



An
Bord
Pleanála

Board Direction
BD-015468-24
ABP-318458-23

The submissions on this file and the Inspector's report were considered at a Board meeting held on 16/02/2024.

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 Board had regard to the South Dublin County Development Plan 2022-2028, Objective 11 of Policy EDE4 supporting "the regeneration of the Tallaght Local Area Plan lands in a co-ordinated and sustainable manner in accordance with the Tallaght Town Centre Local Area Plan 2020", and Objective IS 1 setting out in that Plan that development of the identified regeneration lands in Cookstown should generally be phased whereby " development should extend outwards from the town centre and high-quality public transport with land closest to the centre and public transport nodes being given preference, i.e. 'leapfrogging' to stand alone or isolated areas should be avoided; and a strong emphasis will be placed on encouraging infill opportunities adjacent to compatible existing uses and ensuring better use of under-utilised lands".

The Board noted the proposed development is located centrally in an industrial area of Tallaght where the adjoining uses are low density and commercial in nature and where the existing road network lacks high quality cycle and pedestrian facilities. Notwithstanding the proposed interim upgrades to pedestrian and cycling facilities, the proposed development whose residents would be predominantly reliant on access by foot or bike would remain physically

isolated from high quality pedestrian and cycling facilities towards Tallaght Town Centre and the Belgard Luas.

The Board considered that no exceptional circumstances existed through the proposed development to justify this principle being contravened. The proposed development would therefore be contrary to Objective IS 1 of the Tallaght Town Centre Local Area Plan and to Policy EDE4 Objective 11 of the South Dublin County Development Plan 2022-2028.

2. The Board noted the Tallaght Town Centre Local Area Plan 2020 provides significant guidance regarding the scale and intensity of development permissible including specific ranges in terms of plot ratio for Cookstown Parcel CT-C in which the proposed development site is located and building height for the Cookstown Neighbourhood. The Board considered that the plot ratio and building height ranges applied for by the applicant exceed the clearly stated ranges for such under the Local Area Plan and that the location and development does not meet the criteria allowing for an increase in height above specified ranges by 2-4 storeys or an uplift in plot ratio by 20% as set out under Section 2.6 of the Local Area Plan.

The Board further noted the requirements of Objective 4 of Policy GI5 of the South Dublin County Development Plan 2022-2028 and the insufficient green space factor score proposed by the applicants.

Given the very limited emphasis on vehicular transport as part of this proposed development, the Board also considered as insufficient the provision for cycle transport in the site.

The Board therefore considered the proposed development would be contrary to the stated policy of the South Dublin County Development Plan 2022-2028 and the Tallaght Town Centre Local Area Plan 2020, would constitute overdevelopment of the site, including to the detriment of future residential amenity, and would set an undesirable precedent for other development within the Local Area Plan lands.

Board Member Eamonn James Kelly **Date:** 19/02/2024
Eamonn James Kelly

Note

The Inspector's view that the provision of the pocket park required as part of land block CT-C represented an uncoordinated approach thereby contributing to the first recommended reason for refusal was not shared by the Board as the Development Plan envisages developer-led approaches to such provision. In and of itself, the Board didn't consider this to be a sufficient ground for refusal.

The Board noted the Inspector's second recommended ground for refusal that Policy H1 Objective 12 of the South Dublin County Council County Development Plan 2022-2028 specifies that proposals for residential development shall provide a minimum of 30% 3-bedroom units. The proposed unit mix does not comply with the requirement explicitly set out under Development Plan policy and there is failure to demonstrate that a deviation from this requirement is justified under the criteria identified under Development Plan policy. The Board broadly agreed with the assessment of the Inspector in this regard and, in the absence of any other significant issues, would have explored further how the requirements of the Development Plan could have been met regarding this matter. However, given the substantive reasons for refusal set out above, it was decided not to pursue this issue further under the current appeal.