

An  
Bord  
Pleanála

**Board Direction**  
**BD-010518-22**  
**ABP-311568-21**

The submissions on this file and the Inspector's report were considered at a Board meeting held on 12/04/2022.

The Board decided to refuse permission, generally in accordance with the Inspector's recommendation, for the following reasons and considerations.

#### **Reasons and Considerations**

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

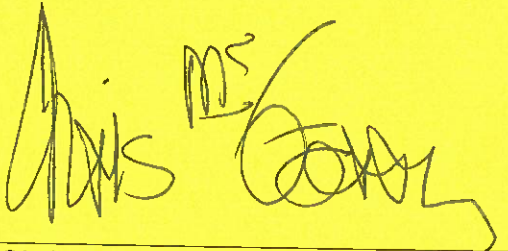
of the proposed development, including the 8 storey height of Block A along First Avenue and along the internal street within the proposed scheme, the poor provision for pedestrian movement within the site and the dominance of surface car parking, the Board is not satisfied that a material contravention of the plan would be justified and further, that such material contravention of the plan, by itself and by the precedent it would set, would compromise the coherent redevelopment and regeneration of this site and the wider area in a manner consistent with the overall provisions of the Local Area Plan. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

3. On the basis of the information submitted with the application and appeal, the Board is not satisfied that the applicant has demonstrated that the proposed development can be accommodated within the existing public wastewater network. In the absence of confirmed evidence within the application and appeal documentation, that the existing network can accommodate wastewater arisings generated from this specific scheme at this site, or the identification of the nature and scope of any upgrades and works, including the timeframe for implementation of same, which would be necessary to facilitate the connection of the proposed development to the wastewater network, it is considered that the proposed development would be premature. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

**Note 1:** The Board noted the commentary of the Inspector regarding the mix of residential units within the proposed development and the subsequent recommendation that, should the Board be minded to grant permission a planning condition should be attached to require the provision of 3 bedroom units within the development through the reconfiguring of the internal space. The Board shared the broad view of the Inspector that a reconsideration of the overall housing mix would be warranted, however it determined that any such reconfiguration by means of a planning condition would not be the appropriate mechanism to secure the recommended change, as such an approach would amongst others, likely entail a reassessment of associated issues including childcare provision, parking quantum etc.. In any case, given the substantive reasons for refusal set out above, it was decided not to pursue this issue further under the current appeal.

**Note 2:** The Board noted the commentary of the Inspector regarding height and plot ratio and whether the proposed development, which is confirmed as being in excess of parameters set in the LAP, may nevertheless be considered on its merits and by reference to criteria set out at section 2.6 of the LAP. The Board considered the totality of the documentation submitted with the application and appeal, the internal reports of South Dublin County Council and the full provisions of the Tallaght Town Centre Local Area Plan 2020-2026 and determined that, by reference to the nature, extent, scale and layout, that the proposed development would materially contravene the LAP provisions on height and plot ratio and that no justification for supporting such a material contravention arises in this case.

**Board Member**

  
Chris McGarry

**Date:** 14/04/2022

