

An
Bord
Pleanála

Board Order ABP- 313591-22

Planning and Development Acts 2000 to 2022

Planning Authority: South Dublin County Council

Application for permission under section 4 of the Planning and Development (Housing) and Residential Tenancies Act 2016, as amended, in accordance with plans and particulars, lodged with An Bord Pleanála on the 17th day of May 2022 by Garyaron Homes Limited care of Brock McClure Planning and Development Consultants of 63 York Road, Dun Laoghaire, County Dublin.

Proposed Development comprises of the following:

1. The demolition (total area approx. 4,319.9 square metres) of the existing buildings on site and the existing front boundary treatment;
2. The construction of a new residential and mixed use scheme of 242 number apartment units in five number blocks (Blocks A to E) ranging from four to seven storeys in height as follows:
 - Block A (five storeys) comprising 40 number apartments (four number one-bedroom, 31 number two bed and five number three-bedroom units)
 - Block B and C (seven storeys) comprising 102 number apartments (45 number one-bedroom and 57 number two-bedroom units)
 - Block D (five - seven storeys) comprising 36 number apartments (16 number one-bedroom and 20 number two-bedroom units)
 - Block E (four - five storeys) comprising 64 number apartments (31 number one-bedroom and 33 number two-bedroom units)

3. Block D will accommodate a childcare facility or creche of approximately 465 square metres at ground floor level.
4. The proposal will also provide for a café of approximately 50.9 square metres at the ground floor of Block C. Residential amenity areas will be provided in the form of a reception of approximately 125.1 square metres, resident lounge of approximately 45 square metres, a letting office of approximately 11.8 square metres, a rentable room or studio space of 39 square metres, a public gym of approximately 128.5 square metres and a public co-working space of approximately 128.4 square metres, all at the ground floor level of Blocks B and C.
5. Each residential unit will be afforded with private open space in the form of a balcony or terrace. Communal open space of 1,797.4 square metres is proposed in the form of two number roof top terraces at Blocks D and E, courtyard space at ground level, outdoor seating and planting and pedestrian and cyclist links. Public open space of 1,400 square metres is also proposed in the courtyard area, fully accessible to the general public and includes outdoor seating, paved areas, a lawn area, and play areas in addition to an outdoor seating area to the front of the proposed café at Block C.
6. A total of 136 number car parking spaces are provided at ground floor level, including seven number Accessible spaces at surface level; and 426 number bicycle spaces (Visitor and Resident in bike stands and secure stacked bike spaces) are proposed.
7. The development shall be served via a new vehicular access point from Broomhill Road. Upgrade works are proposed to the vehicular access point to facilitate the proposed development and to provide for improved access and egress for the overall development. New pedestrian and cyclist access points will be provided on to Broomhill Road from the site.
8. The associated site and infrastructural works include provision for water services; foul and surface water drainage and connections; attenuation proposals; permeable paving; all landscaping works; boundary treatment; internal roads and footpaths; waste storage areas and electrical services and all associated site development works all located on lands at Broomhill Road, Tallaght and Unit 51, Broomhill Road, Tallaght, Dublin 24.

Decision

Refuse permission for the above proposed development in accordance with the said plans and particulars based on the reasons and considerations under.

Note: In relation to the first reason for refusal, the Board agreed with the inspector that the proposal was not in full accordance with the key land use objectives pertaining to the site which seeks to ensure that lands zoned 'Regen' accommodate a significant portion of business, enterprise and employment uses. However, the Board acknowledged that residential development is also permitted in principle on lands governed by the 'Regen' zoning objective. In this regard the Board considered that the proposal may not materially contravene the zoning objectives of the development plan.

In relation to the Inspector's third reason for refusal, the Board noted the provision contained in H1 Objective 12 of the South Dublin County Council Development Plan which seeks to provide a minimum of 30% 3 bedroom units and that this objective is underpinned and supported by Housing Needs Demand Assessment which forms part of the Development Plan. This Plan and the associated Housing Needs Demand Assessment however, was adopted subsequent to the lodgement of the planning application and therefore, was not in force at the time of making the application. The Board considered that normally, the applicant should be given an opportunity to comment on the proposed housing mix in light of the Housing Needs Demand Assessment adopted by the Planning Authority. However, given the other substantive reasons for refusal the Board decided not to pursue this specific matter further.


Reasons and Considerations

1. Key Objective BH1 of the Tallaght Town Centre Local Area Plan 2020 relating to the Broomhill neighbourhood area (section 3.5) identifies a "transition to mixed use area primarily focussed on higher value commercial uses" for the area. Under section 3.5 relating to land use mix/urban function, the area is to be "predominantly business, enterprise and employment area with more mixed-use residential development fronting along the southern side of Airton

Road, subject to integrating effectively with existing surrounding uses". The proposal, which is mainly residential in nature with a limited level of business, enterprise and employment uses would contravene the key objective BH1 of the Tallaght Town Centre Local Area Plan 2020 and would, therefore, be contrary to the proper planning and sustainable development of the area.

2. The proposed development due to its location centrally within the Broomhill neighbourhood area where the existing road network is lacking in appropriate pedestrian and cycling infrastructure to serve the transition of the area from commercial development to mixed uses, including residential as envisaged under the South Dublin County Development Plan 2022-2028 and the Tallaght Town Centre Local Area Plan 2020, would lead to a piecemeal, haphazard approach to development of the overall neighbourhood lands within the Broomhill area. The proposal would be contrary to the policy regarding Sequencing and Implementation as set out under Section 8.0 of the Tallaght Town Centre Local Area Plan whereby development should extend outwards from the town centre with lands closest to the centre and public transport nodes being given preference. As such the proposal is also contrary to EDE4 Objective 11 of the South Dublin County Development Plan 2022-2028 requiring compliance with the Local Area Plan. The piecemeal nature of the development represents an uncoordinated approach that would compromise the provision of a good quality development and future connections to adjoining lands, which would also be contrary to the objectives of the Local Area Plan. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.
3. The proposed development is within the boundaries of the Tallaght Town Centre Local Area Plan 2020, which provides significant guidance regarding the scale and intensity of development permissible including specific ranges in terms of plot ratio and building height for the Broomhill Neighbourhood. The plot ratio and height proposed exceeds the clearly stated ranges for such under the Tallaght Town Centre Local Area Plan 2020 and that the location and design of the development does not meet the criteria set out that allows

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 proposed development would be contrary to the stated policy of the Local Area Plan, would constitute overdevelopment of the site and would set an undesirable precedent for other development within the Local Area Plan boundary.



Paul Caprani

Member of An Bord Pleanála

**duly authorised to authenticate
the seal of the Board.**

Dated this 12th day of December 2024