning a decision to grant by SDCC) for 3 no. buildings ranging from 2 to 4 stories over basement car parking containing 24 no. spaces, consisting of 1 no. creche, 2 no. retail units, 37 no. apartments (comprising of 11 no. 1 beds, 14 no. 2 beds, 7 no. 3 beds and 5 no. 2 bed duplex units), 1 no. temporary advertising board, ancillary accommodation, landscaping and associated site works.

SD03A/0369 and PL06S.204650 at 3B Greenhills Road: Permission **granted** by An Bord Pleanála (upholding a decision to grant by SDCC) for an Apartment building of 3 to 4 storeys over basement car parking containing 58 no. spaces, consisting of 41 no. apartments (comprising of 17 no. 1 beds and 17 no. 2 beds and 7 no. 3 beds), 1 no. temporary advertising board, ancillary accommodation, landscaping and associated site works.

### **3 Old Greenhills Road (in terrace of 3 units surrounded on 3 sides by the subject site)**

SD14B/0013: Permission **granted** to part demolish the existing cottage and demolish, re-build and extend the single storey rear extension; rebuild the existing cottage footprint with a ridge height not exceeding 5.3m; the proposed extended footprint will not exceed 39.6sq.m. with a single storey pitched roof with Velux roof windows; the proposed floor area comprises of 2 bedrooms, ensuite and main bathroom, kitchen and sitting/dining area and associated site development and ancillary works.

# Comhairle Chontae Atha Cliath Theas

## Record of Executive Business and Chief Executive's Order

SD08A/0638: Permission **refused** for demolition of existing cottage to be replaced with 2 storey building, comprising of 1 no. ground floor retail unit and 2 no. 1 bedroom first floor apartments and associated site development and ancillary works.

SD08A/0434 and PL06S.230879: Permission **refused** by An Bord Pleanála (upholding a decision of SDCC) for demolition of existing cottage and replace with 2 storey building comprising of 1 no. ground floor retail unit and 2 no. 1 bedroom first floor apartments and associated site development and ancillary works

SD08A/0351: Invalid Application for above development.

### **St. Basil's Training Centre (adjoins site to north)**

SD04A/0774: Creche extension facing realigned road (including work to a proposed Protected Structure).

SD04A/0630: Invalid application for above development.

SD03A/0038: Permission **granted** for single storey extension to rear of existing training centre.

### **Part VIII Development**

SD158/0001: **Approval** for alterations and improvements to paving, kerbing, parking trees, public lighting and bollards at the following locations: In front of the commercial premises along the West side of the Old Blessington Road from the junction with Main Street to the junction with High Street and along the old Greenhills Road from the junction with Main Street to the junction with the new Greenhills Road in Tallaght, Dublin 24. Works to include: - New paving layouts and upgraded kerbing, - New trees, public lights and bollards, - Revised on-street, car parking spaces. These sites are within the Tallaght Architectural Conservation Area (Tallaght Village is a zone of Archaeological Potential).

SD138/0009: **Approval** to provide improved cycling facilities along a 3km corridor between Tallaght and Templeogue: 1. Provision of 4km of new cycle route on Old Blessington Road, Main Street Tallaght, Old Tallaght Road and Templeogue Road between ITT Tallaght and the junction of Old Bridge Road/Cypress Grove Road. 2. Construction of new off-road cycle tracks on Old Tallaght Road and Templeogue Road; 3. Pedestrian and cyclist safety improvement works at a number of junctions on the route; 4. Introduction of 30km/h speed limit on Old Blessington Road and Main Road Tallaght between Belgard Road junction to Greenhills Road junction; 5. Improvements to existing bus stops along the route; 6. Provision of bicycle parking at locations along the route; 7. Replacement of affected trees and other landscaping works throughout the scheme; 8. Footpath improvement works throughout the scheme; 9. Provision of new road drainage and associated works where required; 10. Provision of new public lighting, road markings and cycle route signage.

# Comhairle Chontae Atha Cliath Theas

## Record of Executive Business and Chief Executive's Order

### Relevant Enforcement History

None

### Pre-Planning Consultation

#### **PP114/20**

Demolition of part of the existing of the Greenhills Court Scheme to the south and the construction of 37 apartment units. Proposed Block A will seek to extend the existing residential block and comprise 1 x ground floor retail unit, 1 x studio unit, 6 x 1-bedroom units and 6 x 3-bedroom units in a 7 storey building. Proposed Block B located to the west of the subject site will comprise 6 x studio units, 4 x-1-bedroom units and 14 x 2-bedroom units in a 7 storey building. The development will also include 745sqm of communal amenity space.

### Relevant Policy in Tallaght Town Centre Local Area Plan (2020)

#### **2.1 Introduction**

- To direct land uses and intensity of development in a manner that creates a sustainable urban form, based on the integration of land use and transport planning (Objective UF1)
- To promote a mix of uses in a manner that creates a sustainable and active area (Objective UF2)
- To ensure that development is carried out in a design led manner that prioritises place making and accords with the core principles of urban design and the creation of integrated streets (Objective UF3)
- To ensure that development is laid out in a series of blocks and plots that are legible, permeable and appropriate in land use, scale, building height, street widths, urban grain and street frontages (Objective UF4)
- To upgrade existing and design new streets using an integrated approach to pedestrian, cyclist and vehicular movement and ensure that the movement function of each street is reflected by an appropriate design response and design speed (Objective UF5)
- To provide attractive, interesting and well used public realm and open spaces using place making and urban design principles, creating a pedestrian centred environment with active, inviting public spaces and parks (Objective UF6)
- To protect, enhance and develop an interconnected green and blue infrastructure network of parks, open spaces, hedgerows, grasslands, rivers and streams for amenity and recreation, biodiversity protection, flood management and adaptation to climate change (Objective UF7)

#### **2.4 Land use and Urban Function**

2.4.1 Types of Development and Land Use Mix

2.4.2 Mixed-use Frontages

2.4.3 Changing Nature of Areas

#### **2.5 Neighbourhoods**

The Village

# Comhairle Chontae Atha Cliath Theas

## Record of Executive Business and Chief Executive's Order

### 2.6 Intensity of Development

- 2.6.1 Plot Ratio
- 2.6.2 Height and Built Form
- 2.6.3 Block Size and Form
- 2.6.4 External Finishes and Appearance

### 2.7 Public Realm and Open Space

- 2.7.1 Interaction with the Public Realm
- 2.7.2 Public Open Space

### 3.0 Neighbourhoods

- 3.4 The Village
- Key Objectives:

**VL1:** Consolidate mixed use residential uses.

**VL6:** Protect and enhance setting of protected structures and qualities of the ACA.

**VL8:** Protect the character and integrity of the Priory, including its parkland setting, and provide for greater public access and usage.

**VL9:** Protect and preserve Heronry located on Priory lands and extending into TUD lands.

### 5.0 Residential and Community

#### 5.2 Residential Development

It an objective of the Council to ensure that all new residential development in Tallaght enables the delivery of a mixed and balanced community that is of a high quality design and complies with Government guidance on the design of sustainable residential development and residential streets including those prepared by the Minister under Section 28 of the Planning & Development Act 2000 (Objective RE 1).

#### 5.2.1 Housing Mix

It is policy of the Council to ensure an appropriate housing mix is provided within the LAP lands, therefore a minimum of 30% of units within any new residential development (in the form of either apartments or houses but excluding student accommodation schemes) shall have a minimum of 3 bedrooms (Objective RE 2).

#### 5.2.2 Housing Options

It an objective of the Council to support new and innovative ways to meet housing demands in the County while also ensuring that there is an appropriate mix of tenure and dwelling types provided to meet the needs of the current and future population of Tallaght (Objective RE 3).

It is an objective of the Council to ensure that a mix of tenure is achieved in order to provide an appropriate balance which will promote social integration in Tallaght (Objective RE 4).

# **Comhairle Chontae Atha Cliath Theas**

## **Record of Executive Business and Chief Executive's Order**

### **Build-to-Rent (BTR): Security of Tenure**

It is the policy of the Council to support Build to Rent developments that comply with the housing/occupancy mix requirement specified in this Section and national policy, in particular with the policies and objectives set out in 'Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities (2018)' (Objective RE 5).

### **Social Housing**

It is policy of the Council to apply a 10% social housing requirement, pursuant to Part V of the Planning and Development Act 2000 (as amended) to all sites in the Plan area that are solely for residential use or for a mixture of residential and other uses (save where the development qualifies for a modified or amended obligation or is otherwise exempted), to ensure an appropriate distribution of new social housing and to avoid an excessive concentration of social housing (Objective RE 6).

### **Affordable Housing**

It is policy of the Council to support the provision of Affordable Housing in the area. In this regard, the Council encourages residential development proposals which address the needs of those who have registered with South Dublin County Council's affordable housing scheme. Flexibility with regard to the housing tenure and typology mix will be considered where it is demonstrated that 50% or more of the dwellings in a residential development are provided for Affordable Housing, as defined by the Council (Objective RE 7).

### **Elderly Housing and Care**

It is an objective of the LAP to facilitate the delivery of elderly housing accommodation, stepped down care accommodation and other forms of assisted living accommodation which can benefit from close proximity to existing services and facilities (Objective RE 9).

### **5.2.3 Dwelling Size, Internal Layout and Amenity Space**

### **5.3 Community Facilities**

It is the policy of the Council to promote Tallaght as the priority location for regional level community and social infrastructure in the County. In addition, South Dublin County Council will facilitate the expansion and enhancement of existing community facilities and to facilitate the provision of a range of new community facilities in tandem with population growth to meet the needs of future residents of Tallaght (Objective CF 1).

### **5.3.7 Social Infrastructure Audit**

## **6.0 Architectural Conservation and Archaeological Heritage**

### **6.2 Architectural Conservation**

#### **6.2.1 Protected Structures**

It is the policy of the Council to conserve and protect buildings, structures and sites contained in the Record of Protected Structures in Tallaght and to carefully consider any proposals for development

# **Comhairle Chontae Atha Cliath Theas**

## **Record of Executive Business and Chief Executive's Order**

that would affect the special character or appearance of a Protected Structure including its historic curtilage, both directly and indirectly (Objective HC 1).

### **6.2.2 Architectural Conservation Areas**

It is the policy of the Council to preserve and enhance the historic character and visual setting of Tallaght Architectural Conservation Area and to carefully consider any proposal for development that would affect the special value of such areas (Objective HC 3).

### **6.3 Archaeological Heritage**

It is the policy of the Council to manage the development of Tallaght in a manner that protects and conserves the Archaeological Heritage of the area and avoids adverse impacts on sites, monuments, features or objects of significant historical or archaeological interest (Objective HC 2).

## **7.0 Climate Change: Mitigation and Adaptation**

## **8.0 Implementation and Sequencing**

## **9.0 Tallaght Specific Development Standards**

### **Relevant Policy in South Dublin County Council Development Plan (2016 – 2022)**

Policy CS1 Consolidation Areas within the Gateway

Policy CS6 Local Area Plans

It is the policy of the Council to prepare Local Area Plans as appropriate, and to prioritise areas that are likely to experience large scale residential or commercial development or regeneration.

Policy CS6 Objective 1: To prepare Local Area Plans for areas that are likely to experience large scale residential or commercial development or regeneration.

Policy CS6 Objective 2: To support a plan led approach in Local Area Plan areas by ensuring that development complies with the specific local requirements of the Local Area Plan, in addition to the policies and objectives contained in this Development Plan.

Policy H1 Housing Strategy

Policy H3 Housing for Older People

Policy H6 Sustainable Communities

It is the policy of the Council to support the development of sustainable communities and to ensure that new housing development is carried out in accordance with Government policy in relation to the development of housing and residential communities.



# **Comhairle Chontae Atha Cliath Theas**

## **Record of Executive Business and Chief Executive's Order**

### **Policy H7 Urban Design in Residential Developments**

It is the policy of the Council to ensure that all new residential development within the County is of high quality design and complies with Government guidance on the design of sustainable residential development and residential streets including that prepared by the Minister under Section 28 of the Planning & Development Act 2000 (as amended).

### **Policy H8 Residential Densities**

It is the policy of the Council to promote higher residential densities at appropriate locations and to ensure that the density of new residential development is appropriate to its location and surrounding context.

### **Policy H9 Residential Building Heights**

It is the policy of the Council to support varied building heights across residential and mixed use areas in South Dublin County.

### **Policy H10 Mix of Dwelling Types**

It is the policy of the Council 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.

### **Section 2.3.0 Quality of Residential Development**

#### **Policy H11 Residential Design and Layout**

It is the policy of the Council to promote a high quality of design and layout in new residential development and to ensure a high quality living environment for residents, in terms of the standard of individual dwelling units and the overall layout and appearance of the development.

#### **Policy H12 Public Open Space**

It is the policy of the Council to ensure that all residential development is served by a clear hierarchy and network of high quality public open spaces that provides for active and passive recreation and enhances the visual character, identity and amenity of the area.

#### **Policy H13 Private and Semi-Private Open Space**

It is the policy of the Council to ensure that all dwellings have access to high quality private open space (incl. semi-private open space for duplex and apartment units) and that private open space is carefully integrated into the design of new residential developments.

#### **Policy H14 Internal Residential Accommodation**

It is the policy of the Council to ensure that all new housing provides a high standard of accommodation that is flexible and adaptable, to meet the longterm needs of a variety of household types and sizes.

# **Comhairle Chontae Atha Cliath Theas**

## **Record of Executive Business and Chief Executive's Order**

### Policy H15 Privacy and Security

It is the policy of the Council to promote a high standard of privacy and security for existing and proposed dwellings through the design and layout of housing.

### Policy H17 Residential Consolidation

It is the policy of the Council to support residential consolidation and sustainable intensification at appropriate locations, to support ongoing viability of social and physical infrastructure and services and meet the future housing needs of the County.

### Section 3.2.0 Community Facilities

#### Policy C1 Community Centres

It is the policy of the Council to ensure that all communities have access to multifunctional community centres that provide a focal point for community activities.

#### Policy C8 Childcare Facilities

#### Policy C12 Open Space

It is the policy of the Council that a hierarchical network of high quality open space is available to those who live, work and visit the County, providing for both passive and active recreation, and that the resource offered by public open spaces, parks and playing fields is maximised through effective management.

#### Policy UC1 Urban Centres Overarching

#### Policy UC3 Village Centres

It is the policy of the Council to strengthen the traditional villages of the County by improving the public realm, sustainable transport linkages, commercial viability and promoting tourism and heritage value.

#### Policy UC6 Building Heights

It is the policy of the Council to support varied building heights across town, district, village and local centres and regeneration areas in South Dublin County.

#### Policy R1 – Retail Overarching

#### Policy R3 Tallaght Town Centre

Objective 2: To facilitate the provision of the highest level and broadest range of retailing in the County in the Core Retail Area of Tallaght Town Centre, along with a broad range of services and functions in the wider Town Centre and Village Centre zonings.

#### Policy R7 Village Centres

# **Comhairle Chontae Atha Cliath Theas**

## **Record of Executive Business and Chief Executive's Order**

### Section 6.3.0 Walking and Cycling

#### Policy TM3 Walking and Cycling

It is the policy of the Council to re-balance movement priorities towards more sustainable modes of transportation by prioritising

### Section 6.4.3 Road and Street Design

#### Policy H12

It is the policy of Council to ensure that streets and roads within the County are designed to balance the needs of place and movement, to provide a safe traffic-calmed street environment, particularly in sensitive areas and where vulnerable users are present.

### Section 6.4.4 Car Parking

#### Policy TM7 Car Parking

### Section 7.1.0 Water Supply & Wastewater

#### Policy IE1 Water & Wastewater

It is the policy of the Council to work in conjunction with Irish Water to protect existing water and drainage infrastructure and to promote investment in the water and drainage network to support environmental protection and facilitate the sustainable growth of the County

### Section 7.2.0 Surface Water & Groundwater

#### Policy IE2 Surface Water & Groundwater

It is the policy of the Council to manage surface water and to protect and enhance ground and surface water quality to meet the requirements of the EU Water Framework Directive.

### Section 7.3.0 Flood Risk Management

#### Policy IE3 Flood Risk

It is the policy of the Council to continue to incorporate Flood Risk Management into the spatial planning of the County, to meet the requirements of the EU Floods Directive and the EU Water Framework Directive.

### Section 8.0 Green Infrastructure

#### Policy G1 Overarching

#### Policy G1 Green Infrastructure Network

#### Policy G3 Watercourses Network

#### Policy G4 Public Open Space and Landscape Setting

#### Policy G5 Sustainable Urban Drainage Systems

#### Policy G6 New Development in Urban Areas

### Section 9 Heritage, Conservation and Landscapes

#### Policy HCL1 Overarching

#### Policy HCL2 Archaeological Heritage

#### Policy HCL3 Protected Structures

# **Comhairle Chontae Atha Cliath Theas**

## **Record of Executive Business and Chief Executive's Order**

Policy HCL4 Architectural Conservation Areas

Section 9.3.1 Natura 2000 Sites

Policy HCL12 Natura 2000 Sites

Section 10.0 Energy

Policy E4 Energy Performance in New Buildings

Section 11.2.0 Place Making and Urban Design

Section 11.2.1 Design Statements

Section 11.2.2 Masterplans

Table 11.17: Masterplan Considerations

Section 11.2.7 Building Height

Section 11.2.9 Shopfront Design

Section 11.3.1 Residential

- (i) Mix of Dwelling Types
- (ii) Residential Density
- (iii) Public Open Space/Children's Play
- (iv) Dwelling Standards
- (v) Privacy
- (vi) Dual Aspect
- (vii) Access Cores and Communal Areas
- (viii) Clothes Drying Facilities

Table 11.20: Minimum Space Standards for Houses

Table 11.21: Minimum Space Standards for Apartments

Section 11.3.6 Retail Development

Section 11.4.1 Bicycle Parking Standards

Table 11.22: Minimum Bicycle Parking Rates

Section 11.4.2 Car Parking Standards

Table 11.24: Maximum Parking Rates (Residential Development)

Section 11.4.3 Car Parking for Electric Vehicles

Section 11.4.4 Car Parking Design and Layout

Section 11.4.5 Traffic and Transport Assessments

Section 11.6.1 (i) Flood Risk Assessment

Section 11.6.1 (ii) Surface Water

Section 11.6.1 (iii) Sustainable Urban Drainage System (SUDS)

Section 11.6.1 (iv) Groundwater

Section 11.6.1 (v) Rainwater Harvesting

Section 11.6.1 (vi) Water Services

# Comhairle Chontae Atha Cliath Theas

## Record of Executive Business and Chief Executive's Order

Section 11.7.2 Energy Performance in New Buildings

Section 11.8.1 Environmental Impact Assessment

Section 11.8.2 Appropriate Assessment

### **Relevant Government Guidelines**

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

**Regional, Spatial & Economic Strategy 2020-2032 (RSES)**, Eastern & Midlands Regional Assembly (2019)

- Section 5 – Dublin Metropolitan Area Strategic Plan, in Regional, Spatial and Economic Strategy 2019 – 2031.

**Rebuilding Ireland: Action Plan for Housing and Homelessness**, Government of Ireland (2016).

**Sustainable Urban Housing: Design Standards for New Apartments – Guidelines for Planning Authorities**, Department of Housing, Planning and Local Government (2020).

**Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas**, Department of the Environment and Local Government (2009).

**Urban Design Manual**, Department of the Environment, Heritage and Local Government, (2008).

**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).

**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).

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

**Departmental Circulars**, Department of Housing, Planning and Local Government (2020) – as listed:

- PL02/2020: Covid-19 Measures
- PL03/2020: Planning Time Periods
- PL04/2020: Event Licensing
- PL05/2020: Planning Time Periods

# Comhairle Chontae Atha Cliath Theas

## Record of Executive Business and Chief Executive's Order

- PL06/2020: Working Hours Planning Conditions
- PL07/2020: Public Access to Scanned Documents
- PL08/2020: Vacant Site Levy
- Circular NRUP 02/2021 - Residential Densities in Towns and Villages

### Other Relevant Departmental Circulars:

- Housing 14/2021: Housing Need and Demands Assessment

### Assessment

The main issues for assessment are the following:

- Zoning and Council Policy
- Impact on Protected Structure and ACA
- Development mix
- Design, Character, Visual Impact and Layout
- Residential amenity
- Transport, Parking and Access
- Water
- Landscaping and Ecology
- Archaeology
- Aviation Safety
- Energy
- Environmental Health

### **Zoning and Council Policy**

The application site is subject to zoning objective 'VC' – To protect, improve and provide for the future development of Village Centres' within the CDP (2016-2022). The application site is also located within the Tallaght Town Centre LAP (2020) lands. The uses proposed include residential development and a café unit. These uses are 'Permitted in Principle' under the VC zoning objective.

In terms of Council policy, the application site is located within the Village area of Tallaght and therefore policy UC3 of the CDP is relevant. Policy UC3 seeks to strengthen the traditional villages of the County by improving the public realm, sustainable transport linkages, commercial viability and promoting tourism and heritage value.

In relation to the subject site, it is noted that Objective VL1 of the LAP encourages consolidation of 'mixed use residential uses'. This site already developed, and the proposed development would intensify development on the site. A key question in this assessment therefore is whether the site should be further consolidated, and intensification of development be allowed to occur. The answer to this question lies in Local Area Plan policies relating to the Village neighbourhood area and issues such as height, plot ratio, and landmark buildings.

# Comhairle Chontae Atha Cliath Theas

## Record of Executive Business and Chief Executive's Order

The proposed development is located partially within, but mostly adjacent to, an Architectural Conservation Area. Any development of the site shall be assessed as appropriate in terms of its impact on the character of the ACA. The site also adjoins a protected structure to the north, St. Basil's Training Centre, and shall be assessed as appropriate.

Therefore, given the zoning, the proposed development, while being acceptable in principle in a given area, is subject to the important considerations of residential consolidation and architectural conservation, and subject any other policies and objectives of the South Dublin County Development Plan 2016 - 2022, the Tallaght Town Centre LAP (2020-2026), and the relevant Ministerial guidelines.

### Impact on Protected Structure and ACA

The SDCC Architectural Conservation Officer (ACO) has assessed the proposal and provided the following comments:

#### Protected Structures

1. St. Basil's Training Centre, Greenhills Road, Tallaght (RPS. Ref 268) lies partially within the subject site. The following Protected Structures are adjacent or near to the subject site:
  - The Priory, Tallaght (RPS. RPS. Ref 269)
  - St. Mary's Dominican Priory, Tallaght (RPS. Ref 270)
  - St. Mary's Dominican Church, Tallaght (RPS. Ref 273)

2.

#### Architectural Conservation Area

Tallaght Village is designated as an Architectural Conservation Area in accordance with Part IV of the Planning and Development Act (2000) as such related policy is included in South Dublin County Development Plan 2016-2022.

#### Appraisal

This is an application for a proposed development of; the demolition of three existing apartment units (c. 239sq.m) and bin store (c.18sq.m) and the construction of a residential development arranged in two building blocks (Block A & Block B) ranging from 3 to 6 storeys in height over basement level (c. 3,728sq.m, including basement). Block A comprises 11 residential apartments (c. 1256sq.m) in a 5 to 6 storey building and including a ground floor level cafe (c. 93sq.m) at the buildings south-eastern corner; Block B comprises 15 residential apartments (c.1393sq.m) in a 3 to 5 storey building; The proposed development will comprise 26 new residential units (5 studio apartments, 6 1-bedroom apartments, 7 2-bedroom apartments & 8 3-bedroom apartments) with associated balconies and terraces.

The proposed development will comprise a total of 40 apartment units derived from 26 new apartments and 14 existing apartments; relocation of existing basement access on Old

# **Comhairle Chontae Atha Cliath Theas**

## **Record of Executive Business and Chief Executive's Order**

Greenhills Road and the upgrade and extension of the existing basement level ; provision of internal footpaths; landscaped communal open space (including outdoor gym equipment, children's play area and 'working from home' area); public open space; 13 car parking spaces and 74 long-stay bicycle parking spaces and 1 motorcycle parking spaces at basement level; 2 shared car parking spaces and 20 short-stay bicycle parking spaces at surface level (15 car parking spaces, 94 cycle parking spaces and 1 motorcycle parking in total); all piped infrastructure and ducting; elevation treatments; plant room; lift access and stair cores; hard and soft landscaping and boundary treatments; changes in level; waste management areas; attenuation tank; backup generator; solar photovoltaic panels; lighting; and all associated site development and excavation works above and below ground. The subject site is currently partly developed with an existing residential scheme known as Greenhill's Court comprising 17 apartment units in 4 apartment blocks ranging in height from 2 to 4 storeys, including basement car park all on a site of approximately 0.23ha.

The proposed development site lies within the original curtilage of St. Basil's Training Centre (former national primary school) and lies opposite to the site of Tallaght Priory, a Protected Structure site detailed above. The site is within the Architectural Conservation Area (ACA) of Tallaght Village and in close proximity to Tallaght Main Street. The site location is highly visible within the village area, along Main Street on approach and from the Priory lands.

An architectural design statement has been provided as part of the planning application however an Architectural Impact Assessment has not been provided nor has details been provided in accordance with the items advised in the Tallaght LAP, with regard to new development within or adjoining the ACA.

Having assessed the details provided as part of a design rationale it is felt that consideration has been given to the proposed material finishes, however the proposed scale, mass and height of the new apartment blocks and the overall visual impact on the historic built environment and has not been addressed in providing for a suitable development which will involve the demolition of three existing apartment units and bin store and the construction of a residential development arranged in two building blocks (Block A & Block B) ranging from 3 to 6-storeys in height over basement level.

The location of the proposed development close to the core area of the Architectural Conservation Area means that any development within this site will have an impact on the character of the ACA by virtue of its proximity to the historic building stock. It is considered that varying heights and levels with a mixture of materials and colours would add architectural interest which is greatly encouraged and will break up the mass of the blocks.

The palette of materials proposed should reflect the dominate materials of the existing buildings located within the village core and Priory Demesne adjacent, this includes red brick (limited use), stone, granite, limestone and render (limited use). The existing shared palette of materials found within the existing building stock should be reflected more



# Comhairle Chontae Atha Cliath Theas

## Record of Executive Business and Chief Executive's Order

adequately within any new build at this location. The proposed use of a light colour brick with a distinct brick design element does provide interest and architectural contrast with the surrounding buildings, however the height and scale need to be addressed within the overall site context to minimise the overall visual impact.

The proposed height and mass of the proposed development fails to provide a sensitive overall development at this location taken account of its close proximity to a number of Protected Structures and within an Architectural Conservation Area.

There is a need for greater understanding and awareness of the Architectural Conservation Area and the impact that inappropriate development can have on the overall character of the area. This can be mitigated against by preparing a design rationale for new developments which can demonstrate how the existing historic buildings and groups of structures which make up the architectural character of an ACA has informed and steered the design process, including a site analysis in this case as the site context is an important issue due to its prominent location and close proximity to the historic core of the village.

The overall design and height are important elements to recognise and highlight but the scale and mass of a development especially in sensitive areas of Main Street and adjacent to the cultural/historic core can also have a significant effect on the existing built environment. It is advised that consideration should be given to the Tallaght Local Area Plan (2020) with regard to related policies and recommended building type and form. Section 6.0 of the Tallaght LAP provides guidance and requirements with regard to new development within or in close proximity to the Architectural Conservation Area. There are a number of policies in the Tallaght LAP which relate significantly to the proposed development given its prominent location adjacent to the Architectural Conservation Area along Old Greenhills Road and Main Street and its location adjacent to Protected Structures, St. Basils and Tallaght Priory.

- *Overall design and height are important elements to recognise and highlight but the scale and mass of a development, especially in sensitive areas of Main Street and adjacent to the cultural/historic core, can also have a significant effect on the existing built environment.*
- *Scale and proportion of new buildings can have a varied affect upon the neighbouring buildings. If any new building dominates existing structures, the historic character might also be diminished, while a relatively indifferent design may heighten the historic qualities of the existing building.*
- *New developments should reflect the existing building stock and should be clearly read as modern interventions into the Main Street/Historic core.*
- *New development in particular along Main Street should have cognisance of the height, scale and mass of the historic urban form but should also add architectural interest and varied design within the mix to provide different architectural styles. All designs should be of high standard and finished to a high quality in terms of building material. The sensitive use of appropriate colour, texture and pattern of materials, whether traditional or contemporary.*

# Comhairle Chontae Atha Cliath Theas

## Record of Executive Business and Chief Executive's Order

Under the '*Urban Development and Building Height Guidelines (2018)*' specific requirements and guidance for the design of new build are provided. In accordance with these Guidelines (particularly Section 2.10), when considering new developments within the ACA of Tallaght, or areas adjacent to the designated area in close proximity to the village core, the design rationale and overall site context should act as the main driver for the overall scale, mass, height and design in achieving the best possible new development in these sensitive areas.

The height of the many of the other apartment buildings along Main Street do not exceed 3-storeys and are only 4-storeys in height along the new section of Greenhills Road which is located furthest away from the village core, therefore the proposed height will allow the proposed development to be highly visible on approach from the village centre and will completely dominate the buildings and road junction at this location.

### **Conclusion**

Given the issues and concerns detailed within the appraisal. It is considered that the proposed development is not acceptable within the context of the site and should therefore be refused for the following reasons:

Having assessed the details of the planning application and based on the above it is considered that the applicant has failed to address the overall visual impact that the scale and height of the proposed development will have within this prominent location, which is adjacent to a Protected Structure (St. Basils), within close proximity to Tallaght Architectural Conservation Area (ACA) and a significant Protected Structure Site, 'The Priory'.

It is considered that the proposed development by nature of its close proximity, scale and height will directly impact on the visual quality adjoining Protected Structure site, St. Basils Training Centre (former National School, RPS Ref.268).

Concerns remain in that the character of the ACA will be significantly affected by the proposed apartment blocks as the new build will completely dominate the entire block which is highly visible on approach from Main Street and The Priory Demesne. The consequences of the proposed development may result in a diminished quality of character, which fails to address and adhere to existing policies for new development within or in close proximity to an ACA in line with SDCC County Development Plan (2016-2022) and the Tallaght Local Area Plan 2020.

It is considered that the proposed design with the use of light coloured brick and the insertion of brick design elements, tries to reflect elements of the existing building stocks palette. The overall finish and material type try to address the issue of a contemporary design which reflects the existing built environment and provides a level of interest and quality in providing a new build of interest is a welcomed part of the

# Comhairle Chontae Atha Cliath Theas

## Record of Executive Business and Chief Executive's Order

proposal. However, given that the issue of building height and mass of the proposed blocks, the overall impact cannot be negated by the design alone and therefore more consideration needs to be given to the site context and adjoining built environs.

### Conclusion (Planning Department)

The comments, concerns and recommendation provided by the SDCC ACO are noted.

The applicant has provided an Architectural Heritage Impact Assessment. The conclusion of this assessment is that the additional impact to the ACA arising from the proposed development would be limited, due to other modern development around the edges of the ACA. The SDCC ACO has disagreed with this assessment, concluding that the character of the ACA would be significantly impacted.

The applicant's assessment also notes the potential for significant change to the setting of the Priory Youthreach (i.e., St. Basil's Training Centre). The SDCC ACO has concluded that the development will directly impact the setting of the protected structure.

Given the requirements of policies HCL3 and HCL4, which relate respectively to the conservation and protection of protected structures and architectural conservation areas, there are significant concerns that the proposed development would impact both the protected structure and the character of the Tallaght Village ACA, such that would warrant a reason for refusal. Amendments to the proposal in response to the SDCC ACO assessment could be sought via further information.

### **Development Mix**

#### Unit Mix

The proposed unit mix is:

Studio units	5	(19%)
1 Beds	6	(23%)
2 Beds	7	(27%)
- 3-Person	4	(15%)
- 4-Person	3	(12%)
3 Beds	8	(31%)

The proposed mix would support Objective RE2 of the LAP, which seeks that a minimum of units in any new scheme are provided with 30% 3-bed units.

Although labelled as '2-bed, 3-person' units, the 4 no. 2-bed units in Block A exceed the minimum size requirements for a '4-person' unit and as such comply with SPPR 3 of the 'Sustainable Urban Housing: Design Standards for New Apartments – Guidelines for Planning Authorities' (2020).

# **Comhairle Chontae Atha Cliath Theas**

## **Record of Executive Business and Chief Executive's Order**

### Tenure Mix

The proposed development is not build-to-rent. Its delivery as a build-to-sell development would progress toward the objective of the LAP to provide sufficient build-to-sell units across the plan lands.

### Public Housing (Part V)

South Dublin County Council's preference in respect of Part V is to acquire units on site and is bound by the planning permissions granted. Therefore, South Dublin County Council can only agree in respect of the actual permitted development. In the event of the granting of planning permission the unit nos., types, location, and costings in respect of Part V requirement to be agreed with Housing Department subject to approval of the Department of Housing, Local Government and Heritage. The Council would require a fully completed Part V submission prior to commenting on costs. A condition to this effect is recommended should permission be granted.

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

The development is divided into two blocks, Block A to the south-east corner of the site, which will replace a part of the existing development intended for demolition. Block B, to the west of the site, faces onto Old Greenhills Road and will also involve the southwards movement of the car park access ramp onto Old Greenhills Road. Both of these blocks are located in the 'southern portions' of the site. The northern portion is provided with a public open space, and the existing bin store is moved from the north of this area to the south, adjoining No. 1, Old Greenhills Road.

### Layout

Under SD20A/0250, a proposal on neighbouring lands to the south and west, the Planning Authority made the following comment:

“In terms of the layout proposed, whilst the Planning Authority acknowledges that the applicant may not be in a position to include the land to the north and east of the site, there is a strong desire to see the whole site developed in a way that utilises the vacant land to its an appropriate potential whilst still respecting the character of the area. The current proposal would see a large section of the old petrol filling station site vacant as well as the strip of land to the east. “

This remains a valid observation. The proposed layout is constrained in multiple ways. Block B is unnecessarily restricted in its aspect, with no windows provided over the majority of its western elevation. This is despite the fact that no building is likely to be accommodated directly to its west and it will in all likelihood overlook a communal open space. A larger, undivided open space, with perimeter blocks on 3 sides, would be appropriate and a quality feature of development. The Planning Authority still desires that a logical single approach to the entire southern portion of the block between Greenhills Road and Old Greenhills Road is taken.

# Comhairle Chontae Atha Cliath Theas

## Record of Executive Business and Chief Executive's Order

Notwithstanding the above, the layout of the development as applied for is not ideal, with two disconnected areas of open space being proposed either side of existing private gardens. Though the incorporation of the existing terraced houses into the scheme is not envisaged to be feasible, the overall layout would be improved by the laying out of a larger, undivided communal open space to the south, made possible by incorporation of the former Esso site into the planning application site.

The applicant should be requested to engage with the adjoining landowner and provide a masterplan for both sites, to provide a satisfactory impression of what the full development of these sites would look like. This can be done by way of **additional information**.

### Material Treatment and Layout of Individual Blocks

Block A presents a light brick and spandrel panelled façade to the south and east in its southern section, with brick-clad columns at ground floor level around a glass-panelled café unit. This would be prominent and is an attractive façade in principle as seen from the east. Further north, however, the façade proposed is a busy and complicated mesh of overlapping material treatments, with little detailing.

The northern section of the Block would replace an existing 3-storey block. The block presently provides a circulation area providing access to front and rear, and 4 no. 1-bed apartments above. The new block would provide a studio and ground floor, and 2-bedroom apartments up to 5<sup>th</sup> floor level, with a circulation area that also provides access to the 3-bed apartments in the new southern wing. From the layout provided, it is not clear that there is a need to demolish this block in its entirety, rather than building a new integrated southern wing produce the corner block. Given the actual changes sought to this recent construction, demolition of the existing building appears to be an extreme measure.

The applicant should address the necessity of demolishing the 3-storey block and consider a less wasteful approach to redevelopment of the site, and address this by **additional information**. The material treatment and detailing of the northern section of the block should also be addressed by **additional information**.

Block B has a two-tone brick façade which appears to be used to break up the mass, and exposed steel columns to the front at ground level. The design features windows which are not vertically aligned, and ground floor terraces which would sit under the underside of the first floor, with narrower balconies above. These balconies appear to jut out over the public footpath.

Overall, the façade is busy. In trying to break up the mass of this 5-storey infill, the unaligned windows and change of brick tones comes across as busy and complicated. As is mentioned below (under Intensity of Development) and above in the ACO's comments, the scale of the building presents a challenge inside the ACA. The proposed design of the building is more challenging and it

# Comhairle Chontae Atha Cliath Theas

## Record of Executive Business and Chief Executive's Order

is considered would not fit in with the pre-existing local character. A smaller building at this location with a simpler brick design, might be acceptable. The applicant could adjust this design by **additional information**, and seek the comments of the Architectural Conservation Officer in the process.

Along the frontage onto Old Greenhills Road, on-street parking is proposed to be replaced, and balconies would appear to jut out over the public realm. The applicant should provide clarity with regard to any overhang over the public footpath, and if necessary obtain a letter of consent from the council's Property section, to be submitted as **additional information**.

### **Intensity of Development (Density, Height and Plot Ratio)**

The Tallaght LAP states that Plot Ratio, Height and Built Form will be used to determine and assess the intensity, scale and bulk of development in the Plan lands. This approach promotes an urban design quality-led approach to achieving sustainable urban densities where the focus will be on achieving a high-quality urban environment. The applicant has submitted a Design Statement prepared by TOT Architects in support of the application.

### Density

The applicant has stated within their Planning Report that the proposal would result in a **density of 173 units/ha** which is based on 40 no. units within a site of an area of 0.23ha. The 0.17ha site only includes the area of brownfield land rather than the full area of the red line boundary which includes areas of the public realm on the west and east of the site and is therefore considered to be an accurate representation of the density proposed.

The applicant has referenced section 2.0 of the 'Sustainable Urban Housing: Design Standards for New Apartments – Guidelines for Planning Authorities' (2020) in terms of the type of location in cities that may be suitable for apartments and has stated that they believe the site falls under the Central and/or Accessible Urban Locations category that are generally suitable for small to large scale and higher density development. The criteria include sites that are located within walking distance of principal city centres or significant employment locations including hospitals and third level institutions, within reasonable walking distance of up to 10 minutes of urban public transport stops such as the DART or Luas; and within 5 minutes walking distance to/from high frequency urban bus services. The application site is not located within walking distance of a city centre but is located close to TU Dublin and other employment locations. The application site is located approximately 15/20 minutes (walking) away from the Tallaght Luas stop and within walking distance of high frequency urban bus services so would appear to correspond with some but not all of the central/and or accessible urban locations. The Apartment Guidelines do state that the range of locations outlined above is not exhaustive and will require local assessment and other relevant planning factors.

Policy H8 of the CDP states that it is the policy of the Council to promote higher residential densities at appropriate locations and to ensure that the density of new residential development is

# Comhairle Chontae Atha Cliath Theas

## Record of Executive Business and Chief Executive's Order

appropriate to its location and surrounding context. Section 2.6 of the LAP states that higher and medium intensity areas should be located primarily around the existing retail and administration centre which is classified as The Centre and Luas Stations on the Cookstown and Belgard Roads. Objective VL1 of the LAP promotes consolidation of residential and mixed uses. The Tallaght LAP has been prepared in respect of and is consistent with the Apartment Guidelines. The LAP has identified areas within the LAP lands that are more suitable for higher density developments which the application site does not fall under. This is significant in terms of the section in the Apartment Guidelines that refers to the requirement of 'local assessment'.

The application site is located within an area that has been classified as 'The Village' and is located within lands that are subject to zoning objective 'VC'. It is noteworthy that the urban centre of Tallaght has two distinct policy areas, a Town Centre (TC) zoning and a Village Centre (VC) zoning. Whilst density is not a measure of the suitability of a proposal on its own, there is a requirement to ensure that the density of a development is appropriate to its location. There are therefore concerns that the density of 173 units/ha would not respond to the context of the site and surrounding Village area. The traditional village area consists of two storey buildings; however there have been more modern additions that are located to the south and east of the site that consist of three/four storey buildings, with the top floor recessed. The existing buildings on-site are 2-4 storeys in height. The heights of the buildings proposed will be discussed further under the relevant section, however there are concerns that the density proposed, which is largely based on the scale and heights of the buildings proposed would not be appropriate to the location.

### Plot Ratio

Section 3.4 of the LAP identifies suitable plot ratios for The Village as in the range of 0.75:1 (Low) and 1:1 (High). The Planning Application Report argues that, when included, the 20% additional plot ratio would amount to 1.95. This is rejected, and any justification for flexibility in plot ratio would allow for up to 0.2 additional plot ratio above the maximum of 1.0.

Under section 2.6 and 2.6.1, there are two avenues by which a development might justify 20% additional plot ratio: Section 2.6 of the Plan allows for flexibility of additional plot ratio where the site is directly adjacent to a high capacity public transport stop – including a high frequency bus route (at least 1 every 10 minutes peak hour frequency) on a dedicated bus lane. The applicant has argued for additional plot ratio on the basis of an adjoining bus route, the No. 27. There is no dedicated bus lane adjoining the site and it is considered that the existence of route 27 alone does not justify provision of a 'landmark building' at this site.

Another route to justifying 20% additional plot ratio is under section 2.6.1 of the LAP, where flexibility can be justified on the basis of a strong design rationale for an increase in density/height and the development will result in a significant public gain. The applicant has not argued for flexibility of this basis, and it is not apparent that any significant public gain under the 5 headings is provided (higher proportion of site for public amenity space, permeability improvements, major upgrades to surrounding streets, community and/or cultural amenities, other public domain works agreed with the council).

# Comhairle Chontae Atha Cliath Theas

## Record of Executive Business and Chief Executive's Order

On a site so constrained, such flexibility could be justified on the basis of a provision of community and/or cultural amenity that will significantly contribute to the social infrastructure in the area. None has been put forward with this application.

In conclusion, the applicant has stated that the plot ratio proposed would be 1.63. The applicant has made an argument for this plot ratio. Even if justified – and it does not appear to be from the details submitted – the additional flexibility allowed for in the LAP would bring the maximum plot ratio on the site to 1.2. As applied for, the development exceeds the allowable plot ratio by 63%. Further consideration required.

### Height

Policy UC6 Objective 3 seeks to direct tall buildings that exceed five storeys in height to strategic and landmark locations in Town Centres, Mixed Use zones and Strategic Development Zones and subject to an approved Local Area Plan or Planning Scheme. This is developed further by the Local Area Plan which specifies height in this area.

The proposed height is acceptable in principle as per the indicative height strategy shown in Figure 3.10 'Overall Urban Structure (The Village)' of the Tallaght Town Centre LAP 2020 - 2026, which indicates a height range of 4-6 storeys can be provided for at this location. This prescribed height range is not the only consideration of policy, however. Section 2.6.2 contains the following:

“To ensure that building heights respect the surrounding context, new developments immediately adjoining existing one and two storey housing, in particular Colberts Fort and at the edges of the Plan area, shall incorporate a gradual change in building height. In these instances, new development can be below the minimum range as specified in the Height Strategy.”

### Height: Transition around Existing Development

Development on this site must therefore respond to its immediate context. The most sensitive receptor to development at this location is the existing terrace of 1-storey housing on Old Greenhills Road.

Block B adjoins this terrace and is 5 storeys in height. The Sunlight & Daylight Assessment provides the following solution model images, which illustrate the comparative scale of Block B and the neighbouring single-storey terrace:



# Comhairle Chontae Atha Cliath Theas

## Record of Executive Business and Chief Executive's Order

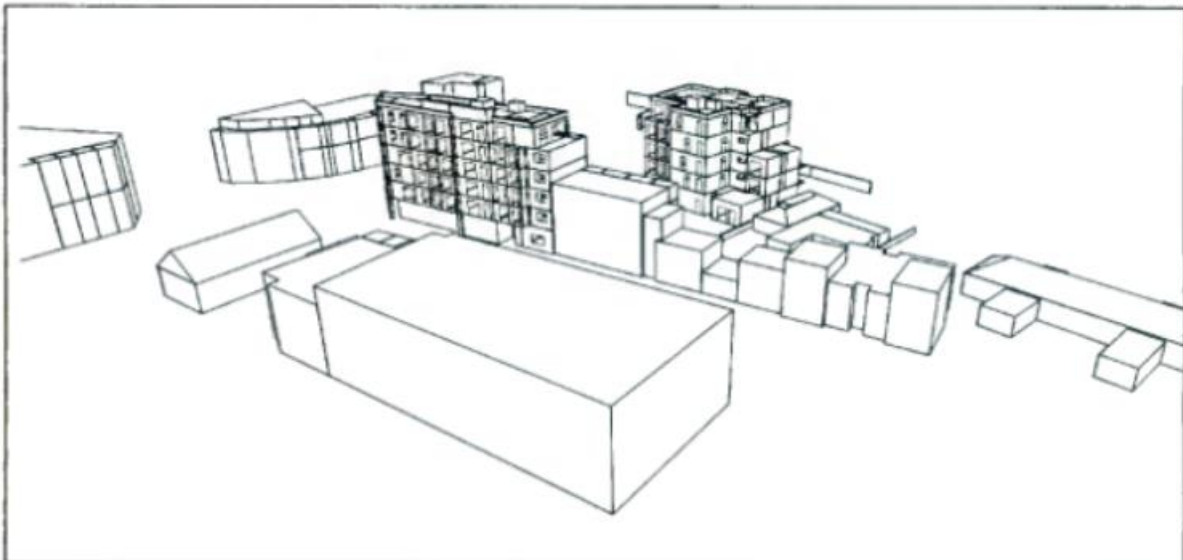


Figure 7.0.1 View from the North-East.

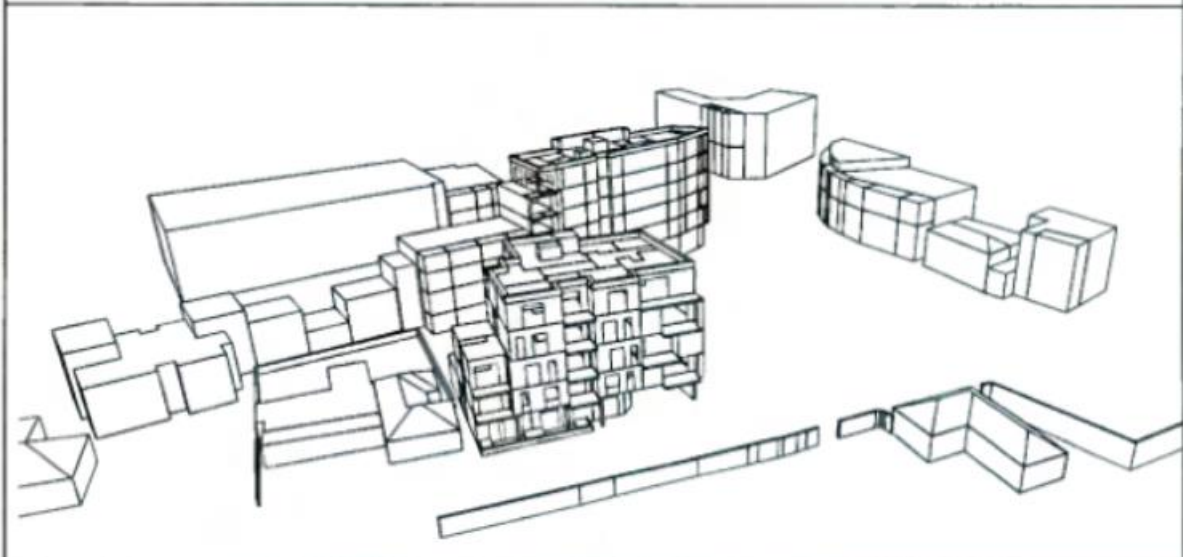


Figure 7.0.2 View from the North-East.

Note Figure 7.0.2 above should read 'View from the North-West'

There is a setback at the boundary, with a 3-storey element under roof terrace sitting between the single-storey terraces and the 5-storey element. This 1-storey element aligns with some of the rear extensions to the adjoining terrace. The transition in heights between 1- and 3-storey development is acceptable, although the provision of a roof terrace here is not.

# Comhairle Chontae Atha Cliath Theas

## Record of Executive Business and Chief Executive's Order

Additional set back of lowering of the 5-storey element is necessary. The proposed treatment would have an overbearing visual impact and subsequently impact the residential amenity to adjoining terraces. This could be resolved by **additional information**.

An additional concern with the proposed height is the possibility of loss of privacy arising from rear-facing windows to habitable rooms, overlooking the private garden of No. 3 Old Greenhills Road (albeit not from a perpendicular orientation). Consideration of the potential for overlooking does not appear in the architect's design statement.

### Height: Height and the Architectural Conservation Area

The Architectural Conservation Area extends to and up Old Greenhills Road, and so any development on this side of the site would directly address it. The existing character of Old Greenhills Road is that of 1-storey development punctuating an otherwise undeveloped street, with a small public garden on the corner of Main Road, and the edge of the Priory, defined by the original stone wall and mature tree cover, along the rest of the road.

The site is currently gated at its southern access from Old Greenhills Road, with entrance to the underground car park accessed from this location.

Block B would face directly onto Old Greenhills Road with a height of 3-5 storeys. It is considered that the massing would not be in character with the street as is. Block A is taller but not located within the ACA. On the question of its impact on the character of the Architectural Conservation Area, I note the following from the SDCC ACO's report:

“the proposed height will allow the proposed development to be highly visible on approach from the village centre and will completely dominate the buildings and road junction at this location.”

In conclusion, the two blocks (A and B) have been judged to have a serious impact on the ACA. On the other hand, each is in line with the Local Area Plan's guidance on height for this area, albeit with some changes perhaps required at the boundary with No. 3 Greenhills Road. Having regard to the fact that the site to the south and west may be developed in the future to a height of 4-6 storeys as per the LAP, it is considered that the visual prominence of Block A *from* the Architectural Conservation Area could be much reduced in the long-term. Its main impact would be to the east.

### Conclusion

The proposed development presents a number of difficulties in relation to the proposed density, height and plot ratio, i.e. the intensity of development. It is clear that the proposed development is too dense for this location, which is a village centre with limited immediate accessibility.

The excessive plot ratio corresponds to design deficiencies which accrue from the previous scheme, with two disconnected areas of open space arranged around private gardens, and issues of

# Comhairle Chontae Atha Cliath Theas

## Record of Executive Business and Chief Executive's Order

overlooking of said private gardens. The quantum of communal open space available in the resulting 40-unit development does not conform to the 'Sustainable Urban Housing: Design Standards for New Apartments – Guidelines for Planning Authorities' (2020) standards.

Some reduction in the scale is required prior to a grant of permission on this site. At present, the combination of density, height, plot ratio, amenities and visual impact would present grounds for refusal. The applicant can consider a reduction in the scale of Block B, in conjunction with retaining the 3-storey block (as mentioned above), and should address this by **additional information**.

### **Residential Amenity**

#### Internal Residential Layout

The proposed development adheres to the minimum size requirements of the 'Sustainable Urban Housing: Design Standards for New Apartments – Guidelines for Planning Authorities' (2020) for room sizes and unit sizes. Storage is adequate.

#### Neighbouring Amenity

The provision of a 5-storey development at Block A brings concerns regarding increased overlooking to the private rear gardens of the existing terrace of 3 beds on Old Greenhills Road, as alluded to above. Windows from the circulation lobby of Block B face directly into the single-storey terraces, and rear-facing bedroom windows from the northernmost units within Block B would provide a much higher view into the garden than would normally be expected of side-on development of equivalent height. The applicant should address the issue of overlooking and loss of privacy by way of **additional information**.

#### Private and Communal Amenity Space

All units are provided with adequate private amenity space. The application documents are not detailed in relation to the apparent levels of communal amenity space for the final development of 40 units; a space of approximately 350sq.m appears to be provided to the east of Block A, which would be a sufficient provision of communal amenity space under the 'Sustainable Urban Housing: Design Standards for New Apartments – Guidelines for Planning Authorities' (2020).

#### Sunlight and Daylight / Overshadowing

The applicant has submitted a Sunlight & Daylight Assessment for the proposed development. There are some problems with this assessment which can be revised by **additional information**:

- Of the east-facing windows of the existing scheme at Greenhill Court, the southernmost windows (of those not proposed for demolition) are not assessed for daylight or sunlight. These should also be assessed for impact on vertical sky component. These serve living/kitchen rooms and will be impacted in some way by Block A, which shall jut out in an eastward direction directly to the south of these windows. From the drawings it would

# Comhairle Chontae Atha Cliath Theas

## Record of Executive Business and Chief Executive's Order

appear that Block A will project out beyond a line drawn 45 degrees on a horizontal plane from the centre of these windows.

- The rear garden of No. 3 Old Greenhills Road is shown on page 41 of the Assessment to lose a significant share of sunlight in the proposed scenario on March 21st. It appears from the image that the garden currently receives 4-5 hours of sunlight but would now receive less than 2 across its entire surface. Yet, this plot is not mentioned in the assessment text. As per the BRE guidelines, if the resulting area which can receive 2 hours of sunlight a day is less than 0.8 of its previous value, then the loss of sunlight is likely to be noticeable, and this would not be acceptable in this instance, and a reduction in scale of the development would be required to avoid the overshadowing. Even if the guidelines were to be technically complied with, the Planning Authority would consider such the proposed loss of private amenity to the neighbouring dwelling to be unacceptable.

### Transport, Parking and Access

The Roads Department has assessed the proposal and has recommended a request for **additional information** on the following grounds:

1. All items and areas for taking in charge including areas currently in SDCC's 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.
2. The applicant is requested to submit details on location and number of parking spaces to be provided at the development. Please refer to Table 11.23: Maximum Parking Rates (Non-Residential) – from the SDCC County Development Plan 2016-2022.
3. The applicant is requested to submit a revised layout showing the car parking, bicycle parking and pedestrian routes within the development. Please refer to Table 11.22: Minimum Bicycle Parking Rates– SDCC County Development Plan 2016-2022.
  - a. The minimum width of footpaths shall be 1.8m wide to aid mobility impaired users.
  - b. All external bicycle parking spaces shall be covered.
  - c. Footpath layout shall provide adequate connectivity around the development and footpaths on the main road.
4. The applicant shall provide a 5% of vehicular parking spaces for mobility impaired users, and 10% vehicular parking spaces to be equipped with electrical charging points.

The Roads Report contains commentary as to the inadequacy of the proposed parking provision when compared to the South Dublin County Development Plan 2016 - 2022 *maximum* standards. The Planning Department does not consider that these standards need to be met in every instance; however the *loss* of 4 no. underground parking spaces which are used by residents of the existing

# Comhairle Chontae Atha Cliath Theas

## Record of Executive Business and Chief Executive's Order

scheme, and lack of additional spaces in the context of a net increase of 23 apartments, is not acceptable to the Planning Authority. In relation to number 2 above, the applicant should set out a scheme that does not result in the loss of existing amenities.

### Water

Irish Water has stated no objection subject to a connection agreement.

The Environmental Services Department has stated no objection, subject to the following proposed condition:

“Proposed surface water attenuation of 70m<sup>3</sup> is undersized by 45% for a 1 in 10 year flood event. Prior to commencement of development submit a revised drawing showing surface water attenuation increased by 45% for 1:100 year flood event. Where possible provide surface water attenuation by means of SuDS (Sustainable Drainage Systems). Examine the use of hydro breaks at roof level so that surface water can be attenuated where there are green roofs.”

This is an issue that should be dealt with by **additional information**.

### Landscaping and Ecology

The Public Realm Department has recommended conditions in relation to implementation of a Landscape Plan. The department also seeks additional site sections in showing proposed landscaping. This latter point can be dealt with by **additional information**, and a revised layout should be accompanied by revised Landscape Plans.

The applicant has submitted an Ecological Impact Assessment with the application. There is very little of ecological value on the site, save for a hedgerow at the northern boundary with St. John's Training Centre. Given the comparatively minor works proposed here, the hedgerow could be retained. This is proposed by the project Landscape Architect and can be guaranteed by **condition**.

### Archaeology

The application site is located within an Area of Archaeological Potential. The applicant has submitted an Archaeological Assessment in support of the application. The report states that numerous investigations or works have taken place in the past, and that the only site which might contain some archaeological material is the undeveloped part of the site for Block A. The report proposes to undertake testing in this area.

The Department of Housing, Planning and Heritage Archaeology Unit has provided a report, and recommended the following conditions:

# Comhairle Chontae Atha Cliath Theas

## Record of Executive Business and Chief Executive's Order

1. The applicant is required to engage the services of a suitably qualified archaeologist to carry out an archaeological assessment of the development site. The assessment will include archaeological test excavations. No sub-surface work should be undertaken in the absence of the archaeologist without his/her express consent.
2. The archaeologist will carry out any relevant documentary research and inspect the site. Test trenches will be excavated at locations chosen by the archaeologist (licensed under the National Monuments Acts 1930-2004), having consulted the site drawings.
3. Having completed the work, the archaeologist should submit a written report to the Planning Authority and to the National Monuments Service in advance of the planning decision. Where archaeological material/features are shown to be present, preservation in situ, preservation by record (excavation) or monitoring may be required and the National Monuments Service will advise the Applicant/Developer with regard to these matters.
4. No site preparation or construction work shall be carried out until after the archaeologist's report has been submitted and permission to proceed has been received in writing from the Planning Authority in consultation with the National Monuments Service.

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

The proposed conditions are considered to be acceptable.

### Aviation Safety

The Department of Defence have stated that due to the proximity of the site to Casement Aerodrome the operation of cranes should be coordinated with Air Corps Air Traffic Services, no later than 28 days before, mitigations may be required in relation to the management of wildlife attracted to attenuation ponds or other water features and that this area may be subject to a high level of noise from aircraft operating in the vicinity of the aerodrome. These comments are noted.

### Energy

Section 7.0 Climate Change: Mitigation of the LAP identifies the role of Tallaght in contributing to the response to climate change while integrating and implementing the SDCC Climate Change Action Plan (2019). Section 7.4.4 and 7.4.5 outline the requirements for new developments to have regard to the incorporation of space for future pipework/pipe run, energy centres or other infrastructure and future proofing to enable connection to a decentralised energy network. The applicant has not provided any details in relation to energy. However, this could be secured by condition.

# Comhairle Chontae Atha Cliath Theas

## Record of Executive Business and Chief Executive's Order

### **Environmental Health**

The HSE Environmental Health Officer has sought additional information in relation to the co-location of a café facility in a residential block. In particular, the report requests that a Noise Impact Assessment be carried out to establish the likely effect on residents. The report also refers to a gym, however none is proposed. There is outdoor exercising equipment for the use of residents – this is not considered to be a separate use. The report requests a Noise Impact Assessment and proposals to negate noise nuisance from the operational use of the café (and gym) to be submitted in compliance of BS 8233 guidelines for sound insulation and noise reduction.

It is anticipated that a café and residential units can be facilitated within the complex without compromising residential amenity. Proposals to negate any potential noise nuisance can be submitted subsequent to a grant of permission, and this can be guaranteed by **condition**.

### **Screening for Appropriate Assessment**

The applicant has submitted a screening report, that has been prepared by Openfield Ecological Services, in support of the application. The report states that mitigation measures and standard best practice construction measures have not been taken into account. The report concludes that the possibility of any significant impacts on any European Sites, whether arising from the project itself or in combination with other plans and projects, can be excluded.

Having regard to the scale and nature of the development, connection to public services and the distance from Natura sites, it is not considered that the proposed development would be likely to have a significant effect individually or in combination with other plans or projects on a European site, therefore Stage 2 AA is not required.

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

Having regard to the nature of the proposed development, and the distance of the site from nearby sensitive receptors, there is no real likelihood of significant effects on the environment arising from the proposed development. The need for environmental impact assessment can, therefore, be excluded at preliminary examination and a screening determination is not required.

### **Conclusion**

The provision of residential development on lands zoned 'VC' and identified for redevelopment in the Tallaght Town Centre LAP 2020 – 2026 is acceptable in principle. There are however numerous issues which arise when assessing the proposed development:

- Impact on an Architectural Conservation Area and a protected structure;
- excessive density and plot ratio;
- height as it relates to transition with 1-storey buildings;
- Overshadowing, overlooking and loss of privacy;
- Need to assess additional areas for sunlight and daylight loss;
- a preference for joined-up development on a larger less constrained site;

# Comhairle Chontae Atha Cliath Theas

## Record of Executive Business and Chief Executive's Order

- material treatment of Block A's northern section (material treatment on the corner is acceptable)
- necessity of demolition of relatively recent building to facilitate block A;
- height, material treatment, massing; potential overhanging of the public footpath of Block B;
- potential need for a letter of consent for the same;
- Block B elevational treatment as it relates to Architectural Conservation and transition of heights;
  - o Additional set-back / lowering of Block B is necessary;
  - o Out of character with existing context of Old Greenhills Road;
- Car parking provision;
- Bicycle parking provision;
- Provision of accessible and electric charging parking spaces;
- Undersized attenuation;
- Inadequate Landscape Plan details.

Despite the above issues, the treatment of the southern wing of the south-eastern Block, Block A, is considered to be positive, in anticipation of further development of the former Esso filling station site. The proposed unit and tenure mix and proposed height of Block A are supported by LAP policy. With a reduction in overall scale and a more sensitive treatment of the Architectural Conservation Area and the single-storey terraces on Old Greenhills Road, the proposed development may be acceptable to the Planning Authority. Alternatively, the applicant may wish to provide a masterplan for an integrated development on these lands and the lands of the former Esso filling station, which the Planning Authority views as having more opportunity to provide quality residential amenity on the site.

There are a number of reasons to refuse permission, not least the report of the Architectural Conservation Officer and their recommendation that permission be refused. It is considered however that the development can be improved to the point where it is acceptable. A request for information is therefore recommended.

### **Recommendation**

I recommend that **ADDITIONAL INFORMATION** be requested from the applicant with regard to the following:

1. (a) The proposed plot ratio exceeds the maximum plot ratio in the Village neighbourhood area by 63%, as per section 3.4 of the Tallaght Town Centre Local Area Plan. Though the heights are indicated as being allowable under the Plan, the transition in height and character of Block B is not acceptable relative to its context on Old Greenhills Road, part of the ACA. The applicant is requested to reduce the scale/intensity of the proposed development to comply with the Tallaght Town Centre Local Area Plan 2020 - 2026, and to comply with the requirements of the SDCC Architectural Conservation Officer.  
(b) In particular, the 5-storey element of Block B should be set further back from the northern boundary or lowered. The proposed treatment would have an overbearing visual impact and subsequently impact the residential amenity to adjoining terraces.



# Comhairle Chontae Atha Cliath Theas

## Record of Executive Business and Chief Executive's Order

2. (a) The applicant is requested to respond to the following comments of the Architectural Conservation Officer in relation to the density, scale and impact on the adjoining protected structure and architectural conservation area, and how a revised scheme overcomes these issues.

"Having assessed the details of the planning application and based on the above it is considered that the applicant has failed to address the overall visual impact that the scale and height of the proposed development will have within this prominent location, which is adjacent to a Protected Structure (St. Basils), within close proximity to Tallaght Architectural Conservation Area (ACA) and a significant Protected Structure Site, 'The Priory'.

It is considered that the proposed development by nature of its close proximity, scale and height will directly impact on the visual quality adjoining Protected Structure site, St. Basils Training Centre (former National School, RPS Ref.268).

Concerns remain in that the character of the ACA will be significantly affected by the proposed apartment blocks as the new build will completely dominate the entire block which is highly visible on approach from Main Street and The Priory Demesne. The consequences of the proposed development may result in a diminished quality of character, which fails to address and adhere to existing policies for new development within or in close proximity to an ACA in line with SDCC County Development Plan (2016-2022) and chapter 6 of the Tallaght Local Area Plan 2020.

It is considered that the proposed design with the use of light coloured brick and the insertion of brick design elements, tries to reflect elements of the existing building stocks palette. The overall finish and material type try to address the issue of a contemporary design which reflects the existing built environment and provides a level of interest and quality in providing a new build of interest is a welcomed part of the proposal. However, given that the issue of building height and mass of the proposed blocks, the overall impact cannot be negated by the design alone and therefore more consideration needs to be given to the site context and adjoining built environs."

(b) An architectural design statement has been provided as part of the planning application however an Architectural Impact Assessment has not been provided nor has details been provided in accordance with the items advised in the Tallaght LAP, with regard to new development within or adjoining the ACA. Please provide same.

3. The northern section of Block A would replace an existing 3-storey block. The block presently provides a circulation area providing access to front and rear, and 4 1-bed apartments above. The new block would provide a studio at ground floor, and 2-bedroom apartments up to 5th floor level, with a circulation area that also provides access to the 3-bed apartments in the new southern wing, as well as the front and rear access provided in the current block. From the layout provided, it is not clear that there is a need to demolish this block in its entirety, rather than building a new integrated southern wing produce the corner block. Given the actual changes sought to this recent construction, demolition of the existing building appears to be an extreme measure.

The applicant is requested to address the necessity of demolishing the 3-storey block and consider a less wasteful approach to redevelopment of the site, and address this by

# Comhairle Chontae Atha Cliath Theas

## Record of Executive Business and Chief Executive's Order

additional information.

4. The proposed floor plans appear to show upper floors of Block B overhanging ground floor terraces, and balconies overhanging the public footpath. The applicant is requested to provide clarity with regard to any overhang over the public footpath, and if necessary obtain a letter of consent from the Council's Property section, to be submitted as additional information.
5. (a) Block A presents a light brick and spandrel panelled façade to the south and east in its southern section, with brick-clad columns at ground floor level around a glass-panelled café unit. This would be prominent and is an attractive façade in principle as seen from the east. Further north, however, the façade proposed is a busy and complicated mesh of overlapping material treatments, with little detailing, to break up the wide facade. The elevation could be simplified, with detailing or relief methods used to break up the mass, rather than irregular changes in material treatment. The applicant is requested to address this by additional information.  
(b) Block B has a two-tone brick façade which appears to be used to break up the mass, and exposed steel columns to the front at ground level. The design features windows which are not vertically aligned, and ground floor terraces which would sit under the underside of the first floor, with narrower balconies above. These balconies appear to jut out over the public footpath. In trying to break up the mass of this 5-storey infill, the unaligned windows and change of brick tones are unnecessarily complicated. The applicant is requested to adjust this design by additional information. It is recommended to seek the comments of the Architectural Conservation Officer in relation to the appropriate treatment of Block B.
6. The provision of a 5-storey development at Block A brings concerns regarding increased overlooking to the private rear gardens of the existing terrace of 3 beds on Old Greenhills Road. Windows from the circulation lobby of Block B face directly into the single-storey terraces, and rear-facing bedroom windows from the northernmost units within Block B would provide a much higher view into the garden than would normally be expected of side-on development of equivalent height. The applicant is requested to make necessary revisions to reduce the risk of overlooking and loss of privacy to the adjoining site.
7. The applicant has submitted a Sunlight & Daylight Assessment for the proposed development. There are some problems with this assessment which can be revised by additional information:
  - Of the east-facing windows of the existing scheme at Greenhill Court, the southernmost windows (of those not proposed for demolition) are not assessed for daylight or sunlight. These should also be assessed for impact on vertical sky component. These serve living/kitchen rooms, and will be impacted in some way by Block A, which shall jut out in an eastward direction directly to the south of these windows. From the drawings it would appear that Block A will project out beyond a line drawn 45 degrees on a horizontal plane from the centre of these windows.
  - The rear garden of No. 3 Old Greenhills Road is shown on page 41 of the Assessment

# Comhairle Chontae Atha Cliath Theas

## Record of Executive Business and Chief Executive's Order

to lose a significant share of sunlight in the proposed scenario on March 21st. It appears from the image that the garden currently receives 4-5 hours of sunlight, but would now receive less than 2 across its entire surface. Yet, this plot is not mentioned in the assessment text. As per the BRE guidelines, if the resulting area which can receive 2 hours of sunlight a day is less than 0.8 of its previous value, then the loss of sunlight is likely to be noticeable, and this would not be acceptable in this instance, and a reduction in scale of the development would be required to avoid the overshadowing. Even if the guidelines were to be technically complied with, the Planning Authority would consider such the proposed loss of private amenity to the neighbouring dwelling to be unacceptable.

8. The Roads Department has assessed the proposal and has recommended a request for additional information on the following grounds:
  - (a) All items and areas for taking in charge including areas currently in SDCC's charge shall be undertaken to a taking in charge standard. Prior to development the applicant is requested to submit construction details of all items to be taken in charge. No development shall take place until these items have been agreed.
  - (b) The applicant is requested to submit details on location and number of parking spaces to be provided at the development. Please refer to Table 11.23: Maximum Parking Rates (Non-Residential) – from the SDCC County Development Plan 2016-2022. The Planning Department does not consider that these maximum standards need to be met in every instance; however the loss of 4 underground parking spaces which are used by residents of the existing scheme, and lack of additional spaces in the context of a net increase of 23 apartments, is not acceptable to the Planning Authority.
  - (c) The applicant is requested to submit a revised layout showing the car parking, bicycle parking and pedestrian routes within the development. Please refer to Table 11.22: Minimum Bicycle Parking Rates– SDCC County Development Plan 2016-2022.
    - (i) The minimum width of footpaths shall be 1.8m wide to aid mobility impaired users.
    - (ii) All external bicycle parking spaces shall be covered.
    - (iii) Footpath layout shall provide adequate connectivity around the development and footpaths on the main road.
  - (d) The applicant shall provide a 5% of vehicular parking spaces for mobility impaired users, and 10% vehicular parking spaces to be equipped with electrical charging points. The Roads Report contains commentary as to the inadequacy of the proposed parking provision when compared to the South Dublin County Development Plan 2016 - 2022 maximum standards. The Planning Department does not consider that these standards need to be met in every instance. However, the loss of 4 underground parking spaces which are used by residents of the existing scheme, and lack of additional spaces in the context of a net increase of 23 apartments, is not acceptable to the Planning Authority. In relation to number 3 above, the applicant should set out a scheme that does not result in the loss of existing amenities.
9. (a) The proposed surface water attenuation of 70m<sup>3</sup> is undersized by 45% for a 1 in 10 year flood event. The applicant is requested to submit revised plans and calculations

# Comhairle Chontae Atha Cliath Theas

## Record of Executive Business and Chief Executive's Order

showing surface water attenuation increased by 45% for 1:100 year flood event. Where possible provide surface water attenuation by means of SuDS (Sustainable Drainage Systems).

(b) The applicant should consider the use of hydro breaks at roof level to attenuate surface water on green roofs.

10. The Planner's Report for Reg. Ref. SD20A/0250 which was refused permission, stated the following:

'there is a strong desire to see the whole site developed in a way that utilises the vacant land to its an appropriate potential whilst still respecting the character of the area. The current proposal would see a large section of the old petrol filling station site vacant as well as the strip of land to the east.'

The Planning Authority would prefer to see these two sites developed together as an integrated scheme, with undivided and generous communal amenity space at its centre and no restrictions on, for instance, fenestration in the western elevation of Block B.

The applicant is requested to engage with the adjoining land owner, who has written in support of this development, and to provide the Planning Authority with a masterplan showing integrated development of both sites, to provide a satisfactory impression of what the full development of these sites would look like.

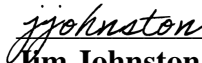
11. The applicant is requested to provide a full suite of planning drawings as per the usual requirements of the Planning Regulations 2001, as amended, to accompany the submission of additional information. CGIs are also requested of a revised scheme.
12. The applicant is requested to provide a revised Landscape Plan taking account of the revised scheme submitted as additional information. The Plan should include site sections showing landscape specifications.


# Comhairle Chontae Atha Cliath Theas

## Record of Executive Business and Chief Executive's Order

REG. REF. SD21A/0139


LOCATION: St. Basil's Training Centre, Greenhills Road, Tallaght, Dublin 24

  
\_\_\_\_\_  
**Jim Johnston,**  
**Senior Executive Planner**

  
\_\_\_\_\_  
**Eoin Burke,**  
**Senior Planner**

**ORDER:** I direct that **ADDITIONAL INFORMATION** be requested from the applicant as set out in the above report and that notice thereof be served on the applicant.

**Date:** 22nd July 2021

  
\_\_\_\_\_  
**Mick Mulhern, Director of Land Use,**  
**Planning & Transportation**