



An
Bord
Pleanála

**S. 6(7) of Planning and
Development (Housing) and
Residential Tenancies Act 2016**

**Inspector's Report on
Recommended Opinion
305291-19**

Strategic Housing Development

Location	Former Gallagher's site, junction of Airton Road and Greenhills Road, Tallaght, Dublin 24
Planning Authority	South Dublin County Council
Prospective Applicant	Greenleaf Homes Ltd
Date of Consultation Meeting	October 7 th , 2019
Date of Site Inspection	September 24 th , 2019
Inspector	L. Dockery

1.0 Introduction

Having regard to the consultation that has taken place in relation to the proposed development and also having regard to the submissions from the planning authority and the documentation received from the prospective applicant, the purpose of this report is to form a recommended opinion as to whether the documentation submitted with the consultation request under section 5(5) of the Planning and Development (Housing) and Residential Tenancies Act 2016 - (i) constitutes a reasonable basis for an application under section 4, or (ii) requires further consideration and amendment in order to constitute a reasonable basis for an application under section 4.

2.0 Site Location and Description

- 2.1 The subject site, which has a stated area of 2.5 hectares, is located at the junction of Airton Road and Greenhills Road, Tallaght, Dublin 24. It is a former industrial site, which is now inactive. The site is bound to the west by a vehicle compound, within applicant's ownership; to the north by Airton Road; to the east by Greenhills Road and by the River Tymon to its south. The Technical University of Dublin Tallaght campus is located beyond the Tymon River to the south.
- 2.2 The site contains a number of disused industrial buildings, which are proposed for demolition as part of this current application.

3.0 Proposed Strategic Housing Development

- 3.1 The proposed development comprises the demolition of four no. existing factory/warehouse buildings and the construction of 544 residential units, 3 x retail units, crèche, communal facilities in six blocks, together with all associated site works.

The following details are noted:

Parameter	Site Proposal
Application Site	2.5 ha
No. of Units	544 apartments
Other Uses	Retail units- 533m ² Creche-335m ² Communal Amenity Space-696m ²
Density	217 units/ha
Height	4-8 storeys
Car Parking	230
Bicycle Parking	618
Vehicular Access	Airton Road and Greenhills Road
Part V	54 units

The breakdown of unit types is as follows:

Unit Type	No.	%
1-Bed	223	41%
Two-Bed	285	52%
Three-Bed	36	7%
Total	544	100%

3.2 The stated cumulative gross floor space of non-residential uses is 2062 square metres.

4.0 **National and Local Planning Policy**

4.1 National

Having considered the nature of the proposal, the receiving environment, the documentation on file, including the submissions from the planning authority, I am of the opinion that the directly relevant Section 28 Ministerial Guidelines are:

- Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas (including the associated Urban Design Manual)
- Sustainable Urban Housing: Design Standards for New Apartments (2018)
- Design Manual for Urban Roads and Streets (2013)
- The Planning System and Flood Risk Management (including the associated 'Technical Appendices') (2009)
- Urban Development and Building Heights, Guidelines for Planning Authorities (2018)
- Childcare Facilities, Guidelines for Planning Authorities (2001)

4.2 Local

The South Dublin County Development Plan 2016-2022 is the operative County Development Plan.

Zoning:

'Objective REGEN' which seeks to 'facilitate enterprise and/or residential-led regeneration'

Residential and restaurant/cafe development is 'permitted in principle'

SDCC Vision

New Regeneration zoning objective 'REGEN' has been introduced to support and facilitate the regeneration of underutilised industrial lands that are proximate to town

centres and/or public transport nodes for more intensive enterprise and residential led development.

11.2.4 Regeneration Zone

Development proposals in REGEN zones should address the following criteria:

- (1) Demonstrate a clear transition towards a more urban form of development and a traditional street network. Address connectivity and linkages in the area and demonstrate that the development of the site would not give rise to isolated piecemeal pockets of residential development that are disconnected from shops, amenities and/or residences.

The draft Tallaght Town Centre LAP 2020-2026 was published on 12th September 2019

- Promotes consolidation for the Tallaght Town Centre lands
- For Broomhill neighbourhood, the objective is to transition to mixed-use primarily focussed on higher value commercial uses. The land use mix provides for more mixed-use residential development along Greenhills and Airton Road, subject to integrating effectively with existing surrounding uses
- Indicates a capacity for the LAP lands of between 9716 and 12789 units over long-term (20 years)
- Long-term capacity for Broomhill is indicated as between 1250 and 1667 units
- Plot ratio, as set out in section 3.5, is indicated as between 0.75:1 and 1:1
- Height indicated as between 4-6 storeys residential along both Greenhills Road and Airton Road
- Minimum of 30% of units within any new residential development...shall have a minimum of three bedrooms (section 5.2.1)
- Minimum of 30% of units be for owner occupation/private sale with a maximum of 60% of units for build to rent (section 5.2.2)
- 10m riparian strip along watercourses with 'amenity frontage' along this to ensure passive surveillance and increased residential amenity (Figure 2.9 Public Realm)

5.0 **Planning History**

SD07A/0990

Permission GRANTED for demolition of existing industrial unit and construction of three single storey retail warehouse units with an external garden centre; two single storey car showrooms, together with ancillary site works.

6.0 **Section 247 Consultation(s) with Planning Authority**

6.1 It is stated by the prospective applicant that one pre-application consultation took place with the planning authority on 30th May, 2019.

7.0 **Submissions Received**

Irish Water

Confirmation of Feasibility issued for this site for 603 no. residential units.

As stated on CoF, the applicant must enter into a Project Works Services Agreement with IW to deliver studies and investigations to confirm the available capacity and to determine the full extent of any upgrades which may be required to IW wastewater infrastructure.

Any required third party consents will be determined by the outcome of the studies and investigations.

The applicant has not yet signed a Project Works Services Agreement or entered into discussions with IW to progress the works.

Alternatively, Irish Water is currently carrying out a Drainage Area Plan (DAP) with hydraulic modelling for the Dodder Valley Catchment. The outcome of the DAP will

indicate the available capacity and determine the full extent of any required upgrades. This study is due to be complete in Q3 2021.

Advises that based upon the CoF issued by IW and a fully executed Project Works Services Agreement, confirms that subject to a compliant water and wastewater layout and a valid connection agreement being put in place between IW and the development, the proposed connection(s) to the IW network(s) can be facilitated.

8.0 Forming of Opinion

Pursuant to section 6(7) of the Act of 2016, regard is had in the forming of the opinion to the documentation submitted by the prospective applicant; the planning authority submissions and the discussions which took place during the tripartite consultation meeting. I shall provide brief detail on each of these elements hereunder.

7.1 Documentation Submitted

- 8.1.1. The prospective applicant has submitted information pursuant to section 5(5)(a) of the Planning & Development (Housing) and Residential Tenancies Act 2016 and Article 285 of the Planning and Development (Strategic Housing Development) Regulations 2017. This information included, inter alia, completed application form, a completed pre-connection enquiry feedback form from Irish Water, Statement of Consistency Report, Planning Report; Development Composition Assessment, Landscape Masterplan and drawings; Construction Management Plan; Landscape Design Report; Tree Survey; Statement of Screening for Appropriate Assessment; Ecological Impact Assessment; Operational Waste Management Plan; Bat Survey; Traffic and Transportation Statement; Civil Engineering Infrastructure Report and Mobility Management Plan.
- 8.1.2. I have considered all of the documentation submitted by the prospective applicant, relating to this case.

7.2 Planning Authority Submission

- 7.2.1 In compliance with section 6(4)(b) of the 2016 Act the planning authority for the area in which the proposed development is located, South Dublin County Council,

submitted a note of their section 247 consultations with the prospective applicant and also submitted their opinion in relation to the proposal. These were received by An Bord Pleanála on 24th September 2019.

7.2.2 The planning authority's 'opinion' included the following matters: summary of key issues arising, description of site and surroundings, proposal, pre-planning and draft Tallaght Town Centre LAP, local policy context, zoning, internal consultations, settlement strategy, sequential approach, density, plot ratio and height, tenure and unit mix, urban design, block form and design, active street frontage/street interface, residential amenity and design, masterplan/phasing open space and public realm, roads, access and parking, services and drainage, energy, ecology and bats, AA, EIA and conclusion. The appendices contain details on relevant planning history, internal reports and section 247 consultations. The following points are noted:

- Density, plot ratio and height- not in accordance with draft LAP and should be reduced in line with LAP and to accord with core strategy of the Development Plan
- Open space and public realm- inappropriately located, greater clarity required and further consideration needed on necessary integration and connectivity
- Mix- contrary to provisions of draft LAP and an increase in 3 bed units required to meet LAP objectives
- Urban design- greater consideration of use of materials, colour and layout required
- Active street frontage- greater activity at street level required
- Masterplan/phasing- further clarification to avoid piecemeal development and optimise the location of open space and residential development
- Car parking- quantum of car parking too low

7.2.3 I have reviewed and considered all of the documentation submitted by the planning authority relating to this case.

7.3 Consultation Meeting

7.3.1 A Section 5 Consultation meeting took place at the offices of An Bord Pleanála on the 07th day of October 2019, commencing at 11.30 pm. Representatives of the

prospective applicant, the planning authority and An Bord Pleanála were in attendance. An agenda was issued by An Bord Pleanála prior to the meeting.

7.3.2 The main topics raised for discussion at the tripartite meeting were as follows:

- Masterplan for landholding/phasing, proposal in context of draft Tallaght LAP, PA issues as raised in Opinion
- Residential amenity
- Transport and parking
- Drainage and flood risk
- Any other matters

7.3.3 In relation to masterplan for landholding/phasing, proposal in context of draft Tallaght LAP and PA issues as raised in Opinion, An Bord Pleanála representatives sought further elaboration/discussion/consideration on the following:

- Phasing of overall masterplan lands and desire to ensure that, in absence of redevelopment of overall landholding, proposal does not represent ad hoc, piecemeal development offering substandard amenity to occupants; future accessibility to remainder of lands, as outlined in blue
- Height, density and plot ratio of proposal in context of provisions of draft Tallaght Town Centre LAP and settlement strategy of South Dublin County Development Plan 2016
- Proposed uses at ground floor level to Greenhills Road and Airton Road in relation to creation of active streetscape; provision of own door units; desire to ensure vitality along streets and surrounding areas of public open space
- Unit mix (in particular lack of three-bed units) and tenure in context of provisions of draft Tallaght Town Centre LAP
- Open space provision and the desire to ensure that it is functional and usable, not residual in nature; clear differentiation between private, communal and public open space; interface between open space areas; treatment of

southern area of open space and its connection through to riparian strip;
landscaping/boundary treatments

- Public realm; interface between proposed blocks and adjoining areas
- Permeability/accessibility- both within the site and through to wider area; safety and surveillance
- Elevational treatment; proposed materials/finishes; quality of proposed development given its prominent location, together with the fact that proposal would set the benchmark for future developments within REGEN area; further refinement of elevational treatment required

7.3.4 In relation to residential amenity, An Bord Pleanála sought further elaboration/discussion/consideration of the following:

- Potential impacts on residential amenity of nearby residential properties in terms of overlooking, overshadowing, overbearing and noise
- Residential amenity of future occupants; compliance with Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities (2018)
- Internal daylight/sunlight analysis to ensure adequate amenity of future residents including sunlight analysis to include areas of open space, in particular with regards to single aspect units with northern and eastern orientation
- Quality of ground floor private terrace areas, fronting onto Greenhills Road; proximity to Bus Connects corridor
- Quality of roof terraces; microclimate impacts
- Waste management and appropriate location of bins

7.3.5 In relation to transport and parking, An Bord Pleanála sought further elaboration/discussion/consideration of the following:

- Car parking provision
- Other matters raised in Roads Department Planning Report (dated 11/09/19), as contained in Appendix B of PA Opinion

- Liaise with PA in relation to such matters, prior to lodging application

7.3.6 In relation to drainage and flood risk, An Bord Pleanála sought further elaboration/discussion/consideration of the following:

- Matters raised in Water Services Planning Report (dated 09/09/19) as contained in Appendix B of PA Opinion
- Report of Irish Water to An Bord Pleanála, dated 25/09/19
- Liaise with PA and IW in relation to such matters, prior to lodging of application

7.3.7 In relation to other matters, An Bord Pleanála sought further elaboration/discussion/consideration of the following:

- School Demand and Concentration Report
- Additional CGIs/visualisations- ensure accuracy of same
- Legibility of drawings, for example level survey
- Taking in charge
- Waste management
- Ecology matters
- Building Lifecycle Report

7.4 Conclusion and Recommendation

7.4.1 Based on the entirety of the information before me, it would appear that the proposed development falls within the definition of Strategic Housing Development, as set out in section 3 of the Planning and Development (Housing) and Residential Tenancies Act 2016.

7.4.2 I have examined all of the information and submissions before me including the documentation submitted by the prospective applicants, the submissions of the planning authority and the discussions which took place at the tripartite meeting. I

have had regard to both national policy, via the section 28 Ministerial Guidelines and local policy via the statutory plans for the area.

- 7.4.3 Having regard to all of the above, I recommend that the Board serve a notice on the prospective applicant, pursuant to Section 6(7)(b) of the Planning and Development (Housing) and Residential Tenancies Act 2016, stating that it is of the opinion that the documentation submitted with the consultation request under section 5(5) of the Act **requires further consideration and amendment** in order to constitute a reasonable basis for an application under section 4 of the Planning and Development (Housing) and Residential Tenancies Act 2016.
- 7.4.4 I would also recommend that the prospective applicant be notified, pursuant to article 285(5)(b) of the 2017 Regulations, that specified information (as outlined hereunder) be submitted with any application for permission that may follow. I believe the specified information will assist the Board at application stage in its decision making process. I am also recommending that a number of prescribed bodies (as listed hereunder) be notified by the prospective applicant of the making of the application.

8 Recommended Opinion

The Board refers to your request pursuant to section 5 of the Planning and Development (Housing) and Residential Tenancies Act 2016. Section 6(7)(a) of the Act provides that the Board shall form an opinion as to whether the documents submitted with the consultation request (i) constitute a reasonable basis for an application under section 4 of the Act, or (ii) require further consideration and amendment in order to constitute a reasonable basis for an application under section 4.

Following consideration of the issues raised during the consultation process, and having regard to the opinion of the planning authority, **An Bord Pleanála is of the opinion that the documentation submitted requires further consideration and amendment to constitute a reasonable basis for an application for strategic housing development to An Bord Pleanála.**

In the opinion of An Bord Pleanála, the following issues need to be addressed in the documents submitted to which section 5(5) of the Act of 2016 relates that could

result in them constituting a reasonable basis for an application for strategic housing development:

1. Principle of proposal:

Further consideration/justification of the documents as they relate to the principle of the proposed development in the context of the overall re-development of lands within the applicants ownership, as outlined in blue in the submitted documentation. The applicant should satisfy themselves that the design strategy for the site, as outlined in red, provides the optimal outcome for the overall lands and should address why the proposed development could not be considered to be ad hoc, piecemeal, premature development in the absence of proposals for the redevelopment of the wider lands within the applicant's ownership at this location. The further consideration of these issues may require an amendment to the documents and/or design proposals submitted.

2. Urban Design and Active Frontage

- (i) Further consideration of the documents as they relate to the detailed design of the proposed development. The documentation submitted at application stage should demonstrate that the elevational treatments, external finishes, materials and detailing of the proposed buildings, together with the landscaping and surface/boundary treatments of the outdoor spaces would be of a sufficient quality to ensure that the proposed development makes a positive contribution to the character of the area over the long term. The interface between the proposed blocks and the public realm should also be addressed.
- (ii) Further consideration and/or justification of the documents as they relate to the ground floor uses of the proposed scheme, in particular along Greenhills Road, Airton Road and surrounding the 'Courtyard Open Space' in terms of the creation of an active and vibrant streetscape at this location. A Design Statement addressing the criteria contained within section 11.2.4 of the South Dublin County Development Plan 2016 in relation to development within such regeneration zones should be submitted.

The further consideration of these issues may require an amendment to the documents and/or design proposals submitted at application stage.

Pursuant to article 285(5)(b) of the Planning and Development (Strategic Housing Development) Regulations 2017, the prospective applicant is hereby notified that in addition to the requirements as specified in articles 297 and 298 of the Planning and Development (Strategic Housing Development) Regulations 2017, the following specific information should be submitted with any application for permission arising from this notification:

1. Daylight/Sunlight analysis, showing an acceptable level of residential amenity for future occupiers of the proposed development, which includes details on the standards achieved within the proposed residential units, in private and shared open space, and in public areas within the development. A report which addresses micro-climatic impacts on areas of open space, together with mitigation measures, if considered necessary, should also be submitted.
2. Contour/site level map accurately and legibly showing levels across the site.
3. Additional details in relation to the layout and design of the proposed areas of open space and the desire to ensure that these are attractive, accessible areas, conducive to appropriate social interaction and that offer a high amenity value for all users. A detailed landscaping plan for the site which clearly sets out proposals for hard and soft landscaping including street furniture, where proposed, should also be included. Additional cross sections, CGIs and visualisations should be included in this regard. Clear differentiation between areas of open space should be shown.
4. Construction and Demolition Waste Management Plan
5. Waste management details
6. Ecological Impact Assessment
7. A life cycle report shall be submitted in accordance with section 6.3 of the Sustainable Urban Housing: Design Standards for New Apartments (2018). This report should specifically address proposed materials, finishes and detailing which seek to create a distinctive character for the development, avoiding blank facades, dead frontage and render finishes. The documents should also have regard to the long term management and maintenance of the proposed development.

8. A schedule of floor areas for all proposed units
9. Additional details in relation to surface water management for the site, having regard to the requirements of the Drainage Division as indicated in Appendix B of the Planning Authority's Opinion. Any surface water management proposals should be considered in tandem with a Flood Risk Assessment specifically relating to appropriate flood risk assessment that demonstrates the development proposed will not increase flood risk elsewhere and, if practicable, will reduce overall flood risk.
10. Additional details in relation to transport and parking having regard to the report of the Transportation Division of the planning authority as detailed in Appendix B of their Opinion.

Pursuant to article 285(5)(a) of the Planning and Development (Strategic Housing Development) Regulations 2017, the prospective applicant is informed that the following authorities should be notified in the event of the making of an application arising from this notification in accordance with section 8(1)(b) of the Planning and Development (Housing) and Residential Tenancies Act 2016:

1. Irish Water
2. National Transport Authority
3. Transport Infrastructure Ireland
4. The Irish Aviation Authority
5. Department of Defence
6. Inland Fisheries Ireland
7. Coras Iompair Eireann

PLEASE NOTE:

Under section 6(9) of the Planning and Development (Housing) and Residential Tenancies Act 2016, neither the holding of a consultation under section 6, nor the forming of an opinion under that section, shall prejudice the performance by the Board, or the planning authority or authorities in whose area the proposed strategic housing development would be situated, of any other of their respective functions under the Planning and Development Acts 2000 to 2016 or any other enactment and cannot be relied upon in the formal planning process or in legal proceedings.

Lorraine Dockery
Senior Planning Inspector

21st October 2019

