



An
Bord
Pleanála

Inspector's Report

ABP-304329-19

Development	Three-storey apartment building containing 8 no. apartments and 1 no. end of terrace house, landscaping, 11 no. car parking spaces, 20 no. bicycle parking spaces and associated site works.
Location	Colbert's Fort, Belgard Road, Tallaght, Dublin 24.
Planning Authority	South Dublin County Council
Planning Authority Reg. Ref.	SD19A/0037
Applicant(s)	Templemount Developments Ltd.
Type of Application	Permission
Planning Authority Decision	Refuse permission (3 no. reasons)
Type of Appeal	First Party
Appellant(s)	Templemount Developments Ltd.
Observers	Impact Ireland Metals Ltd. Elza Jez and Satbeer Singh
Date of Site Inspection	16/07/2019
Inspector	Conor McGrath

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1.0 Site Location and Description

- 1.1. The appeal site is located to the west of Belgard Road, Tallaght, Dublin 24. With a stated area of 0.1493ha, it currently comprises part of an unused overflow car park associated with Belgard Retail Park located to the south. Adjoining landuses to the north, south and west are industrial / commercial in nature. Colbert's Fort to the east, comprises a small enclave of single-storey houses, accessed from Belgard Road. The appeal site is bounded by block walls to the east and west and by palisade fencing to the north and south.

2.0 Proposed Development

- 2.1. The proposed development comprises the construction of 9 no. residential units, comprising 8 no. 2 & 3-bed apartments in a three-storey block, and one two-storey, 2-bed end-of-terrace house. The ground floor apartments and house are provided with rear gardens to the south, approx. 7m long, while upper floor units are provided with south facing terrace areas / balconies. Access is proposed from Colbert's Fort to the east and 11 no. parking spaces are provided to the front / north of the block.

3.0 Planning Authority Decision

3.1. Decision

The planning authority decided to refuse permission for the proposed development for 3 no. reasons as follows:

1. The proposal would contravene development plan policies for infill development and for Regeneration Lands in terms of connectivity and linkages, and environmental impacts on a residential development. It would therefore contravene the land use zoning objective, would injure the amenities of property in the vicinity and would be detrimental to public health.
2. Failure to meet standards for Communal Amenity Space, public open space and childrens play areas, contained in the 2018 Apartment Design Guidelines and the County Development Plan.

3. Overbearing impact on existing residential buildings due to inadequate separation of the 3-storey block from adjoining single-storey houses contrary to the requirements of the Development plan.

Note: While the planning authority decision indicates that the development contravenes the policies of the development plan, I note that the decision to refuse permission is not based on a material contravention of the plan.

3.2. Planning Authority Reports

3.2.1. Planning Reports: The planners report generally reflects the decision of the planning authority. The report notes in particular that:

- The development, on these regeneration lands, is not of a large enough scale to mark out a transition toward a more urban form of development and traditional street and would not facilitate future pedestrian linkages.
- The application may be premature pending a LAP for the area.
- No information on air and noise pollution has been provided.
- A site analysis and character appraisal was not provided.
- Height and density are acceptable in principle.
- Private open space should be subject to sunlight / daylight analysis.
- Clarification on the provision of communal facilities is required.
- The development comprises over-development and would require major redesign in terms of amenity space to be considered acceptable.

3.2.2. Other Technical Reports

Water Services: Revisions required to surface water drainage layouts.

Parks and Landscape: Issues raised in respect of landscaping proposals, compliance with SUDS and Green Infrastructure principles and compliance with development plan open space requirements. Refusal recommended.

Roads: On-street parking on Colbert's Fort reduces available road width. Additional parking should be provided on the site. Linkage into the existing footpath on the road and resurfacing of the end of road should be provided. Adequate turning space for refuse vehicles and public lighting required.

3.3. **Prescribed / External Bodies**

Irish Water: Standard conditions recommended.

Dept. of Defence: Given proximity to Casement Aerodrome, operation of cranes on the site should be coordinated with Air Corps Traffic Services.

3.4. **Third Party Submissions**

The planning authority received three submissions on the application which largely reflect the points raised in third party observations on the appeal.

4.0 **Planning History**

PA ref. CE19/0008: S.97 Certificate of Exemption granted in respect of this development.

PA ref. SD17A/0209 **ABP ref. ABP-300541-18:** Permission granted for new retail warehouse building within the Belgard Retail Park immediately south of the subject appeal site. This site includes the remaining part of the overflow car park as well as an area of the main surface car park and landscaped area serving the retail park. This development effectively severs the subject site from the Belgard Retail Park and it's associated use as an overflow car park.

There are a number of other planning history cases relating to Belgard Retail Park, and also other planning appeal cases relating to the appeal site from 1993 and 1994, however, they are not directly relevant to this appeal case.

ABP ref. ABP-303306-18: Permission granted in April 2019 for a Strategic Housing Development on lands to the south of Belgard Retail Park on the site of the former Uniphar factory. The development comprises 438 no. apartments and 403 no. student bedspaces, crèche, retail / commercial units and associated site works.

5.0 Policy and Context

5.1. Development Plan

5.1.1. South Dublin County Development Plan 2016-2022

Tallaght is identified as a Metropolitan Consolidation town. Core Strategy (CS) Policy 2 seeks to support their sustainable long-term growth through consolidation and urban expansion.

The appeal site is zoned Regeneration *REGEN: To facilitate enterprise and/or residential led regeneration*. CS2 Objective 4 promotes the regeneration of underutilised industrial areas within areas zoned 'REGEN'

CS2 Objectives 5 and 6 support high quality infill and higher residential densities at appropriate locations and this is reflected elsewhere in the plan.

With regard to Regeneration lands, section 1.8.0 notes that they offer significant potential for more intensive employment and/or residential development and associated uses. The transition from underutilised industrial areas is likely to occur on an incremental basis and may need to be supported by an economic regeneration strategy.

H8 Objective 4: To support proposals for more intensive enterprise and/or residential led development within areas zoned 'REGEN', subject to appropriate design safeguards and based on traditional urban forms that adhere to urban design criteria.

Section 11.2.4 requires a Design Statement in respect of developments of 10+ units which should address specific criteria. For development in Regeneration

zones additional criteria to be included in such design statements are identified, including:

- Transition to a more urban form of development and traditional street network.
- Connectivity and linkages and avoidance of piecemeal residential development
- Avoid ground floor residential development adjacent to busy roads.
- Avoid potential for pollution or other nuisance from established industrial uses.
- Improvements to the surrounding road and street network.

With regard to building heights HOUSING (H) Policy 9 supports varied heights across residential and mixed-use areas. Objective 3 seeks a gradual change in building heights for new residential developments adjoining existing one and two-storey housing. In this regard section 11.2.7 notes that development that adjoins existing one and/or two storey shall be no more than two storeys in height, unless a separation distance of 35 metres or greater is achieved.

Section 11.3.1 requires a minimum of 10% of the site area as public open space and identifies minimum floorareas and levels of open space provision for houses and apartments. The appeal site is located within defined zone 2 for parking provision, proximate to high quality public transport service.

Criteria for development on infill sites set out in section 11.3.2 include the submission of a site analysis addressing scale, siting and layout. Subject to appropriate safeguards, reduced open space and car parking standards may be considered for infill development.

5.1.2. Tallaght Town Centre Local Area Plan (Adopted 2006, extended 2011)

The 2006 Tallaght Town Centre Local Area Plan was renewed in 2011. This LAP is currently under review.

Within the overall masterplan, chapter 4 breaks the LAP into Local Framework Plans, of which Colbert's Fort was one (excluding the subject appeal site). With regard to Future Access and Movement it noted that

- Vehicular permeability should remain limited.
- The road should be resurfaced and classified as a shared zone.
- Include a pedestrian link to Cookstown Road (through the subject appeal site).

5.2. National Policy

5.2.1. Sustainable Urban Housing: Design Standards for new Apartments Guidelines for Planning Authorities (March 2018)

SPPR 2 places no restriction on dwelling mix for sites and developments of this scale, while SPPR 3 identifies minimum Apartment Floor Areas.

The guidelines note the importance of well-designed communal amenity space and Appendix 1 provides minimum standards for both communal and private amenity space. For urban infill schemes on sites less than 0.25ha, the requirements may be relaxed subject to overall design quality. Similarly, car parking provision may be relaxed on such sites.

Section 4.6 notes that Communal or other facilities should not generally be imposed as requirements by the planning authority in the absence of proposals from and / or the agreement of an applicant.

5.2.2. Urban Development and Building Heights - Guidelines for Planning Authorities

The guidelines provide a presumption in favour of increased building heights. In respect of Urban edge / suburban locations, development should include a mix of building heights and types and should provide a return to traditional, more compact urban forms.

5.2.3. **Sustainable Residential Development in Urban Areas - Guidelines for Planning Authorities (2009)**

The guidelines encourage higher densities on residential zoned lands, identifying minimum densities of 50 / ha proximate to public transport corridors.

The guidelines note that local area plans have a key role in translating overarching development plan policies and objectives at the local level. LAP's are particularly suited to areas undergoing significant (re)development and can:

- define key elements of local character;
- identify relevant development plan design principles and policies;
- provide detailed guidance regarding layout, density, massing, height, materials, etc., and indicate minimum/maximum densities
- Include indicative layouts to guide the shape and form of future development,

5.2.4. **Design Manual for Urban Roads and Streets (DMURS)**

Chapter 3 notes that more integrated and sustainable forms of development will result in a shift to highly connected networks which maximise permeability, particularly for pedestrians and cyclists. Maximising connections within a site will allow the street network to evolve to meet local accessibility needs, limiting the use of cul-de-sacs. Chapter 4 notes the effectiveness of shared surfaces subject to design.

Chapter 5 notes the importance of spatial plans, including LAP's and masterplans, to the implementation of more integrated street design.

5.3. **Natural Heritage Designations**

There are no sites of conservation interest in the vicinity of the appeal site. The closest site is the Dodder Valley pNHA, approx. 2km south east of the site. The closest European site is the Glenasmole Valley SAC (001209), approx. 4 km to the south.

5.4. EIA Screening

- 5.4.1. Having regard to the limited nature and scale of the proposed development and the absence of any significant environmental sensitivity in the vicinity / the absence of any connectivity to any sensitive location, there is no real likelihood of significant effects on the environment arising from the proposed development. The need for environmental impact assessment can, therefore, be excluded at preliminary examination and a screening determination is not required.

6.0 The Appeal

6.1. Grounds of Appeal

The first party make the following points in their appeal against the decision of the planning authority to refuse permission for the proposed development.

- This serviced site is proximate to Tallaght town centre, public transport and to district heating system on Belgard Road.
- The development will contribute to this urban area and to housing requirements identified in the National Planning Framework.
- This underused site is zoned Regeneration where residential use is permitted. It is not suitable for commercial use given proximity to Colbert's Fort.
- The Tallaght LAP showed a linkage between Cookstown Road and Belgard Road through the site, which can be accommodated within the scheme.
- Previous pre-planning advice was generally positive.
- SHD applications in the surrounding area will change its character, transitioning to well-connected residential and mixed uses.
- The scheme accords with relevant standards in terms of mix and internal design of dwellings, density and height and is appropriate for this location.
- Separation and transition in heights reduces impacts on adjoining properties in terms of overlooking, overshadowing and overbearing impacts.
- The site is not currently visible or prominent within Colbert's Fort. The development would integrate with the area and would improve this street.

- Impact Ireland Metals do not have consent or licences to carry out operations with noise or dust emissions. It is not clear that they have permission for manufacturing use on that site.
- Undue regard has been had to the views of the polluter over the applicant.
- Surveys indicate that noise levels on the site are within typical ranges, can be controlled and do not pose a threat to this redevelopment.
- There is no evidence of dust emissions from the adjoining site and proposed design will address potential impacts.
- Public open space is adequate for this small infill scheme (320-sq.m. / 33% of site). A dedicated play area is not required. There are public parks in the area.
- A landscape architect will be engaged to submit a landscaping plan.
- Private open space exceeds development plan requirements, including provision for the two-bed terrace house contrary to the PA assessment.
- Further information could have been requested to address design issues and communal open space could be provided to the rear of the block
- Submission of a building life cycle report and taking in charge map could be subject to condition.
- The planning authority decision was not made within the statutory period and a copy of the decision was not provided to the applicants.

6.2. Planning Authority Response

- The planning authority confirm the decision. The issues raised in the appeal have been addressed in the planner's report.
- The appeal claims that the planning decision was not made within the statutory 8-week period. This period expired on Sunday 31st March and the decision was therefore made on Monday 1st April, as per S141(c) of the Act.

6.3. Observations

Two observations have been received on the appeal:

6.3.1. Elza and Satbeer Singh

- Under previous planning ref. PL06S/02910(?), a wall was to be erected around Colberts Fort to protect it from industrial intrusion. The appeal site was outside this wall and should be accessed from the industrial zone.
- Existing traffic movements on Colbert's Fort cause congestion and create a traffic hazard, which would be exacerbated by the proposed development.
- There is inadequate access for waste and emergency service vehicles.
- Noise monitoring by the applicants was undertaken during a period of low levels of activity on the adjoining site, approaching a holiday weekend.
- The scheme is out of character with the surrounding pattern of development.

6.3.2. Impact Ireland Metals Ltd.

- The company have occupied the site to the west of the appeal site since mid-90's and have no plans to alter physical infrastructure or operations.
- Processes involve moving, cutting and grinding steel bars.
- Proximity of this residential development could impact on their operation due to operational noise impacts.
- Operating hours (8am-6pm) are occasionally exceeded and regularly include weekend working.
- A fire door on the eastern elevation must be openable in an emergency.
- There is occasional need to ventilate the facility on its eastern side.
- An existing gas tank adjoining the proposed bin store and unit no. 1 cannot be relocated.
- Existing boundary treatment should be retained to secure their site.
- Adjoining bin storage may attract vermin to their site.
- The application has not had any regard to the nature of surrounding uses.

7.0 Assessment

7.1. It is proposed to consider the appeal under the following broad headings:

- Land use and development principle
- Design and layout

- Noise Impacts
- Impact on existing amenities
- Transport and access
- Surface water drainage

7.2. Land use and development principle

- 7.2.1. In the 2016 South Dublin County Development Plan the appeal site is zoned Regeneration “REGEN”: *To facilitate enterprise and / or residential led regeneration.* The site is bounded on three sides by commercial / industrial uses, with residential uses to the east in Colbert’s Fort.
- 7.2.2. The thrust of development plan policy for regeneration lands is to secure the redevelopment of underutilised, well located industrial / commercial lands for more intensive commercial or residential uses. This zoning objective covers an extensive area and the plan recognises that this transition will be incremental. Residential development is permitted in principle, subject to appropriate design safeguards.
- 7.2.3. The previous Tallaght Town Centre LAP (2006 and 2011) outlined a framework / masterplan approach to the development of lands, including the appeal site. That plan has since expired, however, I consider that such an framework / masterplan approach is appropriate to ensure to coordinated redevelopment of such industrial lands. Both the Sustainable Residential Development Guidelines and DMURS recognise the appropriateness of such an approach for areas undergoing redevelopment. The planners report in this case notes that a Draft LAP for the area is currently in preparation and questions whether the development would be premature pending review of the LAP.
- 7.2.4. The development adjoins an existing residential area, however, the surrounding area is otherwise industrial / commercial in nature. The most recent planning application in the vicinity relates to an extension to the Belgard Retail Park immediately south of the appeal site (ABP-300541-18) which reinforces the commercial nature of uses on adjoining lands. Reference is made in the first party appeal to Strategic Housing developments in the area. I note that this appears to relate to a scheme granted

permission to the south of the Belgard Retail Park, however, that scheme does not indicate a change to the character and context of the subject appeal site.

- 7.2.5. I would have concerns about the insertion of this small but high-density residential scheme in an area characterised by active industrial / commercial uses, in the absence of a more comprehensive plan and context for the redevelopment of surrounding lands. The development is not of a sufficient scale to create its own context or lead wider redevelopment or transition from the existing pattern of use and building form in this area.

7.3. Design and Layout

- 7.3.1. The development comprises a small but high-density residential scheme in an area characterised by industrial / commercial use, providing a density of approx. 60 no. units per hectare. Subject to appropriate design and the achievement of adequate levels of residential amenity, I consider that such densities would be acceptable at this location and would not be contrary to the provisions of the development plan or relevant residential guidelines.
- 7.3.2. I note that the planning authority assessment considers the proposed development on the basis of the Design Statement criteria for residential development in a Regeneration zone as set out in the development plan. The development plan (section 11.2.4) requires the submission of such a Design Statement in respect of developments of 10+ dwelling units, however, the subject development would fall below this threshold.
- 7.3.3. The development provides 9 no. residential units on the site (5 x 2-bed and 4 x 3-bed). The internal floor areas and dimensions generally comply with the minimum standards set out in the development plan and the 2018 Sustainable Urban Housing Guidelines on apartment design. I note that internal storage for units no.'s 6-9 is based on bedspace number rather than the number of bedrooms. In terms of private amenity space, ground floor units are provided with access to rear open space / gardens while upper floor units are provided with rear, south facing terraces which exceed the minimum development plan and guideline standards. Unit no. 9 appears to be marginally below the development plan requirements for a house.

- 7.3.4. The closest adjacent property to the west is the Impact Ireland Metals facility, whose structures are within 2.5m of proposed dwelling units no.'s 1 & 6. The first-floor terraces serving units no. 6 and 7 would be located within 3m and 7m of these adjoining industrial buildings respectively. While noise is considered in more detail below, such proximity would result in poor levels of amenity both in terms of aspect as well as potential exposure to noise or other emissions. The juxtaposition of residential and industrial uses in the manner proposed is inappropriate and would give rise to a poor standard of development and amenity for future residential occupiers.
- 7.3.5. The plans do not identify the location or layout of the permitted retail warehouse development to the south. The southern site boundary adjoins the goods delivery vehicle turning area associated with that development. Proposed first floor terrace / private amenity space would be located within 7m of the southern site boundary, with potential for disturbance from deliveries and vehicle movements.
- 7.3.6. I would question the quality of the proposed rear open spaces given the enclosure and potential overshadowing effect of adjoining buildings. No assessment in this regard has been provided in the application. The entrance to the end of terrace dwelling, unit no. 9, is proposed from the relatively narrow passage on its eastern elevation, which would not provide for an attractive aspect to the property.
- 7.3.7. While the first party quote a figure of 320-sq.m. for public open space within the development, this would appear to be a generous calculation. The space would appear to comprise the hard-paved area between parking and the front of the block, grass verges, pavements, planters etc. The development plan would have a requirement for 149-sq.m. (10%) of open space and the 2018 apartment measures would have a reduced requirement for 67-sq.m., however both of these standards are subject to appropriate quality of design. I consider that the communal amenity space provided within the development would be of little real amenity value given its function, layout and orientation and that the design of the proposed space is deficient in terms of quality and usability. Suggested amendments to the layout to provide communal amenity space to the rear of the block would not be amenable to condition.

7.4. Noise impacts

- 7.4.1. I note the observation from the adjoining occupier to the west, Impact Ireland Metals and concerns regarding the impact on their operations arising from proximity of the proposed residential development. The first party have questioned the planning status of activities carried out on the adjoining site to the west, however, I do not propose to examine this question in this report, except to note that the appeal site is bounded by established commercial / industrial uses which are in character with the wider pattern of development in the area.
- 7.4.2. The development plan recognises that given the transitional nature of Regeneration zones, precautions will be taken to ensure that the potential for noise, air pollution or other nuisance from established industrial uses will not exceed acceptable environmental standards. The planning authority decision in this case references the requirement for assessments of noise and air quality impacts and the first party appeal is accompanied by a noise impact assessment in this regard.
- 7.4.3. A noise survey was conducted over 6 days in April, Wednesday to Tuesday, which included the Easter bank holiday weekend. Measurements were taken in the south-eastern corner of the site, approx. 20m from the boundary with commercial uses to the west. This separation is noted despite the report being prepared specifically to address concerns raised by Impact Ireland Metals.
- 7.4.4. In considering residential amenity, it is night-time noise which is of particular concern. WHO Guidelines for Community Noise note that for continuous noise, the equivalent sound pressure level should not exceed 30 dBA LAeq inside a bedroom. If the noise is not continuous, however, LAMax can be used to indicate the probability of impact on sleep. A standard of 45dB LAMax is identified in this regard.
- 7.4.5. Commentary on the noise survey results refers to the recorded LAeq equivalent, continuous sound levels. It notes that no significant noise from the Impact Ireland Metals site was identified. The report does not contain specific design recommendations except to note that use of standard double glazing could mitigate the impact of recorded early morning noise levels.
- 7.4.6. The report notes that no tonal noise was recorded on the site. It makes no reference to impulsive noise, however, which might arise due to the nature of adjoining uses. The survey results for LAFMax suggest that this may be an issue, however, the report

makes no commentary on such noise characteristics. Where impulsive noise was recorded on the site, it would attract a noise penalty for impact assessment.

- 7.4.7. At time of site inspection, I did not observe significant noise levels at the appeal site but note that adjacent established industrial uses have the potential to give rise to relatively noisy activities. I note the conclusions of the submitted noise impact assessment but remain concerned with regard to potential impacts on residential amenity having particular regard to the proximity of units no. 1, 6 and 7, including their rear amenity space, to the western site boundary. The noise impact assessment does not comment specifically on the layout of development in this regard and the basis for the choice of measurement location is unclear.

7.5. **Impact on existing amenities**

The planning authority decision refers to the relationship between the proposed development and the adjoining residential property to the east, no. 20 Colbert's Fort. This comprises a single-storey semi-detached cottage, which has been provided with a side and rear extension, with windows on the western elevation. The site of no. 20 is relatively large (approx. 20m x 38m), while there is a narrow strip of overgrown 3rd party lands between the appeal site and the site of no. 20.

The house is separated from the boundary with the appeal site by approx. 13.2m and from the gable wall of the proposed block by approx. 14.5m. The plans indicate that separation from the proposed development will be approx. 17m, however, this appears to relate to the main structure of the house rather than the nearest point of the rear and side extension.

The proposed development provides apartments over three storeys, with a two-storey element on its eastern boundary, closest to no. 20. While I note the provisions of the development plan with regard to separation of three-storey elements from adjoining housing, given the proposed design I do not consider that the proposed development would have an undue impact on the amenities of no. 20, either in terms of overlooking, overshadowing or have an overbearing impact thereon. Some privacy screens on the first-floor terrace of no. 5 would be appropriate, however.

7.6. Transport and access

- 7.6.1. The access road, Colbert's Fort, is approx. 6.5m wide, providing access to the adjoining housing from Belgard Road. At its eastern end, it also serves a number of commercial uses. The junction with Belgard Road is an uncontrolled junction with a right turn lane for southbound traffic accessing the Colbert's Fort. There is a refuge island for right-turning traffic exiting Colbert's Fort.
- 7.6.2. Colbert's Fort road is provided with a footpath on its southern side. Provision of off-street parking for existing houses varies and there is a pattern of on-street parking which reduces available road width. Road surface adjacent to the appeal site is poor. I note internal planning authority reports in this regard and resident's submissions with regard to access and turning provision for service vehicles. Any development on the subject site should provide improvements to this road, to include the provision of a turning area sufficient for the requirements of refuse and other service and emergency vehicles. In this regard, no gates or other barrier should be provided between any such development and Colbert's Fort.
- 7.6.3. The internal road appears to comprise a shared surface; however, the design and layout would not accord with the recommendations of DMURS and some revisions would be required in this regard, including the continuation of existing pedestrian facilities from Colbert's Fort into the appeal site.
- 7.6.4. Parking provision comprises 11 spaces for the 9 no. residential units on the site. This accords with development plan requirements for this location and, having regard to proximity of the site to public transport services including bus and Luas, is considered acceptable.
- 7.6.5. The planning authority refer to the failure of the scheme to create connectivity and linkages, particularly pedestrian linkages, with adjoining lands. The layout of the scheme could be amended to facilitate a future east-west pedestrian route in accordance with the previous LAP framework for the area. The existence of a current LAP for the area or more detailed masterplan would provide greater certainty about the form and layout of development which might be pursued on the site.

7.7. Surface Water Drainage

- 7.7.1. The appeal site is traversed by an existing 900mm surface water sewer flowing west-east across the northern part of the site. Surface water from part of the Belgard Retail Park site to the south drains to this 900mm sewer through the appeal site via a south-north sewer. The site plans indicate that this existing surface water sewer will be decommissioned and removed from the site. They further state that a new pipe will be laid “to new sw drainage pipe or MH”. Neither the plans nor the engineering report submitted with the application provide any specific details or proposals for works in this regard.
- 7.7.2. It is not clear that the consent of adjoining affected landowners to the south to such works has been obtained and prior to any decision to grant permission on the site, full design details in this regard would be required.
- 7.7.3. I note also the internal planning authority reports and recommendations regarding the design, layout and positioning of the surface water drainage system and consider that further details in this regard would be appropriate. These details should confirm the precise location of the existing 900mm surface water sewer traversing the site. There is an inconsistency in this regard between drainage plans submitted with this application and that of ABP-300541-18 to the south which should be resolved.

8.0 Appropriate Assessment – Screening

- 8.1. The appeal site comprises a brownfield site located within the established urban area, with connections to mains services. There are no European sites in the vicinity of the appeal site. The nearest such site is located approx. 4km to the south (Glenasmole Valley SAC 001209) however there are no connections between the appeal site and that European site.
- 8.2. It is reasonable to conclude on the basis of the information on the file, which I consider adequate in order to issue a screening determination, that the proposed development, either individually or in combination with other plans or projects would not be likely to have a significant effect on European Site (no. 001209), or any other

European site, in view of the site's conservation objectives, and a stage 2 appropriate assessment (and submission of a NIS) is not therefore required.

9.0 Recommendation

- 9.1. It is recommended that permission be refused for the proposed development for the reasons and considerations set out below.

10.0 Reasons and Considerations

1. The proposed development, by reason of the scale and layout of development proposed on this restricted site, the pattern of existing and permitted development in the surrounding area, and juxtaposition of the proposed residential units and their associated amenity areas with adjoining established commercial and industrial uses, would provide a poor standard of development with inadequate levels of residential amenity for future occupiers. The proposed development would therefore be contrary to the proper planning and sustainable development of the area.
2. The proposed development fails to provide adequate, well-designed communal amenity space in a secure and usable form to meet the needs of future residents of the development. The development would therefore conflict with the provisions of the current Development Plan for the area and with the Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities, published by the Department of the Environment, Heritage and Local Government in March 2018. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

Conor McGrath
Senior Planning Inspector

23/07/2019