

Brock McClure Planning & Development Consultants
63, York Road
Dun Laoghaire
Co. Dublin

PLANNING & DEVELOPMENT ACT, 2000 (as amended) AND PLANNING REGULATIONS THEREUNDER

Decision Order Number: 1419	Date of Decision: 10-Nov-2022
Register Reference: SD22A/0361	Registration Date: 16-Sep-2022

Applicant: Bartra Property Cookstown Limited

Development: 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 Transitional Care Facility (step-up/step-down) providing 131 bedspaces over partial basement (total floor area c.6, 743sq.m) with central courtyard (c.519sq.m); The basement consists of a sprinkler tank and pump rooms, water tank room, plant room and workshop; Provision of dining and kitchen areas, sitting/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, switchroom, service yard and waste areas serving the facility; Lobbies, stair/lifts, photovoltaic panels and green roofs throughout; Partial provision of the pocket park identified in the Tallaght LAP (c.1, 286sqm); 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 facility; All associated site development works, services provision, connection to the water supply, foul and surface water networks on First A venue and Cookstown Road including partial diversion of the foul line to the north east of the site at First A venue, temporary foul pump station, attenuation/bioretention systems, vehicular and pedestrian access including internal road and footpaths, interim pedestrian facilities/public realm upgrade works, landscape and boundary treatment works, tree removal, bicycle storage (76 total spaces), car parking (32 total spaces), set-down parking spaces, 1 ambulance set-down space serving the facility and delivery/loading areas to First A venue.

Location: Unit 21, First Avenue, Cookstown Industrial Estate, Dublin 24

Application Type: Permission

Dear Sir /Madam,

With reference to your planning application, received on 16-Sep-2022 in connection with the above, I wish to inform you that before the application can be considered under Section 33 of the Planning & Development Act 2000, six copies of the following ADDITIONAL INFORMATION must be submitted.

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 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.

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 two-way 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.

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 co-ordination 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.
- 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).

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.

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	Minimum 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

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.

NOTE: The applicant should note that any submission made in response to the above will be examined and MAY be deemed to be SIGNIFICANT ADDITIONAL INFORMATION by the Planning Authority. In this event the applicant(s) will be subsequently notified and requested to publish a notice in an approved newspaper and erect or fix a site notice on the land or structure to which the further information relates and to submit copies of the both the newspaper and site notices to the Planning Authority in accordance with Article 35 (1) (a) and (b) of the Planning and Development Regulations 2001 (as amended).

Note: The applicant must submit the Further Information within **6 months** of the **date of decision**. If the information is not received within this period, the planning authority shall declare the application to be withdrawn.

Please ensure that your reply to this Request for Additional Information is accompanied by a covering letter marked “ADDITIONAL INFORMATION” and that the Planning Register Reference Number given above is quoted on the covering letter.

Signed on behalf of South Dublin County Council

Register Reference: SD22A/0361

Date: 14-Nov-2022

Yours faithfully,

Pamela Hughes
for **Senior Planner**