

Comhairle Chontae Atha Cliath Theas

PR/1611/22

Record of Executive Business and Chief Executive's Order

Reg. Reference: SD22A/0035

Application Date: 07-Feb-2022

Submission Type: Additional
Information

Registration Date: 30-Nov-2022

Correspondence Name and Address:

Kevin Hughes, Hughes Planning & Development
Consultants 85, Merrion Square, Dublin 2, D02
FX60

Proposed Development:

(a) Construction of a 4 storey nursing home building consisting of: (i) 106 bedrooms (with ensuite); (ii) associated residents welfare facilities; (iii) administration areas and staff facilities; (iv) multi-function space and pharmacy proposed at ground level; (b) construction of 60 one bed independent living units in 3 blocks as follows: (1) Block A, a 4 storey building comprising 11 one-bed units; (2) Block B, a part 4/part 5 storey building comprising 35 one-bed units; and (3) Block C, a 5 storey building comprising 14 one-bed unit. Each unit will be provided with a private open space in the form of a balcony terrace (6sq.m.) (c) The development will include communal open space and landscaping (including new tree planting and tree retention), 30 car park spaces (including 3 limited mobility parking spaces; 3 EV parking and 1 car sharing spaces); and 52 bicycle parking spaces (d) The development will be served by a new pedestrian and vehicular access from Old Greenhills Road through existing boundary wall. Material from the removed wall will be repurposed within the landscape areas; and (e) The development includes landscaping, boundary treatments (including wells and railings to southern and western boundaries), and ESB Substation SuDs drainage, road infrastructure and all ancillary site works necessary to facilitate the development.

Location:

Lands within St Marys Priory, Old Greenhills Road,
Tallaght, Dublin 24

Applicant Name:

St. Marys Medical (Tallaght) Ltd.

Application Type:

Permission

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(CM)

Description of Site and Surroundings

Site Area

Stated as 0.99 Ha.

Site Description

The application site is located within the grounds of St Mary's Priory which is a protected structure. The application relates to an area of green space with the grounds of the Priory in the north-east corner of the site. The site is accessed by an entrance on the eastern side of the site via the Old Greenhills Road.

Site visit

29/03/2021

Proposal

The application proposes the following:

1. Construction of a 4 storey nursing home building consisting of:
 - a. 106 bedrooms (with ensuite);
 - b. associated residents welfare facilities;
 - c. administration areas and staff facilities;
 - d. multi-function space and pharmacy proposed at ground level;
2. construction of 60 one bed independent living units in 3 blocks as follows:
 - a. Block A, a 4 storey building comprising 11 one-bed units;
 - b. Block B, a part 4/part 5 storey building comprising 35 one-bed units; and
 - c. Block C, a 5 storey building comprising 14 one-bed unit. Each unit will be provided with a private open space in the form of a balcony terrace (6sq.m.)
3. The development will include communal open space and landscaping (including new tree planting and tree retention), 30 car park spaces (including 3 limited mobility parking spaces; 3 EV parking and 1 car sharing spaces); and 52 bicycle parking spaces
4. The development will be served by a new pedestrian and vehicular access from Old Greenhills Road through existing boundary wall. Material from the removed wall will be repurposed within the landscape areas; and
5. The development includes landscaping, boundary treatments (including wells and railings to southern and western boundaries), and ESB Substation SuDs drainage, road infrastructure and all ancillary site works necessary to facilitate the development.

Zoning

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

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Consultations

Architectural Conservation Officer	Recommends Refusal
Environmental Health Officer	No objection, subject to conditions.
Heritage Officer	No response received.
Housing Strategy Unit	No objection, subject to conditions.
Irish Water	Requests Additional Information
Water Services	Requests Additional Information
Public Realm	No objection, subject to conditions.
Roads	No report received.
Waste Management	No report received.

SEA sensitivity screening

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

1. Architectural Conservation Area
2. Areas of Archaeological Potential
3. Protected Structures
St. Basil's Training Centre, Greenhills Road, Tallaght (Ref 268)
The Priory, Tallaght (Ref 269)
St. Mary's Dominican Priory, Tallaght (Ref 270)
St. Mary's Dominican Church, Tallaght (Ref 273)
4. Record of Monuments and Places
Duchas No: 021-037. Class: Town

Submissions/Observations /Representations

Submissions have been received from a number of public representatives and a community group:

Cllr Theresa Costello has commented that the design, scale and overall scheme does not respect the historic location, and no independent visual impact assessment is provided.

Deputy Francis Noel Duffy TD seeks that the development height, massing and architectural treatment be commensurate with the character and scale of the village; notes that the development is in the curtilage of a protected structure and seeks that any development here uphold the integrity and historic grain of the area.

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Tallaght Community Council has submitted an objection through an agent, BPS Planning. Their objection relates to the following issues:

- Lack of consultation with Tallaght Community Council;
- Recent refusals on the site.
- Recent refusals on Old Greenhills Road
- Principle of development agreed
- Submitted proposal is contrary to national, regional and local guidance
- Siting, scale, massing and height are unacceptable
- Views into scheme from Old Greenhills Road are unacceptable.
- No Independent Visual Impact Assessment has been submitted.
- Tree removal to east of scheme is contrary to area character.
- Scheme's entrance and related proposals are unacceptable.
- Conservation and heritage objections.
- Environmental Concerns
- Parking and Trip figures provided raise concerns
- Concern with relations to Outline Construction Waste Management Plan

The issues raised in the 3rd party submissions have been taken into account in the assessment of the proposal.

Relevant Planning History

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

For reasons for refusal, see 'Overcoming Reasons for Refusal' section below.

Relevant Enforcement History

None

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Pre-Planning Consultation

PP115/20

Proposed 5 storey Nursing Home with 120 bedrooms and Day Centre and Pharmacy at ground floor; 120 apartments for the elderly with common social areas in a 6 storey block; landscaped communal Open Space areas; horticultural areas; access road and parking; new access formed from Old Greenhills Road; new underground services plus general landscaping.

PP046/21

Construction of a part 4, part 5 storey Nursing Home with 120 bedrooms and Day Centre and Pharmacy at ground floor; 120 one bed apartments for the elderly with common social areas in a 6 storey block; landscaped communal Open Space areas; horticultural areas; access road and parking; new access formed from Old Greenhills Road; new underground services plus general landscaping.

PP112/21

Construction of a 4 storey nursing home building consisting of (i) 106 bedrooms; (ii) associated resident's welfare facilities; (iii) administration areas and staff facilities; (iv) and pharmacy proposed at ground floor level; (b) construction of 60 no. one bed independent living units in 4 no. blocks ranging in height from 4-5 storeys as follows – Block A at 4 storeys in height comprising 11 one bed units, Block B at 4 storeys in height comprising 16 one bed units, Block C at 5 storeys in height comprising 19 one bed units and Block D at 5 storeys in height comprising 14 one bed units; (c) The development will include communal open space and landscaping (including new tree planting and tree retention), 32 car parking spaces; and 80 no. bicycle parking spaces; (d) The development will be served by a new pedestrian and vehicular access from Old Greenhills Road through existing boundary wall; and (e) The development includes landscaping, boundary treatments (including walls and railings to southern and western boundaries), an ESB Substation, SuDS drainage; road infrastructure and all ancillary site works necessary to facilitate the development.

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

2.1 Introduction

To direct land uses and intensity of development in a manner that creates a sustainable urban form, based on the integration of land use and transport planning (Objective UF1)

To promote a mix of uses in a manner that creates a sustainable and active area (Objective UF2)

To ensure that development is carried out in a design led manner that prioritises place making and accords with the core principles of urban design and the creation of integrated streets (Objective UF3)

To ensure that development is laid out in a series of blocks and plots that are legible, permeable and appropriate in land use, scale, building height, street widths, urban grain and street frontages (Objective UF4)

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To upgrade existing and design new streets using an integrated approach to pedestrian, cyclist and vehicular movement and ensure that the movement function of each street is reflected by an appropriate design response and design speed (Objective UF5)

To provide attractive, interesting and well used public realm and open spaces using place making and urban design principles, creating a pedestrian centred environment with active, inviting public spaces and parks (Objective UF6)

To protect, enhance and develop an interconnected green and blue infrastructure network of parks, open spaces, hedgerows, grasslands, rivers and streams for amenity and recreation, biodiversity protection, flood management and adaptation to climate change (Objective UF7)

2.4 Land use and Urban Function

2.4.1 Types of Development and Land Use Mix

2.4.2 Mixed-use Frontages

2.4.3 Changing Nature of Areas

2.5 Neighbourhoods

The Village

2.6 Intensity of Development

2.6.1 Plot Ratio

2.6.2 Height and Built Form

2.6.3 Block Size and Form

2.6.4 External Finishes and Appearance

2.7 Public Realm and Open Space

2.7.1 Interaction with the Public Realm

2.7.2 Public Open Space

3.0 Neighbourhoods

3.4 The Village

Key Objectives:

VL1: Consolidate mixed use residential uses.

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

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

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

VL10: Provide for some residential or mixed-use development on lands to the east of the Priory, subject to the above key objectives.

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VL11: Any proposals for the future significant development of the Priory or St Maelruan's shall be accompanied by a detailed conservation plan which will assess the impact of any development and how it will contribute to the conservation of historically significant structures and landscape elements.

5.0 Residential and Community

5.2 Residential Development

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

5.2.1 Housing Mix

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

5.2.2 Housing Options

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

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

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

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

Social Housing

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

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Affordable Housing

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

Elderly Housing and Care

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

5.2.3 Dwelling Size, Internal Layout and Amenity Space

5.3 Community Facilities

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

5.3.7 Social Infrastructure Audit

6.0 Architectural Conservation and Archaeological Heritage

6.2 Architectural Conservation

6.2.1 Protected Structures

It is the policy of the Council to conserve and protect buildings, structures and sites contained in the Record of Protected Structures in Tallaght and to carefully consider any proposals for development that would affect the special character or appearance of a Protected Structure including its historic curtilage, both directly and indirectly (Objective HC 1).

“A detailed Conservation Plan shall be prepared for the Priory and St. Maelruan's sites in advance of any significant development being considered. The Conservation Plan shall thoroughly assess the impact of any development and demonstrate how it will contribute to the conservation of historically significant structures and landscape elements.”

6.2.2 Architectural Conservation Areas

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

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6.3 Archaeological Heritage

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

7.0 Climate Change: Mitigation and Adaptation

8.0 Implementation and Sequencing

9.0 Tallaght Specific Development Standards

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

Policy CS1 Consolidation Areas within the Gateway

Policy CS6 Local Area Plans

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

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

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

Policy H1 Housing Strategy

Policy H3 Housing for Older People

Policy H6 Sustainable Communities

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

Policy H7 Urban Design in Residential Developments

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

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Policy H8 Residential Densities

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

Policy H9 Residential Building Heights

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

Policy H10 Mix of Dwelling Types

It is the policy of the Council to ensure that a wide variety of adaptable housing types, sizes and tenures are provided in the County in accordance with the provisions of the Interim South Dublin County Council Housing Strategy 2016-2022.

Section 2.3.0 Quality Of Residential Development

Policy H11 Residential Design and Layout

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

Policy H12 Public Open Space

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

Policy H13 Private and Semi-Private Open Space

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

Policy H14 Internal Residential Accommodation

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

Policy H15 Privacy and Security

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

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Policy H17 Residential Consolidation

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

Section 3.2.0 Community Facilities

Policy C1 Community Centres

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

Policy C8 Childcare Facilities

Policy C12 Open Space

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

Policy UC1 Urban Centres Overarching

Policy UC3 Village Centres

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

Policy UC6 Building Heights

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

Policy R1 – Retail Overarching

Policy R3 Tallaght Town Centre

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

Policy R7 Village Centres

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Section 6.3.0 Walking and Cycling

Policy TM3 Walking and Cycling

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

Section 6.4.3 Road and Street Design

Policy H12

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

Section 6.4.4 Car Parking

Policy TM7 Car Parking

Section 7.1.0 Water Supply & Wastewater

Policy IE1 Water & Wastewater

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

Section 7.2.0 Surface Water & Groundwater

Policy IE2 Surface Water & Groundwater

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

Section 7.3.0 Flood Risk Management

Policy IE3 Flood Risk

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

Section 8.0 Green Infrastructure

Policy G1 Overarching

Policy G1 Green Infrastructure Network

Policy G3 Watercourses Network

Policy G4 Public Open Space and Landscape Setting

Policy G5 Sustainable Urban Drainage Systems

Policy G6 New Development in Urban Areas

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Section 9 Heritage, Conservation and Landscapes

Policy HCL1 Overarching

Policy HCL2 Archaeological Heritage

Policy HCL3 Protected Structures

Policy HCL4 Architectural Conservation Areas

Section 9.3.1 Natura 2000 Sites

Policy HCL12 Natura 2000 Sites

Section 10.0 Energy

Policy E4 Energy Performance in New Buildings

Section 11.2.0 Place Making and Urban Design

Section 11.2.1 Design Statements

Section 11.2.2 Masterplans

Table 11.17: Masterplan Considerations

Section 11.2.7 Building Height

Section 11.2.9 Shopfront Design

Section 11.3.1 Residential

Mix of Dwelling Types

Residential Density

Public Open Space/Children's Play

Dwelling Standards

Privacy

Dual Aspect

Access Cores and Communal Areas

Clothes Drying Facilities

Table 11.20: Minimum Space Standards for Houses

Table 11.21: Minimum Space Standards for Apartments

Section 11.3.6 Retail Development

Section 11.4.1 Bicycle Parking Standards

Table 11.22: Minimum Bicycle Parking Rates

Section 11.4.2 Car Parking Standards

Table 11.24: Maximum Parking Rates (Residential Development)

Section 11.4.3 Car Parking for Electric Vehicles

Section 11.4.4 Car Parking Design and Layout

Section 11.4.5 Traffic and Transport Assessments

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Section 11.6.1 (i) Flood Risk Assessment
Section 11.6.1 (ii) Surface Water
Section 11.6.1 (iii) Sustainable Urban Drainage System (SUDS)
Section 11.6.1 (iv) Groundwater
Section 11.6.1 (v) Rainwater Harvesting
Section 11.6.1 (vi) Water Services

Section 11.7.2 Energy Performance In New Buildings
Section 11.8.1 Environmental Impact Assessment
Section 11.8.2 Appropriate Assessment

Relevant Government Guidelines

National Planning Framework, Government of Ireland, 2018.

Regional Spatial & Economic Strategy 2019-2031, Eastern & Midland Regional Assembly (2019)

Sustainable Residential Development In Urban Areas - Guidelines for Planning Authorities, Department of the Environment, Heritage and Local Government (2008).

Quality Housing for Sustainable Communities-Best Practice Guidelines, Department of the Environment, Heritage and Local Government, (2007).

Urban Design Manual; A Best Practice Guide, A Companion Document to the Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas, Department of the Environment, Heritage and Local Government, (2008)

Design Manual for Urban Roads and Streets Department of the Environment, Community and Local Government and **Department of Transport, Tourism and Sport (2013)**

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

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

Site Layout Planning for Daylight and Sunlight: A Guide to Good Practice, Building Research Establishment, (1991)

Smarter Travel – A Sustainable Transport Future. A New Transport Policy for Ireland 2009 – 2020, Department of Transport, (2009)

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Sustainable Urban Housing: Design Standards for New Apartments – Guidelines for Planning Authorities, Department of Housing, Planning and Local Government (2018).

Urban Development and Building Heights – Guidelines for Planning Authorities. Department of Housing, Planning and Local Government (2018).

Assessment

The main issues for assessment are the following:

- Zoning and Council Policy
- Overcoming reasons for refusal
- Impact on Protected Structure and ACA
- Intensity and visual amenity
- Visual Impact, Layout and Design
- Part V
- Residential amenity
- Parking and Access
- Drainage
- Landscaping and Ecology
- Archaeology
- Aviation Safety
- Waste Management
- Energy

Zoning and Council Policy

The application site is subject to zoning objective 'VC – To protect, improve and provide for the future development of Village Centres' within the CDP (2016-2022). The application site is also located within the Tallaght Town Centre LAP (2020) lands. The uses proposed include a Nursing Home, 3 blocks of apartments for older people (independent living units), and a pharmacy, and associated functional and administrative areas. A nursing home and housing for older people are both listed as 'Permitted in Principle' under the VC zoning objective.

In terms of Council policy, the application site is located within the Village area of Tallaght and therefore policies UC1 and UC3 of the South Dublin County Development Plan 2016 – 2022 are relevant.

Policy UC3 seeks to strengthen the traditional villages of the County by improving the public realm, sustainable transport linkages, commercial viability and promoting tourism and heritage value.

Policy H3 Housing for Older People is also relevant and states that it is the policy of the Council to support the provision of accommodation for older people in established residential and mixed-

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use areas that offer a choice and mix of accommodation types to older people (independent and semi-independent living) within their communities and at locations that are proximate to services and amenities.

Objective RE9 of the Tallaght LAP seeks to facilitate the delivery of elderly housing accommodation, stepped down care accommodation and other forms of assisted living which can benefit from close proximity to existing services and facilities. The applicant has not provided information on how the proposal would be managed and in particular the apartments which are aimed at older people. However, further details of the arrangement and management of these units to ensure that they would be for the use of older people could be sought as additional information or secured by suitable condition.

In relation to the subject site, it is noted that Objective VL10 states 'provide for some residential or mixed-use development on lands to the east of the Priory, subject to the above key objectives.' (for reference, the 'above objectives' referred to in VL10 are VL 1 to VL 9 and are assessed later in this report as relevant).

Therefore, given the sites location within the Village Centre, the variety of housing proposed including the nursing home and housing for older people, and the content of policy H3 of the CDP and objective RE 9 of the LAP, the proposed use in principle is considered to be consistent with the VC land use zoning objective, council policy in relation to Village Centres and Housing and the Tallaght LAP. The proposal is therefore acceptable in principle and welcomed by the Planning Authority, subject to the other material planning considerations set out below with a particular emphasis on the impact on the protected structure.

Overcoming Reasons for Refusal

This application follows a recent refusal of permission from 2021 (ref SD21A/0136). This application is assessed particularly in relation to how it responds to and potentially overcomes these issues below.

Reason 1: Impact on Protected Structure and the Tallaght Village ACA

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

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The proposed development would impact on the Protected Structures and result in a diminished quality of character at this sensitive location which would be contrary to the policies for development within the curtilage of a Protected Structure and New Development in ACA in the Tallaght Town Centre Local Area Plan, including Objective HC1 and VL8, which states 'Protect the character and integrity of the Priory, including its parkland setting, and provide for greater public access and usage'.

Assessment

The layout of the scheme has been amended with 3 blocks of independent living units located to the south of the site, and a nursing home located further north. The scheme height has reduced to 4-5 storeys rather than 5-6 storeys. The 3 blocks contain 60 independent living units as compared to 112 previously proposed.

As per the Conservation section of this report, the above reason is not considered to have been overcome.

Reason No. 2: Plot Ratio

The proposed plot ratio of c1.4 is contrary to the plot ratio range standards in Section 3.4 of the Tallaght Town Centre Local Area Plan 2020 – 2026 and exceeds the 20% flexibility for planning gain outlined in Section 2.6.1 Plot Ratio. The development would constitute overdevelopment and as such would, by itself and by the precedent it would create, be seriously injurious to the redevelopment of the village centre and the development of a site within the curtilage of a protected structure.

Assessment

Plot ratio of the proposed scheme is 1.08, or 8% above the plot ratio mentioned in the Tallaght Local Area Plan 2020. The Plan provides for increases above that level up to 20%; however, as the scheme does not fulfil the 'VL' objectives and would detract from the setting of the ACA and the protected structure, it is not considered to fulfil the requirements for justifying additional intensity under the plan.

Reason 3: Building Height

The proposed building height is contrary to the Tallaght Town Centre Local Area Plan 2020 – 2026 and the South Dublin County Council Development Plan. The site is not identified for taller buildings in the LAP and as such, the proposed development is contrary to Policy UC6 Objective 3 of the Development Plan which seeks to direct tall buildings that exceed five storeys in height to strategic and landmark locations in Town Centres, Mixed Use zones and Strategic Development Zones, and subject to an approved Local Area Plan or Planning Scheme.

The Tallaght LAP specifies heights of 3-4 storeys for 'other frontages' (the subject site is neither designated as a primary or secondary frontage). Under Section 3.4 'The Village' and particularly

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Objectives VL6 and VL8, the Tallaght LAP requires development to be responsive to the local context and seek to protect and enhance the setting of protected structures and the ACA. The proposed development is contrary to the proper planning and sustainable development of the area.

Assessment

The applicant states that the scheme would be absorbed into the local context owing to the existence of some 4-storey buildings nearby, and also states that the development is in line with the pattern of development in Tallaght. These are not convincing arguments as the scheme would constitute a major change to an open space that was formerly part of a local institution and contained within the walled curtilage of that institution which is a Protected Structure.

Reason No. 4: Layout

The buildings would be located in close proximity to the boundary walls, particularly on the eastern side of the site, which coupled with the height proposed would result in a poor and cramped layout. There are also concerns from a heritage perspective regarding the proposed new entrance and the impact that this would have on the setting and character of the protected structure. The public open space is poorly located away from the majority of the Nursing Home and Apartment block and does not encourage public usage. The existing trees along the east boundary would be compromised by the proximity of the eastern block, and tall trees at this location would significantly impact on light to the apartments. For these reasons the proposed development would not be in accordance with the Tallaght Town Centre Local Area Plan and the proper planning and sustainable development of the area.

Assessment

The applicant has altered the layout significantly. One issue which remains is the visual dominance of the residential blocks within the scheme as viewed from the proposed new entrance. In this regard, it is still considered that the proposed development would detract from the character and setting of the village, the ACA, and the protected structure. However, there has been improvement in terms of the proximity of development from boundary walls and trees.

Reason No. 5: Car Parking

The proposed parking provision of 30 car parking spaces would seriously under provide for the proposed development, which the SDCC Roads Department has recommended would require 43 car parking spaces, inclusive of 7 spaces for complementary uses which would be better provided separately (50 spaces in total). The proposed provision would have knock on impacts in terms of illegal parking on the site and on the surrounding road network.

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Assessment

The density of the scheme has been reduced and this issue has been overcome.

The applicant has provided a Conservation Statement only in respect of the proposed development. Under Section 6.2.1 of the Tallaght Town Centre Local Area Plan, a detailed Conservation Plan must be prepared for the overall Priority site in advance of any significant development being considered. In the absence of such a plan led approach, the application is considered to be contrary to the proper planning and sustainable development of the area.

Assessment

The applicant has provided a Conservation Statement in accordance with section 6.2.1 of the Local Area Plan.

Reason No. 6: Ecology

The applicant has not submitted any form of Ecological Assessment in support of the proposal. Given the presence of mature trees and older buildings which could support bat roosts, this is a significant concern. The proposed development would therefore be contrary to Policy HCL15 of the South Dublin County Council Development Plan 2016 - 2022. The applicant has not addressed Objective VL9 of the LAP which seeks to protect and preserve the heronry located within the site, and the proposed development would therefore be contrary to that objective.

Assessment

The applicant has provided an Ecological Impact Assessment informed by surveys which were undertaken in May, August and December of 2020 – 2021. The Assessment identifies 2 moderate impacts which require mitigation, both relating to bats. No bat survey has been undertaken and the scheme would be better informed by a bat survey. Of the proposed mitigation measures, lighting does not appear on the applicant's plans however bat boxes do. This could be resolved by way of a condition of permission.

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Impact on Protected Structure and ACA

The SDCC Architectural Conservation Officer (ACO) recommends refusal. She has assessed the proposal and provided the following report:

Record of Protected Structures

The Priory, Tallaght is referred to in the Council's Record of Protected Structures - Schedule 2 of the South Dublin County Development Plan 2016-2022 under Map Ref. No. 269. The site also includes St. Mary's Dominican Priory RPS Ref. 270 and St. Mary's Dominican Church, RPS Ref. 273.

Under Section 2 of the Planning and Development Act 2000, the term 'structure' means "*any building, structure, excavation, or other thing constructed or made on, in, or under any land, or any part of a structure so defined, (a) where the context so admits, includes the land on, in or under which the structure is situate, and (b) in relation to a protected structure or proposed protected structure, includes (i) the interior of the structure, (ii) the land lying within the curtilage of the structure, (iii) any other structures lying within that curtilage and their interiors, and (iv) all fixtures and features which form part of the interior or exterior of any structure or structures*". Therefore, the entire site is a protected structure, including all existing buildings on site including their exteriors, interiors, fixtures, and fittings. The protection also extends to the lands of the site and as such come under the provisions of the Planning and Development Act 2000.

The following Protected Structure is adjacent to the subject site, St. Basil's Training Centre, Greenhills Road, Tallaght (RPS Ref. 268).

Architectural Conservation Area

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

Appraisal

The current application is for (a) Construction of a 4 storey nursing home building consisting of: (i) 106 bedrooms (with ensuite); (ii) associated residents welfare facilities; (iii) administration areas and staff facilities; (iv) multi-function space and pharmacy proposed at ground level; (b) construction of 60 one bed independent living units in 3 blocks as follows: (1) Block A, a 4 storey building comprising 11 one-bed units; (2) Block B, a part 4/part 5 storey building comprising 35 one-bed units; and (3) Block C, a 5 storey building comprising 14 one-bed unit. Each unit will be provided with a private open space in the form of a balcony terrace (6sq.m.) (c) The development will include communal open space and landscaping (including new tree planting and tree retention),

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30 car park spaces (including 3 limited mobility parking spaces; 3 EV parking and 1 car sharing spaces); and 52 bicycle parking spaces (d) The development will be served by a new pedestrian and vehicular access from Old Greenhills Road through existing boundary wall. Material from the removed wall will be repurposed within the landscape areas; and (e) The development includes landscaping, boundary treatments (including wells and railings to southern and western boundaries), and ESB Substation SuDs drainage, road infrastructure and all ancillary site works necessary to facilitate the development.

The subject site is located within the site of Tallaght Priory, a Protected Structure site detailed above. The proposed Nursing Home and Independent living Units for Older People is located in the northern corner of the existing Priory Lands. A previous planning application for this site under Reg. Ref. SD21A/0136 was refused for a number of reasons. On foot of the refusal a pre-planning meeting took place to discuss a revision to the initial proposals. The undersigned reiterated the main concerns raised and detailed in the report issued by the Architectural Conservation Officer under the previous application (SD21A/0136). As part of the pre-planning submission blocks were reduced and the site layout was revised to allow for a greater separation along the boundary of the adjoining Priory Complex. However, it was clearly stated by the undersigned that the revisions presented at pre-planning did not address the main concerns as raised in the reasons for refusal in that the site layout and building type, overall design and form needed to reflect a more residential village feel which would be more appropriate within the site context and wider location.

One of the main concerns from an architectural conservation and design view point was that “the proposed development failed to be sensitive within its proposed location and does not reflect the most suitable layout or design for the intended use on the subject site. The proposed new build completely dominated this part of the site due to its proposed height, scale and form. It was considered at the time that the overall site context was not fully considered in providing an appropriate new development”.

Other items raised under the previous application and report of the Council's Architectural Conservation Officer included;

The overall visual impact, form and mass of the proposed new build within the context of the Priory site it is felt that the blocks are dense and require redesign to allow a more subtle and mixed architectural type to reflect a more village/community feel development. There is reference to a “Village Hub” with regard to the location and connection of the associated facilities with the Nursing Home and Independent Living for Older People, however there is also reference to a campus style development, which does not reflect the type of development appropriate at this location or in keeping with a development for

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Older People Living. The development type is appropriate in terms of its location to Tallaght Village and other facilities but the design and layout of the proposed Nursing Home and in particular, the Independent Living Accommodation needs to be more cognisance of the proposed development type in providing a development that is more suited to this use.

It is considered that a 'village hub' would provide a more lower scale development with a different building style and building form to allow specific buildings to be recognisable and be distinguished within the setting of the site, making the overall development more in keeping with its overall use and accommodation type. It is considered that an overall design that provides different building styles, heights and mass would provide a 'Village Type' development which would add to the adjacent village area.

Reference to building heights is also provided within the design statement, in that the existing Retreat House acts as a benchmark for the building closest to the western boundary, however the Retreat House is 4-Storeys and the building form and plot size is narrow and therefore does not mirror the scale and mass of the proposed new development. The Priory complex is made up of different design styles which reflects the development of the site at particular stages, this allows for a more visually interesting site context, with linear and softer forms with subtle design elements.

It is stated in the architectural design statement that “*designs for the proposed development have been significantly changed...The Nursing Home has been reduced in height to 4 storeys with the floor plan now designed as a T shape and located in the northern part of the site. The floor plan has been reduced. This redesign reduces the overall height, massing and scale of the building whilst the shape creates separate communal and private external amenity spaces and increases the distance of the building form the eastern boundary wall*”.

The revisions are welcomed and show that some consideration has been given to the position of the Nursing Home building within the site. The issue of height and block form still remains an issue which was raised previously. The overall design is good quality, and the use of materials makes an effort to reflect those found in the Priory however the mass, scale and height remains a concern. Although it is noted that the Nursing Home element requires a larger mass in order to facilitate this use, the overall design and form could have allowed for a more sensitive building mass and height in providing varying levels and using the Nursing Home as the hub with other smaller scale buildings to house additional services/function.

As previously stated, it is important for the new development to sit sensitively into the site and integrate with the adjoining village area, as such it has been previously advised that the architectural form and style of the Nursing Home and independent living units

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would provide a unique character to the site with identifiable character and not large block forms. It is stated by the applicant that “*Independent Living Units accommodation is provided in a number of smaller buildings rather than buildings with larger footprints to reduce massing and scale and also provide view to the Priory beyond*”. Providing smaller buildings and breaking up the mass and scale of the units is welcomed, however not enough has been done to provide for lower level and identifiable buildings which are considered suitable for the proposed use. Although the design has sought to reflect the varying heights and varying roof profiles of the existing Priory Buildings, the overall sense of a village hub has not been achieved.

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

Reference to building heights is also provided within the design statement, in that the existing Retreat House acts as a benchmark for the building closest to the western boundary, however the Retreat House is 4-Storeys, and the building form and plot size is narrow and therefore does not mirror the scale and mass of the proposed new development. The Priory complex is made up of different design styles which reflects the development of the site at particular stages, this allows for a more visually interesting site context, with linear and softer forms with subtle design elements.

The idea of providing the Nursing Home as the main anchor building of a ‘Village Hub’ with the buildings at a smaller scale linking to the hub to reflect a village setting was highlighted in the previous report of the Councils Architectural Conservation Officer. This design type was reiterated at Pre-Planning when a revised design submitted was discussed.

It is felt that given the location of the site adjoining the Priory Complex and in such proximity to the village centre any new development at this location should provide an identifiable contemporary addition, adding the architectural interest to the adjoining Priory and Tallaght Village. It should be noted that Block A, Block B and Block C are the same design and materials which does not allow for variation and unique building types that can add to the character of the site and identity.

It is considered that the blocks are dense and require redesign to allow a more subtle and mixed architectural type to reflect a more village/community feel development. There is reference to a “Village Hub” with regard to the location and connection of the associated

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facilities with the Nursing Home and Independent Living for Older People however this is not reflected in the overall design of the proposed development. The proposed use on the site is ideal in terms of its location to Tallaght Village and other facilities but the design and layout of the proposed Nursing Home and in particular, the Independent Living Accommodation needs to be more cognisant of the proposed type of development in providing a development that is more suited to this use. It is considered that a 'village hub' would provide a more lower scale development with a different building style and building form to allow specific buildings to be recognisable and be distinguished within the setting of the site, making the overall development more in keeping with its overall use and accommodation type.

It is proposed to insert a new entrance into the original boundary wall, concerns for the insertion of a new vehicular entrance wear raised under the previous and current planning applications. The undersigned advised during pre-planning discussions that the use of the existing prior access on to the Old Greenhill Road was preferable and that a new entrance would have to be justified. The proposed new entrance is described as a break in the wall in order to provide a new entrance that is minimal in design and interventions in order to lessen the visual impact. It is considered that this approach would be acceptable, however allowing a new access at this point can only be justified once a balance is reached that provides a scheme that addressed the concerns and allows for a development which is sensitive to the site context and one that delivers a suitable type at this location. Currently this is not the case and therefore a compromise between allowing a section of the original boundary wall to be removed to facilitate the proposed development cannot be considered based on the current scheme. Allowing a new entrance at this location will only be considered when a proposed development is deemed to make a contribution to Tallaght Village and the adjoining Protected Structure site in providing for a visually attractive and smaller scale scheme and sustainable development.

It should be noted that based on items raised and the comments provided under the previous planning application (SD21A/0136) and during a pre-planning meeting prior to the current application being formally lodged. The concerns with regard to the proposed scale, mass and height of the new blocks and overall visual impact on the historic built environment have not been addressed. The proposed development fails to provide a sensitive overall development at this location.

Having assessed the details of the planning application and based on the above it is considered that the applicant has failed to address the initial concerns raised in relation to the overall visual impact of the scale and height that the proposed development will have within such close proximity to Protected Structures and within the curtilage of 'The Priory' Tallaght, within the Architectural Conservation Area (ACA) and along the Old Greenhills Road.

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Conclusion

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

1. Concerns remain in that the character of the Protected Structures will be significantly affected by the proposed Nursing Home and Independent Living Accommodation blocks as the new build will completely dominate this part of the site due to its proposed, height, scale and mass which will be visible within The Priory Demesne and along Old Greenhills Road. The consequences of the proposed development may result in a diminished quality of character, which fails to address and adhere to existing policies for development within the curtilage of a Protected Structure or New development within or in close proximity to an ACA in line with SDCC County Development Plan (2016-2022) and the Tallaght Local Area Plan 2020.
2. It is considered that the proposed design with the use of contemporary materials and building elements found within the existing building stocks tries to address the issue of a contemporary design within a historic site. However, given that the issue of building height, mass and dense form of the proposed blocks, the overall impact cannot be negated by the design elements and finishes alone. It is considered that the proposed development fails to be sensitive within its proposed location and does not reflect the most suitable layout or design for the intended use. A lower scale development providing different levels and design styles would allow for a high quality unique development within the curtilage of a Protected Structure, historical setting and within such close proximity to a village centre.
3. It is felt that given the location of the site adjoining the Priory Complex and in such proximity to the village centre any new development at this location should provide an identifiable contemporary addition, adding the architectural interest to the adjoining Priory and Tallaght Village. It should be noted that Block A, Block B and Block C are the same overall design, which does not allow for variation and unique building types that can add to the character and identity of the site.
4. It is considered that the proposed blocks are dense and require redesign to allow a more subtle and mixed architectural type to reflect a more village/community feel development. There is reference to a "Village Hub" with regard to the location and connection of the associated facilities with the Nursing Home and Independent Living for Older People, however this is not reflected in the overall design of the proposed development. The proposed use on the site is ideal in

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terms of its location to Tallaght Village and other facilities but the design and layout of the proposed Nursing Home and in particular, the Independent Living Accommodation needs to be more cognisance of the proposed type of development in providing a development that is more suited to this use.

5. It is proposed to insert a new entrance within the existing original boundary wall of the Priory. It should be noted that in order to provide a new entrance and justify the removal of an original boundary feature a scheme that addressed the concerns and allows for a development which is sensitive to the site context and one that delivers a suitable type at this location is required. Currently this is not the case and therefore a compromise between allowing a section of the original boundary wall to be removed to facilitate the proposed development cannot be considered based on the current scheme.

Allowing a new entrance at this location will only be considered when a proposed development is deemed to make a contribution to Tallaght Village and the adjoining Protected Structure site in providing for a visually attractive and smaller scale scheme and sustainable development.

Conclusion (Planning)

The comments, concerns and recommendation provided by the SDCC ACO are noted. Given the need to protect both the protected structure and the setting of the Architectural Conservation Area, and the need also to ensure that new development in the village adheres to Policies UC1, UC3 and the 'VL' policies contained in section 3.4 of the Local Area Plan, it is considered that the development remains deficient.

The previous refusal of permission and feedback at pre-planning stage indicated that the lands should be developed in a manner that respects and adds to the village centre character. It is considered that the overall site layout should provide for a sense of place within the site and within the village, for a scheme that is easily navigable, and which protects the setting of the protected structure and its curtilage. The blocks proposed are considered to be too large in both footprint and height, and the development should spread the facilities and services among smaller buildings, notwithstanding that a certain provision is required within a single building in the nursing home. The provision of a few large blocks within the site does not fulfil either the Conservation Officer's professional opinion or the objective to preserve and enhance the character of the development, and a more suitable layout for the residential component would be characterised by a more traditional residential layout while maintaining a network of open spaces, with easily identified routes through the scheme.

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Intensity and Visual Amenity

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

Plot Ratio

Section 3.4 of the LAP identifies suitable plot ratios for The Village as in the range of 0.75:1 (Low) and 1:1 (High). The applicant has stated that the plot ratio proposed would be 1.08. The applicant has referred to 'significant community benefit through the provision of high-quality residential care for the elderly' as fulfilling the requirements for additional plot ratio under section 2.6.1 of the Plan.

Section 2.6.1 allows for additional plot ratio where "there is a strong design rationale for an increase in density/height **and** the development will result in a significant public gain", and references "provision of community and/or cultural amenities that will significantly contribute to the social infrastructure in the area." There are clear merits to the proposed use, and it would be a beneficial communal amenity. This must be balanced against conservation objectives and the local objectives in the Tallaght Local Area Plan. In particular, Objective VL8 seeks to retain a parkland setting in the Priory lands.

It is considered a direct contradiction to retain a parkland setting while providing for a plot ratio at or exceeding 1.0.

Height

The proposal includes four separate blocks of 4-5 storeys in height. The Nursing Home block is arranged in a 'T' shape and Blocks A, B, C are essentially square.

Reason No. 3 of the refusal under SD21A/0136 referenced the building height policy in the LAP as well as policy in the County Development Plan relating to 5-storey buildings. The revised scheme is now capped at 5 storeys but remains contrary to the following LAP policy:

- 3-4 storey height for 'other frontages' in 'The Village'.
- Section 3.4: Building Height "to respond to local context, particular the Architectural Conservation Area."
- **VL6:** Protect and enhance setting of protected structures and qualities of the ACA.
- **VL8:** Protect the character and integrity of the Priory, including its parkland setting, and provide for greater public access and usage.

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The applicant has argued that the proposed heights are justified and would be easily absorbed into the local context, due to the presence of other 4-storey buildings in the local area. The Architectural Conservation Officer has assessed this particular claim and notes that the profile of existing 4-storey buildings is slender. Furthermore, these are fairly isolated buildings, whereas a cluster of 4-5 storey buildings is now being proposed.

The proposal is therefore not compliant with the LAP building height strategy, but this is just one element of the scheme's impact arising from the clustering of the buildings on a site that is presently undeveloped and detached from the street network on the Priory lands. It is possible that a revised scheme would feature an element of 5-storey development as part of a lower impact scheme, however it is both unlikely and would be an unnecessary feature of such a scheme. Layout is assessed below.

Conclusion

Taken in isolation, the proposed intensity of development might be considered to be appropriate were the site located along secondary frontage within the existing street network or a proposed new urban district (as with for instance, Cookstown). The proposed scheme is however located off the existing street network, outside the urban area, and on lands previously part of a local institution and within the curtilage of a protected structure. As signalled in previous decisions and pre-planning guidance, the proposed plot ratio is excessive and taken in combination with the height, the overall intensity of development would contradict those local objectives that seek to protect the setting of the protected structure, keep a parkland setting in the Priory, and maintain the setting of the Protected Structure and the Architectural Conservation Area and village centre of Tallaght. The intensity of development is inappropriate for this location as the intersection of building height, plot ratio and local objectives in the LAP makes clear.

Visual Impact, Layout and Design

The LAP does not provide an urban framework layout for the Priory lands. This reflects that the lands do not presently have frontage to the existing street network and that it would not be appropriate to integrate the site fully with the exterior, due to its status as part of a walled local institution. The following local objectives apply:

- Section 3.4: Building Height to respond to local context, particularly the Architectural Conservation Area.
- VL6: Protect and enhance setting of protected structures and qualities of the ACA.
- VL8: Protect the character and integrity of the Priory, including its parkland setting, and provide for greater public access and usage.
- VL 9: Protect and preserve Heronry located on Priory lands and extending into TUD lands.
- VL10: Provide for some residential or mixed-use development on lands to the east of the Priory, subject to the above key objectives.

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- VL11: Any proposals for the future significant development of the Priory or St Maelruan's shall be accompanied by a detailed conservation plan which will assess the impact of any development and how it will contribute to the conservation of historically significant structures and landscape elements.

The reference to parkland setting, public access, public usage and protection of the character and integrity of the Priory are considered the relevant criteria for the layout. It is noted that the SDCC ACO has recommended refusal based on the impact on the character of the protected structure.

The scheme opens from the single access to Old Greenhills Road. From this point, as shown amply with the applicant's own CGI images, the scheme appears very dense with 3 blocks of independent living units crowding the access. Rather than the parkland setting sought in the LAP and sought by the Conservation Officer in order to protect the character of the protected structure, the views into the site immediately suggest an urban landscape of higher density than is found in the village. This is contrary to objective VL8.

In addition, it is worth noting (as is noted in the ACO's report) that the access to the scheme from Old Greenhills Road is only acceptable as a compromise measure at this site. The hard division of the Priory lands by way of this development is not a desirable element of the proposal, nor is the cut into the stone wall on Old Greenhills Road to provide an access. These elements detract from the character of the Priory and have only been considered by South Dublin County Council in the context of providing a social and community benefit at the site; however, policy which seeks to protect the setting of the protected structure, the ACA and the village centre, and the parkland setting of the grounds, and to promote public access to and use of these grounds, has not been set aside and remains a determining factor in any development of the site.

The building treatments are not poor, but the massing of these buildings, their height shape and orientation, would dominate views into the site and signals a lack of open space, prejudicing public access and use of the lands. Public open space is provided to the rear of the scheme and in the portions left between blocks. This does not promote objective VL8.

The overall layout of the scheme is such that the nursing home is provided in a single T-shaped building of 4 storeys with a number of facilities at ground floor level, including a pharmacy with independent access. To the south, the vehicular route into the site is arranged around the three independent living blocks and leads to a car parking area in the centre of the site. Open spaces are arranged around the blocks and on the edges of the site. The boundary between the subject site and the rest of the Priory lands is proposed to be marked and closed with a 2.4m blockwork wall with stone capping.

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As noted under the ACO's report above, a lower impact scheme would dissipate the proposed development among smaller blocks, arranged around the proposed facilities to give what the ACO describes as a 'village hub' character to the scheme. The buildings are still considered to be bulky and monolithic, and laid out in such a fashion that detracts from the parkland setting of the site. The proposal detracts from the character of the site, surrounding area and ACA.

Conclusion

The applicant again proposes to access the development from Old Greenhills Road; however, in order to meet the following objectives, a serious rethink of the scale, design and layout of the development is required. Those objectives are:

- LAP Section 3.4: Building height to respond to local context, particularly the architectural conservation area (ACA);
- LAP Objective VL6: Protect and enhance setting of protected structures and qualities of the ACA.
- LAP Objective VL8: To protect the parkland setting;
- LAP Objective VL8: To promote public use and access.

The applicant has shown a willingness to improve the design since the most recent refusal. The applicant should be requested therefore to provide revised plans, following consultation with the SDCC Architectural Conservation Officer, if necessary, by way of **additional information**.

Part V

The SDCC Housing Department has advised that it is the preference of SDCC to acquire units on site and that the applicant will need to prove date of purchase of the site in order to establish liability under Part V of the Planning and Development Act 2000 as amended. This is noted.

Residential Amenity

Standard of accommodation

The independent living units comply with the requirements of the 2020 Apartment guidelines.

Open Space

The open space on the site is not clearly divided into public and communal amenity space, however residents will have a strong connection to the spaces in the scheme given the limited route of access into the site. The quantitative provision of space is considered to be acceptable. Much of the space is however peripheral and would be dominated by the proposed buildings and proposed or existing boundary treatments. This is an issue which points to excessive density especially in the context of the requirement to protect the parkland setting and setting of the protected structure.

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Sunlight and Daylight

No sunlight and daylight assessment accompanies the report. It is unclear what levels of sunlight or daylight the proposed units will receive, and the hours of sunlight the open spaces will receive. This is of particular concern where buildings are in close proximity to proposed or existing boundary wall, or where open spaces are arranged around / between the buildings and boundary walls.

Neighbouring Amenity

The closest residential properties are located to the east of the site across the Old Green Hills Road. However, given the separation distances involved it is not considered that the proposal would be materially harmful to residential amenity in terms of overlooking, loss of light or a sense of enclosure.

Parking and Access

The Roads Department previously highlighted potential issues relating to the entrance onto Old Greenhills Road and the level of parking provided. The level of parking provided was given by the Planning Authority as a reason for refusal.

The applicant has suggested the same arrangement and level of parking for this application, but with numbers of units reduced. The County Development Plan would suggest the following **maximum** figures for car parking:

- 108 nursing home units @ 1 space per 8 residents = 13 spaces
- Nursing Home @ 1 space per 5 staff = Unknown. Applicant has not indicated staff numbers in their Engineering Report.
- 60 Independent Living Units @ 0.75 spaces per apartment = 45 spaces.

The maximum provision under the County Development Plan is therefore 68 spaces before any provision for nursing home staff or pharmacy staff has been considered. The applicant is proposing to provide 30 spaces.

It is considered that the applicant, having not considered staff numbers, has not adequately assessed the development for parking provision. **This should be reassessed and reconsidered by way of additional information.**

Drainage

Surface Water and Flood Risk

This is a greenfield site, and it should be possible to retain all rainwater entering the site under normal conditions (excluding major events), in built or natural features and without the use of underground attenuation. The applicant has provided 'limited' drainage layouts and no SUDs landscape plan.

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The Environmental Services Department has sought as **additional information** full layout drawings and additional information in relation to SUDs and water run-off rates. In relation to Flood Risk, the Environmental Services Department has sought additional information on flood risk. This is noted and considered to be appropriate.

Water Supply and Foul Water

Irish Water has sought **additional information** seeking full water services layouts and seeks that the applicant engage with them to obtain a Confirmation of Feasibility. This is noted and considered appropriate.

Landscaping and Ecology

The applicant has provided a Landscape Plan and associated documents/drawings. The Public Realm Department has submitted a report. The main concerns of the Department are:

- Impacts of the proposed development on existing trees, hedgerows and local biodiversity including lack of suitable mitigation or compensation measures
- Potential impacts on bats (foraging routes)
- lack of SuDS (Sustainable Drainage System) shown for the proposed development

The comments on these issues are as follows:

Existing Trees and Green Infrastructure

The proposed development site is bounded to the West and South by a line of mature trees and shrub planting, to the North by a concrete block wall and to the east by a stone wall with a line of tall poplar trees behind which are c. 22m in height. There are significant mature high-quality trees; categorised as A and B (lime & Sycamore) in the Arboricultural Report located in the North/North-west part of the site.

Arboricultural Impact

The proposed development will require the removal of 4 individual trees (tree numbers; 4, 9, 10, 11,) and one group of trees (G13). The group of trees to be removed is a linear stand of 23 no. Poplar trees along the eastern site boundary with the Greenhills Road. This group of trees provides local canopy cover and mature screening and sheltering to the site and would be considered to be of high local biodiversity value.

SuDS and Green Infrastructure

The Landscape proposals shall include site-specific enhancements to achieve biodiversity net gains. Green corridors can be used to extend and enhance existing ecosystems. Biodiversity net gain delivers measurable improvements for biodiversity by creating or

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enhancing habitats in association with development. The development proposals shall include a network of multifunctional green space, which is capable of delivering a wide range of environmental and quality of life benefits for local communities.

A SuDS strategy should be developed for the proposed development which takes account of quantity, quality, and amenity issues. The SuDS features proposed should provide intrinsically attractive features and focal points within the landscape and have added ecological value; by incorporating these features into open public spaces members of the public can enjoy a variety of diverse ecological features. The design of SuDS features is required to be of high quality to achieve a multifunctional space for amenity, biodiversity and surface water management. The proposed SuDS features should aid the maintenance of the existing greenfield runoff rates or potentially reduce the amount of surface water entering the piped surface water system. The applicant should have cognizance of the broader green/blue infrastructure network within the local area and how the landscape proposals for this development will interconnect with the wider existing green/blue infrastructure network.

The current proposed drainage system needs to be developed further in order to sustainably manage surface water through a natural hydrological regime or SUDS scheme within the development. The philosophy of SUDS is an integrated multi-disciplinary approach which locally addresses water quality, water quantity, and provides for amenity and habitat/biodiversity enhancement. Additional SuDS that should be considered for the SHD development include:

- Bio retention systems
- Infiltration systems
- Tree pits
- Channel rills
- Green area detention basins
- Additional swales

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Were possible in addition to the SUDS features proposed the applicant should provide the following:

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

As part of the storm water management for the proposed development, the applicant has proposed the following natural SUDS measures:

- i. Permeable paving
- ii. Swales
- iii. Green Roofs

In addition, the applicant has also proposed the use of attenuation tank with flow control device. Revised proposals to be provided by the applicant in this regard. Response should include revised layout and drawings.

The Public Realm Department has also recommended **conditions** in relation to:

1. Landscape Plan Implementation
2. Retention of landscape architect
3. Retention of arborist
4. Arboricultural Method Statement
5. Tree Protection Measures
6. Tree Bond and Arboricultural Agreement
7. Amend the scheme to provide Natural SUDs
8. Biodiversity Management

It is considered that proposed condition no. 7 would entail a major amendment to the scheme and is best handled by way of a **request for additional information**.

Ecology and Biodiversity

The applicant has supplied an Ecological Impact Assessment, which (as noted above) identifies the necessity of mitigation measures for bats, with two measures being proposed:

- Bat boxes
- Bat friendly lighting.

No bat survey has been conducted and so the use of the site by foraging / roosting bats has not been established, nor therefore the scale or nature of appropriate mitigation measures. It is unclear for instance what routes foraging bats take through the site, or where on the site bats might roost. The scheme should not have been designed without this baseline information to hand. A bat survey should be required by way of **additional information**.

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Landscape Plans and other plans should reflect the proposed mitigation measures, and if bat-friendly lighting is proposed, details should be provided to show that it would safely light the scheme. The scheme layout may need to be revised once a bat survey has been undertaken.

Archaeology

The application site is located within an Area of an Archaeological Assessment prepared by John Cronin & Associates in support of the application. The report states that archaeological test trenching was carried out and that nothing of archaeological significance was encountered. The report recommends that no further archaeological works are undertaken.

However, given the scale of the development proposed, it is recommended that monitoring by a qualified archaeologist is carried out during any excavation works and that further mitigation measures may be required should any features be discovered subject to the approval of the National Monuments Service. Conditions to this effect or a condition requiring further clarification from the National Monuments Service could be attached in the event that permission is granted.

Aviation Safety

Due to the proximity of the site to Casement Aerodrome and Tallaght Hospital the operation of cranes should be coordinated with Air Corps Air Traffic Services, no later than 28 days before.

Waste Management

The applicant has submitted an Outline Construction Waste Management Plan in support of the application. The principles of this document could be built upon through suitable conditions should permission be granted. In terms of waste from the operation of the proposal again suitable conditions could be used to ensure waste management standards are met.

Energy

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

Screening for Appropriate Assessment

The applicant has submitted a screening report, that has been prepared in support of the application. The report states that mitigation measures and standard best practice construction measures have not been taken into account. The report concludes that the possibility of any

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significant impacts on any European Sites, whether arising from the project itself or in combination with other plans and projects, can be excluded.

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

Screening for Environmental Impact Assessment

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

Conclusion

The revised proposals on this site provide for a lower density development than was previously refused.

An assessment of the layout, character and visual impact of the scheme, and the comments of the SDCC Architectural Conservation Officer, make it clear that the proposed density and form of development runs contrary to policies in the County Development Plan and more relevantly the Local Area Plan, which relate to building height in the village to take account of its context, protection of the setting of the protected structure, protection of the setting of the ACA, protection of the parkland setting of the Priory grounds, and promotion of public access and use of the Priory grounds. The applicant should be requested to revise the design by way of **additional information**.

There are a number of additional issues which should be addressed by the applicant by way of additional information, and these are:

- Sunlight and daylight
- Energy
- Natural sustainable drainage systems
- Water services layouts
- Level of parking provision

Recommendation

Request Further Information.

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Further Information

Further Information was requested on 04/04/22

Further Information was received on 30/11/22

The date for the submission of additional information was amended following a request from the applicant dated 29/08/2022.

Consultations

Architectural Conservation Officer	No objection, conditions recommended
Irish Water	No objection, conditions recommended
Water Services	Clarification of Additional Information recommended
Public Realm	No objection, conditions recommended
Roads	Clarification of Additional Information recommended

Submissions/Observations

No further submissions/observations received.

Assessment of Further Information

The Further Information requested was as follows:

1. *The SDCC Architectural Conservation Officer has recommended refusal. The applicant is requested to address the issues raised by the Planning Authority in relation to Conservation and to show in their overall response how these issues have been addressed.*
 - a. *(1) Concerns remain in that the character of the Protected Structures will be significantly affected by the proposed Nursing Home and Independent Living Accommodation blocks as the new build will completely dominate this part of the site due to its proposed, height, scale and mass which will be visible within The Priory Demesne and along Old Greenhills Road. The consequences of the proposed development may result in a diminished quality of character, which fails to address and adhere to existing policies for development within the curtilage of a Protected Structure or New development within or in close proximity to an ACA in line with SDCC County Development Plan (2016-2022) and the Tallaght Local Area Plan 2020.*
 - b. *(2) It is considered that the proposed design with the use of contemporary materials and building elements found within the existing building stocks tries to address the issue of a contemporary design within a historic site. However, given that the issue of building height, mass and dense form of the proposed blocks, the overall impact cannot be negated by the design elements and finishes alone. It is considered that the proposed development fails to be sensitive within its proposed location and does not reflect the most suitable layout or design for the intended*

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- use. A lower scale development providing different levels and design styles would allow for a high quality unique development within the curtilage of a Protected Structure, historical setting and within such close proximity to a village centre.*
- c. (3) *It is felt that given the location of the site adjoining the Priory Complex and in such proximity to the village centre any new development at this location should provide an identifiable contemporary addition, adding the architectural interest to the adjoining Priory and Tallaght Village. It should be noted that Block A, Block B and Block C are the same overall design, which does not allow for variation and unique building types that can add to the character and identity of the site.*
- d. (4) *It is considered that the proposed blocks are dense and require redesign to allow a more subtle and mixed architectural type to reflect a more village/community feel development. There is reference to a "Village Hub" with regard to the location and connection of the associated facilities with the Nursing Home and Independent Living for Older People, however this is not reflected in the overall design of the proposed development. The proposed use on the site is ideal in terms of its location to Tallaght Village and other facilities but the design and layout of the proposed Nursing Home and in particular, the Independent Living Accommodation needs to be more cognisance of the proposed type of development in providing a development that is more suited to this use.*
- e. (5) *It is proposed to insert a new entrance within the existing original boundary wall of the Priory. It should be noted that in order to provide a new entrance and justify the removal of an original boundary feature a scheme that addressed the concerns and allows for a development which is sensitive to the site context and one that delivers a suitable type at this location is required. Currently this is not the case and therefore a compromise between allowing a section of the original boundary wall to be removed to facilitate the proposed development cannot be considered based on the current scheme. Allowing a new entrance at this location will only be considered when a proposed development is deemed to make a contribution to Tallaght Village and the adjoining Protected Structure site in providing for a visually attractive and smaller scale scheme and sustainable development.*
2. *Taken in isolation, the proposed intensity of development might be considered to be appropriate if the site was located along secondary frontage within the existing street network or a proposed new urban district (as with for instance, Cookstown). The proposed scheme is however located off the existing street network and on lands previously part of a local institution and within the curtilage of a protected structure and being a major site in the context of the village centre and ACA. As signalled in previous decisions and pre-planning guidance, the proposed plot ratio is excessive and taken in*

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combination with the height, the overall intensity of development would contradict the following objectives of the Local Area Plan:

3.
 - *Section 3.4 specification in relation to Building Height reads 'To respond to local context, particularly the Architectural Conservation Area.'*
 - *VL6: Protect and enhance setting of protected structures and*
 - *VL6: (Protect and enhance...) qualities of the ACA.*
 - *VL8: Protect the character and integrity of the Priory, including its parkland setting, and*
 - *VL8: Provide for greater public access and usage.*
 - *VL10: Provide for some residential or mixed-use development on lands to the east of the Priory, subject to the above key objectives.*

The proposed Old Greenhills Road access and permanent division of the Priory Grounds is considered to seriously detract from the character of the Priory and has only been considered by South Dublin County Council in the context of providing a social and community benefit at the site; however, policy which seeks to protect the setting of the protected structure, the ACA and the village centre, and the parkland setting of the grounds, and to promote public access to and use of these grounds, has not been set aside and remains a determining factor in any development of the site.

A lower impact scheme would dissipate the proposed development among smaller blocks, arranged around the proposed facilities to give what the ACO describes as a 'village hub' character to the scheme. The buildings are still considered to be bulky and monolithic, and laid out in such a fashion that detracts from the parkland setting of the site. The proposal detracts from the character of the site, surrounding area and ACA.

The applicant has shown a willingness to amend the design since the most recent refusal. The applicant is requested therefore to provide revised plans, following consultation with the Planning Authority and the SDCC Architectural Conservation Officer if necessary, by way of additional information.

4. *The applicant is requested to provide an outline SuDs Strategy, which should match the Landscape Plan and Engineering drawings submitted (and revised as may be). Additional natural SuDS features shall be incorporated into the proposed drainage system for the development such as blue roofs, rain gardens, detention basins, filter drains, rills, swales, rainwater features etc. The strategy should include an outline layout and calculations to show that greenfield run-off rates from the site outside of major weather events are to be maintained without the need for underground water storage. The applicant is advised to consult the SDCC Sustainable Drainage Design & Evaluation Guide 2022.*

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5.

(a) The applicant has submitted limited surface water drainage plans for the proposed development. The applicant is requested to submit a detailed drawing showing existing and proposed surface water drainage layouts up to and including the point of connection to the public surface water sewer from proposed developments. The drawing shall include the location of all AJs, manholes, pipe size, material type and direction of flow. Maps of surface water drainage networks may be obtained, if available, for required locations in South Dublin County Council by emailing servicemaps@sdblincoco.ie.

(b) (i) The applicant is requested to submit a drawing and report to show how much surface water attenuation is provided in m³. The proposed attenuation calculation of 348m³ required is 30% undersized for a 1 in 30 year storm event and undersized by 42% for a 1 in 100 year storm event.

Show how SAAR (Standard Annual Average Rainfall) was calculated.

(ii) Submit a revised report and drawing showing increased surface water attenuation provided. Attenuation shall be provided by SuDS (Sustainable Drainage System) as a first option and only where SuDS cannot provide enough attenuation should an arched type attenuation be considered.

(iii) The applicant should contact Water Services Department of South Dublin County Council prior to submission of revised report and drawing/s.

(c) The applicant is requested to submit a report and drawing to show the location of proposed development superimposed on a CFRAM OPW flood map. This is required to show what if any flood risk there is as a result of proposed development.
6.

(a) The applicant is requested to:

 - (i) Submit a pre connection enquiry with Irish Water for proposed development.*
 - (ii) Obtain a letter of confirmation of feasibility of proposed development and submit same to Water Services South Dublin County Council Planning Authority.*
 - (iii) Submit a drawing showing the watermain layout of proposed development. Maps of the public watermain networks may be obtained, if available, for required locations in by emailing: datarequests@water.ie.*

(b) The applicant is requested to:

 - (i) Submit a pre connection enquiry with Irish Water for proposed development.*
 - (ii) Obtain a letter of confirmation of feasibility of proposed development and submit same to Water Services South Dublin County Council Planning Authority.*
 - (iii) Submit a drawing showing the waste water layout of proposed development. Maps of the public wastewater networks may be obtained, if available, for required locations in by emailing: datarequests@water.ie.*
7.

The applicant is requested to confirm the no. of staff likely to be employed in the nursing home and to factor this into their assessment and design of car parking in the scheme. The number used for staff should reflect the maximum number of staff that will be present at the same time, including at times of shift changeovers.

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8. *The applicant is requested to provide a Sunlight and Daylight Analysis showing assessment of the proposed units and open spaces and show assessment of sunlight hours, average daylight factor, vertical sky component and no sky lines as appropriate.*
9. *The Ecological Assessment states that no bat survey has been conducted although mitigation measures are proposed. It is considered appropriate that the scheme is designed so as to minimise impact on bat activity and habitats (especially habitats).*
10. (a) *A bat survey should be undertaken to establish the presence of bats, the areas of the site used by bats and for what activities or roosting.*
(b) *Mitigation measures should be reflected in the scheme plans and if necessary details should be provided to show that the scheme can be safely lit.*
11. *Section 7.0 Climate Change: Mitigation of the LAP identifies the role of Tallaght in contributing to the response to climate change while integrating and implementing the SDCC Climate Change Action Plan (2019). Section 7.4.4 and 7.4.5 outline the requirements for new developments to have regard to the incorporation of space for future pipework/pipe run, energy centres or other infrastructure and future proofing to enable connection to a decentralised energy network.*
The Tallaght District Heating Scheme is under construction and will serve the local area with cheaper heat using waste heat from nearby data centres. The applicant should consider how the design of this scheme can integrate with and use the district heating scheme.

Assessment

Items 1 and 2 – Scheme Design and Architectural Conservation

The scheme has been redesigned, with the nursing home element remaining largely as initially proposed in terms of layout and scale, but the 4-5 storey independent living unit (ILU) blocks have been omitted and replaced with single and two-storey blocks which is considered to be a far more appropriate scale.

The applicant has provided revised plans, elevations and sections. These are mostly consistent, save for Drawing No. 3464-P-015 'Independent Living Units Block B Floor Plans', which appears to reflect a previous iteration. This drawing has been disregarded in the assessment of the proposals.

ILU Block B contains 3 single storey units. The main living spaces and bedrooms would have large windows within 5m of the eastern site boundary. The Planning Authority would have a concern about the daylight that would be received by these units, given the proximity to the existing boundary wall, and the tree planting proposed at this area. These 3 no. units should be **omitted by condition**, with the applicant welcome to submit revised proposals amending the

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scheme, providing evidence that these units can achieve adequate daylight and sunlight provision.

Block A would provide 18no. ILU's which all appear to meet the standards required under the Apartment Guidelines 2020. Block A is considered acceptable.

The ACO has reviewed the submission and has provide the following response:

The design concept which now includes a number of positive elements is welcomed and addresses the main elements as previously advised by the undersigned. It is considered that on foot of the detailed RFI some much needed consideration has been given to the overall layout and design of the proposed Nursing Home and in particular to the Independent Living Units. The revised and modified development has removed an entire block and replaced one of the initial larger blocks with a mix of single and two-storey units. The overall feel and character of the site has improved dramatically from the initial application where the building design now reflects the proposed use as Independent Living Units.

The modifications and redesigned elements allow for a more appropriate scheme which is now considered to be of much lower impact. The buildings have been redesigned and reduced in bulk, mass and height and are laid out to provide a parkland and neighbourhood/village hub setting. The design, scale and height of the Nursing Home and Independent Living Units allows the development to sit sensitively adjoining the architecturally rich Priory Demesne without compromising the overall visual aesthetics. The modified development provides an identifiable contemporary addition at this location which now adds to the architectural interest of the adjoining Priory Lands and Tallaght Village Architectural Conservation Area. The revised site layout achieves a parkland type setting by providing public access to and public usage of public open space areas adjacent to the development.

It is considered that the modified and redesigned scheme submitted in response to significant RFI allows for a more appropriate scheme which is considered to be of much lower impact with regard to the adjoining Protected Structure site and site context.

The ACO concludes that the scheme is acceptable and recommends the following **conditions** in the event of a grant of permission:

- 1. A Schedule of materials and finishes should be provided as although details are provided on the drawings it is considered that the final palette of materials and finishes for the entire development should be submitted, thereby confirming final material finishes and colours. This should include full details on materials and finishes for all elements and samples and images should be provided.*

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Reason: To ensure the proposed development is of high quality, reflects the overall design ethos detailed in the modified design and that material finishes and colour are cohesive with the adjoining Protected Structure site.

- 2. With regard to the proposed new entrance off Old Greenhills Road. A Method Statement for the demolition of the section of wall should be submitted. Where the section of wall is removed the existing boundary wall should be made good using traditional methods and materials, details of which should be included in the methodology. Salvage stone should be considered for reuse within new boundary elements for the proposed development.*

Reason: To ensure the original boundary wall is made good in accordance with good conservation practice.

- 3. Prior to development details of the boundary treatments confirming final design and materials along the south and west of the site where the development adjoins the Priory Lands should be submitted for agreement.*

Reason: To ensure the appropriate boundary treatment is provided adjoining a Protected Structure site.

These **conditions** are considered appropriate to ensure that suitable materials are used for the new elements on site, with reference to protecting the architectural integrity of the existing Priory building.

The Roads Department have reviewed the submission with regard to the new entrance arrangements, and associated alterations to the existing boundary wall. While it is noted that the applicant has significantly revised the site layout, the Roads Department have flagged the following deficiencies in the documentation:

The revised drawing does not show;

- road and footpath widths*
- parking space dimensions*
- reversing distances behind perpendicular parking spaces*
- swept path analysis showing turning movements of emergency and refuse vehicles*
- visibility splay at entrance junction*

The Roads report recommends that the above information is submitted as **clarification of additional information**. This cannot be sought given the extension that was permitted to the timeframe for the submission of the additional information. It is therefore considered that this is most appropriately dealt with by **condition**.

Items 3 and 4 – SuDS Strategy and Surface Water Drainage

Public Realm have reviewed the additional information and have stated no objection to the development, subject to the **conditions** below.

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1. *Implementation of Landscape Plans*

- a. *The submitted Landscape Plans (Landscape Plan LP-01-PP & Planting Plan PP-01-PP) prepared by Doyle & O'Triothigh Landscape Architecture shall be implemented in full, within the first planting season following completion of the development.*
- b. *All hard and soft landscape works shall be completed in full accordance with the approved Landscape Plan, planting plan and associated detailed plans and specifications.*
- c. *The applicant shall provide:*
 - i) *Implementation timetables.*
 - ii) *Detailed proposals for the future maintenance/management of all landscaped areas*
- d. *All trees, shrubs and hedge plants supplied shall comply with the requirements of BS: 3936, Specification for Nursery Stock. All pre-planting site preparation, planting and post-planting maintenance works shall be carried out in accordance with the requirements of BS : 4428 (1989) Code of Practice for General Landscape Operations (excluding hard surfaces).*
- e. *All new tree plantings shall be positioned in accordance with the requirements of Table 3 of BS 5837: 2012 "Trees in Relation to Design, Demolition and Construction - Recommendations".*
- f. *Any trees, shrubs or hedges planted in accordance with this condition which are removed, die, become severely damaged or become seriously diseased within three years of planting shall be replaced within the next planting season by trees, shrubs or hedging plants of similar size and species to those originally required to be planted.*
- g. *The landscape proposals shall ensure no net loss of existing tree cover within the subject site to which the development applies.*

REASON: To ensure satisfactory landscape treatment of the site which will enhance the character and appearance of the site and the area, in accordance with the policies and objectives contained within the CDP 2022-2028.

2. *Retention of Landscape Architect & Certificate of Effective Completion*

The appointed Landscape Architect shall be retained by the developer for the duration of the project, to pay periodic site visits to ensure that construction works will not compromise the agreed and approved landscape development, to ensure adequate protection of the existing trees approved for retention and to supervise the implementation of the landscape plans from start to finish. A certificate of effective completion for the agreed and approved landscape scheme shall be submitted to the Planning Authority upon completion of the landscape works, such certificate to be prepared by the qualified Landscape Architect for the project.

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REASON: To ensure the provision of a reasonable standard of landscape in accordance with the approved designs and to ensure the provision, establishment and maintenance of a reasonable standard of landscape in accordance with the approved designs and to assimilate the development into its surroundings, in accordance with the policies and objectives contained within the CDP 2022-2028.

3. *Landscape Maintenance and Management*

Prior to any occupation of the development, a scheme for the maintenance and management of the landscape scheme for the lifetime of the development shall be submitted to the Planning Authority for approval. All works shall be maintained in accordance with the agreed scheme.

The scheme shall include the following:

- i) methods for the proposed maintenance regime;*
- ii) detailed schedule;*
- iii) details of who will be responsible for the continuing implementation*
- iv) details of any phasing arrangements*

REASON: To ensure satisfactory landscape treatment of the site which will enhance the character and appearance of the site and the area in accordance with the policies and objectives of the County Development Plan 2022-2028.

4. *Retention of Arborist during Construction Works*

The Project Arboriculturist shall be retained by the developer for the duration of the project, to pay periodic site visits as appropriate to ensure that construction works will not compromise the agreed and approved tree protection, to ensure general strict adherence of the developer with all recommendations laid out in the Arborists report and to offer any further advice to the developer on the matter of trees as may be required from time to time.

REASON: In the interest of the tree protection, retention and preservation, biodiversity and amenity in accordance with policy G2 Objective 9, G4 Objective 5, G2 Objective 13, G6 Objective 1, HCL15 Objective 3 of the CDP 2016-2022.

5. *Arboricultural Method Statement*

The applicant shall submit a detailed Arboricultural Method Statement (AMS). The AMS shall include justification and mitigation for any tree removal proposed and details of how trees will be protected at all stages of the development. Recommendations for tree surgery works and details of any tree surgery works necessary to implement the permission will be required as will the method and location of tree protection measures, the phasing of protection methods where demolition or construction activities are essential within root protection areas and design solutions for all problems encountered that could adversely impact trees (e.g. hand digging or thrust-boring trenches, porous

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hard surfaces, use of geotextiles, location of site compounds, office, parking, site access, storage etc.). All works shall be carried out in accordance with the agreed AMS.

REASON: To ensure that the trees on site are adequately protected, to safeguard the character and appearance of the area, in accordance with relevant policies and objectives of the CDP 2022-2028.

6. *Tree Protection Measures*

The applicant shall submit details of the tree protection measures to be employed in order to ensure to protection and retention of the trees to be retained on site, in accordance with BS 5837:2012 - Trees in relation to construction - Recommendations, for the approval of the Planning Authority. The tree and hedgerow protection measures shall show the extent of root protection areas and details of ground protection measures and fencing to be erected around the trees, including the type and position of these. The protective measures shall be implemented prior to the commencement of any development, site works or clearance in accordance with the approved details and shall be maintained and retained until the development is completed. Within the root protection areas, the existing ground level shall be neither raised nor lowered and no materials, temporary buildings, plant, machinery or surplus soil shall be placed or stored thereon. If any trenches for services are required within the fenced areas, they shall be excavated and backfilled by hand and any tree roots encountered with a diameter of 25mm or more shall be left unsevered.

REASON: To ensure that the trees on site are adequately protected, to safeguard the character and appearance of the area, in accordance with relevant policies and objectives of the CDP 2022-2028.

7. *Tree Bond and Arboricultural Agreement*

Prior to the commencement of any permitted development or any related construction activity or tree felling on the site, the applicant shall lodge a Tree and Hedgerow Bond to the value of €78,386.52 with the Planning Authority. This is to ensure the protection of trees on and immediately adjacent to the site to make good any damage caused during the construction period.

The bond lodgement shall be coupled with an Arboricultural Agreement, with the developer, empowering the planning authority to apply such security, or part thereof, to the satisfactory protection of any tree/hedgerow or trees/hedgerows on or immediately adjoining the site, or the appropriate and reasonable replacement of any such trees/hedgerows which die, are removed or become seriously damaged or diseased within a period of three years from the substantial completion of the development. Any replacement planting shall use large semi-mature tree size(s) and species or similar as may be stipulated by the planning authority.

An Arboricultural Assessment Report and Certificate is to be signed off by a qualified Arborist after the period of 3 years of completion of the works. Any remedial tree

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surgery, tree felling works recommended in that Report and Certificate shall be undertaken by the developer, under the supervision of the Arborist. The bond will only be refunded upon receipt by SDCC Public Realm Section of a satisfactory post-construction arboricultural assessment, carried out by a qualified arborist and provided that the hedges/trees proposed for retention are alive, in good condition with a useful life expectancy.

REASON: To ensure that the trees on site are adequately protected, to safeguard the character and appearance of the area, in accordance with relevant policies and objectives of the CDP 2022-2028.

8. *Green Space Factor (Minimum Score Not Achieved)*

The applicant has not achieved the appropriate Green Space Factor of 0.5 for the site and is contrary to GI5 Objective 4. In cases where proposed development does not meet the minimum required score and the Council agree that the minimum score is not achievable on the site; the Council will engage with the applicant to help determine an alternative GI solution, to ensure that the proposed development does not detract from the local environment and makes a positive contribution to local GI provision. Where site-specific constraints do not allow for adequate landscaping features in line with minimum requirements a developer will be permitted to provide alternative GI interventions or contributions to make up for this shortcoming, see below. Those GI measures ultimately chosen will be dictated by the site-specific context and will be subject to agreement with Council. The applicant shall therefore contact the Public Realm Section to agree alternative GI interventions or contributions to make up for this shortcoming.

REASON: Ensuring that new development meets minimum standards for the provision of GI, in accordance with policy GI5 Objective 4 and other relevant policies of the CDP 2022-2028

9. *Green Infrastructure*

The applicant is requested to provide additional information as follows and in accordance with the quoted policies and sections of the South Dublin County Development Plan 2022 - 2028:

- a. To demonstrate how they intend to reduce fragmentation of existing green infrastructure. The applicant should provide a green infrastructure plan showing connections through the site and connections to wider GI network.*

REASON: In order to ensure the protection and enhancement of Green Infrastructure in the County through the provision of green infrastructure elements as part of the design process in accordance with relevant policies of the CDP 2022-2028

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10. SUDS

A comprehensive SUDS Management Plan shall be submitted to demonstrate that the proposed SUDS features are compliant with Council policies and are designed in line with the Councils Sustainable Drainage Guidance. This shall include the removal of all underground attenuation from Public Open Space Areas. A maintenance plan shall also be included as a demonstration of how the system will function following implementation. Additional natural SUDS features shall be incorporated into the proposed drainage system for the development such as rain gardens, detention basins, filter drains, swales etc. In addition, the applicant shall provide the following:

- Demonstrate how the proposed natural SUDS features will be incorporated and work within the drainage design for the proposed development.*
- A drawing to show how surface water shall be attenuated to greenfield run off rates.*
- Development should seek to maximise the use of permeable surfaces, as well as opportunities for stormwater attenuation and storage through SuDS and limit the use of underground attenuation and storage; underground attenuation will only be considered as a last resort when all other above ground natural SUDS measures have been explored and exhausted however they are not permitted under any Public Open Space Areas.*
- Submit a drawing to show what SuDS (Sustainable Drainage Systems) are proposed. Examples of SuDS include permeable paving, filter drains, 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.*
- The applicant is referred to the recently published SDCC SuDS Design Guide for further information and guidance.*
- Suds measures across the south of the site shall be implemented in the first phase of the development to mitigate the impacts of the construction activity on the site.*

REASON: To prevent the increased risk of flooding by ensuring the provision of a satisfactory means of surface water disposal is incorporated into the design and the build and that the principles of sustainable drainage are incorporated into this proposal and maintained for the lifetime of the proposal, in accordance with the policies and objectives of the County Development Plan 2022-2028.

11. Biodiversity Management Plan

Given the numerous policies and objectives regarding Green Infrastructure in the County Development Plan 2022-2028 it is requested that an overarching Biodiversity Management Plan shall be submitted by the applicant. The plan shall indicate how

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biodiversity and green infrastructure is to be enhanced and developed on this site during construction and into the future, taking into account matters that include the following:

- i. Protection of existing trees and woodland plantations on site*
- i. Protection and enhancement measures for bats*
- ii. The use of SUDS and Climate Adaption Measures*

REASON: To protect and enhance areas of biodiversity, in accordance with relevant policies and objectives of the CDP 2022-2028.

12. Bat Assessment

The proposed mitigation measures and recommendations contained within the submitted Bat Assessment prepared by Brian Keeley shall be implemented in full by the applicant.

REASON: To encourage wildlife on the site in accordance with relevant policies of the CDP 2022-2028

13. Boundary Treatments

Prior to the occupation of the development, details of a scheme of the means of enclosure shall be submitted to and approved in writing by the Local Planning Authority indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed before the buildings are occupied. Development shall be carried out in accordance with the submitted details and maintained as approved.

REASON: In order to ensure high quality landscaping for the boundaries of the site in the interests of visual amenity and to safeguard the residential amenity of neighbouring occupiers, in accordance with relevant policies of the CDP 2022-2028.

These conditions should be included to ensure that the development complies with the policies and objectives of the Development Plan, and that the development would positively contribute to the area in relation to open space, green infrastructure and biodiversity.

Water Services have reviewed the submission and have raised concerns about deficiencies in the drawings and reports provided. Their report recommends that **clarification of additional information** is sought in relation to the following:

1.1 Where on Surface water drawing is attenuation provided. Submit a drawing showing where all surface water attenuation is provided and how much attenuation in m³ is proposed for the development. The initial surface water attenuation proposed of 348m³ is 30% undersized for a 1 in 30 year storm event and undersized by 42% for a 1 in 100.

1.2 Submit a report showing revised surface water attenuation calculations for the development and explain what is meant by positively drained areas? Where are the positively drained areas in the development. Show the surface types and areas of same in m² for proposed development.

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- 1.3 *Examine if any surface water pipes can be replaced with swales to convey surface water above ground use SuDS (Sustainable Drainage Systems). Submit a revised drawing showing additional SuDS where this is possible.*

It is noted that, as the period for additional information has already been extended per a request by the applicant, clarification cannot be sought in this instance. It is therefore considered most appropriate that these items should be addressed by **condition**.

Item 5 – Irish Water

Irish Water have reviewed the submission and have stated no objection to the development, recommending the following **conditions** in the event of a grant:

1. *Water*

Where the applicant proposes to connect to a public water network operated by Irish Water, the applicant must sign a connection agreement with Irish Water prior to the commencement of the development and adhere to the standards and conditions set out in that agreement.

Reason: In the interest of public health and to ensure adequate water facilities.

2. *Foul*

Where the applicant proposes to connect to a public water network operated by Irish Water, the applicant must sign a connection agreement with Irish Water prior to the commencement of the development and adhere to the standards and conditions set out in that agreement.

Reason: In the interest of public health and to ensure adequate waste water facilities.

These **conditions** would be standard for new development and are considered appropriate.

Item 6 – Staffing numbers

In the applicant's response they state that there would be approximately 30 members of staff employed at the nursing home. They state that a large number of staff are likely to be residing locally and would be expected to travel to work by bus, bike or foot. In their response, the applicant states 24 no. car parking spaces will be provided, though it is not immediately clear how these would be allocated, serving either the nursing home or the independent living units, or any consideration for visitor numbers. The applicant states that car ownership in the independent living units will be low, it is not evident how this will be guaranteed or managed. Further detail in relation to car parking rates, allocation and management is required and should be addressed by **condition**.

The Roads Department have reviewed the submission and have stated they are satisfied with the number of car parking spaces provided, stating that a minimum of 5 spaces should provide for EV charging. In relation to bicycle parking, the Roads Department have assessed the scheme as

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being deficient per Table 12.23 of the Development Plan. Their report states a minimum of 49 no. spaces are required for the development. The Roads report recommends the following **conditions** in the event of a grant of permission:

- 1. EV charging shall be provided in all residential, mixed use and commercial developments and shall comprise a minimum of 20% of the total parking spaces provided as per section 12.7.5 of the SDCC Development Plan 2022-2028. The applicant should provide a minimum of 5 no. EV charging spaces.*
- 2. Prior to development and for the written agreement of the Planning Authority the applicant shall submit a revised site layout showing a minimum bicycle parking provision of 49 no. spaces.*
- 3. Prior to the commencement of development, the applicant shall agree in writing a Public Lighting Scheme with South Dublin County Council Lighting Department. Once agreed, the scheme shall be constructed/installed to taking in charge standards at the expense of the developer and to the satisfaction of South Dublin County Council Lighting Department.*
- 4. All items and areas for taking in charge shall be undertaken to a taking in charge standard. Prior to development the applicant shall submit construction details of all items to be taken in charge. No development shall take place until these items have been agreed. All Road items to be Taken in Charge are to be in accordance with Appendix 6 of the Taking in Charge Standards*
- 5. Prior to commencement of development a developed Construction Traffic Management Plan shall be agreed with the roads department. This plan shall include on site worker car parking and material storage areas. The agreed plan, along with the written agreement of the roads department shall be lodged to the planning file. The written commitment of the developer to implement the agreed plan shall also be lodged to the file.*
- 6. Prior to commencement of development, the applicant shall submit a developed Construction & Demolition Waste Management Plan (C&DWMP) for the written agreement of the Planning Authority.*

These **conditions** are considered appropriate to ensure the development meets the relevant standards of the Development Plan, and that all works are undertaken at the site have due regard to proper practices.

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Item 7 – Sunlight and Daylight Analysis

As a result of the redesign, the applicant has not submitted a daylight and sunlight assessment. The site layout has been altered, removing the 5-storey independent living unit apartment blocks to the south and east, and replacing these with blocks that are 1 and 2 storeys in height. Open spaces have also been redispersed slightly within the site, with Open Space 1 providing a central space that would not be affected by the existing boundary wall, or proposed development, with regard to daylight hours. Apart from the issue mentioned earlier regarding ILU Block B, it is accepted that the requirement for a daylight and sunlight assessment has been removed on foot of the redesign of the site.

Item 8 – Ecological Assessment

A bat survey was undertaken at the site between 13-14 June 2022. The surveyors found no bat roosts within the site and determined that bat activity was moderate to low. The bat survey recommends several mitigation measures including tree felling to be undertaken between September to November, bat boxes to be incorporated into buildings or attached to remaining trees, native shrubs and trees to be planted within the development and light spillage and pollution should be kept to a minimum using specific lighting. These measures are considered appropriate and adherence to them should be a **condition** of any grant of permission.

Item 9 – Tallaght District Heating Scheme

The applicant has stated in their response that:

'The design team have had cognisance of the Tallaght District Heating Scheme and the proposed development can be integrated with the district heating scheme, if permitted. Further details can be submitted post planning for agreement.'

As a **condition** of permission, the applicant should ensure that provisions are made within the scheme to connect with the Tallaght District Heating Scheme.

South Dublin County Development Plan 2022 – 2028

A new Development Plan came into effect for South Dublin on 3rd August 2022. As a result, the development has been reassessed against the plans and policies of this new plan. The site zoning remains unchanged, with Housing for Older People and Nursing Home permitted in principle uses under the VC zoning objective. The proposal broadly aligns with the policies and objectives of the 2022 – 2028 Development Plan. Areas where the applicant has not complied can be addressed by **condition**, as assessed above.

There is an increased focus on green infrastructure within the new plan and therefore an additional assessment of the application against these policies and objectives has been undertaken below.

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Green Infrastructure

The site appears to be located within the L9 Primary GI Corridor (Tallaght-Urban Link), as per figure 4.4 of the Development Plan. GI and SuDS have been addressed previously in this report and can be addressed by **condition**.

Conclusion

The development subject to conditions, is considered to be consistent with the zoning objective 'VC' – 'To protect and/or improve residential amenity', and the relevant provisions in the County Development Plan 2022-2028 and is considered acceptable.

Other Considerations

Development Contributions

Commercial – Nursing Home

Is development commercial or residential?	Commercial
Standard rate applicable to development:	98.76
% reduction to rate, if applicable (0% if N/A)	0
Rate applicable	€98.76
Area of Development (m2)	5366
Amount of Floor area, if any, exempt (m2)	0
Total area to which development contribution applies (m2)	5366
Total development contribution due	€529,946.16

Residential – Independent Living Units **Block A only**

Is development commercial or residential?	Residential
Standard rate applicable to development:	104.49
% reduction to rate, if applicable (0% if N/A)	0
Rate applicable	€104.49
Area of Development (m2)	1294
Amount of Floor area, if any, exempt (m2)	0
Total area to which development contribution applies (m2)	1294
Total development contribution due	€135,210.06

TOTAL CONTRIBUTION: €665,156.22

SEA Monitoring Information

Building Use Type Proposed:	Nursing Home & Independent Living Units
Floor Area:	6,660 sq.m
Land Type:	Urban Consolidation
Site Area:	0.99 Hectares.

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Conclusion

Having regard to the provisions of the South Dublin County Council Development Plan 2022-2028 and the overall design and scale of the development proposed it is considered that, subject to conditions set out below, the proposed development would not seriously injure the amenities of the area or of property in the vicinity and would, therefore, be in accordance with the proper planning and sustainable development of the area.

Recommendation

I recommend that a decision be made pursuant to the Planning & Development Act 2000, as amended, for the reasons set out in the First Schedule hereto, to Grant Permission for the said development in accordance with the said plans and particulars, subject to the condition(s) specified in the Second Schedule hereto, the reasons for the imposition of the said condition(s) being as set out in the said Second Schedule.

FIRST SCHEDULE

It is considered that the proposed development accords with the policies and objectives of South Dublin County Council, as set out in the South Dublin County Council Development Plan 2022 - 2028 and subject to the conditions set out hereunder in the Second Schedule is hereby in accordance with the proper planning and sustainable development of the area.

SECOND SCHEDULE

Conditions and Reasons

1. Development to be in accordance with submitted plans and details.
The development shall be carried out and completed in its entirety in accordance with the plans, particulars and specifications lodged with the application, and as amended by Further Information received on 30/11/2022, save as may be required by the other conditions attached hereto.
REASON: To ensure that the development shall be in accordance with the permission, and that effective control be maintained.
2. Amendments.
Prior to the commencement of development the applicant, owner or developer shall submit the following for the written agreement of the Planning Authority:
Revised plans that incorporate all of the following amendments-
(a) Block B is to be omitted. There is a concern regarding the daylight that would be received through the eastern windows of Block B, as result of the proximity to the boundary wall and the tree planting in this area.
REASON: To protect the amenities of the area and in the interests of the proper planning and sustainable development of the area.

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3. Schedule of Materials

A Schedule of materials and finishes shall be provided as although details are provided on the drawings it is considered that the final palette of materials and finishes for the entire development should be submitted, thereby confirming final material finishes and colours. This shall include full details on materials and finishes for all elements and samples and images should be provided. This is to be agreed with the Planning Authority prior to the commencement of development.

Reason: To ensure the proposed development is of high quality, reflects the overall design ethos detailed in the modified design and that material finishes and colour are cohesive with the adjoining Protected Structure site.

4. Method Statement

With regard to the proposed new entrance off Old Greenhills Road. A Method Statement for the demolition of the section of wall shall be submitted. Where the section of wall is removed the existing boundary wall shall be made good using traditional methods and materials, details of which shall be included in the methodology. Salvage stone should be considered for reuse within new boundary elements for the proposed development. This shall be agreed with the Planning Authority prior to the commencement of development.

REASON: To ensure the original boundary wall is made good in accordance with good conservation practice.

5. South and West Boundary Treatments

Details of the boundary treatments confirming final design and materials along the south and west of the site where the development adjoins the Priory Lands shall be agreed with the Planning Authority prior to the commencement of development.

Reason: To ensure the appropriate boundary treatment is provided adjoining a Protected Structure site

6. Roads issues.

Prior to the commencement of development the following details shall be submitted to the Planning Authority for written agreement:

1. a revised layout of not less than 1:200 scale showing;
 - a. road and footpath widths
 - b. parking space dimensions
 - c. reversing distances behind perpendicular parking spaces
 - d. swept path analysis showing turning movements of emergency and refuse vehicles
 - e. visibility splay at entrance junction

REASON: In the interests of the proper planning and sustainable development of the area

7. Roads, Parking, Lighting and Management

A. Prior to the commencement of development, the applicant shall provide greater detail in relation to the allocation of car parking, and car parking management, for the agreement of the Planning Authority.

B. EV charging shall be provided in all residential, mixed use and commercial

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developments and shall comprise a minimum of 20% of the total parking spaces provided as per section 12.7.5 of the SDCC Development Plan 2022-2028. The applicant shall provide a minimum of 5 no. EV charging spaces.

C. Prior to development and for the written agreement of the Planning Authority the applicant shall submit a revised site layout showing a minimum bicycle parking provision of 49 no. spaces.

D. Prior to the commencement of development, the applicant shall agree in writing a Public Lighting Scheme with South Dublin County Council Lighting Department. Once agreed, the scheme shall be constructed/installed to taking in charge standards at the expense of the developer and to the satisfaction of South Dublin County Council Lighting Department.

E. All items and areas for taking in charge shall be undertaken to a taking in charge standard. Prior to development the applicant shall submit construction details of all items to be taken in charge. No development shall take place until these items have been agreed. All Road items to be Taken in Charge are to be in accordance with Appendix 6 of the Taking in Charge Standards

F. Prior to commencement of development a developed Construction Traffic Management Plan shall be agreed with the roads department. This plan shall include on site worker car parking and material storage areas. The agreed plan, along with the written agreement of the roads department shall be lodged to the planning file. The written commitment of the developer to implement the agreed plan shall also be lodged to the file.

G. Prior to commencement of development, the applicant shall submit a developed Construction & Demolition Waste Management Plan (C&DWMP) for the written agreement of the Planning Authority.

REASON: In the interest of the proper planning and sustainable development of the area

8. Implementation of Landscape Plans
 - a. The submitted Landscape Plans (Landscape Plan LP-01-PP & Planting Plan PP-01-PP) prepared by Doyle & O'Triothigh Landscape Architecture shall be implemented in full, within the first planting season following completion of the development.
 - b. All hard and soft landscape works shall be completed in full accordance with the approved Landscape Plan, planting plan and association detailed plans and specifications.
 - c. The applicant shall provide:
 - i) Implementation timetables.
 - ii) Detailed proposals for the future maintenance/management of all landscaped areas
 - d. All trees, shrubs and hedge plants supplied shall comply with the requirements of BS: 3936, Specification for Nursery Stock. All pre-planting site preparation, planting and post-planting maintenance works shall be carried out in accordance with the requirements of BS : 4428 (1989) Code of Practice for General Landscape Operations (excluding hard surfaces).
 - e. All new tree plantings shall be positioned in accordance with the requirements of Table 3 of BS 5837: 2012. Trees in Relation to Design, Demolition and Construction -

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Recommendations.

f. Any trees, shrubs or hedges planted in accordance with this condition which are removed, die, become severely damaged or become seriously diseased within three years of planting shall be replaced within the next planting season by trees, shrubs or hedging plants of similar size and species to those originally required to be planted.

g. The landscape proposals shall ensure no net loss of existing tree cover within the subject site to which the development applies.

REASON: To ensure satisfactory landscape treatment of the site which will enhance the character and appearance of the site and the area, in accordance with the policies and objectives contained within the CDP 2022-2028.

9. Retention of Landscape Architect & Certificate of Effective Completion

The appointed Landscape Architect shall be retained by the developer for the duration of the project, to pay periodic site visits to ensure that construction works will not compromise the agreed and approved landscape development, to ensure adequate protection of the existing trees approved for retention and to supervise the implementation of the landscape plans from start to finish. A certificate of effective completion for the agreed and approved landscape scheme shall be submitted to the Planning Authority upon completion of the landscape works, such certificate to be prepared by the qualified Landscape Architect for the project.

REASON: To ensure the provision of a reasonable standard of landscape in accordance with the approved designs and to ensure the provision, establishment and maintenance of a reasonable standard of landscape in accordance with the approved designs and to assimilate the development into its surroundings, in accordance with the policies and objectives contained within the CDP 2022-2028.

10. Landscape Maintenance and Management

Prior to any occupation of the development, a scheme for the maintenance and management of the landscape scheme for the lifetime of the development shall be submitted to the Planning Authority for approval. All works shall be maintained in accordance with the agreed scheme.

The scheme shall include the following:

- i) methods for the proposed maintenance regime;
- ii) detailed schedule;
- iii) details of who will be responsible for the continuing implementation
- iv) details of any phasing arrangements

REASON: To ensure satisfactory landscape treatment of the site which will enhance the character and appearance of the site and the area in accordance with the policies and objectives of the County Development Plan 2022-2028.

11. Retention of Arborist during Construction Works

The Project Arboriculturist shall be retained by the developer for the duration of the project, to pay periodic site visits as appropriate to ensure that construction works will not

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compromise the agreed and approved tree protection, to ensure general strict adherence of the developer with all recommendations laid out in the Arborists report and to offer any further advice to the developer on the matter of trees as may be required from time to time.

REASON: In the interest of the tree protection, retention and preservation, biodiversity and amenity in accordance with policy G2 Objective 9, G4 Objective 5, G2 Objective 13, G6 Objective 1, HCL15 Objective 3 of the CDP 2016-2022.

12. Arboricultural Method Statement

The applicant shall submit a detailed Arboricultural Method Statement (AMS). The AMS shall include justification and mitigation for any tree removal proposed and details of how trees will be protected at all stages of the development. Recommendations for tree surgery works and details of any tree surgery works necessary to implement the permission will be required as will the method and location of tree protection measures, the phasing of protection methods where demolition or construction activities are essential within root protection areas and design solutions for all problems encountered that could adversely impact trees (e.g. hand digging or thrust-boring trenches, porous hard surfaces, use of geotextiles, location of site compounds, office, parking, site access, storage etc.). All works shall be carried out in accordance with the agreed AMS.

REASON: To ensure that the trees on site are adequately protected, to safeguard the character and appearance of the area, in accordance with relevant policies and objectives of the CDP 2022-2028.

13. Tree Protection Measures

The applicant shall submit details of the tree protection measures to be employed in order to ensure to protection and retention of the trees to be retained on site, in accordance with BS 5837:2012 - Trees in relation to construction - Recommendations, for the approval of the Planning Authority. The tree and hedgerow protection measures shall show the extent of root protection areas and details of ground protection measures and fencing to be erected around the trees, including the type and position of these. The protective measures shall be implemented prior to the commencement of any development, site works or clearance in accordance with the approved details and shall be maintained and retained until the development is completed. Within the root protection areas the existing ground level shall be neither raised nor lowered and no materials, temporary buildings, plant, machinery or surplus soil shall be placed or stored thereon. If any trenches for services are required within the fenced areas they shall be excavated and backfilled by hand and any tree roots encountered with a diameter of 25mm or more shall be left unsevered.

REASON: To ensure that the trees on site are adequately protected, to safeguard the character and appearance of the area, in accordance in accordance with relevant policies and objectives of the CDP 2022-2028

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14. Tree Bond and Arboricultural Agreement

Prior to the commencement of any permitted development or any related construction activity or tree felling on the site, the applicant shall lodge a Tree and Hedgerow Bond to the value of €78, 386.52 with the Planning Authority. This is to ensure the protection of trees on and immediately adjacent to the site to make good any damage caused during the construction period.

The bond lodgement shall be coupled with an Arboricultural Agreement, with the developer, empowering the planning authority to apply such security, or part thereof, to the satisfactory protection of any tree/hedgerow or trees/hedgerows on or immediately adjoining the site, or the appropriate and reasonable replacement of any such trees/hedgerows which die, are removed or become seriously damaged or diseased within a period of three years from the substantial completion of the development. Any replacement planting shall use large semi-mature tree size(s) and species or similar as may be stipulated by the planning authority.

An Arboricultural Assessment Report and Certificate is to be signed off by a qualified Arborist after the period of 3 years of completion of the works. Any remedial tree surgery, tree felling works recommended in that Report and Certificate shall be undertaken by the developer, under the supervision of the Arborist. The bond will only be refunded upon receipt by SDCC Public Realm Section of a satisfactory post-construction arboricultural assessment, carried out by a qualified arborist and provided that the hedges/trees proposed for retention are alive, in good condition with a useful life expectancy.

REASON: To ensure that the trees on site are adequately protected, to safeguard the character and appearance of the area, in accordance with relevant policies and objectives of the CDP 2022-2028.

15. Green Space Factor (Minimum Score Not Achieved)

The applicant has not achieved the appropriate Green Space Factor of 0.5 for the site and is contrary to GI5 Objective 4. In cases where proposed development does not meet the minimum required score and the Council agree that the minimum score is not achievable on the site; the Council will engage with the applicant to help determine an alternative GI solution, to ensure that the proposed development does not detract from the local environment and makes a positive contribution to local GI provision. Where site-specific constraints do not allow for adequate landscaping features in line with minimum requirements a developer will be permitted to provide alternative GI interventions or contributions to make up for this shortcoming, see below. Those GI measures ultimately chosen will be dictated by the site-specific context and will be subject to agreement with Council. The applicant shall therefore contact the Public Realm Section to agree alternative GI interventions or contributions to make up for this shortcoming.

REASON: Ensuring that new development meets minimum standards for the provision of GI, in accordance with policy GI5 Objective 4 and other relevant policies of the CDP

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16. Green Infrastructure

In accordance with the quoted policies and sections of the South Dublin County Development Plan 2022 - 2028, the applicant shall submit information as necessary to demonstrate how they intend to reduce fragmentation of existing green infrastructure. The applicant shall provide a green infrastructure plan showing connections through the site and connections to wider GI network.

REASON: In order to ensure the protection and enhancement of Green Infrastructure in the County through the provision of green infrastructure elements as part of the design process in accordance with relevant policies of the CDP 2022-2028

17. SUDS

A comprehensive SUDS Management Plan shall be submitted to demonstrate that the proposed SUDS features are compliant with Council policies and are designed in line with the Councils Sustainable Drainage Guidance. This shall include the removal of all underground attenuation from Public Open Space Areas. A maintenance plan shall also be included as a demonstration of how the system will function following implementation. Additional natural SUDS features shall be incorporated into the proposed drainage system for the development such as rain gardens, detention basins, filter drains, swales etc. In addition, the applicant shall provide the following:

- Demonstrate how the proposed natural SUDS features will be incorporated and work within the drainage design for the proposed development.
- A drawing to show how surface water shall be attenuated to greenfield run off rates.
- Development should seek to maximise the use of permeable surfaces, as well as opportunities for stormwater attenuation and storage through SuDS and limit the use of underground attenuation and storage; underground attenuation will only be considered as a last resort when all other above ground natural SUDS measures have been explored and exhausted however they are not permitted under any Public Open Space Areas.
- Submit a drawing to show what SuDS (Sustainable Drainage Systems) are proposed. Examples of SuDS include permeable paving, filter drains, 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.
- The applicant is referred to the recently published SDCC SuDS Design Guide for further information and guidance.
- Suds measures across the south of the site shall be implemented in the first phase of the development to mitigate the impacts of the construction activity on the site.

REASON: To prevent the increased risk of flooding by ensuring the provision of a satisfactory means of surface water disposal is incorporated into the design and the build

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and that the principles of sustainable drainage are incorporated into this proposal and maintained for the lifetime of the proposal, in accordance with the policies and objectives of the County Development Plan 2022-2028.

18. Biodiversity Management Plan

Given the numerous policies and objectives regarding Green Infrastructure in the County Development Plan 2022-2028 an overarching Biodiversity Management Plan shall be submitted by the applicant prior to the commencement of development. The plan shall indicate how biodiversity and green infrastructure is to be enhanced and developed on this site during construction and into the future, taking into account matters that include the following:

- i. Protection of existing trees and woodland plantations on site
- ii. Protection and enhancement measures for bats
- iii. The use of SUDS and Climate Adaption Measures

REASON: To protect and enhance areas of biodiversity, in accordance with relevant policies and objectives of the CDP 2022-2028.

19. Bat Assessment

The proposed mitigation measures and recommendations contained within the submitted Bat Assessment prepared by Brian Keeley shall be implemented in full by the applicant.

REASON: To encourage wildlife on the site in accordance with relevant policies of the CDP 2022-2028

20. Boundary Treatments

Prior to the occupation of the development, details of a scheme of the means of enclosure shall be submitted to and approved in writing by the Local Planning Authority indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed before the buildings are occupied. Development shall be carried out in accordance with the submitted details and maintained as approved.

REASON: In order to ensure high quality landscaping for the boundaries of the site in the interests of visual amenity and to safeguard the residential amenity of neighbouring occupiers, in accordance with relevant policies of the CDP 2022-2028.

21. Surface Water Drainage

Prior to the commencement of development the applicant shall submit the following details to the Planning Authority for written agreement:

A. a drawing showing where all surface water attenuation is provided and how much attenuation in m³ is proposed for the development. The initial surface water attenuation proposed of 348m³ is 30% undersized for a 1 in 30 year storm event and undersized by 42% for a 1 in 100.

B. a report showing revised surface water attenuation calculations for the development and explain what is meant by positively drained areas? Where are the positively drained areas in the development. Show the surface types and areas of same in m² for proposed development.

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C. Examine if any surface water pipes can be replaced with swales to convey surface water above ground use SuDS (Sustainable Drainage Systems). Submit a revised drawing showing additional SuDS where this is possible

REASON: In the interests of the proper planning and sustainable development of the area.

22. Irish Water

A. Water

Where the applicant proposes to connect to a public water network operated by Irish Water, the applicant must sign a connection agreement with Irish Water prior to the commencement of the development and adhere to the standards and conditions set out in that agreement.

B. Foul

Where the applicant proposes to connect to a public water network operated by Irish Water, the applicant must sign a connection agreement with Irish Water prior to the commencement of the development and adhere to the standards and conditions set out in that agreement.

Reason: In the interest of public health and to ensure adequate water and waste water facilities.

23. Tallaght District Heating

Prior to the commencement of development, the applicant shall submit, for the written agreement of the Planning Authority, proposals detailing how the scheme can connect to the Tallaght District Heating System and such agreed details shall be implemented in full and include future proofing of the heating of the proposed development in the event that Heat Net is no longer available at some point in the future.

REASON: In the interest of the proper planning and sustainable development of the area.

24. Council Housing Strategy.

That the applicant, owner or developer, or any other person with an interest in the land to which the development as approved relates shall, prior to the lodgement of a commencement notice within the meaning of Part II of the Building Control Regulations 1997:

(i) enter into an agreement with the Housing Authority for compliance with the Part V of the Planning and Development Act 2000 (as amended) as referred to in the South Dublin County Council Development Plan 2022-2028, providing, in accordance with that section, for the matters referred to in paragraph (a) or (b) of subsection (3) of section 96, and
(ii) when the agreement with the Housing Authority for compliance with the Part V of the Planning and Development Act 2000 is finalised to the satisfaction of the Housing Authority, a certified copy of the agreement shall be lodged with the Planning Authority.

REASON: To promote social integration consistent with policies/objectives of the Councils Housing Strategy as contained in the South Dublin County Council Development Plan 2022-2028.

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25. Archaeological Monitoring

Monitoring by a qualified archaeologist shall be carried out during any excavation works and that further mitigation measures may be required should any features be discovered subject to the approval of the National Monuments Service. Prior to the commencement of development, the applicant must inform the Planning Authority of details relating to the monitoring of the site, including details of the archaeologist responsible, for written agreement.

REASON: In the interest of the proper planning and sustainable development of the area.

26. Crane Operation

Due to the proximity of the site to Casement Aerodrome and Tallaght Hospital the operation of cranes should be coordinated with Air Corps Air Traffic Services, no later than 28 days before.

REASON: To ensure safety during the construction phase of development.

27. Operational Waste Management

An Operational Waste Management Plan shall be submitted to the Planning Authority, for written agreement, prior to occupation of the development.

REASON: In the interest of long term waste management

28. Financial Contribution.

The developer shall pay to the Planning Authority a financial contribution of €665, 156.22 (Six Hundred and Sixty Five Thousand One Hundred and Fifty Six Euros and Twenty Two Cents), in respect of public infrastructure and facilities benefiting development within the area of the Planning Authority, that is provided, or intended to be provided by or on behalf of the authority, in accordance with the terms of the Development Contribution Scheme 2021 - 2025, made under Section 48 of the Planning and Development Acts 2000-2011 (as amended).

The contributions under the Scheme shall be payable prior to commencement of development or as otherwise agreed in writing by the Council. Contributions due in respect of permission for retention will become payable immediately on issue of the final grant of permission. Contributions shall be payable at the index adjusted rate pertaining to the year in which implementation of the planning permission is commenced.

REASON: The provision of such facilities will facilitate the proposed development. It is considered reasonable that the payment of a contribution be required, in respect of public infrastructure and facilities benefiting development in the area of the Planning Authority and that is provided, or that is intended will be provided, by or on behalf of the Local Authority.

NOTE RE: CONDITION - Please note that with effect from 1st January 2014, Irish Water is now the statutory body responsible for water services. Further details/clarification can be obtained from Irish Water at Tel. 01 6021000 or by emailing customerservice@water.ie.

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NOTE: Where the applicant proposes to connect to a public water/wastewater network operated by Irish Water, the applicant must sign a connection agreement with Irish Water prior to the commencement of the development and adhere to the standards and conditions set out in that agreement.

NOTE: The applicant is advised that under the provisions of Section 34 (13) of the Planning and Development Act 2000 (as amended) a person shall not be entitled solely by reason of a permission to carry out any development.

NOTE: The requirements of the HSE Environmental Health Officer shall be ascertained prior to the commencement of development in the interest of public health.

NOTE: The applicant or developer should ensure that all necessary measures shall be taken by the contractor to prevent the spillage or deposit of clay, rubble or other debris on adjoining roads during the course of the works and to ensure that any such instances arising are remedied immediately.

NOTE: Adequate provision should be made to facilitate access to and the use of the development, buildings, facilities and services by disabled persons, including sanitary conveniences. The minimum requirements should be as per Part M of the Building Regulations.

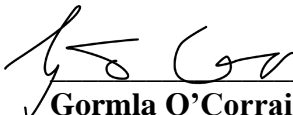
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REG. REF. SD22A/0035

LOCATION: Lands within St Marys Priory, Old Greenhills Road, Tallaght, Dublin 24



Gormla O'Corrain
Senior Planner

ORDER: A decision pursuant to Section 34(1) of the Planning & Development Act 2000, as amended, to Grant Permission for the reasons set out in the First Schedule above, in accordance with the said plans and particulars, subject to the condition(s) specified in the Second Schedule above, the reasons for the imposition of the said condition(s) being as set out in the said Second Schedule is hereby made.

Date: 16 Dec 2022



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