

---

**Planning and Development Acts 2000 to 2022**

**Planning Authority: South Dublin County Council**

**Planning Register Reference Number: SD22A/0361**

**APPEAL** by Bartra Property Cookstown Limited care of Brock McClure Planning and Development Consultants of 63 York Road, Dún Laoghaire, County Dublin against the decision made on the 23<sup>rd</sup> day of May, 2023, by South Dublin County Council to refuse permission.

**Proposed Development:** Demolition of all existing one to three storey industrial/commercial structures and small cafe on site totalling circa 5,500 square metres in area; Construction of a one to five storey Transitional Care Facility (step-up/step-down) providing 131 bedspaces over partial basement (total floor area circa 6,743 square metres) with central courtyard (circa 519 square metres); The basement consists of a sprinkler tank and pump rooms, water tank room, plant room and workshop; Provision of dining and kitchen areas, sitting/family rooms, activity rooms, coffee dock, hair salon, oratory, lobbies/reception areas, ancillary offices and staff areas, stores, toilets, shower/changing facilities, ESB substation, generator, switchroom, service yard and waste areas serving the facility; Lobbies, stair/lifts, photovoltaic panels and green roofs throughout; Partial provision of the pocket park identified in the Tallaght Local Area Plan (circa 1,286 square metres); New vehicular access from First Avenue and egress onto Cookstown Road via a

one-way system through the subject site; Entrance signage on the eastern elevation of the proposed facility; All associated site development works, services provision, connection to the water supply, foul and surface water networks on First Avenue and Cookstown Road including partial diversion of the foul line to the north east of the site at First Avenue, temporary foul pump station, attenuation/bioretenion systems, vehicular and pedestrian access including internal road and footpaths, interim pedestrian facilities/public realm upgrade works, landscape and boundary treatment works, tree removal, bicycle storage (76 total spaces), car parking (32 total spaces), set-down parking spaces, one ambulance set-down space serving the facility and delivery/loading areas to First Avenue, all at Unit 21, First Avenue, Cookstown Industrial Estate, Dublin.

## **Decision**

**REFUSE permission for the above proposed development in accordance with the reasons and considerations set out below.**

## **Reasons and Considerations**

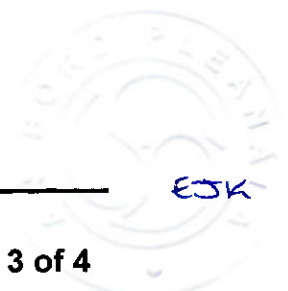
1. The Board had regard to the South Dublin County Development Plan 2022-2028, Objective 11 of Policy EDE4 supporting “the regeneration of the Tallaght Local Area Plan lands in a co-ordinated and sustainable manner in accordance with the Tallaght Town Centre Local Area Plan 2020”, and Objective IS 1 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, that is, ‘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, visitors and staff 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 two to four-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 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 in the Local Area Plan lands. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

*Eamonn James Kelly*

**Eamonn James Kelly**

**Member of An Bord Pleanála**

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



Dated this *4<sup>th</sup>* day of *March*, 2024.