

An  
Coimisiún  
Pleanála

**Commission Order**  
**ACP-324080-26**

---

**Planning and Development Act 2000, as amended**

**Planning Authority: South Dublin County Council**

**Planning Register Reference Number: LRD25A/0009W**

**Appeal** by Gerard Stockil (Tallaght Community Council) against the decision made on the 21<sup>st</sup> day of January 2026 by South Dublin County Council to grant, subject to conditions, a permission to Midsal Homes Limited in accordance with plans and particulars lodged with the said Council.

**Proposed Development:** The proposed development principally comprises: the demolition and removal of existing boundary walls and railings on the main development site's eastern, western and northern sides; and the construction of a mixed-use development in two number blocks (Block A to the south and Block B to the north) with a gross floor area of 23,540 square metres (including basement of 275 square metres) and ranging in height from one number to seven number storeys (with mezzanine level) over basement. The development includes a total of 199 number residential dwellings (six number studios, 47 number one-bed, 98 number two-bed and 48 number three-bed) in the two number blocks, with Block A comprising 49 number 'senior living'

apartment units and Block B comprising 150 number 'standard' apartment units. The development also includes 2,123 square metres of non-residential floor space, with the following uses proposed: four number retail units (totalling 331 square metres); four number class 1 / class 2 commercial units (totalling 387 square metres); a bicycle sales and repair shop (81 square metres); an off-licence (64 square metres); a bar (151 square metres); a café (87 square metres); a medical centre (210 square metres); a dental practice (72 square metres); a pharmacy (195 square metres); a beauty/health salon (195 square metres); and a crèche (350 square metres) with external play area. The development also comprises: an undercroft car park accessed via a new entrance/exit at Belgard Square East which provides 58 number car parking spaces; a gated service lane to the south of Block A, with entrances/exits off Belgard Square East and Belgard Road; two number pedestrian/cycle crossings, at Belgard Square East and Belgard Road; continuation of the northbound cycle lane from Belgard Road onto Old Blessington Road; alteration to the median and northbound right turn at Belgard Road onto Abberley Square; cycle parking; internal communal amenity spaces for the senior living units; hard and soft landscaping, including public open space, communal amenity space and incidental spaces; private amenity spaces (as balconies and terraces facing all directions); boundary treatments; two number sub-stations; plant/operational rooms; bin stores; public lighting; blue roofs; rooftop PV arrays; lift overruns and rooftop opening vents atop both blocks; four number 0.3 metre diameter microwave link dishes mounted on two number steel support poles affixed to the Block B lift overrun, all enclosed in radio-friendly GRP shrouds; and all associated works above and below ground, all on a site of approximately 1.19 Ha at Belgard Square East, Belgard Road and Old Blessington Road, Tallaght, Dublin. The main development site (approximately 0.91 Ha) is generally bound: to the north by Old Blessington Road; to the east by Belgard Road.

## Decision

**GRANT permission for the above proposed development in accordance with the said plans and particulars based on the reasons and considerations under and subject to the conditions set out below.**

### Reasons and Considerations

In coming to its decision, the Commission performed its functions in relation to the making of its decision, in a manner consistent with Section 15(1) of the Climate Action and Low Carbon Act 2015, as amended by Section 17 of the Climate Action and Low Carbon Development (Amendment) Act 2021, in accordance with the provisions of the Climate Action Plan 2024 and Climate Action Plan 2025, and also had regard to the following:

- (a) The location of the site in an area where residential/mixed use development is permitted under zoning Objective 'TC' – 'to protect, improve and provide for the future development of Town Centres',
- (b) the policies and objectives of the South Dublin County Development Plan 2022-2028,
- (c) the National Planning Framework first revision issued by the Department of Housing, Planning and Local Government in April 2025,
- (d) the Regional Spatial and Economic Strategy for the Eastern and Midland Region 2019 -2031 (RSES),

- (e) Sustainable Residential Development and Compact Settlements Guidelines for Planning Authorities (2024) (The 'Compact Settlement Guidelines'),
- (f) Sustainable Urban Housing: Design Standards for New Apartments, Guidelines for Planning Authorities (2025) (the 'Apartment Guidelines'),
- (g) the Urban Development and Building Heights Guidelines for Planning Authorities (2018) (the 'Building Heights Guidelines'),
- (h) the Design Manual for Urban Roads and Streets (DMURS) (2019),
- (i) the Planning System and Flood Risk Management (including the associated Technical Appendices) (2009),
- (j) Childcare Facilities – Guidelines for Planning Authorities 2001 and Circular PL3/2016 – Childcare facilities operating under the Early Childhood Care and Education (ECCE) Scheme,
- (k) the nature, scale and design of the proposed development,
- (l) the availability of infrastructure in the area,
- (m) the pattern of existing and permitted development in the area,
- (n) the grounds of appeal received,
- (o) the report of the planning authority, and

(p) the report and recommendation of the Planning Inspector.

The Commission considered that, subject to compliance with the conditions set out below, the proposed development would be acceptable in terms of urban design, height and quantum of development, built heritage, traffic and pedestrian safety and convenience and would not seriously injure the residential or visual amenities of the area or of property in the vicinity. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area and consistent with the Climate Action Plan, 2025 and the Climate Action and Low Carbon Development (Amendment) Act 2021.

### **Appropriate Assessment Screening**

The Commission completed an Appropriate Assessment screening exercise in relation to the potential effects of the proposed development on European Sites, taking into account the nature and scale of the proposed development on serviced lands, the nature of the receiving environment, which comprises a built-up urban area, the distances to the nearest European sites and the hydrological pathway considerations, submissions on file, the information submitted as part of the subject application, Appropriate Assessment Screening Report and application documentation, and the Planning Inspector's report. In completing the screening exercise, the Commission agreed with and adopted the report of the Planning Inspector and concluded that, by itself or in combination with other development, plans and projects in the vicinity, the proposed development would not be likely to have a significant effect on any European Site in view of the Conservation Objectives of such sites.

## **Environmental Impact Assessment Screening**

The Commission completed an environmental impact assessment screening of the proposed development and considered that the Environment Impact Assessment Screening Report submitted by the applicant which contains information set out in Schedule 7A of the Planning and Development Regulations 2001, as amended, identifies and describes adequately the direct, indirect, secondary and cumulative effects of the proposed development on the environment.

Having regard to:

- (a) The nature and scale of the proposed development, which is below the threshold in respect of classes 10(b)(i), 10(b)(iv) and 15 of Part 2 to Schedule 5 of the Planning and Development Regulations 2001 (as amended).
- (b) The location of the proposed development on lands zoned within the South Dublin County Development Plan 2022-2028 as Objective 'TC' – 'to protect, improve and provide for the future development of Town Centres', and the results of the Strategic Environmental Assessment of the Development Plan.
- (c) The brownfield nature of the existing site and the pattern of development in the surrounding area.
- (d) The availability of mains water and wastewater services to serve the proposed development.

- (e) The location of the development outside of any sensitive location specified in Article 299(C)(1)(a)(v) of the Planning and Development Regulations 2001, as revised.
- (f) The guidance set out in the 'Environmental Impact Assessment (EIA) Guidance for Consent Authorities regarding Sub-threshold Development', issued by the Department of the Environment, Heritage and Local Government (2003);
- (g) The criteria set out in Schedule 7 of the Planning and Development Regulations 2001 (as amended),
- (h) The results of other relevant assessments of the effects on the environment submitted by the applicant including the AA Screening Report, Ecological Impact Assessment, Engineering Report and site-specific Flood Risk Assessment, and
- (i) The features and measures proposed by the applicant that are envisaged to avoid or prevent what might otherwise be significant effects on the environment, including measures identified in the Construction Environmental Management Plan, the Resource and Waste Management Plan, the Operational Waste Management Plan, Site Specific Flood Risk Assessment, Ecological Impact Assessment, Archaeological Impact Assessment, Landscaping Report and the Engineering Services Report.

It is considered that the proposed development would not be likely to have significant effects on the environment and that the preparation and submission of an environmental impact assessment report would not, therefore, be required.

### **Conclusions on Proper Planning and Sustainable Development**

The Commission considered that, subject to compliance with the conditions set out below, the proposed development would constitute an acceptable quantum and density of development in this urban / brownfield location, would not seriously injure the residential or visual amenities of the area or of property in the vicinity, would be acceptable in terms of urban design, height and scale of development, would not detrimentally impact on the built heritage of the area, would be acceptable in terms of impacts on traffic, would provide an acceptable form of residential amenity for future occupants, would not be at risk of flooding, or increase the risk of flooding to other lands and would be capable of being adequately served by wastewater and water supply networks. The Commission considered that the proposed development would be compliant with the provisions of the South Dublin County Development Plan 2022-2028 and the Tallaght Local Area Plan 2020, and would, therefore, be in accordance with the proper planning and sustainable development of the area.

## Reasons and Considerations

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application on the 19th day of November 2025, except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority prior to commencement of development and the development shall be carried out and completed in accordance with the agreed particulars.

**Reason:** In the interest of clarity.

2. Prior to commencement of development the applicant shall enter into a legal agreement with the planning authority under Section 47 of the Planning Act 2000, as amended, specifying that the proposed senior living apartment units in Block A (49 apartments in total) shall each be occupied as a permanent place of residence by at least one resident aged 55 years of age or older.

**Reason:** To regulate the use of the development and to comply with the provisions of the Development Plan for the area.

3. All ecological mitigation and monitoring measures outlined in the Ecological Impact Assessment Report submitted with this application, shall be carried out in full, except where otherwise required by conditions attached to this permission.

**Reason:** In the interest of protecting the environment and in the interest of public health.

4. The windows on the southern elevation of Block B, serving Kitchen / Living / Dining rooms in units B1.02, B2.02, B2.27, B3.02, B3.27, B4.02, B4.27, B5.02 and B5.27 and directly opposing bedroom windows in Block A serving units A1.01, A2.01, A2.07, A3.01, A3.07, A4.01, A4.07, A5.01, A5.07, shall be high level windows only.

Prior to commencement of development, a complete set of elevation drawings shall be submitted to the planning authority for written agreement.

**Reason:** In the interest of clarity and residential amenity.

5. Prior to commencement of development, the location, design / construction and specification of the pedestrian crossings on Belgard Road and Belgard Square East and all proposed alterations to the public road, footpath and grass verges shall be agreed in writing with the planning authority. The crossing facilities shall be in place and operational prior to the occupation of the development. All works to the public road shall be at the developer's expense.

**Reason:** In the interest of pedestrian safety.

6. (a) Pedestrian access to the public open space areas shall be permanent, open 24 hours a day, with no gates or security barrier at the entrance to the development or within the development in a manner which would prevent pedestrian access.
- (b) Prior to the occupation of any residential unit, the developer shall ensure that the public open spaces, as outlined in the site layout plan and landscape drawings shall be fully completed and open to the public.

**Reason:** In the interest of social inclusion and to secure the integrity of the proposed development including open spaces.

7. A schedule of all materials to be used in the external treatment of the development to include a variety of high-quality finishes, such as brick and stone, roofing materials, windows and doors shall be submitted to and agreed in writing with, the planning authority prior to commencement of development.

**Reason:** In the interest of visual amenity and to ensure an appropriate high standard of development.

8. Prior to commencement of development the developer shall submit, for the written agreement of the planning authority;
  - (a) details of the number and location of bicycle parking spaces to be provided within the scheme, and
  - (b) details of a drop off location for residents of the Senior Living Apartments in Block A.

**Reason:** In the interest of residential amenity and to promote sustainable travel.

9. Prior to commencement of development the developer shall submit for the written agreement of the planning authority final details of the internal layout of the creche, including the size of each room, intended age group for each room and details of the outdoor play area.

**Reason:** In the interest of clarity.

10. The following shall be agreed in writing with the Planning Authority prior to the occupation of the non-residential units:
  - (a) The hours of operation of all non-residential units, including details of hours of deliveries if outside hours of operation.
  - (b) Details of signage for all non-residential units.
  - (c) Details of delivery arrangements to all non-residential units.

**Reason:** To protect residential amenity and the orderly operation of the non-residential activities.

11. Prior to the commencement of development or as otherwise agreed in writing with the planning authority, the following details shall be submitted to demonstrate compliance:
  - (a) Should a ventilation system/mechanical plant be proposed for any of the Non-Residential uses, it shall be adequately filtered and externally vented so as not to cause a nuisance to neighbouring properties.

- (b) Any fumes emitted from a premises shall be minimised and, if necessary, treated using the Best Available Technology and emitted to the outer air.
- (c) The noise from the operation of the ventilation system shall be attenuated so as not to cause a noise/vibration nuisance to nearby residential properties.

**Reason:** In the interest of protecting residential amenity.

12. Noise due to the normal operation of the proposed development, expressed as Laeq over 15 minutes at the façade of a noise sensitive location, shall not exceed the daytime background level by more than 3 dB(A) and shall not exceed the background level for evening and night time. Clearly audible and impulsive tones at noise sensitive locations during evening and night shall be avoided irrespective of the noise level. Where mitigation measures are required, they shall be carried out in full as noted in the Acoustic Design Statement prepared by Wave Dynamics Acoustic Consultants.

**Reason:** In the interest of public health.

13. Notwithstanding the provisions of the Planning and Development Regulations 2001, or any statutory provision amending or replacing them, no advertisement signs including any signs installed to be visible through the windows, advertisement structures, banners, canopies, flags, or other projecting elements shall be displayed or erected on the retail units or within the curtilage of the site, unless authorised by a further grant of planning permission.

**Reason:** To protect the visual amenities of the area.

14. The antennae type and mounting configuration shall be in accordance with the details submitted with the appeal, and notwithstanding the provisions of the Planning and Development Regulations 2001, and any statutory provision amending or replacing them, shall not be altered without a prior grant of planning permission.

**Reason:** To clarify the nature and extent of permitted development to which this permission relates and to facilitate a full assessment of any future alterations.

15. In the event of the proposed telecommunication structures becoming obsolete and being decommissioned, the developers shall, at their own expense remove the telecommunications structures and associated equipment.

**Reason:** In the interest of orderly development.

16. Proposals for an apartment naming / numbering scheme and associated signage shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. Thereafter, all signs, and apartment numbers, shall be provided in accordance with the agreed scheme. The proposed names shall be based on local historical or topographical features, or other alternatives acceptable to the planning authority. No advertisements/marketing signage relating to the name(s) of the development shall be erected until the developer has obtained the planning authority's written agreement to the proposed name(s).

**Reason:** In the interest of urban legibility and to ensure the use of locally appropriate place names for new residential areas.

17. (a) The communal open spaces, including hard and soft landscaping and access ways, and all areas not intended to be taken in charge by the local authority, shall be maintained by a legally constituted management company.
- (b) Details of the management company contract, and drawings/particulars describing the parts of the development for which the company would have responsibility, shall be submitted to, and agreed in writing with, the planning authority before any of the residential units are made available for occupation.

**Reason:** To provide for the satisfactory future maintenance of this in the interest of residential amenity.

18. The boundary planting and public open spaces shall be landscaped in accordance with the landscape scheme submitted to the planning authority with the application, unless otherwise agreed in writing with the planning authority. The landscape scheme shall be implemented fully in the first planting season following completion of the development, and any trees or shrubs which die or are removed within three years of planting shall be replaced in the first planting season thereafter. This work shall be completed before any of the dwellings are made available for occupation. Access to green roof areas shall be strictly prohibited unless for maintenance purposes.

**Reason:** In order to ensure the satisfactory of the public open space areas, and their continued use for this purpose.

19. Public lighting shall be provided in accordance with a scheme which shall be submitted to and agreed in writing with the planning authority prior to the commencement of development. The scheme shall include lighting along pedestrian routes through open spaces. Such lighting shall be provided prior to the making available for occupation of any residential unit.

**Reason:** In the interest of amenity and public safety.

20. The car parking facilities hereby permitted shall be reserved solely to serve the proposed development. Prior to the occupation of the development, a Parking Management Plan shall be prepared for the development and shall be submitted to and agreed in writing with the planning authority. This plan shall provide for the permanent retention of the designated residential parking spaces and shall indicate how these and other spaces within the development shall be assigned, segregated by use and how the car park shall be continually managed.

**Reason:** To ensure that adequate parking facilities are permanently available to serve the proposed residential units and to prevent inappropriate commuter parking.

21. A minimum of 20% of all car parking spaces should be provided with functioning EV charging stations/points, and ducting shall be provided for all remaining car parking spaces, including in-curtilage spaces, facilitating the installation of EV charging points/stations at a later date.

**Reason:** To provide for and/or future proof the development such as would facilitate the use of Electric Vehicles.



22. The internal road network serving the proposed development, including footpaths and kerbs, the service lane and the undercroft car park shall be in accordance with the detailed construction standards of the planning authority for such works and design standards outlined in DMURS.

**Reason:** In the interest of amenity and of traffic and pedestrian safety.

23. All service cables associated with the proposed development such as electrical, telecommunications and communal television shall be located underground. Ducting shall be provided by the developer to facilitate the provision of broadband infrastructure within the proposed development.

**Reason:** In the interests of visual and residential amenity.

24. Drainage arrangements including the attenuation and disposal of surface water shall comply with the requirements of the relevant Section of the Council for such works and services. Prior to the commencement of development, the developer shall submit to the planning authority for written agreement a Stage 2 - Detailed Design Stage Storm Water Audit. Upon completion of the development a Stage 3 Completion Stormwater Audit to demonstrate Sustainable Urban Drainage System measures have been installed and are working as designed and that there has been no misconnections or damage to storm water drainage infrastructure during construction, shall be submitted to the planning authority for written agreement.

**Reason:** In the interest of public health and surface water management.

25. Prior to the commencement of development, the developer shall enter into a Connection Agreements with Uisce Éireann to provide for a service connection(s) to the public water supply and/or wastewater collection network.

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

26. Prior to the commencement of development, the developer shall engage with the National Transport Authority to coordinate works along the site's northern boundary with Old Blessington Road and the approved Tallaght / Clondalkin to City Centre BusConnects Core Bus Corridor Scheme.

**Reason:** In the interest of orderly development.

27. Operational Waste Management Plan. The applicant shall submit to the Planning Authority (Waste Regulation) for written agreement a site-specific operational waste management plan to ensure management of all waste within the curtilage of the development during its operational phases (i.e. post-construction). The plan shall include details in relation to waste segregation and collection, monitoring and security of waste contained areas.

**Reason:** In the interests of public health, residential amenities and sustainable development.

28. Tallaght District Heating Network. No development shall take place under this permission until the applicant, owner or developer has submitted the following details demonstrating how the proposal satisfies each of the criteria set out in Section 12.10.2 of the County Development Plan and Section 7.4.5 of the LAP for the written agreement of the planning authority.

**Reason:** In the interests of energy efficiency, climate change mitigation and the proper planning and sustainable development of the area.

29. The construction of the development shall be managed in accordance with a Construction Management Plan including hours of construction, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

**Reason:** In the interest of amenities, public health and safety and environmental protection

30. Prior to the commencement of development, the developer or any agent acting on its behalf, shall prepare a Resource Waste Management Plan (RWMP) as set out in the Environmental Protection Agency's Best Practice Guidelines for the Preparation of Resource and Waste Management Plans for Construction and Demolition Projects (2021) including demonstration of proposals to adhere to best practice and protocols. The RWMP shall include specific proposals as to how the RWMP will be measured and monitored for effectiveness; these details shall be placed on the file and retained as part of the public record. The RWMP must be submitted to the planning authority for written agreement prior to the commencement of development.

All records (including for waste and all resources) pursuant to the agreed RWMP shall be made available for inspection at the site office at all times.

**Reason:** In the interest of proper planning and sustainable development.

31. Prior to commencement of development, the applicant or other person with an interest in the land to which the application relates shall enter into an agreement in writing with the planning authority in relation to the provision of housing in accordance with the requirements of section 94(4) and section 96(2) and (3) (Part V) of the Planning and Development Act 2000, as amended, unless an exemption certificate shall have been applied for and been granted under section 97 of the Act, as amended. Where such an agreement is not reached within eight weeks from the date of this order, the matter in dispute (other than a matter to which section 96(7) applies) may be referred by the planning authority or any other prospective party to the agreement to An Coimisiún Pleanála for determination.

**Reason:** To comply with the requirements of Part V of the Planning and Development Act 2000, as amended, and of the housing strategy in the development plan of the area.

32. Prior to commencement of development, the developer shall lodge with the planning authority a cash deposit, a bond of an insurance company, or other security to secure the provision and satisfactory completion and maintenance until taken in charge by the local authority of roads, footpaths, watermains, drains, public open space and other services required in connection with the development, coupled with an agreement empowering the local authority to apply such security or part thereof to the satisfactory completion or maintenance of any part of the development. The form and amount of the security shall be as agreed between the planning authority and the developer or, in default of agreement, shall be referred to An Coimisiún Pleanála for determination.

**Reason:** To ensure the satisfactory completion and maintenance of the development until taken in charge.

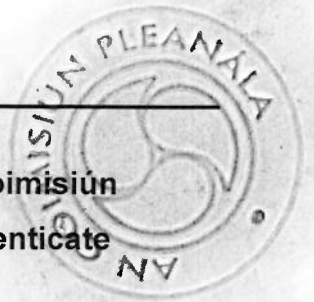
33. The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefiting development in the area of the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the Development Contribution Scheme made under section 48 of the Planning and Development Act 2000, as amended. The contribution shall be paid prior to commencement of development or in such phased payments as the planning authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. Details of the application of the terms of the Scheme shall be agreed between the planning authority and the developer or, in default of such agreement, the matter shall be referred to An Coimisiún Pleanála to determine the proper application of the terms of the Scheme.

**Reason:** It is a requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance with the Development Contribution Scheme made under section 48 of the Act be applied to the permission.



**Mary Henchy**

**Planning Commissioner of An Coimisiún  
Pleanála duly authorised to authenticate  
the seal of the Commission.**



Dated this *27<sup>th</sup>* day of *May* 2026