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

Reg. Reference:	SD22A/0361	Application Date:	16-Sep-2022
Submission Type:	New Application	<b>Registration Date:</b>	16-Sep-2022
Correspondence Name and Address:		Brock McClure Planning & Development Consultants 63, York Road, Dun Laoghaire, Co. Dublin	
		totalling c.5, 500sq.m storey Transitional Car providing 131 bedspace floor area c.6, 743sq.m c.519sq.m ); The baser and pump rooms, wate workshop; Provision of siting/family rooms, ac salon, oratory, lobbies, offices and staff areas, facilities, ESB substati service yard and waste Lobbies, stair/lifts, pho throughout; Partial pro- identified in the Tallag vehicular access from Cookstown Road via a subject site; Entrance so of the proposed facility development works, see the water supply, foul First A venue and Coo diversion of the foul li First A venue, tempora attenuation/bioretentio pedestrian access inclu footpaths, interim pede upgrade works, landsc works, tree removal, b car parking (32 total sp	structures and small cafe on site in area; Construction of a 1-5 re Facility (step-up/step-down) res over partial basement (total h) with central courtyard ( ment consists of a sprinkler tank er tank room, plant room and f dining and kitchen areas, ctivity rooms, coffee dock, hair (reception areas, ancillary stores, toilets, shower/changing on, generator, switchroom, a reas serving the facility; bovoltaic panels and green roofs evision of the pocket park tht LAP (c.1, 286sqm); New First Avenue and egress onto one-way system through the signage on the eastern elevation y; All associated site ervices provision, connection to and surface water networks on kstown Road including partial ne to the north east of the site at ary foul pump station, n systems, vehicular and ding internal road and estrian facilities/public realm ape and boundary treatment icycle storage (76 total spaces), paces), set-down parking spaces, space serving the facility and

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Location:	Unit 21, First Avenue, Cookstown Industrial Estate, Dublin 24
Applicant Name:	Bartra Property Cookstown Limited
Application Type:	Permission

(AOCM)

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

Site Area: stated as 1.67 hectares.

Site Description:

The application site comprises vacant warehouse/industrial units at the corner of Cookstown Road and First Avenue. The site is hard surfaced with mature trees along the northern, eastern, and part of the southern site boundary. The boundary of the site also includes parts of Cookstown Road to the south and east, connecting to Old Belgard Road. The surrounding area is industrial in nature.

#### Proposal:

**Permission** is sought for the following:

- Demolition of all existing structures on site
- Construction of a 1-5 storey transitional care facility, over partial basement, total floor area 6,743 sq.m
  - o 131 no. bedspaces
  - Photovoltaic panels and green roofs throughout
- Partial provision of pocket park (1,286 sq.m)
- New vehicular access from First Avenue and egress onto Cookstown Road via one-way system through subject site
- Entrance signage on east elevation
- All associated site works including interim pedestrian facilities/public realm upgrade works, landscape, and boundary treatment works, ESB substation, generator, switchroom, service year and waste areas, temporary foul pump station, services provision, connection to water supply and foul and wastewater networks including partial diversion of existing foul line to northeast of the site.
- 76 no. bicycle storage spaces
- 32 no. car parking spaces, set-down parking spaces
- 1 no. ambulance set-down space
- Delivery/loading areas to First Avenue

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#### Zoning:

The site is subject to zoning objective 'REGEN' – 'To facilitate enterprise and/or residential-led regeneration subject to a development framework or plan for the area incorporating phasing and infrastructure delivery.'

#### **Consultations:**

<u>Internal Consultees</u> Public Realm – **Additional information** recommended Roads – **Additional information** recommended Public Lighting – **Additional information** recommended Water Services – No objection Waste Management – **No objection**, conditions recommended Housing Strategy Unit – No Part V condition required (commercial development)

External Consultees

Irish Water – No objection, **conditions** recommended Environmental Health Officer – No objection, **conditions** recommended Department of Defence – No response received

#### **SEA Sensitivity Screening**

No overlap with relevant environmental layers

#### Submissions/Observations /Representations

Submission expiry date – 22 September 2022

1 submission was received from the Tallaght Community Council (TCC), which raised points including:

- Reasons for refusal under SD21A/0196, including access to facilities and the Luas, not addressed. Distance to Luas still considered a major negative
- Density removal of apartment block from this application but increase in density of original bed spaces per hectare
- Density should be in line with Tallaght Tymon North HSE application
- Future impact of the situation not accurate without details of adjacent proposal
- Welcome usage as a transitional care facility
- Clarification of terms of transitional care facility needed
- Distance to Luas incorrectly stated as 200m as the crow flies
- Application pack includes drawing showing a 7-storey structure and contradicts planning description
- Concern regarding water supply
- Potential impact of covid/other pandemics on care homes

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- Residential care standard for older people in Ireland potentially breached by excessive density
- No other Bartra facilities (on their website) are over four storeys in height
- Fire facilities
- The pocket park is small

#### **Relevant Planning History**

SD21A/0196: Demolition of all existing 1-3 storey industrial/commercial structures and small cafe on site totalling c.5,500sq.m in area; construction of a 1-5 storey nursing home/step-down facility (131 bedspaces) over partial basement (total floor area c.6,743sq.m) with central courtyard (c.519sqm); construction of a deck-access apartment development comprising 139 residential units arranged in 2 blocks (Block A - 8 storeys and Block B - 5 to 6 storeys) with a total floor area of c.10,556sq.m excluding deck access (c.1,141sq.m); 2 commercial units comprising a cafe and pharmacy located at ground floor level facing Cookstown Road in residential Block A (c.292sq.m in area); the residential development consists of 67 one bed/two person units, 12 two bed / three person units and 60 two bed/4 person units with north, south, east and west facing balconies throughout and residents amenity area at ground floor level; central communal open space (c.1,272sq.m); the basement serving the nursing home consists of a sprinkler tank and pump rooms, tank room, plant room and workshop; provision of dining and kitchen areas, siting/family rooms, activity rooms, coffee dock, hair salon, oratory, lobbies/reception areas, ancillary offices and staff areas, stores, toilets, shower/changing facilities, ESB substation, generator, switch room, service yard and waste areas serving the nursing home; provision of an ESB substation, switchboards, waste areas, water tanks and generator serving Blocks A and B; lobbies, stair/lifts, photovoltaic panels and green roofs throughout; partial provision of the pocket park identified in the Tallaght LAP (c.1,165sq.m); new vehicular access from First Avenue and egress onto Cookstown Road via a one-way system through the subject site; entrance signage on the eastern elevation of the proposed nursing home; all associated site development works, services provision, connection to the water supply, foul and surface water networks on First Avenue and Cookstown Road including partial diversion of the foul line to the north east of the site at First Avenue, attenuation/bioretention systems, vehicular and pedestrian access including internal road and footpaths, public realm upgrade works, landscape and boundary treatment works, tree removal, bicycle storage (307 spaces), car parking (42 spaces), set-down parking spaces including 1 ambulance space serving the nursing home and delivery/loading areas to Cookstown Road and First Avenue. Permission refused by SDCC and upheld by An Bord Pleánala on appeal (ABP-311568-21).

Relevant reasons for refusal:

1. The proposed development would in the current context where the environs of site is generally in employment and commercial use, be physically isolated from compatible uses and in the absence of confirmed adequate connections and linkages in terms of pedestrian and cycle links towards the town centre and the key public transport routes, would

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constitute a poor standard of residential amenity for prospective occupants and would give rise to residential and commercial uses which are disconnected from public transport and from the wider area. In this regard, the proposed development would be contrary to the provisions of the Tallaght Town Centre Local Area Plan 2020 – 2026, specifically Section 8 (implementation and sequencing). The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

- 2. The proposed development would materially contravene the policies and objectives of the Tallaght Town Centre Local Area Plan 2020 2026 in respect of building height and plot ratio. Having regard to the provisions of this plan, which are considered reasonable, and to the nature, extent, scale and layout of the proposed development, including the eight storey height of Block A along First Avenue and along the internal street within the proposed scheme, the poor provision of pedestrian movement within the site and the dominance of surface car parking, the Board is not satisfied that a material contravention of the plan would be justified and further, that such material contravention of the plan, by itself and by the precedent it would set, would compromise the coherent redevelopment and regeneration of this site and the wider area in a manner consistent with the overall provisions of the proposed development of the area.
- 3. On the basis of the information submitted with the application and appeal, the Board is not satisfied that the applicant has demonstrated that the proposed development can be accommodated within the existing public wastewater network. In the absence of confirmed evidence within the application and appeal documentation, that the existing network can accommodate wastewater arisings generated from this specific scheme at this site, or the identification of the nature and scope of any upgrades and works, including the timeframe for implementation of same, which would be necessary to facilitate the connection of the proposed development to the wastewater network, it is considered that the proposed development would be premature. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

SHD3ABP-303911-19: The demolition of 5,500sq.m of existing 1 and 2 storey industrial buildings (including a small operating cafe) and associated site clearance works, and the construction of 150 'Build to Rent' apartments in 3 5-6 storey blocks and 222 Shared Living units in a fourth 6-8 storey (parapet level) block. The proposal provides a total of 725 bedspaces. The proposed development will include a retail/cafe unit of 92sq.m, 64 car parking spaces at grade, communal, public, and private open space and communal resident facilities and services, a total of 488 sheltered bike parking spaces split into each block and an additional 98 visitor bike parking spaces at grade. An upgrade to the public realm, to include cycle paths and footpaths along First Avenue and Cookstown road adjoining the site is also proposed. <u>Refused</u> by An Bord Pleánala (SHD application).

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#### **Relevant Enforcement History**

None recorded for subject development.

#### **Pre-Planning Consultation**

None recorded for subject development.

**LRDPP010/22**: preplanning meeting for residential development on eastern part of the site fronting Cookstown Road

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

Chapter 4 Green Infrastructure

Section 4.1 Methodology

GII Objective 4:To require development to incorporate GI as an integral part of the design and layout concept for all development in the County including but not restricted to residential, commercial, and mixed use through the explicit identification of GI as part of a landscape plan, identifying environmental assets and including proposals which protect, manage, and enhance GI resources providing links to local and countywide GI networks.

Section 4.2.1 Biodiversity

GI2 Objective 4: To integrate GI, and include areas to be managed for biodiversity, as an essential component of all new developments in accordance with the requirements set out in Chapter 12: Implementation and Monitoring and the policies and objectives of this chapter.

#### Section 4.2.2 Sustainable Water Management

GI4 Objective 1: To limit surface water run-off from new developments through the use of Sustainable Drainage Systems (SuDS) using surface water and nature-based solutions and ensure that SuDS is integrated into all new development in the County and designed in accordance with South Dublin County Council's Sustainable Drainage Explanatory Design and Evaluation Guide, 2022.

Section 4.3 Defining the Spatial Framework

Chapter 5 Quality Design and Healthy Placemaking

Section 5.2.1 The Delivery of Sustainable Neighbourhoods 'The Plan Approach'

Policy QDP2: Overarching - Successful and Sustainable Neighbourhoods

Promote the creation of successful and sustainable neighbourhoods through the application of the eight key design principles to ensure the delivery of attractive, connected, and well-functioning places to live, work, visit, socialise and invest in throughout the County.

QDP2 Objective 1:

To ensure that applications for new development are accompanied by a statement from a suitably qualified person detailing how 'The Plan Approach' has been taken into consideration and incorporated into the design of the development including the materials and finishes proposed and

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demonstrating how the overarching principles for the achievement of successful and sustainable neighbourhoods have been integrated as part of the design proposal.

Section 5.2.2 Context

Policy QDP3: Neighbourhood Context

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

Section 5.2.3 Healthy Placemaking

Policy QDP4: Healthy Placemaking

Promote the delivery of neighbourhoods that are attractive, connected, vibrant and well-functioning places to live, work, visit, socialise and invest in.

*QDP4 Objective 1:* 

To deliver successful and sustainable neighbourhoods that are attractive, connected, vibrant and well-functioning through high quality design and healthy placemaking in a manner which reduces the need to travel, facilitates a mix of uses and the efficient use of land and infrastructure in line with the provisions of NPO 4 and 26 of the NPF and RPO's 6.12, 9.10 and 9.11 of the RSES. *QDP4* Objective 2:

To promote a high standard of building and urban design, creating public spaces that are distinctive, safe, universally accessible and facilitate social and cultural diversity and interaction.

Section 5.2.4 Connected Neighbourhoods (Short Distance Neighbourhoods)

Policy QDP5: Connected Neighbourhoods

Promote short distance neighbourhoods and strive towards the achievement of 10-minute settlements over the lifetime of the Plan, promoting a more compact development form, sustainable movement, and ease of access to services, community facilities, jobs, and amenities.

*QDP5* Objective 1:To improve the accessibility of all identified centres (see Chapter 9 Table 9.2) from the surrounding catchment area through public transport provision, sustainable transport infrastructure including cycling and walking, incorporating high quality local linkages between public transport stops, cycle parking and car park facilities and the various attractions within each identified centre (see Chapter 7: Sustainable Movement and Appendix 12: Our Neighbourhoods for further details).

*QDP5* Objective 2: To promote measures to improve pedestrian and cycle safety and convenience, including new or enhanced permeability links within all areas and pedestrianisation within identified centres.

#### Section 5.2.5 Public Realm

*QDP6 Objective 1: To require that all development proposals, whether in established areas or in new growth nodes, contribute positively to the creation of new, and the enhancement of existing public realm. To demonstrate how the highest quality in public realm design is achieved and how it* 

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can be robustly maintained over time (see also Chapter 12: Implementation and Monitoring - Design Statements and Public Realm).

Section 5.2.6 High Quality and Inclusive Development

Policy QDP7: High Quality Design – Development General

Promote and facilitate development which incorporates exemplary standards of high-quality, sustainable, and inclusive urban design, urban form, and architecture.

*QDP7* Objective 1: To actively promote high quality design through the policies and objectives which form 'The Plan Approach' to creating sustainable and successful neighbourhoods and through the implementation of South Dublin County's Building Height and Density Guide. *QDP7* Objective 6:

To ensure that development provides an integrated and balanced approach to movement, healthy placemaking and streetscape design in accordance with the requirements of the Design Manual for Urban Roads and Streets, DTTAS and DEHLG (2019).

*QDP7* Objective 7: To ensure that all proposals for development contribute positively to providing a coherent enclosure of streets and public spaces, taking into consideration the proportions and activities of buildings on both sides of a street or surrounding a public space, providing for good standards of daylight and sunlight, and micro climatic conditions and having regard to the guidance and principles set out in the South Dublin County's Building Height and Density Guide and the Design Manual for Urban Streets and Roads (DMURS) (2019).

*QDP7* Objective 8: To promote and support a Universal Design Approach to residential and nonresidential development – having regard in particular to the universal design principles and guidance in relation to Buildings for Everyone, Housing and Shared Space as promoted by the Centre for Excellence in Universal Design at the National Disability Authority – ensuring that all environments are inclusive and can be used to the fullest extent possible by all users regardless of age, ability or disability consistent with RPO 9.12 and 9.13 of the RSES. (See also Chapter 8: Community Infrastructure and Open Space).

*QDP7* Objective 10: To promote and support the principles of universal design, ensuring that all environments are inclusive and can be used to the fullest extent possible by users regardless of age, ability, or disability consistent with RPO 9.12 and 9.13 of the RSES.

*QDP7* Objective 11:To encourage and foster the creation of attractive mixed-use sustainable neighbourhoods which contain a variety of housing types and tenures with supporting community facilities, public realm, and residential amenities, and which are socially mixed in order to achieve a socially inclusive county.

#### Section 5.2.7 Density and Building Heights

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

Adhere to the requirements set out in the Urban Development and Building Height Guidelines (2018) issued by the DHLGH through the implementation of the Assessment Toolkit set out in the South Dublin County's Building Heights and Density Guide 2021.

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Section 5.2.9 Materials, Colours and Textures

Policy QDP11: Materials, Colours and Textures

Promote high-quality building finishes that are appropriate to context, durable and adhere to the principles of sustainability and energy efficiency.

QDP11 Objective 1:

To require the use of high quality and durable materials and finishes that make a positive contribution to placemaking.

*QDP11 Objective 2:* 

To promote the use of structural materials that have low to zero embodied energy and CO2 emissions and ensure a wood-first policy on public buildings funded or part-funded by the Council. *QDP11 Objective 3:* 

To promote the reuse and recycling of materials to promote the circular economy and reduce construction and demolition waste.

Section 6.3.2 Housing for Persons with Disabilities and/or Mental Health Issues

Policy H3: Housing for All

Support the provision of accommodation for older people and people with disabilities and / or mental health issues within established residential and mixed-use areas offering a choice and mix of accommodation types within their communities and at locations that are proximate to services and amenities.

H3 Objective 1:

To support housing that is designed for older persons and persons with disabilities and / or mental health issues in residential and mixed-use areas, at locations that are proximate to existing services and amenities including pedestrian paths, local shops, parks, and public transport. H3 Objective 2:

To support housing options for older persons and persons with disabilities and / or mental health issues – consistent with NPO 30 in the NPF, RPO 9.1 and 9.12 of the RSES.

Chapter 7 Sustainable Movement

*Policy SM1: Overarching – Transport and Movement* 

Promote ease of movement within, and access to South Dublin County, by integrating sustainable land-use planning with a high-quality sustainable transport and movement network for people and goods.

Policy SM2: Walking and Cycling

Re-balance movement priorities towards sustainable modes of travel by prioritising the development of walking and cycling facilities and encouraging a shift to active travel for people of all ages and abilities, in line with the County targets.

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Section 7.10 Car Parking

Section 8.7 Parks and Public Open Space

Policy COS5: Parks and Public Open Space – Overarching

Provide a well-connected, inclusive, and integrated public open space network through a multifunctional high-quality open space hierarchy that is accessible to all who live, work, and visit the County.

COS5 Objective 8:To ensure the design of parks and public open space areas is of high quality; to provide a pleasant setting, accommodate use by people of all ages and abilities, to support life-long activity and good health and well-being by the provision of a balanced mix of active and passive recreation and access to, or view of, nature, ensuring that the design considers:

- provision of an appropriate mix of hard and soft surfaced areas;
- enhancement of biodiversity and existing trees and hedgerows;
- incorporation of water courses, other natural features, and existing built heritage into the design of parks and open spaces as appropriate;
- provision of new planting, landscape features and appropriate site furniture including a variety of accessible, well located, and designed seating

COS5 Objective 9: To ensure that parks and public open space are appropriately located within the County and within development sites, to facilitate and support its multi-functional role.

COS5 Objective 10: To support and facilitate the key role of parks and open spaces in relation to green infrastructure including sustainable drainage systems (SuDS), flood

management, biodiversity, and carbon absorption and to promote connections between public open spaces and the wider GI network.

COS5 Objective 14:To ensure that public open space and associated recreational facilities are accessible by walking, cycling and public transport, as appropriate to their position within the open space hierarchy set out in Table 8.1 and include safe bicycle parking spaces at appropriate locations.

#### Section 8.8 Healthcare Facilities

#### Policy COS6: Healthcare Facilities

Support the Health Service Executive (HSE) in their aim to provide access to a range of quality health services, in line with Sláintecare and relative to the scale of each settlement and community, and facilitate other statutory and voluntary agencies, and the private sector in the provision of healthcare facilities and services, including the system of hospital care and the provision of community based primary care facilities appropriate to the size and scale of each settlement. COS6 Objective 1:

To facilitate the development of community-based care including primary health care centres, hospitals, clinics, and facilities to cater for the specific needs of an ageing population in appropriate urban areas in accordance with the Development Plan core and settlement strategy, consistent with RPO 9.23 of the RSES.

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COS6 Objective 2:

To promote healthcare facilities of an appropriate scale to be provided in new communities on a phased basis in tandem with the delivery of housing, in accordance with the phasing requirements of Local Area Plans and approved Planning Schemes and in locations that are accessible by public transport, walking and cycling.

COS6 Objective 3:

To support the provision of appropriately scaled healthcare facilities within existing settlements, in locations that are accessible by public transport and safe walking and cycling infrastructure.

Section 9.2.1 Green and Innovative Economy EDE3 Objective 5:

To promote, through good placemaking, the delivery of places and communities which encourage employers and workers alike to live in the County, closer to their workplaces, promoting more sustainable travel and a good quality of life.

Section 11.2.1 Sustainable Urban Drainage Systems (SuDS) Policy IE3: Surface Water and Groundwater Manage surface water and protect and enhance ground and surface water quality to meet the requirements of the EU Water Framework Directive. Section 11.8.2 Casement Aerodrome 11.8.6 Airport and Aerodrome – Noise 11.8.7 Public Safety Zones

Chapter 12 Implementation and Monitoring 12.3.7 Protected Structures 12.4.2 Green Infrastructure and Development Management 12.5 Quality Design and Healthy Placemaking

#### **Relevant Policy in the Tallaght Town Centre Local Area Plan 2020**

# Section 3.3 Cookstown

Key Objectives for Cookstown (CK):

- *CK1: Emergence of a vibrant mixed use residential-led neighbourhood.*
- *CK2: Create new urban block structure.*
- CK3: Deliver a mix of new open spaces, including provision of a new urban square or plaza at a central location at, or in close proximity to, the junction of Cookstown Road and Second Avenue. The exact location, design, and delivery of this space to be progressed by SDCC in discussion with landowners in the area.
- *CK4:* Improve legibility throughout the area and provision of new streets linking to nearby hubs and The Centre.
- *CK5: Delivery of a variety of building types around Luas stops.*

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- *CK6:* Support provision of a new primary school if deemed necessary by Department of Education and Science.
- *CK7*: Utilising location as source of River Poddle, incorporating it into public realm and open space and green/blue infrastructure asset strategies.
- CK8: Encourage and facilitate higher intensity employment uses and economic development.
- CK9: Encourage design proposals to provide appropriate space to accommodate nonresidential uses, particularly for existing businesses in the Cookstown area which can be appropriately accommodated in a mixed-use development with a substantial residential component.
- *CK10: Explore the feasibility of uplifting the River Poddle and incorporating into public realm, open space, and green/blue infrastructure asset strategies as part of proposals for development.*

#### Area Specific Requirements within Cookstown Sub Neighbourhoods - CTC

Upgrade / enhancements required to Second Avenue in order to facilitate development within CT-F1, including public realm improvements, pedestrian, cyclist linkages and potential alternative routing for HGV traffic.

Lead - Developer Scheduling - In tandem with development

Upgrade / enhancements required to Cookstown Road in order to facilitate development within CT-C, including public realm improvements, pedestrian, cyclist linkages and potential alternative routing for HGV traffic.

Lead - Developer Scheduling - In tandem with development

Enhanced pedestrian and cyclist linkages to Belgard and/or Cookstown Luas Stop. Lead - Developer Scheduling - In tandem with development

Removal / undergrounding of 110kv overhead power lines at northern section of Cookstown, linked to proximity and set back required by ESBI on relevant sites. Lead - Developer Scheduling - In tandem with development

Provision of Belgard Square North Link Road to facilitate direct link to Town Centre from Central Cookstown.

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*Lead – SDCC* 2020-26

Upgrade and enhancement landscaping works to open space alongside Luas line as part of proposals for development along the northern boundary of CT-C, in consultation with TII and SDCC Parks Departments Lead - Developer Scheduling - In tandem with development

Pocket Park Minimum Area 5,200sqm centrally located in CT-C. To be delivered as part of proposals for residential development in CT-C and to be a condition of planning permission, unless otherwise agreed with the Planning Authority in regard to securing the provision of such open space(s) Lead - Developer

Scheduling - In tandem with development

Second Pocket Park Minimum Area 3,000sqm located to the west of CT-F1 and east of CT-C. To be delivered as part of proposals for residential development in CT-F1 and CT-C and to be a condition of planning permission, unless otherwise agreed with the Planning Authority in regard to securing the provision of such open space(s). Lead - Developer

Scheduling - In tandem with development

Proposals for residential development in this area to provide for the delivery of Cookstown Urban Square, as per the criteria set out in Section 8.4.2, in tandem with development, unless otherwise agreed with the Planning Authority in regard to securing the provision of this open space. Lead - Developer Scheduling - In tandem with development

#### Chapter 8 Implementation and Sequencing

It is an objective of the Council that development within the plan area is undertaken in an orderly and sustainable manner. The development of the identified regeneration lands at Cookstown and Broomhill alongside the Town Centre lands should generally be phased in accordance with the sequential approach:

- Development should extend outwards from the town centre and high-quality public transport with land closest to the centre and public transport nodes being given preference, i.e. 'leapfrogging' to stand alone or isolated areas should be avoided; and
- A strong emphasis will be placed on encouraging infill opportunities adjacent to compatible existing uses and ensuring better use of under-utilised lands (Objective IS 1).

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#### **<u>Relevant Government Guidelines</u>**

Project Ireland 2040 National Planning Framework, Government of Ireland (2018). Regional, Spatial & Economic Strategy 2020-2032 (RSES), Eastern & Midlands Regional Assembly (2019)

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

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

#### Assessment

The main issues for assessment concern the following:

- Zoning and Council Policy
- Use, Visual Amenity and Accessibility
- Overcoming Previous Reasons for Refusal
- Roads
- Green Infrastructure
- Water Supply and Wastewater
- Infrastructure and Environmental Services
- Appropriate Assessment
- Environmental Impact Assessment

#### **Zoning and Policy**

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

Under the 2022 – 2028 Development Plan, the site is zoned 'REGEN' – 'To facilitate enterprise and/or residential-led regeneration subject to a development framework or plan for the area incorporating phasing and infrastructure delivery.'

Under this zoning objective, Advertisements and Advertising Structures, Health Centre, Housing for Older People, Residential, Restaurant / Café, Residential Institution are all permitted in principle uses. Doctor / Dentist, Hospital, Nursing Home, Primary Health Care Centre, Retirement Home are open for consideration uses. All these uses would be subject to assessment of compliance with the relevant policies and objectives of the Development Plan.

Chapter 5 of the Development Plan relates to Quality Design and Healthy Placemaking. Section 5.2.1 addresses 'The Plan Approach' and provides eight key principles that all new development on zoned lands must comply with. The applicant has provided an 'Architectural Design Statement' that broadly addresses these criteria.

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The proposals present no issues in relation consistency with the zoning of the site.

Tallaght Town Centre Local Area Plan 2020 (LAP)

The site is located within the Cookstown Neighbourhood as per Section 3.3 of the LAP. Key objectives of relevance to the subject site include:

- *CK1: Emergence of a vibrant mixed use residential-led neighbourhood.*
- *CK2: Create new urban block structure.*
- CK3: Deliver a mix of new open spaces, including provision of a new urban square or plaza at a central location at, or in close proximity to, the junction of Cookstown Road and Second Avenue. The exact location, design, and delivery of this space to be progressed by SDCC in discussion with landowners in the area.
- *CK4:* Improve legibility throughout the area and provision of new streets linking to nearby hubs and The Centre.
- *CK7:* Utilising location as source of River Poddle, incorporating it into public realm and open space and green/blue infrastructure asset strategies.
- CK8: Encourage and facilitate higher intensity employment uses and economic development.
- *CK9:* Encourage design proposals to provide appropriate space to accommodate nonresidential uses, particularly for existing businesses in the Cookstown area which can be appropriately accommodated in a mixed-use development with a substantial residential component.
- *CK10: Explore the feasibility of uplifting the River Poddle and incorporating into public realm, open space, and green/blue infrastructure asset strategies as part of proposals for development.*

The LAP includes infrastructural requirement for each sub-neighbourhood within Cookstown, the site is located within the CTC sub-neighbourhood. Phasing/sequencing requirements set out in the LAP are also especially relevant.

#### Use, Visual Amenity and Accessibility

All existing structures on the site would be demolished to facilitate the construction of a transitional care facility to the west of the site, and to clear the site for the future development of a mixed-use residential apartment block earmarked for the eastern part of the site. The demolition of the existing, vacant, buildings is considered acceptable. This section assesses the proposed transitional care facility use and design.

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Use

While there is no issue in relation to the proposals in terms of the zoning of the site, the consideration of the proposed use is relevant in terms of the (i) phasing and sequencing provisions of the LAP, (ii) considerations around the compatibility of the proposed use with neighbouring uses, (iii) trip generation and (iv) the likely needs of residents.

The proposed transitional care facility would provide 131 no. bedspaces over 5-storeys. The facility would also have ancillary spaces including dining and kitchen areas, sitting/family rooms, activity rooms, coffee dock, hair salon, oratory, and other office/reception/staff areas. The applicant has stated that the 'step-down nature of the facility allows patients to avail of convalescent and respite services bridging the gap between hospital and home care.' The location of Tallaght University Hospital, to the southwest of the site, has influenced the scheme proposed.

The applicant states the proposed facility would assist Bartra Healthcare and the HSE meet the primary objective of 'enhancing primary and community services and reducing the need for people to attend hospitals.' The facility would provide 'high quality nursing and transitional (Step down care) to the local population', as well as respite facilities for people requiring care but not acute hospital services. Mobile diagnostic services, such as ultrasounds, would also be provided, though are not clearly indicated on plans. The facility would also provide a specialised dementia care unit, though details of this are not clarified.

The applicant has stated that the development would provide for all the needs of clients staying at the facility, reducing the need for trips usually associated with a similarly sized residential development. A minibus would be provided for residents to carry out day to day tasks.

It is envisaged that the wider area will undergo significant transformation in the years to come from an area used for light industry and warehousing to a high-density mixed use urban quarter. The LAP indicates a preference for the re-development of lands closest to the town centre and Luas stops first. It also indicates the development of isolated areas and leapfrogging is to be avoided as is piecemeal or premature development. The applicant has sought to overcome the isolated location of the development by providing interim enhanced pedestrian and cycle links to the town centre to the south and Belgard Luas stop to the north. The LAP encourages the amalgamation of landownerships and development that is compatible with adjacent existing uses. If a site is of sufficient scale to create its own distinct character and amenity (over 2ha), an exception to the sequencing requirements may be made.

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**Additional information** is required to in this regard to enable the planning authority to gain a full and complete understanding of the nature of the proposed development, the likely needs of residents/in-patients and visitors/outpatients in terms of amenities, the compatibility of the proposed land use with existing land uses nearby and the impacts this will have on the surrounding road network.

#### Plot Ratio, Height, and Appearance

The area of the site where the current transitional care facility is proposed has a maximum building height of 3-4 storeys fronting the road. In the LAP there is a proposed tertiary route through the site, linking to the location proposed for a local pocket park. Part of this park is proposed to be delivered with this application, and these items are addressed later in this report.

In relation to plot ratio, the Tallaght LAP allows for a plot ratio range of 0.75 to 1.0. The proposed development would have a plot ratio of 1.78, based on a development site area of 0.3784ha, excluding the public open space area.

The applicant notes that a higher plot ratio of 1.8 was deemed acceptable under ABP Ref. 306705-20. This was a decision made by ABP, and the Council did raise concerns regarding height, density and plot ratio and recommended refusal on this basis. It is therefore not considered that this application sets a precedent for development at this site. Section 2.6.1 of the LAP states that *'The plot ratio and building height of any proposed development shall not normally exceed the maximum plot ratio or building height thresholds for any particular site, block or parcel of land, except where there is a compelling case of a significant public or economic benefit.' In the planning report provided by the applicant, they state 5 no. justifications for increased density at the site. These are summarised below:* 

- Above 10% minimum requirement of public open space provided, including pocket park
- Permeability through the site
- Provision of a transitional health care facility
- Public realm improvements including reduction of curb heights, widening of footpaths and provision of on-street parking
- Significant interim upgrade works in relation to surrounding cycle/pedestrian infrastructure

These items are addressed in some detail later in this report however, it is noted that the Planning Authority is not satisfied with all of the public realm upgrades proposed for lands outside the ownership of the applicant and is unconvinced in relation to the benefit of the interim upgrade works. The applicant should be invited to provide a detailed justification of the plot ratio for the site, with specific regard to the LAP and Development Plan, and any relevant items arising from a request for **additional information**.

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The transitional care facility would range in height from one to five storeys. The primary T-shaped building would be five storeys, with a single storey wing to the south, enclosing a central area of landscaped garden (499 sq.m).

The Tallaght LAP provides for a maximum height of 4 storeys at this section of the site, increasing to a maximum of 4-6 storeys along Cookstown Road (area subject to a future LRD application). The building would therefore contravene the height strategy for the site, as specified in Figure 3.7 of Section 3.3 of the LAP. The applicant should be requested to reduce the height of the building to no more than 4 storeys by **additional information**. Alternatively, the LAP allows for 'a 2–4 storey increase on the above typical levels of the LAP Heights Strategy may be considered for key or landmark sites.' In lieu of removing the fifth storey of the building, the applicant could be invited to provide **additional information**, justifying the increased height at this location, with reference to the Tallaght LAP, the Development Plan and in particular Appendix 10 'South Dublin County's Building Height and Density Guide'.

The building would be a mixture of render and brick, with coloured feature panels. 44% of the roof would be sedum planting, with other areas of the roof having photovoltaic panels. The design of the building and the materials proposed are generally considered acceptable and would accord with Policy QDP11 of the Development Plan.

#### <u>Signage</u>

Section 12.5.7 of the Development Plan provides criteria with which signage should comply. Table 13.9 specifies types of signage, restrictions on use and design criteria. The applicant has indicated that one sign would be provided over the main entrance to the building on the east elevation. This sign would be 2m wide and 0.45m in height, with wording indicated as *'Cookstown Residential Home'*. The sign would be raised lettering on a powder-coated aluminium plate. It is not stated whether this sign would be illuminated. **Additional information** should be sought confirming illumination proposals for the sign, as well as providing elevations and sections, as it is not clear from drawings whether the sign would be flush with the main building line or perched on top of the projecting entrance element. The applicant should note that, per Table 13.9, signs above parapet are 'not permitted'.

#### Other Items for Consideration

The building would enclose a central landscaped courtyard, abutting the western site boundary. A significant number of existing mature trees would be removed from the site boundaries to facilitate the development. This would be mitigated by the planting of new trees and vegetation within the site, and the provision of a portion of the planned pocket park to the southwest of the site. All car parking would be surface level, serving the care facility and proposed future residential development to be delivered at the site subject to a separate planning application.

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The Planning Authority would have a concern about the removal of such a significant amount of mature vegetation. It is notable that the existing Cookstown estate does not benefit from much green infrastructure in this regard. These items should be addressed by **additional information**.

It is noted that the applicant has relied on the delivery of a complementary residential development on the remainder of the site, which will be subject to a future planning application. No provisions have been made for landscaping or otherwise of the remainder of the site in the event the residential element is not brought forward for a number of years. This should be addressed by **additional information**.

It is noted that HeatNet district heating is currently being developed within South Dublin. The applicant should be requested to investigate opportunities to connect into this system, and also provide detail on futureproofing the development so that it can easily revert to conventional heating in the event that HeatNet, or similar, is no longer available. This should be provided by way of **additional information**.

#### **Overcoming Previous Reasons for Refusal**

The most recent application on the site, SD21A/0196 (ABP-311568-22), was refused for 5 reasons by South Dublin County Council. ABP upheld the decision of SDCC, refusing for 3 reasons detailed below with an assessment of how the applicant has, or hasn't, overcome these reasons in this current application.

SDCC reasons for refusal:

- Sequencing and phasing proposed development substantially diverges from LAP policy on sequencing and implementation and would by physically isolated if deliver prior to adjoining development and/or enhanced connections to either the town centre or Luas.
- Intensity of development plot ratio of 1.49 represents overdevelopment. Proposed additional height and plot ratio not justified under Section 2.6 of the LAP.
- Infrastructure no provision for cyclists on Cookstown Road, isolated nature of development exacerbated by low provision of car parking, no childcare facilities proposed, and the feasibility of the development has not been established by Irish Water in relation to water supply and wastewater.
- Residential layout and amenities daylight/sunlight analysis not considered adequate, layout could be improved, design not appropriate, space provision could be improved
- Public realm and water inadequate information supplied in relation to SuDS.

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An Bord Pleánala reasons for refusal:

1. The proposed development would in the current context where the environs of site is generally in employment and commercial use, be physically isolated from compatible uses and in the absence of confirmed adequate connections and linkages in terms of pedestrian and cycle links towards the town centre and the key public transport routes, would constitute a poor standard of residential amenity for prospective occupants and would give rise to residential and commercial uses which are disconnected from public transport and from the wider area. In this regard, the proposed development would be contrary to the provisions of the Tallaght Town Centre Local Area Plan 2020 – 2026, specifically Section 8 (implementation and sequencing). The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

The applicant is proposing interim upgrade works to the northeast and south of the subject site, along First Avenue and Cookstown Road to provide improved pedestrian and cyclist facilities. The Planning Authority is unconvinced of the benefit of the interim works proposed and would have concerns about the alignment of these works with future upgrades that are currently the subject of a design study for the area. These concerns are addressed later in this report and the applicant should be requested to address them by **additional information**. More generally as stated earlier in the report, the Planning Authority remains concerned about the suitability of this or similar uses on the subject site having regard to (i) the compatibility of the use with uses in the surrounding area and consistency with the (ii) phasing and sequencing requirements as provided for in the LAP.

1. The proposed development would materially contravene the policies and objectives of the Tallaght Town Centre Local Area Plan 2020 – 2026 in respect of building height and plot ratio. Having regard to the provisions of this plan, which are considered reasonable, and to the nature, extent, scale and layout of the proposed development, including the eight storey height of Block A along First Avenue and along the internal street within the proposed scheme, the poor provision of pedestrian movement within the site and the dominance of surface car parking, the Board is not satisfied that a material contravention of the plan would be justified and further, that such material contravention of the plan, by itself and by the precedent it would set, would compromise the coherent redevelopment and regeneration of this site and the wider area in a manner consistent with the overall provisions of the Local Area Plan. the proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

The site layout is largely the same in relation to the location of the transitional care facility (previously a nursing home/step down facility). There has been some reduction in car parking, but the layout is still dominated by above ground car parking spaces and the internal route has not been altered. The provision of 15 no. car parking spaces along the southern site boundary is not considered appropriate and would impact the provision of a tertiary route / homezone at this location, as per Figure 3.7 of the LAP. This should be addressed as **additional information**. The

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height of the transitional care facility is still in excess of that indicated under the LAP. As previously stated, a full justification for the height and density strategy of the scheme should be requested as **additional information**.

2. ...the applicant has demonstrated that the proposed development can be accommodated within the existing public wastewater network...it is considered that the proposed development would be premature.

To address concerns regarding wastewater, the applicant is proposing to remove wastewater from the development via a gravity wastewater sewer. An existing 300mm diameter public wastewater pipe located at the northern boundary of the site would be diverted, subject to a Diversion Agreement with Irish Water prior to the commencement of development on site. A **condition** would be required to this effect. Water Services and Irish Water have reviewed the application and have stated no objection to the development. This is considered acceptable.

#### **Roads and Accessibility**

The applicant is proposing interim pedestrian facilities and public realm upgrade works. It is noted that the improved pedestrian and cyclist proposals on the eastern side of Cookstown Road, heading south from the development, would result in the loss of all grass verge to provide for a footpath 1.8m in width, and two-way cycle lane upwards of 2m in width. This would provide improved connections to Tallaght town centre and the associated facilities. Pedestrian and cyclist upgrades proposed along First Avenue to the north, heading east from the development and connecting to Belgard Luas stop would involve similar interventions.

It is noted that the Planning Authority is currently working on implementing a design study to address the area from First Avenue to Belgard Road. It is noted that Section 3.3 of the LAP states 'Upgrade / enhancements required to Cookstown Road in order to facilitate development within CT-C, including public realm improvements, pedestrian, cyclist linkages and potential alternative routing for HGV traffic.' Furthermore 'Enhanced pedestrian and cyclist linkages to Belgard and/or Cookstown Luas Stop' are required. These items are to be delivered by developers in tandem with development. The design study will address these concerns and the applicant must ensure that any proposals align with the study, and to provide anything in advance of this may be considered premature.

There may be a case for providing one link fully designed and implemented, rather than the proposed interim measures to both the Luas and town centre and it is considered appropriate to request the applicant address this by way of **additional information**.

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The applicant states that 32 no. car parking spaces would be provided, 17 no. for the transitional care facility and 15 no. for the future residential element of the site. The 17 no. spaces for the transitional care facility are indicated as serving staff requirements, with no provision for visitor car parking. 13 no. bicycle parking spaces would be provided for staff and 13 no. for residents. It is not indicated that any visitor bicycle parking would be provided. Set down / pick up bays would be provided on Cookstown Road and First Avenue, outside the ownership boundary of the site and indicated as being taken in charge by the Council upon completion. It is the opinion of the Planning Authority that all parking and associated bays associated with the proposals must be provided for within the applicant's landholding so that the enhancement of the public realm to facilitate the transformation of Cookstown will not be undermined, and in the interim would conflict with the active industrial nature of the surrounding road network.

It is not considered that the applicant has adequately addressed how parking would be utilised at the site, and the nature of traffic movements in their entirety, given the likely age and mobility of people accessing this facility, and the need for accommodating visitors. There is a particular concern about the impact of the future residential development which is earmarked for the remainder of the site to the east, should this be granted. No visitor parking is proposed, with a set down area for delivery and drop off located on First Avenue, outside the ownership boundary of the site. As stated previously, this is not considered appropriate. Notwithstanding the uncertainty regarding the anticipated duration of stay of residents, it is considered likely that visitor parking will be required. These items should be addressed by **additional information**.

The following **additional information** items are also recommended by the Roads Department:

- 1. The applicant should submit a revised layout of not less than 1:200 scale, showing Cycle/Pedestrian link upgrades designed to the standards set out in DMURS and The National Cycle Manual.
- 2. The applicant shall submit a Road Safety Audit.
- 3. The applicant shall submit a layout of not less than 1:200 scale showing a revised internal road layout with a two-way system along with a vehicular link road running along the Northern boundary of the Park.
- 4. The applicant shall submit a layout of not less than 1:200 scale showing a Pedestrian Crossing with tactile paving and dropped kerb located between southern internal footpath and the Pocket Park.
- 5. The applicant shall submit a revised layout of not less than 1:200 scale showing the location and number of parking spaces to be provided for staff, residents, and visitors at the care facility. Please refer to Table 12.25: Maximum Parking Rates (Non-Residential) from the SDCC County Development Plan 2022-2028.

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6. The applicant shall submit details of discussions with Public Realm regarding the removal of grass verge to accommodate parallel parking on Cookstown Road.

It is considered appropriate to request the recommended **additional information** to ensure that the traffic implications of the proposed development are fully understood prior to a final decision, and to ensure the delivery of a development that is safe with regards to vehicular and pedestrian movements.

Public Lighting have reviewed the application and have recommended additional information should be sought to address the following:

Clarity is required regarding which public realm areas are to publicly maintained. An agreed TIC drawings is required.

The "Site Lighting Design" drawing layout does not agree with the cycleway layout proposed in the Road Layout Drawings 1-6.

If the Road Layout Drawings are correct, the existing street lighting along First Avenue and Cookstown Road will need to be fully re-designed. This has not been included for in the current submission. The Landscape drawings show street trees and parking areas where the road layout drawings show cycleways. The landscape drawing should be revised and should include the revised street lighting plan to ensure co-ordination between lamp posts and street trees.

#### **Green Infrastructure**

The subject site does not appear to be located within a Core Area, Primary GI Corridor and Secondary GI Link as identified in the Green Infrastructure Strategy Map (Figure 4.4 of the County Development Plan 2022 - 2028). The site currently has mature trees along the northern, eastern, and part of the southern boundary but is otherwise hardstanding and comprises vacant industrial/warehouse units.

It is noted that the site is located within the CT-C block of Cookstown, per Figure 3.4 of the LAP. Section 3.3 of the LAP states a '*Pocket Park Minimum Area 5,200sqm centrally located in CT-C.* To be delivered as part of proposals for residential development in CT-C and to be a condition of planning permission, unless otherwise agreed with the Planning Authority in regard to securing the provision of such open space(s).' The applicant has included proposals to provide part of this pocket park however, there are concerns about how this would connect with the remainder of the park and the public benefit that would be gained from providing 1,286 sq.m of this park in advance of a masterplan proposal for the entire space.

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The Public Realm section have reviewed the application and have raised a number of concerns about the development and its adherence to objectives of the Development Plan. Specifically, the arboricultural impact of the development, insufficient details in the landscape plans submitted and issues regarding the level of public open space. Their report recommends the following **additional information**:

1. Landscape Design Proposals

The applicant shall provide a fully detailed landscape plan with full works specification, that accords with the specifications and requirements of the Council's Public Realm Section. The applicant shall provide the following additional information:

- *i.* The applicant shall submit a comprehensive Landscape Design Rationale, the objective of this report is to describe the proposed landscape and external works as part of this proposed housing development.
- *ii.* The applicant is requested to submit a fully detailed Planting Plan to accompany the landscape proposals for the entire development. The applicant should propose native species where possible to encourage biodiversity and support pollinators within the landscape.
- *iii.* The landscape Plan shall include hard and soft landscape details; including levels, sections and elevations, detailed design of SUDs features including swales and integrated/bio-retention tree pits.
- *iv.* Significantly reduce the impacts of the development on existing green infrastructure within and adjacent to the proposed development site.
- *v.* Demonstrate how natural SUDS features can be incorporated into the design of the proposed Development
- vi. Submit green infrastructure proposals and a green infrastructure plan that will mitigate and compensate for the impact of the proposed development on this existing site and show connections to the wider GI Network. These proposals should include additional landscaping, SUDS measures (such as permeable paving, green roofs, filtration planting, above ground attenuation ponds etc) and planting for carbon sequestration and pollination to support the local Bat population.
- vii. Proposed Pocket Park The applicant is required to provide detailed information as to how the pocket park provided for within the Tallaght Town Centre Local Area Plan will be delivered as part of this development or in conjunction with other proposed development in the area. A masterplan is required for this proposed Pocket Park and a detailed schedule set out for its proposed delivery.
- viii. The applicant shall provide play and recreation opportunities for children and teenagers as appropriate to the scale and character of proposed development. Proposals shall be submitted in the form of a Proposed Play Rationale and Layout Plan (separate to, but related to the Landscape Masterplan), using Nature-based Solutions. The Layout Plan shall comprise the following:
  - showing types of play and play area(s),
  - o target age groups,

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- o landform (included levels and contours) and boundaries,
- o gates and planting,
- design and construction details of play opportunities and facilities in respect of landform, planting, boundaries, equipment, and safety surface.
- All play equipment and ancillaries shall conform to European Standards EN 1176 and EN 1177 Playground equipment and surfacing, and to BS/EN standards 2017/18 for Playground Installations for HIC (Head Injury Criterion) and CFH (Critical Fall Height).
- 2. Open Space Provision

Insufficient information has been submitted in relation to proposed open space provision with the Development. Under section 8.7.3 of the 2022-2028 CDP the overall standard for public open space is 2.4 hectares per 1,000 population. This will be applied to all developments with a residential element, such as the subject proposal. Within that standard, there are specified percentages as set out in Table 8.2 which must, as a minimum, be provided on site. Under Table 8.2 the specified percentage of open space for the proposed development is a minimum of 10% of the site area. The applicant is therefore requested to provide in tabular form a clear breakdown of the open space provision within the proposed development. If the applicant intends to provide the full public open space onsite, a significant redesign of the open space is required. This space should be of a higher quality, easily accessible from the public realm, pedestrian, and cyclist permeable, contribute to biodiversity etc. A taking in charge drawing shall be provided showing proposed areas of public open space as part of the applicant's response

#### 3. SuDS

The applicant is requested to submit the following ADDITIONAL INFORMATION in terms of SuDS:

- A drawing to show how surface water shall be attenuated to greenfield run off rates.
- Submit a drawing to show what SuDS (Sustainable Drainage Systems) are proposed. Examples of SuDS include permeable paving, filter drain, bio-retention tree pits, rains gardens, swales, or other such SuDS.
- SUDs Management The applicant is requested to submit a comprehensive SUDS Management Plan to demonstrate that the proposed SUDS features have reduced the rate of run off into the existing surface water drainage network. A maintenance plan should also be included as a demonstration of how the system will function following implementation.
- Additional natural SUDS features should be incorporated into the proposed drainage system for the development such as bio-retention/constructed tree pits, permeable paving, green roofs, filtration planting, filter strip etc. In addition, the applicant should provide the following:

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- a. Demonstrate how the proposed natural SUDS features will be incorporated and work within the drainage design for the proposed development.
- b. Tree pits incorporating SUDS features should include a deep cellular water storage/attenuation area below the surface which acts as a soak away allowing surface water to infiltrate into the ground
- c. It is unclear how much attenuation in total is provided by the proposed bioretention tree pits for the development. The applicant shall submit a report and drawing showing how much surface water attenuation in m3 is provided for the development.
- d. The applicant is requested to refer to the recently published 'SDCC Sustainable Drainage Explanatory, Design and Evaluation Guide 2022' for acceptable SUDS tree pit details.
- e. Underground attenuation tanks are only permitted in exceptional circumstances and where all other natural SUDS measures have been utilised. If all other methods have been utilised and it is demonstrated that underground attenuation is required, it cannot be proposed under public open space areas and such areas will not be taken in charge by Public Realm. SUDS measures are only accepted as an element of public opens space where they are natural in form and integrate well into the open space landscape supporting a wider amenity and biodiversity function.
- 3. Green Infrastructure

The applicant is requested to submit a Green Infrastructure Plan which shall be submitted as part of the suite of Landscape Plans that are required for a development. The Green infrastructure Plans should include the following information:

- Site location plan showing the development site in the context of the wider GI as shown on the Council's GI Plan for the County.
- Site survey and analysis, identifying existing GI Infrastructure and key assets within the site.
- Indicate how the development proposals link to and enhance the wider GI Network of the County.
- Proposed GI protection, enhancement, and restoration proposals as part of the landscape plan, where appropriate, for the site.
- Proposals for identification and control of invasive species where appropriate, for the site
- 4. Bat Survey

The applicant is requested to submit a bat survey for bat usage carried out across the entire site and immediately adjoining sites to assess roosting and feeding/foraging activities and assessing potential impact on these species arising from the proposed development. This is to be undertaken by a qualified and experienced bat expert at the appropriate time of the year for the survey of species.

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5. Invasive Species Report

The applicant is required to submit a detailed survey for the presence of invasive species within the subject site (as listed on the third schedule of the European Communities (Birds and Natural Habitats Regulations 2011). If invasive species are found to be present within the subject site that the applicant shall submit a site-specific Invasive Species Management Plan.

6. Green Space Factor (GSF)

A Green Space Factor (GSF) Worksheet shall be submitted by the applicant for the proposed development detailing how they have achieved the appropriate the minimum Green Space Factor (GSF) scoring established by their land use zoning. Minimum required scores for different land use zonings are included in Table 1 below.

Zoning	Minimum Score
Res	0.5
RES-N	0.5
SDZ	0.5
REGEN	0.5
ТС	0.5
DC	0.5
VC	0.5
MRC	0.5
LC	0.5
EE	0.5
RW	0.5
HA-DM	0.7
HA-LV	0.7
HA-DV	0.7
OS	0.7
RU	0.7

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Developers can improve their green factor score by retaining existing landscape features and incorporating new landscape features and GI interventions. Completed Green Space Factor (GSF) worksheets should be submitted to SDCC with the Green Infrastructure Plan and Landscape Plan for a proposed development. See link to the Green Space Factor Worksheet Related Documents – SDCC

It is considered appropriate to request the **additional information** to ensure high quality public realm is provided and the impacts on existing green infrastructure are minimised. With regard to recommended item 2, in relation to public open space, it is considered that the location of the open space is acceptable and would be compliant with the vision for Cookstown and the delivery of a pocket park at the southwest of the site. This item should therefore not be requested however, it is not considered that sufficient information has been received in relation to the design of the pocket park and how this would standalone, in advance of the remainder of the park being delivered, and how it would then be able to integrate into the pocket park, as developed at a later date. The provision of this pocket park is one of the infrastructural requirements for development in the Sub Neighbourhood CTC within which the site is located. The applicant should be requested to submit **additional information** addressing these concerns. In providing this **additional information**, the applicant is encouraged to consider additional opportunities for site assembly, with a view to exceeding 2ha and thereby providing greater opportunity to provide additional, in line with Chapter 8 'Implementation and Sequencing' of the LAP, which allows for contravention of the phasing of the Plan, on sites of 2ha or more where a barrier to development is involved.

#### Water Supply and Wastewater

Water Services have stated no objection to the development and have not recommended any **conditions**. Irish Water have reviewed the application and have stated no objection, recommending standard **conditions** that prior to the commencement of development the applicant shall enter in connection agreements with Irish Water, and that all works comply with Irish Water Standards codes and practices. It is considered appropriate to include these conditions in the event of a grant.

#### **Infrastructure and Environmental Services**

The Environmental Health Officer has stated no objection to the development, recommending the following **conditions** in the event of a grant of permission:

1. Noise Control

To control, limit and prevent the generation of Environmental Noise Pollution from occurring the Environmental Health Department of South Dublin County Council, hereby informs you that : The use of machinery, plant, or equipment (which includes pneumatic drills, generators, and the movement on and off the site of construction vehicles) is NOT PERMITTED outside the following hours

- Before 07.00 hours on weekdays, Monday to Friday
- Before 09.00 hours on Saturdays.

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- After 19.00 hours on weekdays, Monday to Friday.
- After 13.00 hours on Saturdays.
- Not permitted at any time on Sundays, Bank Holidays or Public Holidays.
- 1. Air Quality

During the construction / demolition phase of the development, Best Practicable Means shall be employed to minimise air blown dust being emitted from the site. This shall include covering skips and slack-heaps, netting of scaffolding, daily washing down of pavements or other public areas, and any other precautions necessary to prevent dust nuisances. Reason: To contain dust arising from construction / demolition in the interests of public health and to prevent nuisance being caused to occupiers of buildings in the vicinity.

These **conditions** are considered reasonable in the event of a grant of permission in the interests of public health. The EHO has also recommended a **condition** that the ESB substation should only be permitted for 5 years and refers to the removal of telecommunications after this date. This is not considered to be a relevant consideration or appropriate condition and therefore should not be included.

A response has not been received from the Department of Defence. It is noted that the applicant has provided correspondence with Casement Airbase stating that, given the height of the building (18.5m), the development would not impact flight operations at Casement. This correspondence states 'you could expect a crane observation at planning application stage.' This is interpreted to mean that a condition would be required in relation to crane operations at the site to be agreed with the Planning Authority and Casement Aerodrome prior to the commencement of development. In the event of a grant, such a **condition** should be included.

Waste Management have reviewed the application and have recommended the following **condition** is included in the event of a grant:

The scale and complexity of the works proposed in this development is greater than the thresholds stipulated in the Best Practice Guidelines for the Preparation of Resource and Waste Management Plans for C&D Projects (2021). As a result, the development is classed as a Tier 2 Project as referred to in the Guidelines. Therefore, prior to the commencement of development, the developer or any agent acting on its behalf shall prepare a bespoke Construction and Demolition Resource Waste Management Plan (RWMP) including demonstration of proposals to adhere to best practice and protocols.

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The RWMP shall:

- *include specific proposals as to how the RWMP will be measured and monitored for effectiveness.*
- follow the requirements set out in Sections 4 & 5 and meeting the minimum content requirements set out in Appendix C of Best Practice Guidelines for the Preparation of Resource and Waste Management Plans for C&D Projects (2021)
- *be submitted to the planning authority for written agreement <u>prior to the commencement</u> of development.*

All records (including for waste and all resources) pursuant to the agreed RWMP shall be made available for inspection at the site office at all times.

This **condition** is considered appropriate to ensure the appropriate management of waste.

#### **Screening for Appropriate Assessment**

The subject site is not located within nor within close proximity to a European site. The proposed development is located within an established industrial transition area and comprises of the demolition of existing buildings and construction of a transitional care facility, and associated site works.

Having regard to:

- the scale and nature of the development,
- the location of the development in a serviced urban area, and
- the consequent absence of a pathway to the European site,

it is considered that the proposed development would not be likely to have a significant effect individually, or in-combination with other plans and projects, on the Natura 2000 network and appropriate assessment is not therefore required.

The applicant has provided an Appropriate Assessment Screening Report which states, 'it can be concluded, on the basis of the best scientific knowledge available, that the possibility of any significant effects on any European Sites, whether arising from the project itself or in combination with other plans and projects, can be excluded.'

#### **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.

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#### **Conclusion**

Having regard to the provisions of the South Dublin County Council Development Plan 2022-2028, the Tallaght Town Centre Local Area Plan 2020, and the land use zoning of the site, it is considered that the following additional information is required to ensure a full assessment of the development and its potential impacts:

- Details around the nature of uses that surround the subject site and consideration of site assembly
- Detailed information in relation to the proposed use of the transitional care facility, including staff numbers and the anticipated duration of stays.
- Justification of the height and density of the development, or removal of the fifth storey of the building
- Detailed proposals of site signage
- Amend the scheme to provide all car parking and set down areas within the developable area of the site and protect the existing mature trees and grass verges around the boundary of the site
- Plans for the remainder of the site earmarked for residential development, in advance of this development being delivered
- Address previous reasons for refusal relating to car dominance and improved site layout
- Ensure all pedestrian and cycling upgrade proposals are permanent measures and align with the outcome of a design study for the area
- Detail parking requirements and justify level of car parking and bicycle parking, without any provision for visitor spaces
- Provide a Road Safety Audit
- Amend the internal road layout
- Clarify details regarding public lighting and taken in charge
- Landscape design proposals to provide detailed design of the pocket park as well as planting schedules and details regarding green infrastructure and play provision.
- Sustainable Urban Drainage Systems (SuDS)
- Bat survey
- Invasive species report
- Green Space Factor (GSF)

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#### **Recommendation**

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

- 1. Notwithstanding the land-use zoning for the site, the Planning Authority has significant concerns in relation to the suitability of the proposed use having regard to the sequencing and phasing provisions set out in the Tallaght LAP. These provisions favour the development of lands closer to Luas Stops and the Town Centre first, unless sites are sufficiently large (over 2ha) to create their own distinct identity/character and amenity. The LAP clearly articulates the need to avoid piecemeal development and isolated sites. In addition, the LAP sets out infrastructure requirements and open space provision that are needed for the development of the CTC sub-neighbourhood within which the subject site is located. These infrastructure requirements have not been fully delivered or designed and as such the Planning Authority is concerned the proposals may be premature. While the provision of temporary pedestrian and cycle linkages as part of these proposals is noted, the Planning Authority requests a more fulsome consideration of the foregoing. Additional information is requested in this regard. In particular, the applicant may wish to consider additional site assembly to increase the area of land under its control so that it exceeds 2ha. In addition the applicant is requested to provide details of the specific use of the sites that adjoin the subject site and of lands that lie directly across the public road from the subject site.
- 2. Transitional Care Facility Use

The Planning Authority is not satisfied with the information provided in relation to the use of the transitional care facility. The applicant is requested to provide detailed information in relation to the proposed use, including but not limited to, the number of staff, the likely profile of residents, the anticipated duration of stay for residents related to the number of bedspaces proposed, for example whether any long-term stays are intended and what proportion of bedspaces would be for same, anticipated visitor numbers connected with in-patient care, the connection between the care facility and local hospitals and how this would operate in practice, further details on the specialised dementia care unit, the number of people using the mobile diagnostic facilities as outpatients.

3. Height and Density Justification / Alteration

The applicant is proposing a 5-storey building, with a plot ratio of 1.78. The height and density of the development exceed the provisions of the Tallaght Town Centre Local Area Plan 2020. The applicant is requested to submit a justification for the height and density of the development, with particular regard to the LAP and South Dublin County Development Plan 2022 – 2028 and Appendix 10 of the Development Plan. The applicant should note that some flexibility can be applied to height and density of development where a case can be made for significant public or economic benefit. While a justification has been provided with the initial application, a revised justification is required on foot of

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issues raised in the planning assessment and additional information items. The applicant should note that the Planning Authority may look more favourably on a development site in excess of 2ha, where significant public benefit can be achieved. In lieu of providing a sufficient justification for the height of the development, the applicant should remove the fifth storey of the building, to comply with the height requirements of the LAP.

4. Car parking and set down areas

The applicant is proposing to remove a significant amount of existing green infrastructure around the immediate site boundaries, including trees and grass verges. The Planning Authority does not support the removal of such an excess of green infrastructure, in particular the removal of the grass verge to provide set down and drop off bays serving the development, outside the ownership boundary of the applicant, and without a suitable replacement/mitigation plan. The use of parts of South Dublin County Council lands on First Avenue and Cookstown Road for set down and drop off bays would undermine the future delivery of a quality public realm in this part of Cookstown, and there would be a concern about how these bays would be used in the interim while Cookstown functions as an industrial estate, with HGV traffic. Any parking and set-down areas connected with the proposals should be provided within the landholding and should not rely on the lands outside the control of the applicant.

5. Car and Bicycle Parking

The applicant has stated 17 no. car parking spaces would be provided to serve the facility, with 26 no. bicycle parking spaces. It is not considered that sufficient detail in relation to likely traffic movements and visitor requirements has been provided. In addition, the impact of the future residential development and the additional demands on parking at the site are not considered to have been fully considered. The applicant is requested to submit revised information addressing these concerns and updating the layout and parking proposals as necessary. The applicant shall submit a revised layout of not less than 1:200 scale showing the location and number of parking spaces to be provided for staff, residents and visitors at the care facility. Please refer to Table 12.25: Maximum Parking Rates (Non-Residential) – from the SDCC County Development Plan 2022-2028. In addressing these concerns, the applicant should ensure that the developable site area accommodates all the requirements of the site in terms of parking and visitor drop off areas.

6. Interim plans for residential area of the site

The applicant indicates on plans the area to the east within the site boundary will be proposed as residential development. The delivery of this residential development cannot be guaranteed and in the interim the applicant is requested to provide details about landscaping proposals for this section of the site, to cater for a situation whereby the transitional care facility is operational, but the residential development is not forthcoming.

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7. Previous reasons for refusal

The site layout does not address previous reasons for refusal relating to the dominance of surface car parking, and there is a concern about the location of car parking along the southern boundary of the site, potentially impacting the development potential of the site to the south, and the delivery of a tertiary route at this location. The applicant is requested to address these concerns with a revised layout, minimising the impact of surface level car parking and protecting the tertiary route through the development.

8. Pedestrian, Cyclist and Public Realm Upgrades

The Planning Authority is in the process of putting together a design study to assess the link along First Avenue to Belgard Luas, and along Belgard Road. This study will be looking at active travel, public realm, planting, SUDS and drainage as well as the management of HGV movement in advance of preparing a strategy for the area. The applicant is proposing interim measures to serve the development. The Planning Authority is concerned about the appropriateness of these interim measures for a development of this type and scale at this location. The applicant is therefore requested to progress road design proposals for the public road bounding the site and between the site and the Belgard Luas. The applicant should submit a revised layout of not less than 1:200 scale, showing Cycle/Pedestrian link upgrades designed to the standards set out in DMURS, and The National Cycle Manual, and meeting more general public realm aspirations set out in the LAP. These proposals must align with the outcome of the design study to ensure that all works are consistent and do not affect the future upgrade potential of First Avenue. In advance of the design study being complete, the Planning Authority has concerns that the works may be premature pending the outcome of the study and implementation of upgraded infrastructure. The identification of physical infrastructure requirements of the CTC sub-neighbourhood for its development and the more generalised phasing requirements set out in the Local Area Plan are relevant in this regard.

9. Road Safety Audit

The applicant is requested to submit a Road Safety Audit.

10. Internal Road Layout.

The applicant is requested to submit:

a. a layout of not less than 1:200 scale showing a revised internal road layout with a twoway system along with a vehicular link road running along the Northern boundary of the Park.

b. a layout of not less than 1:200 scale showing a Pedestrian Crossing with tactile paving and dropped kerb located between southern internal footpath and the Pocket Park.

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#### 11. Public Lighting

Clarity is required regarding which public realm areas are to publicly maintained. An agreed TIC drawings is required.

a. The 'Site Lighting Design' drawing layout does not agree with the cycleway layout proposed in the Road Layout Drawings 1-6.

b. If the Road Layout Drawings are correct, the existing street lighting along First Avenue and Cookstown Road will need to be fully re-designed. This has not been included for in the current submission. The Landscape drawings show street trees and parking areas where the road layout drawings show cycleways. The landscape drawing should be revised and should included the revised street lighting plan to ensure coordination between lamp posts and street trees.

12. Landscape Design Proposals

It is not considered that sufficient information has been received in relation to the design of the pocket park. Page 50 of the LAP sets out specific Open Space requirements for the development of the CTC Sub-Neighbourhood. As such this matter is considered as part of the phasing requirements for the LAP. The applicant is requested to provide a masterplan for the entire pocket park that it partly located within the subject site. The masterplan should be designed to show how the pocket park would function as a whole and provide amenity for this sub-neighbourhood and how the section located within the landholding would function as a standalone area of open space that could be integrated later on into the wider pocket park. The applicant is again encouraged to consider additional opportunities for site assembly, with a view to exceeding 2ha and thereby providing greater opportunity to provide additional, in line with Chapter 8 'Implementation and Sequencing' of the LAP, which allows for contravention of the phasing of the Plan, on sites of 2ha or more where a barrier to development is involved. In providing the information, the applicant shall:

a. Provide a fully detailed landscape plan with full works specification, that accords with the specifications and requirements of the Council's Public Realm Section. The applicant shall provide the following additional information:

i. Submit a comprehensive Landscape Design Rationale, the objective of this report is to describe the proposed landscape and external works as part of this proposed housing development.

ii. Submit a fully detailed Planting Plan to accompany the landscape proposals for the entire development. The applicant should propose native species where possible to encourage biodiversity and support pollinators within the landscape.

iii. The landscape Plan shall include hard and soft landscape details; including levels, sections and elevations, detailed design of SUDs features including swales and integrated/bio-retention tree pits.

iv. Significantly reduce the impacts of the development on existing green infrastructure within and adjacent to the proposed development site.

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v. Demonstrate how natural SUDS features can be incorporated into the design of the proposed Development

vi. Submit green infrastructure proposals and a green infrastructure plan that will mitigate and compensate for the impact of the proposed development on this existing site and show connections to the wider GI Network. These proposals should include additional landscaping, SUDS measures (such as permeable paving, green roofs, filtration planting, above ground attenuation ponds etc) and planting for carbon sequestration and pollination to support the local Bat population.

vii. Proposed Pocket Park – The applicant is required to provide detailed information as to how the pocket park provided for within the Tallaght Town Centre Local Area Plan will be delivered as part of this development or in conjunction with other proposed development in the area. A masterplan is required for this proposed Pocket Park and a detailed schedule set out for its proposed delivery.

viii. Green Infrastructure: The applicant is requested to submit a Green Infrastructure Plan which shall be submitted as part of the suite of Landscape Plans that are required for a development. The Green infrastructure Plans should include the following information:

a. Site location plan showing the development site in the context of the wider GI as shown on the Council's GI Plan for the County.

b. Site survey and analysis, identifying existing GI Infrastructure and key assets within the site.

c. Indicate how the development proposals link to and enhance the wider GI Network of the County.

d. Proposed GI protection, enhancement and restoration proposals as part of the landscape plan, where appropriate, for the site.

e. Proposals for identification and control of invasive species where appropriate, for the site

ix. Provide play and recreation opportunities for children and teenagers as appropriate to the scale and character of proposed development. Proposals shall be submitted in the form of a Proposed Play Rationale and Layout Plan (separate to, but related to the Landscape Masterplan), using Nature-based Solutions. The Layout Plan shall comprise the following:

- showing types of play and play area(s),
- target age groups,
- landform (included levels and contours) and boundaries,
- gates and planting,

• design and construction details of play opportunities and facilities in respect of landform, planting, boundaries, equipment and safety surface.

• All play equipment and ancillaries shall conform to European Standards EN 1176 and EN 1177 Playground equipment and surfacing, and to BS/EN standards 2017/18 for Playground Installations for HIC (Head Injury Criterion) and CFH (Critical Fall Height).

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13. Sustainable Urban Drainage Systems

The applicant is requested to submit the following in terms of SUDS:

• A drawing to show how surface water shall be attenuated to greenfield run off rates.

• Submit a drawing to show what SuDS (Sustainable Drainage Systems) are proposed. Examples of SuDS include permeable paving, filter drain, bio-retention tree pits, rains gardens, swales or other such SuDS.

• SUDs Management - The applicant is requested to submit a comprehensive SUDS Management Plan to demonstrate that the proposed SUDS features have reduced the rate of run off into the existing surface water drainage network. A maintenance plan should also be included as a demonstration of how the system will function following implementation.

• Additional natural SUDS features should be incorporated into the proposed drainage system for the development such as bio-retention/constructed tree pits, permeable paving, green roofs, filtration planting, filter strip etc. In addition, the applicant should provide the following:

a. Demonstrate how the proposed natural SUDS features will be incorporated and work within the drainage design for the proposed development.

b. Tree pits incorporating SUDS features should include a deep cellular water storage/attenuation area below the surface which acts as a soak away allowing surface water to infiltrate into the ground

c. It is unclear how much attenuation in total is provided by the proposed bioretention tree pits for the development. The applicant shall submit a report and drawing showing how much surface water attenuation in m3 is provided for the development.

d. The applicant is requested to refer to the recently published 'SDCC Sustainable Drainage Explanatory, Design and Evaluation Guide 2022' for acceptable SUDS tree pit details.

e. Underground attenuation tanks are only permitted in exceptional circumstances and where all other natural SUDS measures have been utilised. If all other methods have been utilised and it is demonstrated that underground attenuation is required, it cannot be proposed under public open space areas and such areas will not be taken in charge by Public Realm. SUDS measures are only accepted as an element of public opens space where they are natural in form and integrate well into the open space landscape supporting a wider amenity and biodiversity function.

#### 14. Bat Survey

The applicant is requested to submit a bat survey for bat usage carried out across the entire site and immediately adjoining sites to assess roosting and feeding/foraging activities and assessing potential impact on these species arising from the proposed development. This is to be undertaken by a qualified and experienced bat expert at the appropriate time of the year for the survey of species.

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#### 15. Invasive Species Report

The applicant is requested to submit a detailed survey for the presence of invasive species within the subject site (as listed on the third schedule of the European Communities (Birds and Natural Habitats Regulations 2011). If invasive species are found to be present within the subject site that the applicant shall submit a site-specific Invasive Species Management Plan.

#### 16. Green Space Factor (GSF)

A Green Space Factor (GSF) Worksheet shall be submitted by the applicant for the proposed development detailing how they have achieved the appropriate the minimum Green Space Factor (GSF) scoring established by their land use zoning. Minimum required scores for different land use zonings are included in Table 1 below.

Zoning	Mini	mum Score
Res		0.5
RES-N	0.5	
SDZ		0.5
REGEN	0.5	
TC	0.5	
DC	0.5	
VC	0.5	
MRC		0.5
LC	0.5	
EE	0.5	
RW		0.5
HA-DM	0.7	
HA-LV	0.7	
HA-DV	0.7	
OS	0.7	
RU	0.7	

Developers can improve their green factor score by retaining existing landscape features and incorporating new landscape features and GI interventions. Completed Green Space Factor (GSF) worksheets should be submitted to SDCC with the Green Infrastructure Plan and Landscape Plan for a proposed development. See link to the Green Space Factor Worksheet Related Documents – SDCC

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17. HeatNet

The applicant is requested to investigate the proposal to connect into HeatNet, and provide details on futureproofing the development so that it can easily revert to conventional heating in the event HeatNet is no longer available in the future.

18. Signage

The applicant has not provided sufficient details in relation to the proposed signage over the main entrance doorway. The applicant is requested to submit plans, sections and elevations of all signage proposed for the development, along with proposals for any illumination. Where signage is fixed to the building, the applicant is requested to submit detailed contiguous elevations and sections, to allow for an assessment in full of how the sign will appear once the development is complete.

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**REG. REF. SD22A/0361** LOCATION: Unit 21, First Avenue, Cookstown Industrial Estate, Dublin 24

*jjohnaton* Jim Johnston, Senior Executive 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: \_\_\_\_\_10 Nov 22\_\_\_\_\_

Mick Mulhern, Director of Land Use, Planning & Transportation