

An Rannóg Talamhúsáide, Pleanála agus Iompair
Land Use, Planning & Transportation Department
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Dermot Mac Dermott
107, Ludford Road
Ballinteer
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**NOTIFICATION OF DECISION TO REFUSE PERMISSION
PLANNING & DEVELOPMENT ACT 2000 (as amended) AND
PLANNING REGULATIONS THEREUNDER**

Decision Order No.	0134	Date of Decision	02-Feb-2022
Register Reference	SD21A/0326	Date	30-Nov-2021

Applicant: Green Cars Distributors Ltd.

Development: Change of use of existing uncompleted and vacant office building to motor showroom and service workshop use (1300sq.m) with ancillary office, staff and customer accommodation; removal of existing projecting porch and stairwell at ground floor level (16sq.m); removal of section of existing floor and projecting stairwell (927sq.m) at first floor level; alterations to existing elevations to include for new glazed curtain walling and insulated wall cladding; new attached illuminated building signage; construction of new single storey extension (90sq.m) to rear to form part of new service workshop; all associated drainage and site works.

Location: Airton House, Airton Road, Tallaght, Dublin 24

Time extension(s) up to and including:

Additional Information Requested/Received: /

Clarification of Additional Information Requested/Received: /

DECISION: Pursuant to the Planning and Development Act 2000 (as amended), dated as above a decision to **REFUSE PERMISSION** is hereby made for the said development for the reason(s) set out on the Schedule hereto.

REASON(S)

1. The proposed development by virtue of the proposed layout, height and mix of uses would be inconsistent and contravene the Tallaght Town Centre Local Area Plan 2020 and would be contrary to the proper planning and sustainable development of the area.
The height strategy for the Tallaght Town Centre Local Area is outlined in Section 2.6.2 and Section 3.5, which aims for building heights of 3 - 5 storeys (non-residential) or 4 - 6 storeys (residential) along secondary routes including Airton Road, and a minimum of 3-storeys along tertiary routes. The proposal, which comprises only two-storeys, would therefore contravene these height objectives.
In addition, the proposed development would contravene Key Objective BH5 of the Tallaght Town Centre Local Area 2020 in relation to the provision of a linear park along the southern side of Airton Road in tandem with development.
2. Having regard to the South Dublin County Development Plan 2016 - 2022, the proposed development conflicts with ET Policy 2 which states 'it is the policy of the Council to facilitate and support the regeneration of underutilised industrial areas that are proximate to urban centres and transport nodes and to promote and support more intensive compatible employment and/or residential led development in regeneration zones.'
Furthermore, the proposal conflicts with ET2 Objectives 1, 2 and 3, and CS2 Objective 4 which aim to provide more intensive uses in areas 'REGEN' and Objective BH1 in the Tallaght LAP. The motor sales showroom and workshop would not represent an intensive employment use resulting in the regeneration of the site or transition the area to a higher value commercial use. In addition, the workshop element of the proposal would not be compatible with emerging intensive uses in the area and would therefore negatively affect the future development potential of the site and surrounding area. Thus, the proposed development would contravene the proper planning and sustainable development of the area as set out in the County Development Plan and the Tallaght LAP.

Please note that upon receipt of this document you are obliged to remove the planning site notice in compliance with Article 20 of the Planning and Development Regulations 2001 (as amended). Please note that any valid submissions or observations received in accordance with the provisions of the Planning and Development Regulations 2001 (as amended), have been considered in the determination of this application.

Register Reference: SD21A/0326

Signed on behalf of the South Dublin County Council.

Yours faithfully,

 04-Feb-2022
for Senior Planner

NOTES

(A) REFUND OF FEES SUBMITTED WITH A PLANNING APPLICATION

Provision is made for a partial refund of fees in the case of certain repeat applications submitted within a period of twelve months where the full standard fee was paid in respect of the first application and where both applications related to developments of the same character or description and to the same site. An application for a refund must be made in writing to the Planning Authority and received by them within a period of two months beginning on the date of the Planning Authority's decision on the second application. For full details of fees, refunds and exemptions the Planning & Development Regulations. 200 I should be consulted.

(B) APPEALS

1. An appeal against the decision may be made to An Bord Pleanála. The applicant or ANY OTHER PERSON who made submissions or observations to the Local Authority may appeal within FOUR WEEKS beginning on the date of this decision. (N.B. Not the date on which the decision is sent or received).
2. Every appeal must be made in writing and must state the subject matter and full grounds of appeal. It must be fully complete from the start. In the case of a third party appeal it must be accompanied by the acknowledgement by the Planning Authority of receipt of the submissions/observations. Appeals should be sent to:
The Secretary, An Bord Pleanála, 64 Marlborough Street, Dublin 1.
3. An Appeal lodged by an applicant/ agent or by a third party with An Bord Pleanála will be invalid unless accompanied by the prescribed fee. A schedule of fees is at 7 below.
4. A party to an appeal making a request to An Bord Pleanála for an Oral Hearing of an appeal must, in addition to the prescribed fee, pay to An Bord Pleanála a further fee (see 7 (g) below).
5. A person who is not a party to an appeal must pay a fee to An Bord Pleanála when making submissions or observations to An Bord Pleanála in relation to an appeal.
6. If the Council makes a decision to grant permission/grant permission consequent on a grant of outline permission and there is no appeal to An Bord Pleanála against this decision, PERMISSION/PERMISSION CONSEQUENT ON A GRANT OF OUTLINE PERMISSION will be granted by the Council as soon as may be after the expiration of the period for the taking of such an appeal. If any appeal made in accordance with the Acts has been withdrawn, the Council will grant the PERMISSION/PERMISSION CONSEQUENT ON A GRANT OF OUTLINE PERMISSION/RETENTION as soon as may be after the withdrawal.
7. Fees payable to An Bord Pleanála from 10th December 2007 are as follows:
 - (a) Appeal against a decision of a Planning Authority on a planning application relating to commercial development made by the person by whom the planning application was made. where the application relates to unauthorised development.....€4,500.00 or €9,000 if an E.I.A.R. is involved
 - (b) Appeal against a decision of a planning authority on a planning application relating to commercial development made by the person by whom the planning application was made. other than an appeal mentioned at (a)..... €1,500.00 or €3,000.00 if an E.I.A.R. is involved
 - (c) Appeal made by the person by whom the planning application was made, where the application relates to unauthorised development other than an appeal mentioned at (a) or (b)..... €660.00
 - (d) Appeal other than an appeal mentioned at (a), (b), (c) or (f) €220.00
 - (e) Application for leave to appeal..... €110.00
 - (f) Appeal following a grant of leave to appeal..... €110.00
 - (g) Referral €220.00
 - (h) Reduced fee (payable by specified bodies) €110.00
 - (i) Submission or observations (by observer) €50.00
 - (j) Request from a party for an Oral Hearing..... €50.00

If in doubt regarding any of the above appeal matters, you should contact An Bord Pleanála for clarification at Telephone 01-858 8100